

1. Pledge of Allegiance led by Village Clerk, Marlene Williams.
2. Call meeting to order and roll call.
3. Approve Consent Agenda.
- * 4. Approve, as submitted, minutes of regular meeting held January 3, 2012.
- * 5. Approve Voucher List #17-FY12 of January 17, 2012.
- * 6. Proclamations and Resolutions.
 - A. Proclamation:
National Burn Awareness Month – February 2012
7. Recognition, Presentations and Awards.
- * 8. Appointments, Reappointments and Resignations.
 - A. Appointment:
Consumer Affairs Commission (Two-Year Term): Harshad C. Shah
 - B. Reappointments:
Board of Health: Dr. A. Michael Drachler (Two-Year Term, One-Year Term as Chair)
Consumer Affairs Commission (Two Year Term): Howard S. Meyer
Human Relations Commission (Three-Year Term, One-Year Term as Chair): James O. Coney
9. Report of the Village Manager.
 - A. Downtown Skokie – Grant for Rehabilitation of 4843 Oakton Street.
10. Report of the Corporation Counsel.

CONSENT:

 - *A. A resolution approving a plat of subdivision for the property located at 9300-9350 Weber Park Place, Skokie, Illinois in an R2 Single-Family Residential district (2010-36P). This item is on the consent agenda for first reading and adoption.
 - *B. An ordinance amending the zoning map with regard to the property located at 9300-9350 Weber Park Place, Skokie, Illinois from an R2 Single-Family Residential district to a B2 Commercial district (2010-37P). This item is on the consent agenda for second reading and adoption.
 - *C. An ordinance vacating an unopened and unimproved portion of the north-south residential alley in the 9500 block bounded by Golf Road, LeClaire Avenue, Foster Street and Leamington Avenue, in an R2 Single-Family residential district (2011-27P). This item is on the consent agenda for second reading and adoption.
 - *D. An ordinance approving modifications to the previously approved special use permit for the bank with a drive-through facility at 4200 Dempster Street, Skokie, Illinois in a B2 Commercial district and the repeal of Village Ordinance Numbers 78-6-Z-1092 and 89-2-Z-2011 (78-7P). This item is on the consent agenda for second reading and adoption.

SECOND READING:

 - E. An ordinance amending the zoning map with regard to the property located at 5116 Suffield Court, Skokie, Illinois from an R2 Single-Family Residential district to an R3 Combined Housing district (2011-18P). This item is on the agenda for second reading and adoption.

- F. An ordinance granting site plan approval for the establishment of a two-unit congregate living facility at 5116 Suffield Court, Skokie, Illinois in an R3 Combined Housing district (2011-19P). This item is on the agenda for second reading and adoption.

11. Unfinished Business.

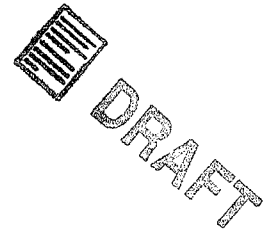
12. New Business.

13. Plan Commission.

14. Citizen Comments.

15. Adjournment.

MINUTES of a regular meeting of the Mayor and the Board of Trustees of the Village of Skokie, Cook County, Illinois held in the Council Chambers at 5127 Oakton Street at 8 p.m. on Tuesday, January 3, 2012



Pledge of Allegiance led by Cub Scout Pack #85 from Middleton School.

The Mayor called the meeting to order.

The Clerk called the Roll. Those present were Trustee Perille, Roberts, Sutker, Bromberg, Shah, Lorge and Mayor Van Dusen.

Motion to approve the Consent Agenda.

Moved: Trustee Shah

Seconded: Trustee Bromberg

Ayes: Perille, Roberts, Sutker, Bromberg, Shah, Lorge and Mayor Van Dusen

Nays: None.

Absent: None

MOTION CARRIED

* Approve, as submitted, minutes of regular meeting held December 19, 2011.

Omnibus vote.

* Approve Voucher List #16-FY12 of January 3, 2012.

Omnibus vote.

* Proclamations and Resolutions.

Martin Luther King Day – January 16, 2012

Omnibus vote.

Appointments, Reappointments and Resignations.

A. Swearing in of the following personnel by the Village Clerk Marlene Williams.

<u>Name</u>	<u>Old Position</u>	<u>New Position</u>
Kimberly Iwanicki	New Hire	Police Officer

Mayor Van Dusen congratulated the new Officer who introduced her family and friends.

*B. Reappointments:

Centre East Authority Board (Three-Year Term): Daniel Kelch, Barbara Reeder

Plan Commission (Four-Year Term): Dakshes Laxpati, Mort Paradise

Zoning Board of Appeals (Four-Year Term): Sharon Roos Kirkpatrick, David Solovy,

Richard Perlin, Alan Gerstner

Omnibus vote.

*C. Resignations:

Board of Health: Dr. Marilyn Wideman

Cable Television Advisory Commission: Murray Arnow

Commission on Family Services: Mark Collins, Richard Marcus

Public Safety Commission: David Putrus

Omnibus vote.

Report of the Village Manager.

* A. Bid Report - Photocopy Equipment for Village Hall – Image Systems & Business Solutions (ISBS), Chicago, IL - \$27,170.

Motion to award a contract to Image Systems & Business Solutions (ISBS), Chicago, IL in the amount of \$27,170 for photocopy equipment for Village Hall.

Omnibus vote.

B. Request for Executive Session.

Motion to approve the request of the Village Manager for an Executive Session pursuant to Section 2, Paragraph C.2 of the State of Illinois Open Meetings Act at the conclusion of the regular meeting and to adjourn therefrom.

Moved: Trustee Sutker

Seconded: Trustee Perille

Ayes: Perille, Roberts, Sutker, Bromberg, Shah, Lorge and Mayor Van Dusen

Nays: None.

Absent: None

MOTION CARRIED

12580

Meeting of the Mayor and Board of Trustees
Tuesday, January 3, 2012 Page Two

Report of the Corporation Counsel.

CONSENT

*A. Ordinance 12-1-C-3869

Motion to adopt an ordinance amending Chapter 10, Section 10-33, of the Skokie Village Code pertaining to the retail sale and regulation of alcoholic liquor in the Village of Skokie. This item is on the consent agenda for second reading and adoption.

Omnibus vote.

*B. Ordinance 12-1-Z-3870

Motion to adopt an ordinance approving a plat of dedication for Elmwood Street between Warren Street and Searle Parkway, Skokie, Illinois in a CX Core Mixed-use district. This item is on the consent agenda for second reading and adoption.

Omnibus vote.

* C Ordinance 12-1-Z-3871

Motion to adopt an ordinance granting a special use permit to allow outdoor displays of vehicles at Westfield Old Orchard Shopping Center, 4801-4999 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district, an R1 Single-Family Residential district and a B1 Service Commercial district (2011-21(A)P). This item is on the consent agenda for second reading and adoption.

Omnibus vote.

* D. Ordinance 12-1-Z-3872

Motion to adopt an ordinance granting site plan approval for a planned development for a portion of Westfield Old Orchard Shopping Center at 4801-4999 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district and an R1 Single-Family Residential district, and relief from certain sections of Chapters 82 and 118 of the Skokie Village Code (2011-22P). This item is on the consent agenda for second reading and adoption.

Omnibus vote.

* E. Ordinance 12-1-Z-3873

Motion to adopt an ordinance granting a special use permit to establish and operate a motor vehicle hand car wash in the parking garage located beneath 4905 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district (2011-23P). This item is on the consent agenda for second reading and adoption.

Omnibus vote.

* F. Ordinance 12-1-Z-3874

Motion to adopt an ordinance granting a special use permit to allow outdoor vending machines at Westfield Old Orchard Shopping Center, 4999 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district (2011-24P). This item is on the consent agenda for second reading and adoption.

Omnibus vote.

* G. Ordinance 12-1-Z-3875

Motion to adopt an ordinance granting a special use permit to allow motor vehicle sales with outdoor vehicle storage at Westfield Old Orchard Shopping Center, 4999 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district (2011-25P). This item is on the consent agenda for second reading and adoption.

Omnibus vote.

SECOND READING:

H. Ordinance 12-1-Z-3876

Motion to adopt an ordinance granting site plan approval for a planned development for a portion of Westfield Old Orchard Shopping Center at 4801-4999 Old Orchard Center, Skokie, Illinois in a B4 Regional Shopping district, an R1 Single-Family Residential district, and a B1 Service Commercial district, relief from certain sections of Chapter 82 of the Skokie Village Code pertaining to signage and certain sections of Chapter 118 pertaining to parking

SHORE

SHORE is seeking funding to eliminate a moisture problem in the crawl space that may be caused by cracks related to foundation damage in a section of the CILA at 8900 Central Park Ave. 17,250

Orchard Village

Orchard Village is requesting funding for interior and exterior remodeling of a group home for six male residents with developmental disabilities at 3856 Brummel St. 33,821

Public Services**Center for Enriched Living**

The Center for Enriched Living (CEL) is requesting funding to provide scholarships so that low-income people with developmental disabilities can be fully included in the community, achieve personal success, and enjoy a good quality of life, by participating in CEL programs. 5,000

Maine-Niles Association of Special Recreation (MNASR)

M-NASR is requesting funding to provide financial aid to extremely low- to low-income children and adults with developmental disabilities, enabling them to participate in therapeutic recreation activities. 9,108

Access to Care

The Access to Care Program is sponsored by the Suburban Primary Health Care Council located in Westchester, Illinois, and is requesting funding to provide access to primary medical services to low- income residents of Skokie. 10,000

PEER Services

PEER Services is requesting funding to offset the costs associated with employing a half-time substance abuse treatment engagement and retention specialist. 10,000

Children's Advocacy Center

The Children's Advocacy Center is requesting funding to offset the cost of a child and family advocate/counselor position to support child victims of abuse, and their non-offending family members, through expert child interviews, medical evaluations, and crisis intervention services during the investigation of the alleged abuse 3,000

The Harbour

The Harbour, Inc. is a Park Ridge-based agency is requesting funding to offset the cost of staff functions to serve the needs of homeless youth (including locked-out, runaway, and abandoned) ages 12-21 in the north and northwest suburbs 8,000

North Shore Senior Center

The NSSC is requesting funding to offset the staffing costs associated with providing long-term case management and counseling services to Skokie's homebound, low-income elderly and their families. 10,000

Interfaith

Interfaith Housing Center of the Northern Suburbs is requesting funding to offset the costs of staffing to work with renters in foreclosed, multi-family buildings to understand their rights, prevent eviction, and review options, which could include tenant ownership. 3,000

Metropolitan Family Services

Metropolitan Family Services (MFS) is requesting funding to cover a portion of the costs of a counselor and intake worker who provides information and referral services. 5,000

TOTAL ADDITIONAL PROPOSALS**\$186,734**

**Meeting of the Mayor and Board of Trustees
Tuesday, January 3, 2012 Page Five**

Representatives from each of the organizations explained their requests. Staff recommendations will be presented at the final public hearing on Monday, February 6th.

Citizen Comments. None

Adjournment

Motion to adjourn at 9:41 p.m.

Moved: Trustee Perille

Seconded: Trustee Roberts

Ayes: Perille, Roberts, Sutker, Bromberg, Shah, Lorge and Mayor Van Dusen

Nays: None.

Absent: None.

MOTION CARRIED

Marlene Williams, Village Clerk

Approved:

George Van Dusen, Mayor

A Closed Session was held in the main floor conference room at 9:45. Those present were Mayor Van Dusen, Clerk Williams. Trustees Perille, Roberts, Sutker, Bromberg, Shah and Lorge. Also present were Manager Rigoni, Assistant Manager Lockerby, Corporation Counsel Hanley, Fire Chief Czerwinski and Personnel Director Ballowe. The meeting ended at 10:20 p.m.

WHEREAS, hot water scalds are the leading cause of burns to young children. The vast majority of these burn injuries are preventable; and

WHEREAS, when using tap water, turn on the COLD water first, then add the HOT water and adjust the temperature; and

WHEREAS, always test young children's bath before using. When bathing children, never leave them unattended, as they may turn on the hot water, or slip in your absence; and

WHEREAS, be very careful when drinking HOT liquids, especially around children. At 140 F, it takes less than five seconds to get a third degree burn; and

WHEREAS, playing with matches and lighters is one of the leading causes of fire deaths to young children; and

WHEREAS, matches and lighters are tools for grownups, and not toys to be played with. Reinforce the concept that like power tools, lighters have specific uses, like lighting candles, or fireplaces; and

WHEREAS, cooling a burned area will lesson the severity of the injury, if the procedure is performed immediately following the burn incident. A burn should be flushed with cool water for 10 to 15 minutes. Never use ice or ointments; and

WHEREAS, call 911 if there is a severe burn.

NOW, THEREFORE, I, GEORGE VAN DUSEN, Mayor of the Village of Skokie, do hereby proclaim the month of February 2012, as

“NATIONAL BURN AWARENESS MONTH”

in the Village of Skokie, and do urge every resident of the Village of Skokie to observe this month by individual attention to the cause of fires and burn injuries.


Dated this 17th day of January 2012

**George Van Dusen
Mayor**

Attest:

Marlene Williams, Village Clerk

Memorandum
Mayor's Office

TO: Board of Trustees
FROM: 
Mayor

DATE: January 17, 2012

SUBJECT: Appointment and Reappointments

*A Appointment

Consumer Affairs Commission

Harshad C. Shah
(Two-year term)

*B Reappointments

Board of Health

Dr. A. Michael Drachler
(One-year term as Chair
Two-year term as member)

Consumer Affairs Commission

Howard S. Meyer
(Two-year term)

Human Relations Commission

James O. Coney
(One-year term as Chair
Three-year term as member)

Memorandum
Manager's Office

TO: The Honorable Mayor and
Board of Trustees
Village Clerk
Corporation Counsel

FROM: 
Albert J. Rigoni, Village Manager

DATE: January 12, 2012

SUBJECT: **MANAGER'S REPORT**
BOARD MEETING OF TUESDAY, JANUARY 17, 2012

A. Downtown Skokie – Grant for Rehabilitation of 4843 Oakton Street.

Staff received a request for Downtown Interior Rehab Program funding for construction “build out” of 4843 Oakton Street. The anticipated construction cost is \$144,000 so the requested grant is the maximum amount of \$50,000. The business will be an upscale boutique and spa. The proprietor has an existing business at Navy Pier.

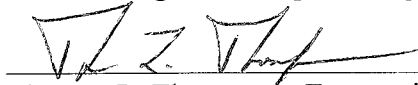
Staff is supportive of the grant request. Mayor and Board approval is respectfully requested.

Memorandum

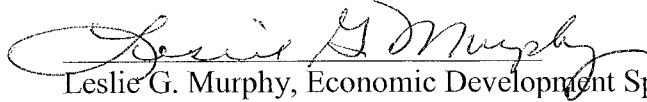
Community Development Department, Economic Development Division

TO: Albert J. Rigoni, Village Manager

FROM:



Thomas L. Thompson, Economic Development Coordinator



Leslie G. Murphy, Economic Development Specialist

DATE: January 6, 2012

**SUBJECT: AGENDA ITEM: BOARD OF TRUSTEES MEETING, JANUARY 17, 2012
INTERIOR REHAB PROGRAM GRANT FOR 4843 OAKTON STREET**

The tenant for the property at 4843 Oakton Street has requested financial assistance under the Village's Downtown Interior Rehab Program to convert a vacant retail space into a new Downtown retail boutique. This space was previously occupied by a candy and nut store named Sweet Fantasies, but has been vacant now for over a year. Ms. Sangita Shrestha is the proprietor of a new upscale boutique to be named "Nirvana". This store will offer a wide range of items, including unique contemporary apparel, accessories and jewelry as well as spa products, including candles, oils, fragrances, and organic beauty and bath products. The marketing emphasis will feature a "sophisticated yet affordable inventory set in a rejuvenating and fun environment", according to the owner's business plan.

Ms. Shrestha is the successful owner of Passage to India, which is one of the longest-running retailers on Navy Pier, opening over 16 years ago. Ms. Shrestha recently decided to expand her operations in Skokie with a combined boutique, giftware and mini-spa area included to demonstrate certain aromatherapy products sold within the store. Nirvana will join Siunik (the new Armenian Grill restaurant scheduled to open later this month), Bughouse Studio and Drive Cleaning as the fourth new tenant in the building owned by Mr. George Novogroder, whose exterior façade was improved in late 2010 as part of the Village's Façade Assistance Program.

You will recall that the Board approved an expanded Downtown Incentives Program in 2008 as part of the Village's attempt to attract and retain retailers and restaurants in Downtown Skokie. The program includes an interior rehab grant program in recognition of the constant need for significant interior work in our older commercial spaces to facilitate restaurants and modern retail uses. The Village provides grants of 50% of the cost of fixed assets up to \$50,000 per commercial space. Expenditures under this program are limited to capital improvements and equipment that is built in and expected to remain with the property even if the business relocates or ceases to exist. The program is funded through the Downtown Tax Increment Financing (TIF) Fund and is limited to the boundaries of the Downtown TIF District. This would be the sixth project approved under this new program, which has been instrumental in the relocation and expansion of the Sweetie Pies Bakery, the build-out of the Kabul House, Libertad and Siunik restaurants, and the Skokie Paint and Wallpaper relocation and rehabilitation.

The new owner of Nirvana plans to undertake a significant build-out of the 4843 Oakton space including the construction of two new rooms, expansion of the existing bathroom (to address ADA

requirements), replacement of existing HVAC system and ceiling tiles, new hardwood flooring, and plumbing, lighting, electrical and other structural improvements. These will include some basic demolition work, drywall and drop ceiling installation, removal of old floors, repairing concrete floors, new porcelain tiling, doors, millwork and frames, fixtures and permanent shelving, and other retailer-related equipment and improvements. The estimated fixed asset construction cost to prepare the interior for the new use is approximately \$144,000, so the grant under the Village's program is expected to be the maximum allowed amount of \$50,000. The ground floor space is approximately 1,800 sq. ft., and a diagram of the store layout and a rendering of the interior space is attached. Ms. Shrestha has executed a five-year lease with the landlord that allows for a five-year renewal option.

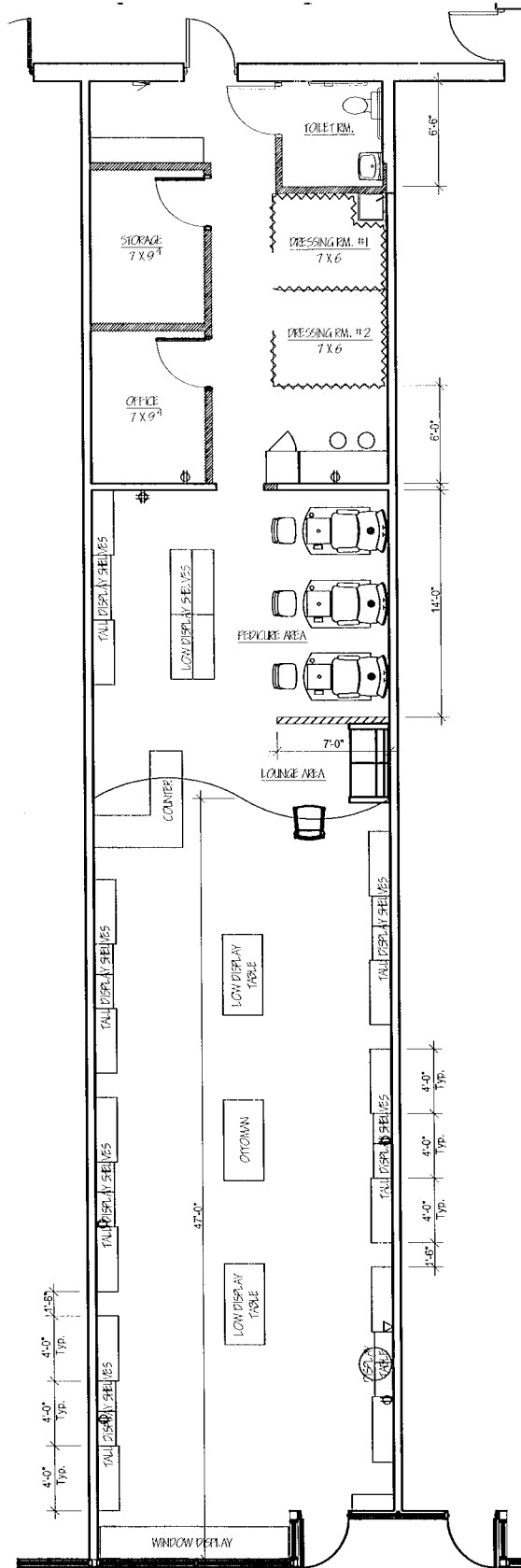
Ms. Shrestha plans to complete the interior rehab work as quickly as possible and hopes to occupy the space by March, 2012. Grant funds will be transferred on a rebate basis following completion of all work, payments to all contractors, and actual operation of the store. Proper documentation of payments to contractors or businesses for equipment purchases must include copies of invoices, canceled checks, and waivers-of-lien from major contractors before any grant proceeds will be transferred.

I respectfully request Board approval of an interior rehab improvement grant up to \$50,000 for the 4843 Oakton Street retail space.

C: Peter Peyer, Community Development Director
Nathan Kriska, Supervisor, Building and Zoning Division
Leslie Murphy, Economic Development Specialist

Floor Plan

Not to Scale



NIRVANA BOUTIQUE & SPA 4843 OAKTON STREET SKOKIE, ILLINOIS

12-27-11

This drawing indicates the general scope of the space in terms of its layout and is not intended to be used as a construction document. Verify dimensions prior to any construction. This drawing has been prepared by Gensburg, Ltd. Architecture/Design, 105 Revere Dr. Suite G, Northbrook, IL 60074 Phone: (847) 715-9591.



Memorandum
Corporation Counsel's Office

To: The Honorable Mayor & Board of Trustees

From: 
J. Patrick Hanley, Corporation Counsel

Date: January 10, 2012

Subject: **Corporation Counsel's Report**
January 17, 2012 Board Meeting

***A. Resolution, 2010-36P, Plat of Subdivision, 9300-9350 Weber Park Place**

This resolution will accept and approve a plat of subdivision for 9300-9350 Weber Park Place (the "Subject Property"). The petitioner requested the subdivision for the purpose of consolidating the multiple lots into one lot and to bring the Subject Property into compliance with the Skokie Village Code.

The Skokie Park District originally proposed to acquire a Village owned parcel of land adjacent to the park facility to construct an addition to the north side of their Skatium Ice Center and to build a parking lot for its employees. Subsequent to the approval of the Plan Commission recommendation, the Skokie Park District determined that the new parking lot was not necessary and they would not acquire the land, however, the subdivision is still necessary, and has been modified to reflect this change.

***B. Ordinance, 2010-37P, Zoning Map Amendment, 9300-9350 Weber Park Place**

This ordinance would reclassify the zoning of 9300-9350 Weber Park Place (the "Subject Property") from an R2 Single-Family Residential district to a B2 Commercial district. The Subject Property is currently developed as a public recreation facility containing the Weber Leisure Center, Skatium Ice Arena, Fitness First!, and Accelerated Rehabilitation Center. Some of the current uses of the Subject Property are inconsistent with the existing zoning. The trend of development in the general area of the Subject Property has been more toward commercial and residential uses than those allowed in the existing zoning. The Community Development Department staff is supportive of the zoning change, and rezoning the property from R2 Single-Family to a B2 Commercial district will bring the existing uses more closely into conformance with the Zoning Chapter of the Skokie Village Code.

***C. Ordinance, 2011-27P, Alley Vacation, Area Bounded by Golf Rd., LeClaire Ave., Foster St. and Leamington Ave.**

This ordinance will vacate an unopened and unimproved alley in the 9500 block bounded by Golf Road, LeClaire Avenue, Foster Street and Leamington Avenue (the "Subject Alley"). The Subject Alley was dedicated along with the original subdivision, however was never improved or opened and is unnecessary for Village transportation and access needs. The vacation will benefit the property owners by receiving increased

land area that will potentially increase the value of their property, and the Village by reducing maintenance costs.

The Subject Alley is the northernmost 478.00 feet of the unimproved 16-foot wide north-south alley in the 9500 block between LeClaire Avenue and Leamington Avenue in an R2 Single-Family Residential district. The south 108.88 feet of the north-south alley is not proposed to be vacated at this time and will continue to function as an open, improved alley providing access to a garage behind the residence at 9508 LeClaire Avenue.

During an inspection of the Subject Alley, a shed was discovered in the alley behind 9554 LeClaire Avenue. The shed had been constructed without a permit and the property owner was notified that the plat of vacation would not be recorded until the shed was removed from the portion of the right of way that would be vested to the neighbor at 5117 Golf Road.

***D. Ordinance, 78-7P, Modified Review, Special Use Permit Amendment, Bank with Drive-through Facility, 4200 Dempster Street**

This ordinance will approve modifications to the previously approved special use permit for the bank with a drive-through facility at 4200 Dempster Street, in a B2 Commercial district. The previously approved special use permit, adopted in 1978, allowed for a three window drive-through facility for the bank and also contained conditions prohibiting an ATM, setting the hours of operation of the drive-through lanes, and requiring a traffic patrolman to direct the drive-through traffic on Friday nights and Saturday mornings.

Subsequently, in February 1989, a modification was approved to the 1978 special use permit to allow the addition of a fourth drive-through. Since the above referenced ordinances were approved, the bank has added an ATM, the hours of operation of the drive-through lanes have changed, and a police officer is no longer hired to direct traffic.

The petitioner is requesting that its special use permit be modified to allow an ATM to be available 24 hours a day in one of the four drive-through lanes; removal of the patrolman requirement; and revising the hours of operation of the teller assisted drive-through lanes to be set at 8:00 a.m. to 6:00 p.m. for Monday through Thursday, 8:00 a.m. to 7:00 p.m. on Friday, and 8:00 a.m. to 3:00 p.m. on Saturday. Due to the nature of the request, the modified review process was utilized. It was determined that the best way to achieve this modification was to repeal the 1978 and 1989 ordinances and to reinstitute the special use permit with all applicable conditions in a new special use ordinance.

E. Ordinance, 2011-18P, Zoning Map Amendment, 5116 Suffield Court

This ordinance would reclassify the zoning of 5116 Suffield Court (the "Subject Property") from an R2 Single-Family Residential district to an R3 Combined Housing district. The Subject Property is also the subject of a companion case 2011-19P, in which the petitioners are requesting site plan approval for a two-unit congregate living facility.

The current 3-unit multifamily residence was given a building permit in March 1955 for two units and a lower level family room. Subsequent to the date of the permit, the lower level was converted to an additional unit. In the 1970's, the Village prohibited apartments which had a 'below grade' bedroom, however, those in existence were allowed to remain and were considered 'legal non-conforming' units. This lower level

unit at the Subject Property is one such unit. The Subject Property abuts a single-story office complex and the surrounding neighborhood has a mix of housing types that includes detached, townhouse, and 3-unit multi-family residences. The Community Development Department staff is supportive of the zoning change, which is intended to accommodate a mix of lower density housing types including detached, townhouse, and 2-unit multifamily buildings as permitted uses. Staff believes that the R3 zoning change is consistent with the newer land use groupings that were adopted with the Sector A: Downtown plan in 2007.

F. Ordinance, 2011-19P, Site Plan Approval, Two-Unit Congregate Living Facility, 5116 Suffield Court

This ordinance would grant site plan approval for the establishment of a two-unit congregate living facility at 5116 Suffield Court (the "Subject Property") in an R3 Combined Housing district. The Subject Property is currently occupied by a three-unit multifamily residence made up of single units on the first and second floor and a lower level legal non-conforming third unit. The petitioners intend to use the first and second floor three-bedroom apartments as congregate residences for senior citizens. Each apartment will accommodate up to six residents. There will be at least two staff persons on site at all times. The petitioners have indicated that the facility would be for persons 55 years old and older in need of living assistance, however, this is not a medical facility. The lower level apartment will not be utilized as part of the congregate living facility, but will remain a residential unit. Currently, there is no off-street parking at the Subject Property, however, in an effort to alleviate any anticipated parking problems in the neighborhood, the petitioners will add a parking lot with four parking spaces to provide a net increase in available parking in the area.

cc: Marlene Williams, Village Clerk
Albert J. Rigoni, Village Manager

THIS RESOLUTION MAY BE CITED AS
VILLAGE RESOLUTION NUMBER
12-1-R-

**A RESOLUTION APPROVING A PLAT OF SUBDIVISION FOR
THE PROPERTY LOCATED AT 9300-9350 WEBER PARK PLACE,
SKOKIE, ILLINOIS IN AN R2 SINGLE-FAMILY RESIDENTIAL DISTRICT**

WHEREAS, the owner of substantially the following described real property:

WEBER CENTER SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 1:

PLAT OF CONSOLIDATION RECORDED SEPTEMBER 2, 1994 AS DOCUMENT NO. 94775792 BEING THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE WEST 7 ACRES OF SAID EAST HALF OF THE NORTHEAST QUARTER, SAID POINT BEING 174.0 FEET NORTH OF THE CENTERLINE OF CHURCH STREET, ALSO BEING THE SOUTHWEST CORNER OF LOT 408 OF CHURCH STREET AND GROSS POINT ROAD "L" TERMINAL SUBDIVISION RECORDED MAY 16, 1925 AS DOCUMENT NO. 8913789; THENCE NORTH ALONG THE WEST LINE OF SAID SUBDIVISION, BEING THE EAST LINE OF AFORESAID WEST 7 ACRES, 651.11 FEET, MORE OR LESS, TO THE MOST NORTHERLY CORNER OF LOT 409 IN SAID CHURCH STREET AND GROSS POINT ROAD "L" TERMINAL SUBDIVISION; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID SUBDIVISION AND ALSO ALONG THE NORTHEASTERLY LINE OF THE SUBDIVISION OF LOTS 453 AND 454 OF CHURCH STREET AND GROSS POINT ROAD "L" TERMINAL SUBDIVISION, AS RECORDED NOVEMBER 18, 1925 AS DOCUMENT NO. 9100545, 1003.50 FEET, TO THE NORTHWESTERLY LINE OF GROSS POINT ROAD, BEING THE MOST EASTERLY CORNER OF LOT 468 IN AFORESAID SUBDIVISION OF LOTS 453 AND 454; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOTS 468 THROUGH 462, ALSO BEING THE NORTHWESTERLY LINE OF GROSS POINT ROAD (IN 1925), 207.92 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE NORTH LINE OF CHURCH STREET; THENCE WEST ALONG THE NORTH LINE OF CHURCH STREET, 421.43 FEET, TO THE EAST LINE OF BRONX AVENUE (WEBER PARK PLACE); THENCE NORTH ALONG THE EAST LINE OF BRONX AVENUE (WEBER PARK PLACE), 134.00 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF CHURCH STREET, 246.93 FEET, TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL AS TAKEN FOR ROADWAY PURPOSES: BEGINNING AT THE SOUTHEAST CORNER OF LOT 462 OF SAID SUBDIVISION OF LOTS 453 AND 454 OF CHURCH STREET AND GROSS POINT ROAD "L" TERMINAL SUBDIVISION OF LOTS 453 AND 454 OF CHURCH STREET AND GROSS POINT ROAD "L" TERMINAL SUBDIVISION, BEING THE INTERSECTION OF THE NORTH LINE OF CHURCH STREET AND THE NORTHWESTERLY LINE OF GROSS POINT ROAD; THENCE WEST ALONG THE NORTH LINE OF CHURCH STREET, 10.0 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 144°37'50" TO THE RIGHT OF A PROLONGATION OF THE LAST DESCRIBED LINE, 9.74 FEET (MEASURED 9.80 FEET) THENCE NORTHEASTERLY PARALLEL TO AND 5 FEET NORTHWESTERLY OF THE NORTHWESTERLY RIGHT OF WAY OF GROSS POINT ROAD (IN 1925), 204.20 FEET (MEASURED 204.68 FEET) TO A POINT ON THE NORTHEASTERLY LINE OF LOT 468 IN SAID SUBDIVISION; THENCE SOUTHEASTERLY ALONG SAID

1 NORTHEASTERLY LINE OF LOT 468, 5.0 FEET, TO THE MOST EASTERLY CORNER THEREOF;
2 THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF LOTS 468 THROUGH 462,
3 207.92 FEET, MORE OR LESS, TO THE POINT OF BEGINNING), ALL IN COOK COUNTY, ILLINOIS.

4
5 **PARCEL 2:**

6 THAT PART OF THE SOUTHWEST 10 ACRES OF LOT 3 LYING NORTHWEST OF THE CENTERLINE
7 OF THE ROAD (EXCEPT THAT PART COMMENCING AT A STAKE AT THE INTERSECTION OF THE
8 CENTERLINE OF CHURCH ROAD (CHURCH STREET) AND A LINE 148.5 FEET WEST OF THE EAST
9 LINE OF THE NORTHEAST QUARTER OF SECTION 16; THENCE NORTH 52° WEST FROM THE
10 SOUTH LINE OF THE NORTHEAST QUARTER 298.98 FEET FOR A POINT OF BEGINNING; THENCE
11 CONTINUING NORTH 52°06'05" WEST 303.97 FEET TO A POINT ON THE EAST LINE OF VACATED
12 LAMON AVENUE; THENCE NORTH 30° EAST 272.48 FEET; THENCE SOUTH 36°38'15" EAST 347.28
13 FEET TO THE CENTERLINE OF GROSSE POINT ROAD (GROSS POINT ROAD); THENCE SOUTH
14 36°45'00" WEST 176.88 FEET TO THE POINT OF BEGINNING) ALL IN LOT 3 IN COUNTY CLERK'S
15 DIVISION OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE 3RD PRINCIPAL
16 MERIDIAN RECORDED APRIL 30, 1879 IN BOOK 14, PAGE 55, BOUNDED AND DESCRIBED AS
17 FOLLOWS:

18
19 BEGINNING AT THE WESTERLY MOST CORNER OF THE EXCEPTION TO THE SOUTHWEST 10
20 ACRES AS DESCRIBED ABOVE, SAID POINT ALSO BEING ON THE NORTHEAST LINE OF PARCEL
21 1; THENCE NORTH 30°15'52" EAST ALONG THE NORTHWESTERLY LINE OF SAID EXCEPTION, A
22 DISTANCE OF 30.30 FEET TO A LINE 30.00' NORTHEASTERLY OF AND PARALLEL WITH THE
23 NORTHEASTERLY LINE OF PARCEL 1; THENCE NORTH 51°37'30" WEST ALONG THE LAST
24 DESCRIBED LINE, A DISTANCE OF 234.71 FEET; THENCE SOUTH 38°22'30" WEST, A DISTANCE
25 OF 30.00 FEET TO THE NORTHEASTERLY LINE OF SAID PARCEL 1 THENCE SOUTH 51°37'30"
26 EAST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 238.99 FEET TO THE POINT OF
27 BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

28
29 PINS: 10-16-224-001-0000 & 10-16-204-021-0000

30 more commonly known as 9300-9350 Weber Park Place, Skokie, Illinois (hereinafter the
31 "Subject Property") in an R2 Single-Family Residential district, petitioned the Village of
32 Skokie for a subdivision of the Subject Property for the purpose of consolidating the multiple
33 lots into one lot, as shown on the "Weber Center Subdivision" plat, dated January 12, 2011,
34 revised September 22, 2011, a copy of which is marked as Exhibit "1" and attached hereto;
35 and

36 **WHEREAS**, subsequent to the subdivision of the Subject Property, the legal
37 description of the Subject Property will be as follows:

38 WEBER CENTER SUBDIVISION BEING A PART OF THE EAST HALF OF THE NORTHEAST
39 QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
40 MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

41 more commonly known as 9300-9350 Weber Park Place; and

42 **WHEREAS**, the Skokie Park District originally proposed to acquire a Village owned
43 parcel of land adjacent to the park facility to construct an addition to the north side of their
44 Skatium Ice Center and to build a parking lot for its employees; and

45 **WHEREAS**, the subdivision is also necessary to bring the property into compliance
46 with the Skokie Village Code; and

1 **WHEREAS**, the Skokie Plan Commission, after a public hearing duly held January
2 20, 2011 voted to recommend to the Mayor and Board of Trustees that the requested
3 subdivision be granted subject to the conditions stated in the Plan Commission Report
4 dated February 22, 2011;

5 **WHEREAS**, the Mayor and Board of Trustees, at a public meeting duly held on
6 February 22, 2011, concurred in the aforesaid recommendation of the Skokie Plan
7 Commission;

8 **WHEREAS**, subsequent to approval of the Plan Commission recommendation, the
9 Skokie Park District determined that the new parking lot was not necessary and they would
10 not acquire the land, however, the subdivision is still necessary and has been modified to
11 reflect this change;

12 **NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Trustees of the
13 Village of Skokie, Cook County, Illinois:

14 **Section1:** That the requested subdivision of the Subject Property, legally
15 described above and commonly known as 9300-9350 Weber Park Place, Skokie, Illinois, be
16 and the same is hereby, approved subject to the following conditions:

- 17 1. The Subject Property shall be subdivided pursuant to the Weber Center
18 Subdivision dated January 12, 2011, and last revised September 22, 2011, and
19 as may be further revised with the approval of the Village Manager, or designee,
20 and Corporation Counsel;
- 21 2. Upon the passage of the ordinance by the Board of Trustees, the Mylar of the
22 Weber Center Subdivision shall be submitted to the Village with all signatures
23 other than Village staff or elected officials;
- 24 3. The Weber Center Subdivision shall be effective upon its recording by the
25 Village in the Office of the Recorder of Deeds of Cook County, Illinois;
- 26 4. All monuments shall be set no later than 1 year after the date of the recording of
27 the plat;
- 28 5. The petitioner shall submit to the Planning Division electronic files of the plat of
29 subdivision in approved and finalized form. The files shall be scaled drawing
30 files in AutoCAD format (version 2010 or older). The drawings shall be
31 formatted to SPCS, NAD83, HARN 2007, with SPCS north being straight up,
32 and the primary units in U.S. Survey Feet. All elements shall be contained
33 within a single file, no XREF or PDF attachment files shall be used;
- 34 6. If work is to be performed on public property or if public property is utilized or
35 impacted during construction and or development, the owner shall provide, or
36 shall cause the developer and/or contractor to provide, the Village of Skokie with
37 a certificate of insurance naming the Village of Skokie as additionally insured for
38 any and all claims related to any and all work. The owner shall hold, and shall
39 cause the developer and/or contractor to hold, the Village of Skokie harmless
40 and indemnify the Village for any and all claims for property damage or personal
41 injury related to work on or use of public property; and

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7. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations.

Section 2: That the "Weber Center Subdivision" plat dated January 12, 2011, and last revised September 22, 2011, attached hereto and marked as Exhibit "1", be and the same is hereby accepted and shall be recorded at the Petitioner's expense with the Cook County Recorder of Deeds Office.

Section 3: That a notice of the enactment of this Resolution incorporating the conditions contained herein shall be approved by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner's expense.

Section 4: That this Resolution shall be in full force and effect from and after its passage, approval and recordation as provided by law.

PASSED this day of January, 2012.

Ayes:

Nays:

Absent:

Attest:

Village Clerk

Approved by me this day of
January, 2012.

Village Clerk

Mayor, Village of Skokie

THIS ORDINANCE MAY BE CITED
AS VILLAGE ORDINANCE NUMBER
12-1-Z-

**AN ORDINANCE AMENDING THE ZONING MAP WITH REGARD
TO THE PROPERTY LOCATED AT 9300-9350 WEBER PARK PLACE,
SKOKIE, ILLINOIS FROM AN R2 SINGLE-FAMILY RESIDENTIAL
DISTRICT TO A B2 COMMERCIAL DISTRICT**

1 **WHEREAS**, the owner of substantially the following described real property:

2 LOT 1 IN WEBER CENTER SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST
3 QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL
4 MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

5 PINS: 10-16-224-001-0000 & 10-16-204-021-0000 (part of)

6 commonly known 9300-9350 Weber Park Place, Skokie, Illinois (hereinafter "Subject
7 Property"), petitioned the Village of Skokie to reclassify the zoning of the Subject Property
8 from an R2 Single-Family Residential district to a B2 Commercial district; and

9 **WHEREAS**, the Subject Property is currently developed as a public recreation facility
10 containing the Weber Leisure Center, Skatium Ice Arena, Fitness First!, and a clinic,
11 Accelerated Rehabilitation Center; and

12 **WHEREAS**, the trend of development in the general area of the Subject Property
13 has been more toward commercial and residential uses than those allowed in the existing
14 zoning; and

15 **WHEREAS**, some of the current uses of the Subject Property are inconsistent with
16 the existing zoning; and

17 **WHEREAS**, the Community Development Department staff is supportive of the
18 zoning change and rezoning the property from an R2 Single-Family Residential district to a
19 B2 Commercial district will bring the existing uses more closely into conformance with the
20 Zoning chapter of the Village Code; and

21 **WHEREAS**, the Skokie Plan Commission, after public hearing duly held on January
22 20, 2011, (i) determined that proper notice had been given; (ii) made the appropriate
23 findings of fact in the affirmative as required under Section 118-32 of the Skokie Village
24 Code and (iii) voted to recommend to the Mayor and Board of Trustees that the requested
25 zoning reclassification be granted and the Official Zoning Map of the Village of Skokie be
26 amended to reflect this reclassification; and

27 **WHEREAS**, the Mayor and Board of Trustees, after public meeting duly held on
28 February 22, 2011, concurred in the aforesaid recommendation of the Plan Commission;

1 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the
2 Village of Skokie, Cook County, Illinois:

3 **Section 1:** That the zoning of the Subject Property legally described above and
4 commonly known as 9300-9350 Weber Park Place, Skokie, Illinois, be and the same is
5 hereby reclassified from an R2 Single-Family Residential district to a B2 Commercial
6 district.

7 **Section 2:** That the Official Zoning Map of the Village of Skokie be and the same
8 is amended to reflect this reclassification.

9 **Section 3:** That a notice of approval of this Ordinance incorporating the
10 conditions contained herein shall be executed by the owner of the property in writing and
11 duly recorded with the Cook County Recorder of Deeds office at the owner's expense.

12 **Section 4:** That this Ordinance shall be in full force and effect from and after its
13 passage approval and recordation as provided by law.

14 **ADOPTED** this day of January, 2012.

Ayes:
Nays:
Absent:

Village Clerk

Attested and filed in my
office this day of
January, 2012.

Approved by me this day of
January, 2012.

Village Clerk

Mayor, Village of Skokie

THIS ORDINANCE MAY BE CITED AS
VILLAGE ORDINANCE NUMBER
12-1-Z-

**AN ORDINANCE VACATING AN UNOPENED AND UNIMPROVED
PORTION OF THE NORTH-SOUTH RESIDENTIAL ALLEY IN THE 9500
BLOCK BOUNDED BY GOLF ROAD, LECLAIRE AVENUE, FOSTER
STREET AND LEAMINGTON AVENUE, IN AN R2 SINGLE-FAMILY
RESIDENTIAL DISTRICT**

1 **WHEREAS**, the Community Development Department is continuing the alley
2 vacation program that was initiated in 2002, in which the Village of Skokie (the “Village”)
3 vacates unopened and unimproved residential alleys that are unnecessary for Village
4 transportation and access needs; and

5 **WHEREAS**, the alleys to be vacated were dedicated along with the original
6 subdivisions, however, they were never improved when the homes were constructed, and
7 the Village does not have any intent to open or improve them; and

8 **WHEREAS**, the alley vacation program benefits both property owners, by receiving
9 increased land area that will potentially increase the value and development potential of
10 their property, and the Village by reducing maintenance costs; and

11 **WHEREAS**, the alley to be vacated is the northernmost 478.00 feet of the
12 unimproved 16-foot wide north-south alley in the 9500 block between LeClaire Avenue and
13 Leamington Avenue (the “Subject Property”); and

14 **WHEREAS**, the south 108.88 feet of the north-south alley is not proposed to be
15 vacated at this time and will continue to function as an open, improved alley providing
16 access to a garage behind the residence at 9508 LeClaire Avenue; and

17 **WHEREAS**, the Subject Property is depicted on the Plat of Vacation, dated
18 September 16, 2011, a copy of which is attached hereto as Exhibit “A”; and

19 **WHEREAS**, the Subject Property is located in an R2 Single-Family Residential
20 district within an area bounded by Golf Road, LeClaire Avenue, Foster Street and
21 Leamington Avenue and is described in Exhibit “B” attached hereto; and

22 **WHEREAS**, the nature and extent of the public use or public interest to be
23 subserved in the Subject Property shall warrant the vacation of the same; and

24 **WHEREAS**, the title and ownership of the portion of the Subject Property to be
25 vacated shall, pursuant to 65 ILCS 5/11-91-2, vest in equal proportions to the abutting
26 property owners as identified by the Permanent Index Numbers (hereinafter “PIN”) and are
27 listed by PIN block numbers in Exhibit “B” attached hereto; and

1 **WHEREAS**, the only structure that may be built on the vacated alley is a fence, and
2 that any and all structures built or maintained by the property owners are done so at the
3 property owner’s risk. The Village will have the right to enter upon vacated alleys and may
4 damage or remove the structure, should the Village need to access the area covered by the
5 easement; and

6 **WHEREAS**, the Village will remove any existing alley aprons and restore parkways,
7 sidewalks and any curbs, if necessary; and

8 **WHEREAS**, a permanent public easement for drainage purposes shall be
9 maintained by the Village, as well as easements for Village and Village-franchised public
10 utilities will remain over the entire area to be vacated; and

11 **WHEREAS**, during an inspection of the Subject Property, a shed was discovered in
12 the alley behind 9554 LeClaire Avenue. The shed had been constructed without a permit
13 and the property owner was notified that the plat of vacation would not be recorded until the
14 shed was removed from the portion of the right of way that would be vested to the neighbor
15 at 5117 Golf Road; and

16 **WHEREAS**, no compensation shall be paid by the owners of the abutting properties
17 for the value of the real estate which may accrue to them by reason of the enactment of this
18 Ordinance, since it has been determined that the vacation of alleys and the vacated portion
19 will benefit both residents and the Village; and

20 **WHEREAS**, the abutting property owners of the Subject Property were duly notified
21 of the Skokie Plan Commission proceedings and presented no objection to the proposed
22 vacation; and

23 **WHEREAS**, at a public hearing of the Skokie Plan Commission, duly held on
24 October 20, 2011, for which proper legal notice had been achieved, several interested
25 parties spoke:

- 26 (i) several parties were concerned about the effect the alley vacation would
27 have on their property taxes. They were informed by the Plan Commission
28 that there has not been evidence of an impact on property taxes based on
29 the land received from previous alleys vacated as part of the program;
- 30 (ii) the resident at 9508 LeClaire Avenue asked for documentation about how
31 the alley behind his property would be divided. Staff replied that the
32 section of alley behind his property would remain a dedicated alley;
- 33 (iii) several parties asked how the utility companies would be able to service
34 the overhead utility lines and poles if the alley no longer existed. The Plan
35 Commission replied that an easement would be established to give the
36 utilities the right to access the lines, and the utility companies would
37 access the lines by walking through the yards;
- 38 (iv) another party was concerned about who would be responsible for replacing
39 a fence he was proposing to build in the easement if it needed to be
40 removed to work on utilities. Staff replied that the utility companies would

1 probably not restore the fence and that while placing the fence in the
2 easement was permitted, it was done so at the risk of the property owner;

- 3 (v) another party stated she had an existing fence along her rear property line
4 and asked whether she could leave it in place. The Plan Commission
5 responded that she had the option of leaving the fence where it was or
6 moving it to her new property line; and

7 **WHEREAS**, after hearing all testimony, the Skokie Plan Commission: (a) made the
8 appropriate findings of fact as required under Section 118-32 of the Skokie Village Code
9 and (b) voted to recommend to the Mayor and Board of Trustees that the Subject Property
10 be vacated, subject to the conditions set forth in the Plan Commission Report dated
11 December 5, 2011; and

12 **WHEREAS**, the Mayor and Board of Trustees of the Village of Skokie, at a public
13 meeting duly held December 5, 2011, concurred in the recommendation of the Skokie Plan
14 Commission;

15 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the
16 Village of Skokie, Cook County, Illinois:

17 **Section 1:** That the following portion of the alley, commonly described below, and
18 legally described in Exhibit "B" attached hereto, as depicted on the Plat of Vacation, dated
19 September 16, 2011, a copy of which is attached hereto as Exhibit "A", (the "Subject
20 Property") located in the Village of Skokie, be and the same is hereby vacated:

21 the rectangular-shaped northernmost 478.00 feet of the unimproved 16-foot wide
22 north-south alley in the 9500 block between LeClaire Avenue and Leamington
23 Avenue,

24 and the title to the vacated alley shall vest to the abutting property owners in equal portions
25 pursuant to 65 ILCS 5/11-91-2, as identified by their Permanent Index Numbers set out in
26 Exhibit "B" attached hereto.

27 **Section 2:** The aforesaid vacation is subject to the conditions set forth below:

28 1. Prior to the recording of the plat of vacation, the property owner at 9554
29 LeClaire Avenue must remove the shed from the portion of the right of way that would be
30 vested to the neighbor at 5117 Golf Road.

31 2. Easements shall be and are hereby reserved on, in and over the Subject
32 Property for all Village and Village-franchised public. A permanent public drainage
33 easement for the benefit of the Village shall be, and is hereby, reserved on, in and over the
34 Subject Property.

35 3. Property owners shall not alter the grade or change the drainage pattern in
36 the Subject Property without a permit from the Engineering Division.

37 4. Other than a fence, no structures shall be constructed or trees planted in the
38 Subject Property.

1 **Section 3:** The Village, on its own behalf and on behalf of Village-franchised
2 public utilities, shall retain the right of entry upon the Subject Property in order to install,
3 repair, replace or remove, or engage in the maintenance of, any equipment or facility of any
4 such utility or the drainage conditions in the Subject Property. In the course of repair,
5 replacement or removal, or maintenance of equipment or facilities of a Village or Village-
6 franchised public utility, or drainage conditions in, on or over the Subject Property, the
7 Village or the Village-franchised public utility shall not be held liable by any owner of the
8 Subject Property for any damage to structures, landscaping, or fences in, on or over the
9 Subject Property. Any and all structures, including a fence, built or maintained on the
10 Subject Property are done so at the owner of the Subject Property's own risk.

11 **Section 4:** That the aforesaid vacation, incorporating the conditions contained
12 herein, shall be effective upon the recording of a Plat of Vacation by the Village of Skokie in
13 the Office of the Recorder of Deeds of Cook County.

14 **Section 5:** That no compensation shall be paid by the owners of the abutting
15 properties for the value of the real estate which may accrue to them by reason of the
16 enactment of this ordinance and that the public interest and benefit will be subserved by the
17 vacation of the properties referenced herein.

18 **Section 6:** It is the intention of the Village that ownership and title to the vacated
19 alley shall pass to and vest in the adjacent property owners, as listed by the Permanent
20 Index Numbers in Exhibit "B", in equal proportions of the vacated alley.

21 **Section 7:** That this Ordinance shall be in full force and effect from and after its
22 passage, approval, and recordation as provided by law.

23 **ADOPTED** this day of January 2012.

24
25
26 _____
Village Clerk

27 Ayes:
28 Nays:
29 Absent:

30 Approved by me this day of
31 January 2012.

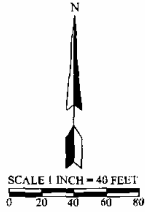
32 Attested and filed in my
33 office this day of
34 January 2012.

35 _____
Mayor, Village of Skokie

36 _____
37 Village Clerk

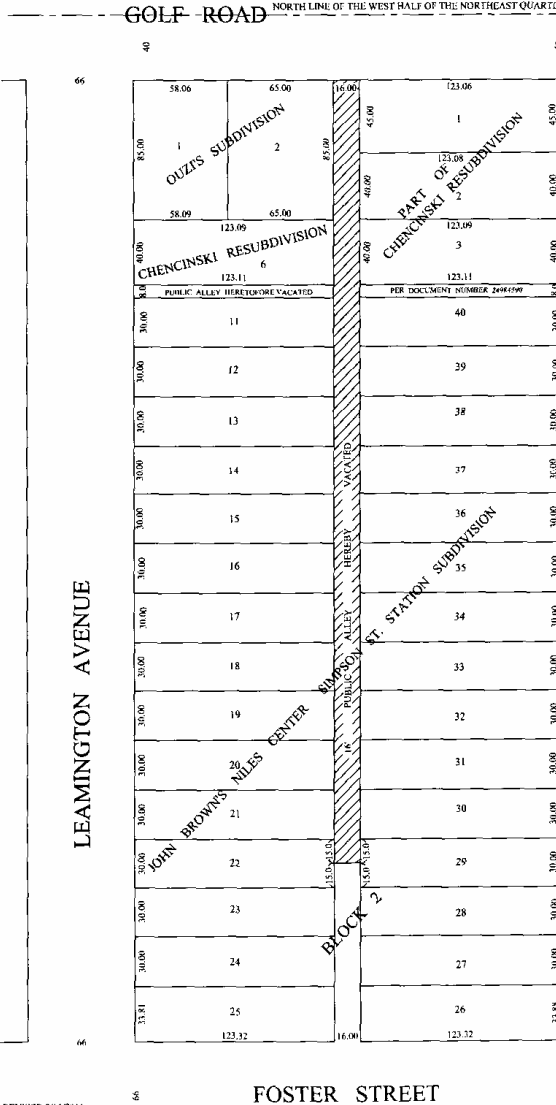
Exhibit A

PLAT OF VACATION SAMBORSKI, MATTIS, INC. LAND SURVEYORS 4332 OAKTON STREET SKOKIE, IL 60076 PH: (847) 674-7373 FX: (847) 674-7385



THAT PART OF THE NORTH-SOUTH 16 FOOT ALLEY EAST OF THE EAST LINE OF LOTS 1 TO 24, BOTH INCLUSIVE, AND THE NORTH HALF OF LOT 22 LYING NORTH OF A LINE RUNNING EAST FROM THE CENTER LINE OF LOT 22 TO THE CENTER LINE OF LOT 29, LYING WEST OF THE NORTH HALF OF LOT 22 AND LYING WEST OF THE WEST LINES OF LOTS 30 TO 40, BOTH INCLUSIVE, LYING WEST OF THE PREVIOUSLY VACATED ALLEY LYING NORTH OF LOT 40 AND LYING EAST OF THE PREVIOUSLY VACATED ALLEY LYING NORTH OF LOT 11 IN BLOCK 2 OF JOHN BROWN'S NILES CENTER SIMPSON ST. STATION SUBDIVISION, WEST OF LOTS 1 THROUGH 3 AND EAST OF LOT 6 IN CHUENCKI RESUBDIVISION, EAST OF LOT 2 IN QUZZI'S RESUBDIVISION, ALL IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PROPERTY INDEX NUMBERS AFFECTED
10-16-201-019-0000 10-16-201-020-0000
10-16-201-021-0000 10-16-201-022-0000
10-16-201-023-0000 10-16-201-028-0000
10-16-201-034-0000 10-16-201-035-0000
10-16-201-043-0000 10-16-201-044-0000
10-16-201-046-0000 10-16-201-047-0000
10-16-201-048-0000 10-16-201-050-0000
10-16-201-051-0000 10-16-201-052-0000
10-16-201-053-0000 10-16-201-054-0000
10-16-201-055-0000 10-16-201-056-0000
10-16-201-059-0000 10-16-201-061-0000



REVISED 9/14/2011
ORDER NO. 31-03-VAC-49
ORDERED BY: VILLAGE OF SKOKIE

FOSTER STREET

THIS PLAT IS TO BE RECORDED BY THE VILLAGE OF SKOKIE, ILLINOIS FOR THE UNDERSIGNER.

UPON RECORDATION RETURN THIS PLAT TO:

CORPORATION COUNSEL
VILLAGE OF SKOKIE
5127 OAKTON STREET
SKOKIE, IL 60077

STATE OF ILLINOIS }
COUNTY OF COOK } SS

APPROVED BY THE DIRECTOR OF ENGINEERING OF THE VILLAGE OF SKOKIE,
COOK COUNTY, ILLINOIS.

DATED THIS ___ DAY OF _____ A.D. 2011.

DIRECTOR OF ENGINEERING _____

STATE OF ILLINOIS }
COUNTY OF COOK } SS

APPROVED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF SKOKIE,
COOK COUNTY, ILLINOIS.

DATED THIS ___ DAY OF _____ A.D. 2011.

SIGNED: _____ MAYOR

ATTEST: _____ VILLAGE CLERK

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I FIND NO DEFERRED OR OUTSTANDING INSTALLMENTS OF UNPAID SPECIAL ASSESSMENTS DUE AGAINST ANY OF THE LAND INCLUDED IN THE ABOVE PLAT.

DATED THIS ___ DAY OF _____ A.D. 2011.

VILLAGE COLLECTOR _____

STATE OF ILLINOIS }
COUNTY OF COOK } SS

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF SKOKIE, COOK COUNTY, ILLINOIS.

DATED THIS ___ DAY OF _____ A.D. 2011.

SIGNED: _____ CHAIRMAN

ATTEST: _____ SECRETARY

(Signature Provision)

A utility easement shall be and is hereby reserved for and granted to the Village of Skokie (hereinafter the "Village") and every Village franchisee public utility entity (hereinafter a "Utility") on, in, under and over the Vacated Alley. The easement is for the installation, construction, maintenance, repair, replacement, relocation, renewal, operation, and removal of all structures, facilities and equipment of the Village or Utility.

A permanent public drainage easement shall be and is hereby reserved for and granted to the Village on, in, under and over the Vacated Alley. The easement is to allow for the drainage of water from and property in the general area, whether or not the property is contiguous to the Vacated Alley. The owner of the Vacated Alley shall have the grade or change the drainage pattern of the Vacated Alley without a permit from the Engineering Division.

(Other than fences, no buildings, structures, parts, or other obstructions shall be constructed, erected, or placed on, in, under and over the Vacated Alley. Any and all structures and improvements, including, but not limited to, fences, trees, or landscaping existing, built or placed on, in, under and over the Vacated Alley are deemed to be the property of the Vacated Alley owner. Landscaping on the Vacated Alley shall not interfere with drainage or the structure, facility or equipment of a Utility.)

The Village and Utility shall have the right to enter upon the Vacated Alley to install, construct, maintain, repair, replace, relocate, operate, or remove, or engage in the maintenance of any structure, facility, or equipment of any Utility on the drainage easement of the Vacated Alley. In the exercise of the easement rights, and the right to enter the Vacated Alley, the Village or the Utility shall not be liable to any owner of the Vacated Alley for any damage to, or removal of, structures, improvements, including, but not limited to, fences, trees, or landscaping on, in, under or over the Vacated Alley, nor shall the Village or Utility be responsible or liable for the restoration of the same.

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, MICHAEL J. MATTIS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PREPARED THE ACCOMPANYING PLAT OF VACATION FROM OFFICIAL RECORDS FOR THE PURPOSE OF VACATING SAME AS SET FORTH BY STATUTE, AND FURTHER CERTIFY THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAME.

GIVEN UNDER MY HAND AND SEAL AT SKOKIE, ILLINOIS THIS ___ DAY OF A.D. 2011

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2104
LICENSE EXPIRES 11/30/2012
PROFESSIONAL LAND SURVEYING (FRM NO. 184.002779)

Exhibit B

LEGAL DESCRIPTION

THAT PART OF THE NORTH-SOUTH 16 FOOT ALLEY EAST OF THE EAST LINE OF LOTS 11 TO 21, BOTH INCLUSIVE, AND THE NORTH HALF OF LOT 22 LYING NORTH OF A LINE RUNNING EAST FROM THE CENTER LINE OF LOT 22 TO THE CENTER LINE OF LOT 29; LYING WEST OF THE NORTH HALF OF LOT 22 AND LYING WEST OF THE WEST LINES OF LOTS 30 TO 40, BOTH INCLUSIVE; LYING WEST OF THE PREVIOUSLY VACATED ALLEY LYING NORTH OF LOT 40 AND LYING EAST OF THE PREVIOUSLY VACATED ALLEY LYING NORTH OF LOT 11 IN BLOCK 2 OF JOHN BROWN'S NILES CENTER SIMPSON ST. STATION SUBDIVISION; WEST OF LOTS 1 THROUGH 3 AND EAST OF LOT 6 IN CHENCINSKI RESUBDIVISION; EAST OF LOT 2 IN OUZI'S RESUBDIVISION, ALL IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AFFECTED INDEX NUMBERS (PINS)

10-16-201-019-0000	10-16-201-020-0000
10-16-201-021-0000	10-16-201-022-0000
10-16-201-026-0000	10-16-201-028-0000
10-16-201-034-0000	10-16-201-035-0000
10-16-201-043-0000	10-16-201-044-0000
10-16-201-046-0000	10-16-201-047-0000
10-16-201-048-0000	10-16-201-050-0000
10-16-201-051-0000	10-16-201-052-0000
10-16-201-053-0000	10-16-201-054-0000
10-16-201-055-0000	10-16-201-056-0000
10-16-201-059-0000	10-16-201-061-0000

THIS ORDINANCE MAY BE CITED AS
VILLAGE ORDINANCE NUMBER

12-1-Z-

AN ORDINANCE APPROVING MODIFICATIONS TO THE PREVIOUSLY APPROVED SPECIAL USE PERMIT FOR THE BANK WITH A DRIVE-THROUGH FACILITY AT 4200 DEMPSTER STREET, SKOKIE, ILLINOIS IN A B2 COMMERCIAL DISTRICT AND THE REPEAL OF VILLAGE ORDINANCE NUMBERS 78-6-Z-1092 AND 89-2-Z-2011

1 **WHEREAS**, JP Morgan Chase Bank, National Association, the property owner of 4200
2 Dempster, Skokie, Illinois, requested an amendment to its special use permit through the
3 modified review procedure; and

4 **WHEREAS**, on June 26, 1978, the Mayor and Board of Trustees of the Village of
5 Skokie adopted Village Ordinance Number 78-6-Z-1092, granting a special use permit to
6 allow a three window drive-through facility with walk-in banking services for the bank at the
7 property legally described as follows:

8 LOTS 35 TO 42, BOTH INCLUSIVE, IN BLOCK 4 IN DEMPSTER PARK SUBDIVISION,
9 BEING A SUBDIVISION OF LOTS 6 TO 9 IN THE SUBDIVISION OF THE SOUTH 40
10 ACRES OF THE WEST HALF OF THE SOUTHEAST QUARTER TOGETHER WITH THE
11 EAST 4 CHAINS OF THE SOUTH 20 CHAINS OF THE SOUTHWEST QUARTER OF
12 SECTION 15, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
13 MERIDIAN IN COOK COUNTY, ILLINOIS.

14 PIN: 10-15-430-058-0000

15 commonly known as 4200 Dempster Street, Skokie, Illinois (the "Subject Property"), in a B2
16 Commercial district; and

17 **WHEREAS**, the 1978 special use permit also contained conditions prohibiting an ATM,
18 setting the hours of operation of the drive-through lanes, and requiring a traffic patrolman to
19 direct the drive-through traffic on Friday nights and Saturday mornings; and

20 **WHEREAS**, subsequently, on February 21, 1989, Village Ordinance Number 89-2-Z-
21 2011, modified the previously approved 1978 special use permit amendment to allow the
22 addition of a fourth drive-through lane; and

23 **WHEREAS**, since the above referenced ordinances were approved, the bank has
24 added an ATM, the hours of operation of the drive-through lanes have changed, and a police
25 officer is no longer hired to direct traffic; and

26 **WHEREAS**, the petitioner is requesting that its special use permit be modified to allow
27 an ATM to be available 24 hours a day in one of the four drive-through lanes; removal of the
28 patrolman requirement; and revising the hours of operation of the teller assisted drive-through

lanes to be set at 8:00 a.m. to 6:00 p.m. for Monday through Thursday, 8:00 a.m. to 7:00 p.m. on Friday, and 8:00 a.m. to 3:00 p.m. on Saturday; and

WHEREAS, the Corporation Counsel, the Plan Commission Chairman, and the Community Development Director for the Village of Skokie reviewed the request and found that the requested modifications: (i) are in substantial compliance with the special use permit granted pursuant to Village Ordinance Number 78-6-Z-1092 and as amended in 89-2-Z-2011; and (ii) do not change the intent of the special use permit. It was determined that the special use permit for the Subject Property could be amended utilizing the modified review procedure pursuant to Section 118-34 of the Skokie Village Code; and

WHEREAS, the three person panel recommended to the Mayor and Board of Trustees that the requested modification be granted, subject to the modified conditions contained in the Skokie Plan Commission Chairman's memorandum, dated November 21, 2011; and

WHEREAS, it was further recommended that the best manner in which to achieve the modification was to repeal Village Ordinance Numbers 78-6-Z-1092 and 89-2-Z-2011, and re-institute the special use permit with all applicable conditions in a new special use permit ordinance; and

WHEREAS, at a public meeting duly held on December 5, 2011, the Mayor and Board of Trustees concurred in the aforesaid recommendations and findings of fact of the Plan Commission Chairman, the Corporation Counsel, and the Community Development Director;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Skokie, Cook County, Illinois:

Section 1: That Village Ordinance Numbers 78-6-Z-1092 and 89-2-Z-2011, be and the same are hereby repealed.

Section 2: That a special use permit for a bank with drive-through facilities at the Subject Property, legally described above and commonly known as 4200 Dempster Street, Skokie, Illinois, in a B2 Commercial district, is hereby granted and approved, subject to each of the conditions set forth below:

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved site/landscape plan, dated September 22, 2011;
2. That the bank's drive-through hours shall be from 8:00 AM to 6:00 PM Monday through Thursday, 8:00 AM to 7:00 PM Friday, and 8:00 AM to 3:00 PM on Saturday. Access to the ATM shall be available 24 hours;
3. Appropriate signs must be installed and maintained by the bank designating the parallel parking spaces north of the building as employee parking only;
4. The Dempster Street driveway must be signed as exit only with appropriate Do Not Enter signs as approved by the Traffic Engineering Division;
5. That left turns are prohibited from the driveway on Dempster Street and that "No Left Turn" signs be posted adjacent to the driveway, subject to the approval of the Traffic Engineering Division;

- 1 6. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage,
2 landscaping, structures, and any other facilities or infrastructure on the Subject Property
3 shall be maintained in a good state of repair, and when needed, be repaired or replaced
4 in a timely manner;
- 5 7. Parking lot and exterior lighting shall meet IES standards, be full cut-off design-directed
6 away from adjacent properties, subject to the approval of the Engineering Division;
- 7 8. Any outdoor sound systems shall at all times maintain audio levels that are compliant
8 with the Village Code;
- 9 9. All off-street parking spaces shall be legibly striped and maintained;
- 10 10. The Subject Property must conform to the Village's storm water control requirements as
11 contained in the Skokie Village Code, including the disconnection of any downspouts;
- 12 11. All modifications to building elevations, signage, and landscaping shall be subject to the
13 review and approval of the Skokie Appearance Commission;
- 14 12. All signage shall conform to the Skokie Village Code. Any sign on the Subject Property
15 that is in violation of that Code must be removed or modified to conform prior to the
16 issuance of an occupancy permit;
- 17 13. All existing damaged public sidewalks or sidewalks damaged due to the implementation
18 of this plan shall be replaced;
- 19 14. Handicapped ramps are to be provided as necessary and meet State of Illinois
20 Accessibility requirements and the Skokie Village Code;
- 21 15. The handicapped parking spaces shall be installed and maintained in compliance with
22 State of Illinois Accessibility Standards and the Skokie Village Code. All handicapped
23 parking spaces shall be included in the Village Handicapped Parking Space
24 Maintenance Program;
- 25 16. Vehicles shall always be parked between and not overlap the striped lines of designated
26 parking spaces and shall not block driveways, sidewalks, aisles, or other points of
27 access;
- 28 17. The owner of the Subject Property [and its tenant] shall ensure that employees park on
29 the Subject Property;
- 30 18. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other
31 objects that may impede travel;
- 32 19. All objects and landscaping within a 15-foot sight distance triangle shall not exceed 30
33 inches in height, except traffic control devices listed in the Manual on Uniform Traffic
34 Control Devices;
- 35 20. The petitioner shall sign an "Agreement for Installation and Maintenance of
36 Landscaping" to assure that the Subject Property and parkway landscaping is
37 completed and maintained, including trimming, watering, and replacing of dead plant
38 materials in a timely manner in accordance with the final approved landscape plan. A
39 copy of said Agreement is attached hereto, marked Exhibit "A" and hereby made part of
40 this Ordinance. This "Agreement for Installation and Maintenance of Landscaping" shall
41 be recorded at the petitioner's expense;
- 42 21. All building modifications shall meet current International Building and NFPA Life Safety

Codes as amended;

- 22. The petitioner shall submit to the Planning Division electronic files of the plat of survey, site plan, and landscape plan in their approved and finalized form. The files shall be scaled CADD 2D drawing files on non-compressed, non-read only CD-ROM .dwg AutoCad format;
- 23. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, address, and telephone number of the company and contact person responsible for site maintenance in compliance with the special use permit;
- 24. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulation; and
- 25. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing

Section 3: That a notice of the approval of this Ordinance incorporating the conditions contained herein shall be executed by the owner of the property in writing and duly recorded with the Cook County Recorder of Deeds Office at the owner's expense.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and recordation as provided by law.

ADOPTED this day of January 2012.

Ayes:
Nays:
Absent:

Attested and filed in my
office this day of
January 2012.

Village Clerk

Approved by me this day of
January 2012.

Mayor, Village of Skokie

Village Clerk

Exhibit A

**AGREEMENT FOR
INSTALLATION AND
MAINTENANCE OF
LANDSCAPING**

Plan Commission Case
78-7P

This Agreement is entered into this ____ day of _____ 2012 by and between **FIRST NB OF SKOKIE**, hereinafter referred to as "**PROPERTY OWNER**", and the **VILLAGE OF SKOKIE**, an Illinois municipal corporation hereinafter referred to as "**VILLAGE**". The parties to this Agreement hereby agree as follows:

1. **PROPERTY OWNER** is the owner of real property located in the Village of Skokie, described as follows:

LOTS 35 TO 42, BOTH INCLUSIVE, IN BLOCK 4 IN DEMPSTER PARK SUBDIVISION, BEING A SUBDIVISION OF LOTS 6 TO 9 IN THE SUBDIVISION OF THE SOUTH 40 ACRES OF THE WEST HALF OF THE SOUTHEAST QUARTER TOGETHER WITH THE EAST 4 CHAINS OF THE SOUTH 20 CHAINS OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PIN: 10-15-430-058-0000

commonly known as 4200 Dempster Street, Skokie, Illinois.

2. At or near the time of execution of this Agreement, the **VILLAGE** granted an Occupancy Permit, Business License, or Special Use Permit hereinafter collectively referred to as "permit" pursuant to state statutes and local ordinances.
3. By the terms of the aforesaid permit, the **PROPERTY OWNER** is required to install and maintain landscaping in accordance with the plan dated September 22, 2011 or as it may be subsequently revised with the approval of the Village Manager, or designee, and the Corporation Counsel.
4. The parties to this Agreement recognize that the installation and maintenance of landscaping is an integral part of the **PROPERTY OWNER's** plan for development and/or use of the property and is necessary to carry out the purpose and intent of the **VILLAGE's** land use objectives, and that the permit would not have been approved by the **VILLAGE** without the assurance that this Agreement would be executed by the **PROPERTY OWNER**.
5. The purpose of this Agreement is to assure:
 - (a) installation of the landscaping in accordance with the landscaping plan approved by the **VILLAGE**, and
 - (b) continued maintenance and care of the landscaping, including any landscaping indicated in the parkway area.

6. The property, which is the subject matter of this Agreement, is legally described above. The portions of the subject property which are to be landscaped and maintained pursuant to the terms and conditions of this Agreement are indicated on the Landscape Plan attached hereto, marked Exhibit "1" and are hereby made a part of this Agreement.
7. **PROPERTY OWNER** agrees that the installation and maintenance of the landscaping which is required in accordance with the permit issued by the **VILLAGE** and this Agreement will materially benefit the subject property. Such landscaping is necessary in order for the **PROPERTY OWNER** to comply with the conditions of the permit issued or granted by the **VILLAGE** for the **PROPERTY OWNER's** requested development or use of the property.
8. **PROPERTY OWNER** shall diligently maintain and care for the landscaping which is installed and required by the permit and this Agreement, using generally accepted methods of cultivation and watering. The **PROPERTY OWNER** shall maintain a standard of care necessary to prevent the landscaping from deteriorating to the extent that its value as landscaping is destroyed. If Exhibit "1", attached hereto or permit specifies maintenance standards or procedures, such procedures are hereby adopted as part of this Agreement, and by such adoption, become enforcement conditions of this Agreement.
9. Failure to maintain the landscaping as required by this Agreement shall be a nuisance. In the event the **PROPERTY OWNER** fails to meet the standard of maintenance necessary to keep the landscaping in a healthy condition as required by this Agreement, the **VILLAGE** shall give written notice of the deficiency to the **PROPERTY OWNER** who shall have 20 days to make the necessary correction or replacement. If such correction or replacement is not made within the aforesaid 20-day period, the **VILLAGE** may elect to abate the nuisance and take necessary action to assure that the landscaping is replaced and/or maintained. In the event, the **VILLAGE** so elects; the **VILLAGE** shall serve notice of its intent to enter the premises for this purpose. The **VILLAGE** shall either personally serve the notice upon the **PROPERTY OWNER** or mail a copy of it by certified mail to the **PROPERTY OWNER's** last known address, or as shown on the tax rolls, at least 15 days in advance of the date when the **VILLAGE** or its agent intends to enter the premises.
10. For this purpose, the **VILLAGE** or its agent may enter upon the property and perform such work as it considers reasonably necessary and proper to restore, maintain, or replace the landscaping required by this Agreement. The **VILLAGE** may act either through its own employees or through an independent contractor.
11. The **VILLAGE** shall be entitled to reimbursement for abating the nuisance in restoring, maintaining or replacing the landscaping, provided that the **VILLAGE** follows the procedures set forth in this Agreement. Costs shall include but shall not be limited to actual costs incurred by the **VILLAGE** and administrative costs. The **VILLAGE** shall make demand upon the **PROPERTY OWNER** for payment. If the **PROPERTY OWNER** fails to pay the costs within 30 days of the date on which demand is made, the **VILLAGE** may cause a lien to be placed on the subject property. The **VILLAGE** may record a notice with the Recorder of Deeds for Cook County stating that it has incurred expenses under the terms this Landscape

Agreement. The **VILLAGE** shall be entitled to collect interest at the statutory rate on the amount owed.

12. In addition to having a lien placed on the subject property, the **VILLAGE** may institute a legal action to collect the amount owed. The **PROPERTY OWNER** agrees to pay the **VILLAGE** a reasonable sum for attorney's fees and court costs.
13. If either party upon the execution of this Agreement or during the course of performance considers that it is necessary to have the **PROPERTY OWNER** post additional security to guarantee the performance of his obligations hereunder, the **VILLAGE** may require the **PROPERTY OWNER** to post additional security. The **VILLAGE** may require either a cash deposit or a surety bond guaranteeing performance in a form signed by sureties satisfactory to the **VILLAGE**. The condition of the security shall be that if the **PROPERTY OWNER** fails to perform any obligation under this Agreement, the **VILLAGE** may, act on behalf of the **PROPERTY OWNER** and use the proceeds of the cash bond, or in the case of a surety bond, require the securities to perform the obligations of this Agreement.
14. The **PROPERTY OWNER** hereby agrees to indemnify and hold harmless the **VILLAGE**, its trustees, officials, employees and agents for any costs, claims, actions or causes of action for personal injury, property damage or otherwise, including reasonable attorneys fees, which may arise from the **VILLAGE** exercising any of its rights or obligations and performance under this Agreement.
15. All notices required or to be given pursuant hereto shall be in writing and either delivered personally or by a nationally recognized "over-night" courier service or mailed by United States certified or registered mail, postage prepaid, addressed to the **VILLAGE** and the **PROPERTY OWNER** as follows:

If to **VILLAGE**:
Village of Skokie
5127 Oakton Street
Skokie, IL 60077
Attention: Village Clerk

If to the **PROPERTY OWNER**:
First NB of Skokie
P. O. Box 810490
Dallas, TX 75381

With copies to:
Village Manager
Village of Skokie
5127 Oakton Street
Skokie, IL 60077

Corporation Counsel
Village of Skokie
5127 Oakton Street
Skokie, IL 60077

Either Party may change the names and addresses of the persons to whom notices or copies thereof shall be delivered, by written notice to the other Party, as the case may be, in the manner herein provided for the service of notice.

16. The Parties and the individuals whose signature is affixed to this Agreement, each acting with due authority have executed this Agreement.
17. This Agreement pertains to, runs with the subject property, and shall be binding on the successors, assigns, and heirs in interest.
18. This Agreement shall be recorded at the **PROPERTY OWNER's** expense in the Office of the Recorder of Deeds for County of Cook.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

FIRST NB OF SKOKIE

VILLAGE OF SKOKIE

By: _____

By: _____
its Village Manager

Title: _____

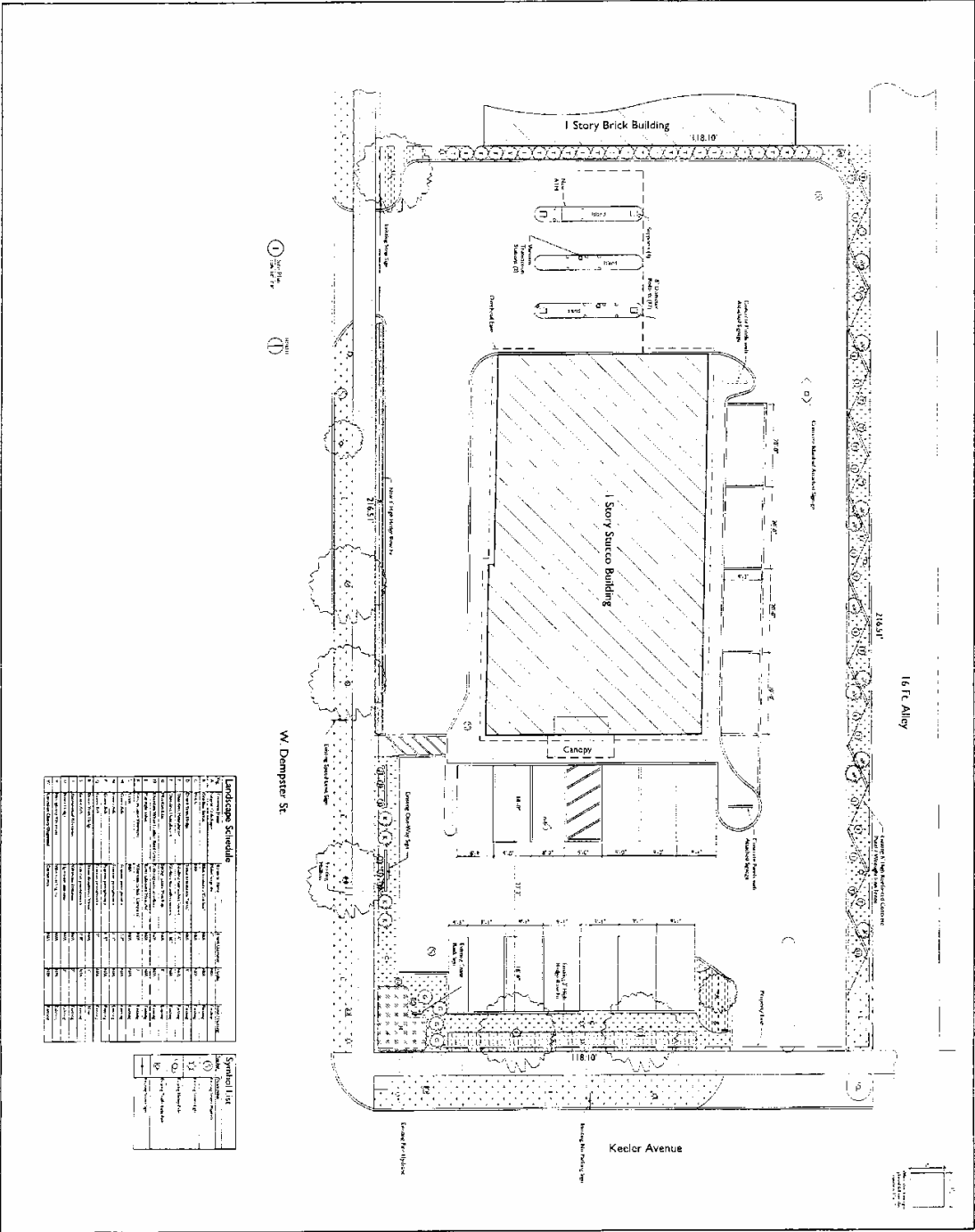
ATTEST:

ATTEST:

Its: _____

Village Clerk

Exhibit 1



Landscape Schedule

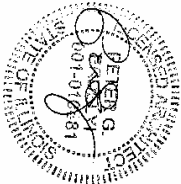
No.	Plant Name	Quantity	Notes
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Symbol List

Symbol	Description
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Client Information

Client Name	...
Address	...
City	...
State	...
Zip	...
Phone	...
Fax	...
Project Name	...
Project No.	...
Scale	...
Date	...



Hiron Design Group
 210 W. ...
 Chicago, Illinois 60654
 Phone: 312. ...
 Fax: 312. ...

THIS ORDINANCE MAY BE CITED
AS VILLAGE ORDINANCE NUMBER
12-1-Z-

**AN ORDINANCE AMENDING THE ZONING MAP WITH REGARD
TO THE PROPERTY LOCATED AT 5116 SUFFIELD COURT
SKOKIE, ILLINOIS FROM AN R2 SINGLE-FAMILY RESIDENTIAL
DISTRICT TO AN R3 COMBINED HOUSING DISTRICT**

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WHEREAS, the owner of the following described real property:

LOT 23 (EXCEPT THE WEST 45 FEET) IN BLOCK 1 IN A. A. LEWIS' DEMPSTER
TERMINAL RIDGE SUBDIVISION IN THE SOUTH HALF OF SECTION 16, TOWNSHIP
41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
COUNTY, ILLINOIS.

PIN: 10-16-416-031-0000

commonly known as 5116 Suffield Court, Skokie, Illinois (hereinafter "Subject Property"),
petitioned the Village of Skokie to reclassify the zoning of the Subject Property from an R2
Single-Family Residential district to an R3 Combined Housing district; and

WHEREAS, the Subject Property is currently zoned R2 Single-Family Residential
and is also the subject of a companion case 2011-19P, in which the petitioners are
requesting site plan approval for a 2-unit congregate living facility; and

WHEREAS, in 1952, the zoning of the Subject Property was C Two Family. In
September 1955, the entire block was rezoned to R2 Single-Family; and

WHEREAS, the current 3-unit multifamily residence, was given a building permit in
March 1955 for two units and a lower level family room. Subsequent to the date of the
permit, the lower level was converted to an additional unit. In the 1970's, the Village
prohibited apartments which had a 'below grade' bedroom, however, those in existence
were allowed to remain and were considered 'legal non-conforming' units. This lower level
unit at the Subject Property is one such unit; and

WHEREAS, the Subject Property abuts a single-story office complex and the
surrounding neighborhood has a mix of housing types that includes detached, townhouse,
and 3-unit multi-family residences; and

WHEREAS, the Community Development Department staff is supportive of the
zoning change, which is intended to accommodate a mix of lower density housing types
including detached, townhouse, and 2-unit multifamily buildings as permitted uses; and

WHEREAS, staff believes that the R3 zoning change is consistent with the newer
land use groupings that were adopted with the Sector A: Downtown plan in 2007; and

1 **WHEREAS**, the Skokie Plan Commission, after public hearing duly held on
2 September 1, 2011, at which no interested parties testified, (i) determined that proper
3 notice had been given; (ii) made the appropriate findings of fact in the affirmative as
4 required under Section 118-32 of the Skokie Village Code and (iii) voted to recommend to
5 the Mayor and Board of Trustees that the requested zoning reclassification be granted and
6 the Official Zoning Map of the Village of Skokie be amended to reflect this reclassification;
7 and

8 **WHEREAS**, the Mayor and Board of Trustees, after public meeting duly held on
9 September 19, 2011, concurred in the aforesaid recommendation of the Plan Commission;

10 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the
11 Village of Skokie, Cook County, Illinois:

12 **Section 1:** That the Subject Property legally described above and commonly
13 known as 5116 Suffield Court, Skokie, Illinois, be and the same is hereby reclassified from
14 an R2 Single-Family Residential district to an R3 Combined Housing district.

15 **Section 2:** That the Official Zoning Map of the Village of Skokie be and the same
16 is amended to reflect this reclassification.

17 **Section 3:** That a notice of approval of this Ordinance incorporating the
18 conditions contained herein shall be executed by the owner of the property in writing and
19 duly recorded with the Cook County Recorder of Deeds office at the owner's expense.

20 **Section 4:** That this Ordinance shall be in full force and effect from and after its
21 passage approval and recordation as provided by law.
22

ADOPTED this day of January, 2012.

Ayes:
Nays:
Absent:

Village Clerk

Attested and filed in my
office this day of
January, 2012.

Approved by me this day of
January, 2012.

Village Clerk

Mayor, Village of Skokie

JPH: 9/19/11 1st Reading
1/17/12 2nd Reading
PC: 2011-19P
SUP: 420.01

THIS ORDINANCE MAY BE CITED AS
VILLAGE ORDINANCE NUMBER
12-1-Z-

**AN ORDINANCE GRANTING SITE PLAN APPROVAL FOR THE
ESTABLISHMENT OF A TWO-UNIT CONGREGATE LIVING FACILITY
AT 5116 SUFFIELD COURT, SKOKIE, ILLINOIS IN AN R3 COMBINED
HOUSING DISTRICT**

1 **WHEREAS**, the owner of the following described real property:

2 LOT 23 (EXCEPT THE WEST 45 FEET) IN BLOCK 1 IN A. A. LEWIS' DEMPSTER
3 TERMINAL RIDGE SUBDIVISION IN THE SOUTH HALF OF SECTION 16, TOWNSHIP
4 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK
5 COUNTY, ILLINOIS.

6 PIN: 10-16-416-031-0000

7 more commonly described as 5116 Suffield Court, Skokie, Illinois (hereinafter "Subject
8 Property"), petitioned the Village of Skokie for site plan approval to establish a two-unit
9 congregate living facility in an R3 Combined Housing district; and

10 **WHEREAS**, the Subject Property is currently occupied by a three-unit multifamily
11 residence made up of single units on the first and second floor and a lower level legal non-
12 conforming third unit; and

13
14 **WHEREAS**, the petitioners intend to use the first and second floor three-bedroom
15 apartments as congregate residences for senior citizens. Each apartment will accommodate
16 up to six (6) residents. There will be at least two staff persons on site at all times. The
17 petitioners have indicated that the facility would be for persons 55 years old and older in need
18 of living assistance, however, this is not a medical facility; and

19 **WHEREAS**, the lower level apartment unit will not be utilized as part of the
20 congregate living facility, but will remain a residential unit; and

21 **WHEREAS**, a congregate living facility, pursuant to Section 118-88 of the Skokie
22 Village Code, is a permitted use with a state license to operate in an R3 Combined Housing
23 district. Only the appropriateness of the Subject Property and its two units for the intended use
24 as a congregate living facility is at issue in this case; and

25 **WHEREAS**, State of Illinois licensing as a congregate living facility is dependant on the
26 approval by the Village of Skokie; and

27 **WHEREAS**, currently there is no off-street parking at the Subject Property; however, in
28 an effort to alleviate any anticipated parking problems in the neighborhood, the petitioners will

1 add a parking lot with four (4) parking spaces to provide a net increase in available parking in
2 the area; and

3 **WHEREAS**, the Skokie Plan Commission, at a duly held public meeting on
4 September 1, 2011, after having determined that proper legal notice had been achieved,
5 heard testimony from several interested parties, including the Community Development
6 staff, the petitioners and neighbors; and

7
8 **WHEREAS**, several neighbors voiced concerns with regard to the impact the facility will
9 have on the limited parking in the area and of allowing a business in a residential area. Staff
10 stated that four (4) new parking spaces will be added that do not currently exist and that a
11 congregate living facility is considered a residential use; and

12 **WHEREAS**, the petitioners testified that two staff people will be on duty at any given
13 time and that it is very unlikely that the residents of the facility will be driving; and

14 **WHEREAS**, after hearing all testimony, the Skokie Plan Commission, (i) made the
15 appropriate findings of fact in the affirmative, as required under Section 118-32 of the Skokie
16 Village Code, and (ii) voted to recommend to the Mayor and Board of Trustees that (a) the
17 requested site plan approval be granted subject to the conditions contained in the Plan
18 Commission Report, dated September 19, 2011 and (b) made a determination that the
19 parking requirement for the two-unit congregate living facility is four (4) off-street parking
20 spaces; and

21 **WHEREAS**, the Mayor and Board of Trustees, at a public meeting duly held on September
22 19, 2011, heard testimony from several neighbors who objected to the facility and voiced their
23 concern with regard to lack of parking on the street; and

24 **WHEREAS**, the Mayor and Board of Trustees voted to table the matter to a date
25 uncertain and requested additional information to review from the petitioners, specifically: (i)
26 other alternatives to off-street parking, and (ii) additional information about the operation of the
27 facility; and

28 **WHEREAS**, subsequently, the petitioners retained a traffic engineering firm to study
29 the effect of such a facility on the neighborhood and have provided a more detailed "Service of
30 Operation" report; and

31 **WHEREAS**, at a public meeting of the Mayor and Board of Trustees, duly held on
32 December 19, 2011, Mr. Paul Kolpak, an attorney, presented the petitioners' case to the
33 Board. This presentation included testimony from the petitioners and Ms. Lynn Means, a
34 Senior Transportation Engineer from the Sam Schwartz Engineering firm; and

35 **WHEREAS**, Ms. Means testified in her capacity as a certified traffic engineer, as to the
36 effects on the existing parking situation the contemplated congregate living facility would have.
37 She testified that based upon her observations, experience, and industry standards relating to
38 similar type facilities, the proposed facility will not have a significant impact on residential
39 traffic. She further testified that the proposed facility will most likely generate less traffic than a
40 strictly residential use; and

1 **WHEREAS**, several area neighbors testified as to their concerns regarding an
2 anticipated rise in traffic and more congested parking issues. Some residents expressed
3 concerns with regard to the care of the residents in the facility, indicating there would not be
4 enough proposed staff for adequate care; and

5 **WHEREAS**, petitioners emphasized that their facility would be in compliance with all
6 Illinois Department of Public Health guidelines for this type of congregate facility and related
7 their extensive and thorough screening process for candidates for the facility. Per the Board's
8 request, they attempted to find off-street parking at a different site to supplement their parking
9 but were unsuccessful. They also clarified that it would not be possible to schedule visitors as
10 indicated at the Plan Commission; and

11 **WHEREAS**, the Mayor and Board of Trustees after hearing all testimony voted to
12 concur in the aforementioned recommendations and findings of fact of the Skokie Plan
13 Commission;

14 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Trustees of the
15 Village of Skokie, Cook County, Illinois:

16 **Section 1:** That the site plan approval requested by the petitioner to establish a
17 congregate living facility at the Subject Property, legally described above and commonly
18 known as 5116 Suffield Court, Skokie, Illinois in an R3 Combined Housing district, is hereby
19 granted and approved subject to each of the conditions set forth below:

- 20 1. The petitioner shall develop the Subject Property in substantial conformance with the
21 final Village approved site plan dated July 28, 2011, and revised September 7, 2011;
- 22 2. Parking lot screening must be maintained in accordance with the site plan dated July 28,
23 2011 and revised September 7, 2011;
- 24 3. At least 1 bicycle parking space must be maintained in accordance with the Village
25 Code;
- 26 4. The operator of the congregate living facility must obtain a State license and Village
27 occupancy permit;
- 28 5. No signage identifying the congregate living facility is permitted on-site;
- 29 6. If it is determined that the garden apartment unit is being used for the congregate living
30 facility, it will lose its status as a legal non-conforming residence and will no longer be
31 able to be used as a residential unit. An amendment to this site plan approval would be
32 required to use the lower garden level for the congregate living facility;
- 33 7. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, landscaping,
34 structures, and any other facilities or infrastructure on the Subject Property shall be
35 maintained in a good state of repair, and when needed, be repaired or replaced in a
36 timely manner;
- 37 8. All off-street parking spaces shall be legibly striped and maintained;
- 38 9. Vehicles shall always be parked between and not overlap the striped lines of designated
39 parking spaces and shall not block driveways, sidewalks, aisles, or other points of

1 access;

2 10. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other
3 objects that may impede travel;

4 11. All objects and landscaping within a 15-foot sight distance triangle shall not exceed 30
5 inches in height;

6 12. The petitioner shall comply with all Federal and State statutes, laws, rules and
7 regulations and all Village codes, ordinances, rules, and regulations; and

8 13. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to
9 initiate hearings to determine whether the subject Ordinance, as well as any applicable
10 business licenses, should be revised or revoked. The petitioner shall pay all costs
11 related to any hearings conducted as a result of non-compliance with any of the
12 provisions of the enabling ordinance. The costs shall include but not be limited to court
13 reporter fees, attorney fees, and staff time required researching and conducting said
14 hearing.

15 **Section 2:** That a notice of the approval of this Ordinance incorporating the
16 conditions contained herein shall be executed by the owner of the property in writing and
17 duly recorded with the Cook County Recorder of Deeds Office at the owner's expense.

18 **Section 3:** That this Ordinance shall be in full force and effect from and after its
19 passage, approval, and recordation as provided by law.

20 **ADOPTED** this day of January 2012.

21
22
23 Ayes:
24 Nays:
25 Absent:

26
27 Attested and filed in my
28 office this day of
29 January 2012.

Village Clerk

Approved by me this day of
January 2012.

Mayor, Village of Skokie

30
31
32
33 _____
Village Clerk