

**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

LETTER OF TRANSMITTAL

DATE: February 24, 2021

SENT VIA:

PROJECT NO: 200516

 STANDARD MAIL

ATTENTION: Clerk of the District

 FEDEXSUBJECT: MWRD Variance Submittal
Village of Schaumburg Urban Park UPS HAND DELIVERYTO: Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611Clerk of the District

MAR 01 2021

Metropolitan Water Reclamation
District of Greater Chicago**WE ARE SENDING YOU ATTACHED:**

COPIES	DATE	NO.	DESCRIPTION
1	2/22/21		Petition of Variance – 90 NDW Urban Park, Village of Schaumburg

THESE ARE TRANSMITTED AS CHECKED BELOW:

<input checked="" type="checkbox"/> FOR APPROVAL	<input type="checkbox"/> FOR YOUR USE	<input type="checkbox"/> AS REQUESTED	<input type="checkbox"/> FOR REVIEW AND COMMENT
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REMARKS:

COPY TO:

BY: Donald R. Dressel, PE
Vice President

N:\SCHAUMBURG\200516\Water\Docs\LOT-MWRD-022421.docx

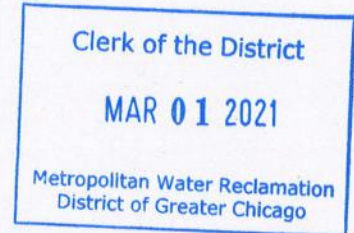
PETITION OF VARIANCE

Per the MWRD Watershed Management Ordinance Article 11 Section 1101.3

"3. variance petition shall, at a minimum, contain the following:"

A. The co-permittee's notarized signature on the petition:

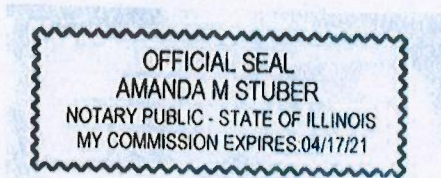
Co-Permittee: Village of Schaumburg
101 Schaumburg Court
Schaumburg, IL 60193



I hereby consent to the filling of this petition for variance from the provisions of the Metropolitan Reclamation District of Greater Chicago, Watershed Management Ordinance as indicated below:

Dated this 22th day of February 2021

Subscribed and sworn to me this 22th day of February 2021



(Notary of Public)

B. A letter of no objection to the variance request from the Permittee

See attached

C. The names and addresses of all professional consultants advising the Co-Permittee regarding the petition:

90 NDW Urban Park
Village of Schaumburg

Cassandra Rice
Site Design
688 S. Michigan Avenue
Chicago, IL 60605

Donald Dressel
Christopher B. Burke Engineering, Ltd.
9575 W, Higgins Road, Suite 600
Rosemont, IL 60018

D. The address(es), plat of survey and legal description of the Site.

Attached.

E. The names and address(es) of all owners of record of any property holding within two-hundred fifty (250) feet of the site where the project is or will be located.

Attached

F. A detailed statement of the specific feature(s) or characteristic(s) of the project or proposed project that requires a variance and prevent it from complying with this Ordinance.

Attached

G. The specific provision(s) of this Ordinance from which a variance is being requested, the precise variation being sought, and a detailed statement of any alternative or less extensive variance, if any, that would also allow the project to be permitted and completed.

Attached

H. A detailed statement describing how the requested variance satisfies each of the criterion provided in 1103.1 of this Ordinance.

Attached

90 NDW Urban Park
Village of Schaumburg

Attachments:

1. Item B
2. Item D
3. Item E
4. Item F
5. Item G
6. Item H

90 NDW Urban Park
Village of Schaumburg

ITEM B



VILLAGE OF SCHAUMBURG

ENGINEERING AND PUBLIC WORKS DEPARTMENT / 714 PLUM GROVE ROAD
SCHAUMBURG, IL 60193 / PHONE: 847.923.6616 / MHALL@SCHAUMBURG.COM

February 19, 2021

Don Dressel
Christopher B. Burke Engineering, Ltd.
9575 W. Higgins Road, Suite 600
Rosemont, IL 60018

RE: 90 North District West Park / MWRD Detention Variation Request / Letter of No Objection from Permittee

To Whom It May Concern:

The Village of Schaumburg as Permittee of the 90 North District West (90NDW) Park Project, is hereby providing this Letter of No Objection regarding the request for an MWRD detention variation request and provide the following responses (in **BOLD**) to the required variance application questions:

1. Certification from the local NFIP administrator that the project complies with the local NFIP ordinance or has obtained a variance from the local Ordinance.

The 90NDW Park Project complies with the local NFIP ordinance.

2. Certification that the local NFIP administrator has advised the applicant regarding any impact the proposed variance may have on NFIP insurance premiums or eligibility.

The local NFIP administrator has advised the applicant regarding impacts that the variation request may have on insurance premiums or eligibility.

3. Certification that the permittee has no objection to the variance request.

The Village of Schaumburg, as permittee, has no objection to the variation request.

The Village of Schaumburg has no objections to this MWRD detention variation request. Should you have any questions, please feel free to contact me at (847) 923-6616.

Sincerely,

VILLAGE OF SCHAUMBURG

A handwritten signature in blue ink, appearing to read 'Michael Hall'.

Michael Hall
Director of Engineering & Public Works

90 NDW Urban Park
Village of Schaumburg

ITEM D

PLAT OF DEDICATION



LANDMARK DRIVE DEDICATION DESCRIPTION

THAT PART OF OUTLOT A IN TOWNE CENTER AT VERDIAN PLAT OF SUBDIVISION RECORDED SEPTEMBER 13, 2018 AS DOCUMENT NO. 1825613044...

WHEREAS TOWNE CENTER NORTH IS BEING SUBDIVIDED INTO SECTIONS EAST ALONG AN EXTENSION LINE OF SAID OUTLOT A AND WESTERN LINE OF PARALLEL DRIVE, 150 FEET WIDE NORTH IS BEING SUBDIVIDED INTO SECTIONS WEST, 143 FEET WIDE WESTERN LINE OF PARALLEL DRIVE, 150 FEET WIDE...

WHEREAS TOWNE CENTER SOUTH IS BEING SUBDIVIDED INTO SECTIONS EAST ALONG AN EXTENSION LINE OF SAID OUTLOT A AND WESTERN LINE OF PARALLEL DRIVE, 150 FEET WIDE NORTH IS BEING SUBDIVIDED INTO SECTIONS WEST, 143 FEET WIDE WESTERN LINE OF PARALLEL DRIVE, 150 FEET WIDE...

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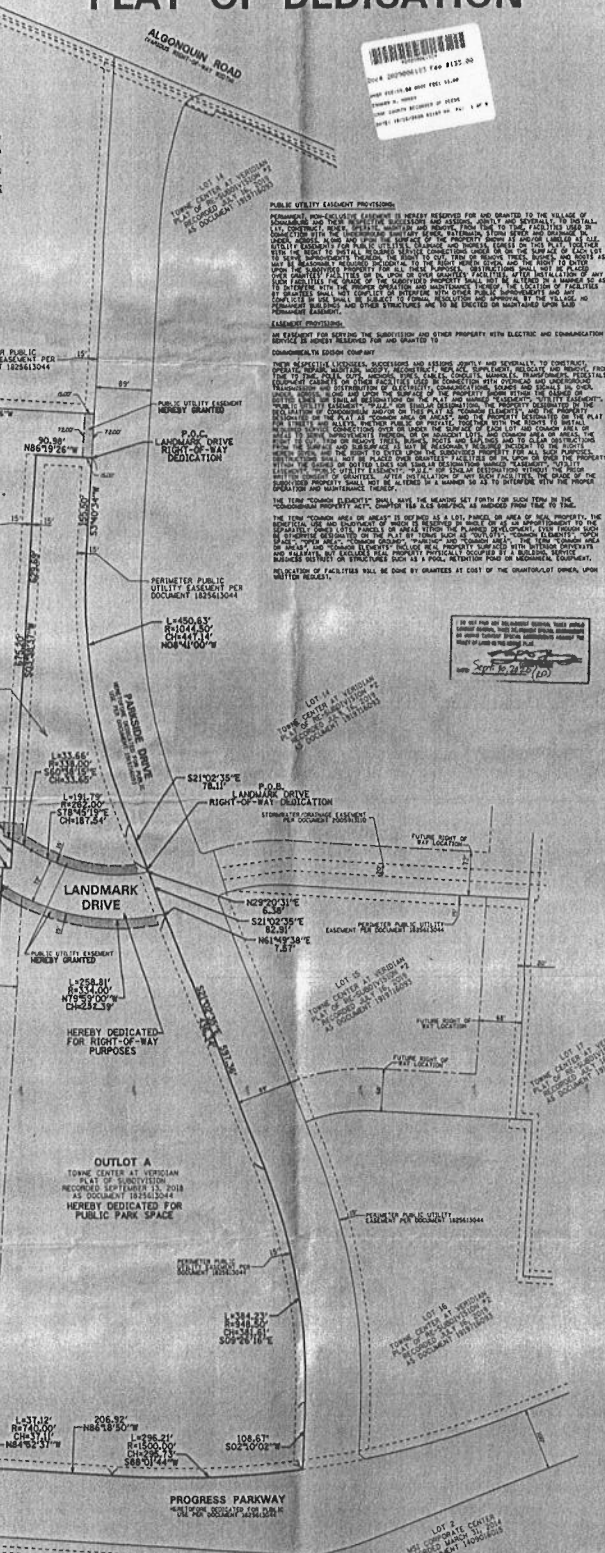
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BASIS OF BEARINGS: TRUE NORTH BASED ON GEODETIC OBSERVATION IL EAST TOWNE

NOTE: ALL BEARINGS AND DISTANCES ARE MEASURED IN FEET UNLESS OTHERWISE NOTED.

IN A 1000 FOOT
OR A 1000 FOOT
OR A 1000 FOOT

SCALE: 1" = 80'

UNLESS OTHERWISE SPECIFIED, ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

OWNER CERTIFICATE: LOT 15

STATE OF ILLINOIS

COUNTY OF COOK

THIS IS TO CERTIFY THAT THE PROPERTIES, L.L.C. & RELEASE LIMITED LIABILITY COMPANY, HAS BEEN DEDICATED TO THE PUBLIC USE OF THE TOWNE CENTER AT VERDIAN PLAT OF SUBDIVISION RECORDED SEPTEMBER 13, 2018 AS DOCUMENT NO. 1825613044, IN COOK COUNTY, ILLINOIS.

DATE: 12/14/2018

SIGNATURE: [Signature]

TITLE: [Title]

STATE OF ILLINOIS

COUNTY OF COOK

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DATE: 12/14/2018

SIGNATURE: [Signature]

TITLE: [Title]

STATE OF ILLINOIS

COUNTY OF COOK

REVISIONS:	DATE: 08/08/2020
	JOB NO: 1743-08
	FILE NO: 1825613044-01
	SHEET: 1 of 1

CONSULTING ENGINEER: [Signature]

REGISTERED PROFESSIONAL ENGINEER: [Signature]

1725 W. Higgins Road, Suite 700
Evanston, Illinois 60201
Phone: (847) 874-6000 Fax: (847) 874-6043



90 NDW Urban Park
Village of Schaumburg

ITEM E

Property Owners Within 250' of Parcel Requesting MWRD Detention Variation

4.) Veridian Development

5.) Northgate Development

3.) Boler Company

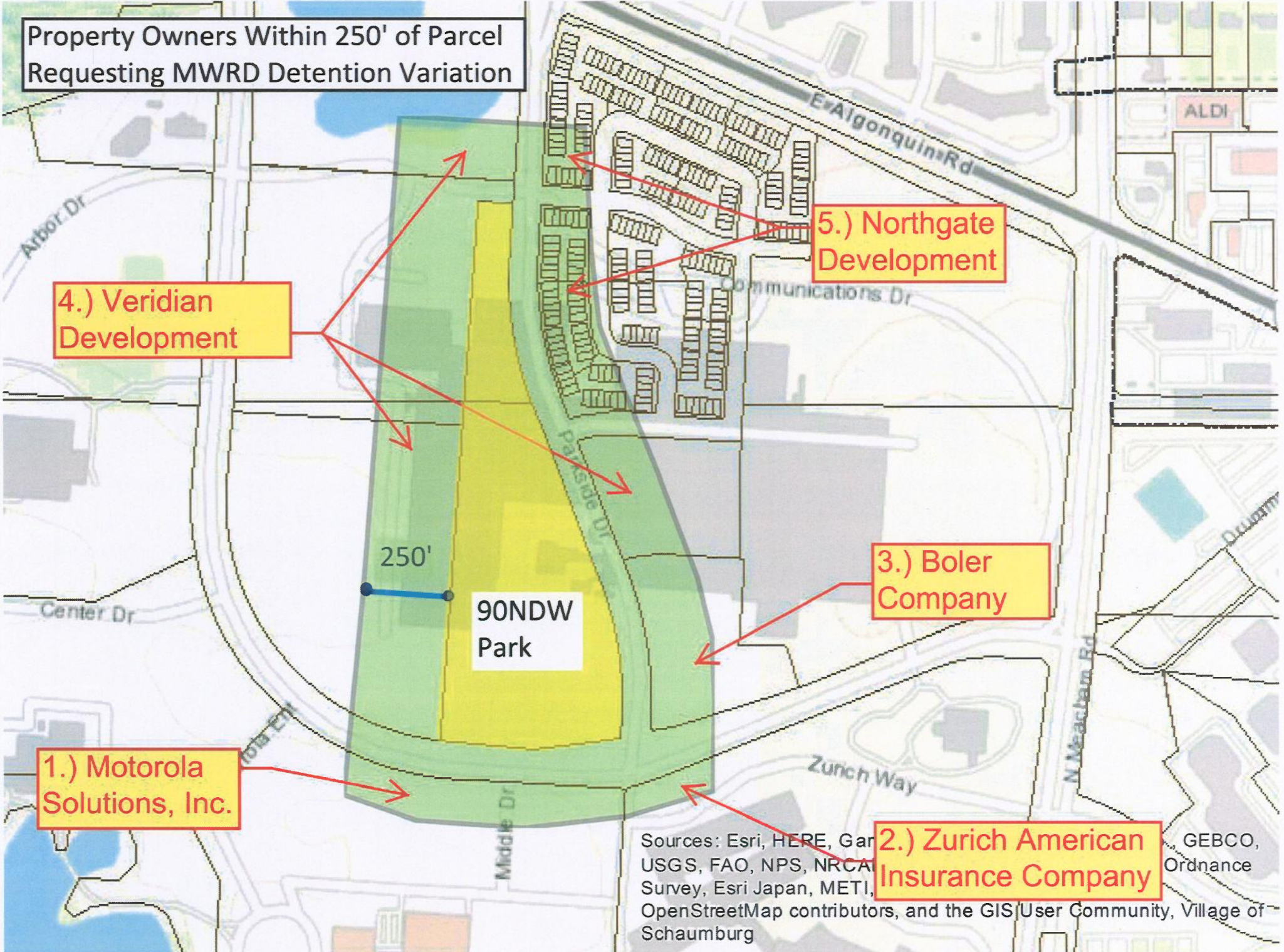
1.) Motorola Solutions, Inc.

2.) Zurich American Insurance Company

90NDW Park

250'

Sources: Esri, HERE, Garmin, USGS, FAO, NPS, NRCAN, Survey, Esri Japan, METI, OpenStreetMap contributors, and the GIS User Community, Village of Schaumburg



Property Owners Within 250' of Parcel Requesting MWRD Detention Variation

1.) Motorola Solutions, Inc.

2000 Progress Parkway
Schaumburg, IL 60196

Owner:

Stonemont Financial Group
3280 Peachtree Road NE, Suite 2770
Atlanta, GA 30305

2.) Zurich American Insurance Company

1299 Zurich Way
Schaumburg, IL 60196

Owner:

Stonemont Financial Group
3280 Peachtree Road NE, Suite 2770
Atlanta, GA 30305

3.) Boler Company

2021 Parkside Drive
Schaumburg, IL 60173

Owner:

Boler Properties, LLC
2021 Parkside Drive
Schaumburg, IL 60173

4.) Veridian Development

Various locations
Schaumburg, IL 60173

Owner:

TUF Properties, LLC
401 West Superior Street
Chicago, IL 60654

5.) Northgate Development

Various locations
Schaumburg, IL 60173

Owners:

DR Horton Inc. - Midwest
750 East Bunker Court, Suite 500
Vernon Hills, IL 60061

Andrew Oh
2331 Parkside Drive
Schaumburg, IL 60173A

Property Owners Within 250' of Parcel Requesting MWRD Detention Variation

Venkata Geetha Bijjtam
2333 Parkside Drive
Schaumburg, IL 60173

Siva Kalapatatu
2335 Parkside Drive
Schaumburg, IL 60173

Kanta & Chaman Bhatia
2337 Parkside Drive
Schaumburg, IL 60173

Anu Mistry
2339 Parkside Drive
Schaumburg, IL 60173

Dustin Cavida
2341 Parkside Drive
Schaumburg, IL 60173

Chinmay Patel
2343 Parkside Drive
Schaumburg, IL 60173

ITEM F

The proposed urban park consists of 10.37 acres. The site previously consisted of nearly 100% impervious surfaces. As part of the initial development phases, the developer removed all impervious surfaces, and the site was mass graded before transferring the property to the Village of Schaumburg. The site can now be classified as a pervious surface. It is the Village's position that sufficient detention storage volume was provided under MWRD Permit 18-150 for the removal of the prior impervious surfaces and the mass grading of the proposed urban park site.

MWRD Permit 18-150 included the expansion of the existing stormwater management basin (North Pond) to provide sufficient detention storage volume for the proposed tributary development.

MWRD permit 18-150 allocated 3.8 acre-feet of detention storage volume for the ultimate development of the proposed urban park. The North Pond has been expanded in accordance with MWRD Permit 18-150 conditions.

The Village of Schaumburg hired a consultant to prepare urban park plans based on the assumption that all required detention storage volume had been provided in the North Pond. With the adoption of the new Watershed Management Ordinance (WMO) on May 7, 2020, the requirements associated with detention storage became larger due to the higher Illinois State Water Survey (ISWS) Bulletin 75 rainfall depths and lower release rates. Because the urban park has been designed assuming all required detention storage volume was accommodated in the North Pond, there is no land available in the urban park for supplying additional detention storage volume.

The new WMO would require detention storage for the disturbance of non-impervious surfaces and new impervious surfaces. Based on this, the proposed Ultimate Urban Park development would require approximately 1.9 acre-feet of detention storage. Under MWRD permit 18-150, the site was mass graded, therefore, the Village of Schaumburg believes the only additional detention storage volume required by the May 7, 2020 WMO requirements should be for the urban park's new impervious surfaces.

90 NDW Urban Park
Village of Schaumburg

In conjunction with the current WMO, MWRD has developed a nomograph based on the ISWS Bulletin 75 rainfall depths. This nomograph provides a way to estimate required detention storage volume based on the percent imperviousness of a proposed development site.

The nomograph indicates that an impervious surface requires a detention storage volume of 0.48 acre-feet per acre of the impervious surface.

The following are the urban park ultimate conditions proposed impervious surface area and the required detention storage volume based on the ISWS Bulletin 75 MWRD's detention storage volume of 0.48 acre-feet per acre:

- Ultimate (Proposed Impervious Area = $\pm 84,606$ sf or 1.94 acres)
 - Required Detention Storage Volume = $(1.94 \text{ acres} \times 0.48 \text{ acre-feet/acre}) = 0.93 \text{ acre-feet}$

90 NDW Urban Park
Village of Schaumburg

ITEM G

The Village of Schaumburg requests relief from Section 504.2 – “The area of development shall be used to calculate the gross allowable release rate”. The Village of Schaumburg is requested the use of only the proposed new impervious surface to determine required detention storage volume. This is the least extensive variance that can be requested that would allow the project to be permitted and constructed.

ITEM H

- A. Granting the variance neither alters the essential character of the area involved nor alters existing stream uses;
The variance will not alter the character of the area and does not impact any stream.
- B. Failure to grant the variance would create an unreasonable hardship on the applicant; economic hardship alone shall not constitute unreasonable hardship;
The Village has gone forward with the development of the proposed urban park assuming that the required detention storage volume has been provided in the expanded North Pond.
- C. The variance to be granted is the minimum necessary and there are no other means by which the alleged hardship can be avoided or remedied to a degree sufficient to permit the reasonable continuation of the project;
Because the proposed urban park plan was developed and approved prior the May 7, 2020 WMO, it does not have sufficient area to support a stormwater management basin.
- D. The applicant's circumstances are unique, not self-imposed, and do not represent a general condition or problem;
This is the Village's only urban park.
- E. The project is unique when compared to other projects that have met the provisions of this Ordinance;
This a unique situation, the prior WDO would allow an urban park to be constructed without providing detention storage.
- F. A development proposed within a flood protection area is unable to be constructed outside the flood protection area; and
The proposed park is not located in a flood protection area.
- G. Granting the variance shall not result in any of the following:
- (1) Increase in the regulatory floodplain elevation, unless a CLOMR is issued by

90 NDW Urban Park
Village of Schaumburg

FEMA;

The proposed urban park will not result in a n increase a regulatory floodplain.

- (2) Additional threats to public safety;
The urban park will not threaten public safety.
- (3) Extraordinary public expense;
The variance will reduce the amount of public expense.
- (4) Nuisances, fraud, or victimization of the public; or
The proposed variance will not result in the above.
- (5) Conflict with existing laws or ordinances."
The proposed variance is not in conflict with existing laws or ordinances.