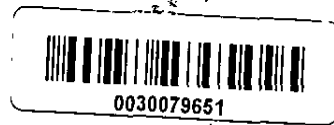


UNOFFICIAL COPY



EXHIBIT

ATTACHED TO

0030079651

DOCUMENT NUMBER

01-16-03

SEE PLAT BOOK

UNOFFICIAL COPY

Property of Cook County Clerk's Office

12-17-10

12-17-10

UNOFFICIAL COPY 013079651

4571/0125 30 001 Page 1 of 46
2003-01-16 14:46:11
Cook County Recorder 222.00

EXHIBIT ATTACHED

Prepared by and after recording
return to:

Joan S. Cherry
Johnson and Colmar
300 S. Wacker Drive
Suite 1000
Chicago, Illinois 60606

This space reserved for Recorder's use only.

VILLAGE OF LINCOLNWOOD

ORDINANCE NO. Z2002-147

AN ORDINANCE AMENDING ORDINANCE NO. 88-1801 TO ALLOW
FOR A CHANGE IN USE OF THE EASTERN PORTIONS OF LOT 3B
AND LOT 3C OF THE LINCOLNWOOD TOWN CENTER PLANNED UNIT DEVELOPMENT TO ALLOW
THE PROPERTY TO BE USED FOR THE
OUTDOOR STORAGE OF VEHICLES BY GROSSPROPS ASSOCIATES L.L.C.
AT 6900 McCORMICK BOULEVARD IN THE VILLAGE OF LINCOLNWOOD

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LINCOLNWOOD
THIS 18th DAY OF April, 2002

Published in pamphlet form
by the authority of the President
and Board of Trustees of the
Village of Lincolnwood, Cook
County, Illinois, this 2nd
day of May, 2002.

RECORDED FOR 222⁰⁰
DATE 2/16/03
OK BY JM 4/22/03

UNOFFICIAL COPY

ORDINANCE NO. Z2002-14 (39079651)

AN ORDINANCE AMENDING ORDINANCE NO. 88-1801 TO ALLOW FOR A CHANGE IN USE OF THE EASTERN PORTIONS OF LOT 3B AND LOT 3C OF THE LINCOLNWOOD TOWN CENTER PLANNED UNIT DEVELOPMENT TO ALLOW THE PROPERTY TO BE USED FOR THE OUTDOOR STORAGE OF VEHICLES BY GROSSPROPS ASSOCIATES L.L.C. AT 6900 McCORMICK BOULEVARD IN THE VILLAGE OF LINCOLNWOOD

WHEREAS, the Village of Lincolnwood ("Village") is a home rule municipality, in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village, as a home rule municipality, has the authority to adopt ordinances and to promulgate, ordinances, rules and regulations that pertain to its government and affairs and this Ordinance is adopted pursuant to Division 13 of the Illinois Municipal Code and pursuant to the Village's home rule authority; and

WHEREAS, Village Ordinance 88-1801, "An Ordinance Granting Preliminary Plan Approval for a Planned Unit Development Upon Application of Simon/Lincolnwood, Inc. for Approximately 72 Acres at Touhy Avenue and McCormick Boulevard" ("Ordinance 88-1801") created the Lincolnwood Town Center Planned Unit Development ("PUD"); and

WHEREAS, Ordinance 88-1801 provided that certain uses would occupy various parcels located in the PUD; and

WHEREAS, in Ordinance 88-1801, certain portions of the PUD were designated for "flextech" use, and among those portions of the PUD so designated were the lots now known as Lots 3B and 3C; and

WHEREAS, Ordinance No. 90-1901 amended Ordinance No. 88-1801 so as to allow for the development of the Grossinger Motorcorp., Inc. facility on Lots 1 and 4 of the PUD; and

WHEREAS, ordinances have amended Ordinance No. 88-1801 to allow the change of use of other lots in the PUD for the benefit of Grossinger Motorcorp., Inc. (Ordinances 91-1994, 92-2016 and 92-2027); and

WHEREAS, the eastern one-half of Lots 3B and 3C, formerly owned by Simon Property Group (Illinois), L.P., an Illinois Limited Partnership ("Simon"), and legally described herein on Exhibit "A", (the "Subject Property") were conveyed by Simon to Grossprops Associates L.L.C., an Illinois Limited Liability Company (a Grossinger entity) ("Grossinger" or "Petitioner"), on July 31, 2001; and

WHEREAS, it is no longer feasible for the Subject Property to be developed as originally planned for the PUD; and

WHEREAS, Grossinger has applied to the Village (the "Application") to amend Ordinance No. 88-1801 to allow for a change in use of the Subject Property from the previously designated "flextech" use to allow for the outdoor storage of motor vehicles by Grossinger thereon; and

WHEREAS, pursuant to proper notice and in compliance with the laws of the State of Illinois and Village ordinances, hearings were held on Petitioner's Application on October 24, 2001 and March 13, 2002 before the Plan Commission/Zoning Board of Appeals ("PC/ZBA"), the minutes of those hearings and Building Commissioner John

R. Lebeque's "Memorandum and Accompanying Documents" dated March 13, 2002, being attached hereto as Group Exhibit "B" which is incorporated herein by reference; and

WHEREAS, Simon has consented to the Application; and

WHEREAS, on March 13, 2002, based on the representations made by the Petitioner at the public hearings, including without limitation the representations made in Petitioner's attorney's letter of March 8, 2002, a copy of which is included with Group Exhibit "B", the PC/ZBA unanimously recommended approval of the Application to the Village Board of Trustees ("Village Board") subject to certain conditions; and

WHEREAS, the Village Board finds that the change in use of the Subject Property described herein is in conformance with the intent of Ordinance 88-1801, Ordinance 90-1901 and Ordinance 91-1994, and further finds that approval of this amendment, subject to the conditions, stipulations and limitations stated herein, is in the best interests of the health, safety and welfare of the residents of the Village.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION ONE. That the Preambles to this Ordinance are adopted by reference as if fully set forth herein.

SECTION TWO. That the zoning of the Subject Property shall be further subject to the specific terms, conditions and limitations set forth herein.

SECTION THREE. That Ordinance No. 88-1801 be and hereby is amended to permit the hereinabove described change in use of the Subject Property subject to the following terms and conditions:

1. Development of the Subject Property shall conform to the final plans as set forth herein:
 - a. Engineering Site Improvement Plans, dated March 6, 2002, consisting of seven (7) sheets (attached hereto as Exhibit "C" and incorporated herein by reference), subject to the following:

There shall be 604 vehicle spaces provided on the Subject Property and the adjacent Lot 3A, collectively, after the Village constructs the East-West Connector Roadway.
 - b. Landscape Development Plan, dated October 10, 2001, bearing a revision date of April 18, 2002, consisting of one (1) sheet (attached hereto as Exhibit "D" and incorporated herein by reference) and subject to the following:

Petitioner shall provide landscaping at its expense on the Subject Property and along the public right of way adjacent to the Subject Property as shown on the Landscape Plan and as directed by the Village's landscape consultant;
 - c. Lighting Plan consisting of one (1) sheet which is attached hereto as Exhibit "E" and incorporated herein by reference.
2. The following regulations shall apply to the storage of vehicles on the Subject Property:
 - a. Vehicles from all Grossinger Lincolnwood dealerships may be stored on the Subject Property, but not less than 65% of the vehicles stored on the Subject Property shall be new vehicles;

- b. Only new vehicles or merchandisable vehicles (*i.e.* "like new" vehicles in good condition and not more than five years old from the start of model year production), shall be stored in the first two rows of vehicles stored on the east one-half of Lot 3B;
 - c. Vehicles stored on the east one-half of Lot 3B shall be displayed in a similar manner to those on other Grossinger sales lots and consistent with the requirements of the PUD.
3. The following regulations shall apply to trucks delivering motor vehicles to the Subject Property:
 - a. Grossinger shall not permit delivery trucks to use the East-West Connector Roadway to unload vehicles that are to be stored on the Subject Property;
 - b. Grossinger shall not permit trucks delivering vehicles to be stored on the Subject Property to queue on the East-West Connector Roadway.
4. Petitioner shall be permitted one curb cut on Lot 3B onto the East/West Connector Road and that curb cut shall align with the curb cut on the Centerpoint/Bell & Howell property to the south.
5. Petitioner shall install, at its expense, but subject to reimbursement from the Village pursuant to ancillary documents and agreements, a fence not to exceed four feet (4') in height, along the southern perimeter of Lot 3B, which fence shall be of painted stainless steel or other material mutually approved by Grossinger and the Village and shall conform to applicable Village ordinances. Any gate installed as part of such fence shall be installed at Grossinger's sole cost and expense, subject to reasonable approval by the Village.
6. Petitioner and Simon shall cooperate with the Village in the modification of the Lincolnwood Town Center Covenants ("Covenants") required as a result of the adoption of this Ordinance and shall ensure that the Covenants are amended accordingly. All such modifications shall be subject to the review and approval of the Village Attorney.
7. Signage shall be in conformance with the Village Sign Ordinance.

SECTION FOUR. That the specific terms and conditions of this Ordinance, and Ordinances 91-1994, 90-1901 and 88-1801 to the extent that they are not inconsistent with the terms and conditions of this Ordinance, shall prevail against all other ordinances of the Village of Lincolnwood to the extent that there may be any conflict. Except for the foregoing limitation, the development and use of the Subject Property shall remain subject to all terms and conditions of all applicable existing ordinances and regulations and as they may be amended from time-to-time of the Village, without limitation, all ordinances related to the PUD, zoning ordinances, building codes, subdivision regulations and regulations for the construction and design of public improvements.

SECTION FIVE. That any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding \$1,000.00, with each and every day that the violation of the ordinance is allowed to remain in effect being deemed a completed and separated offense. In addition, the appropriate Village authorities may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including without limitation an action in equity to compel compliance with its terms. That any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees.

SECTION SIX. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, provided, however, that this Ordinance shall not take effect until a

UNOFFICIAL COPY

39079651

true and correct copy of this Ordinance is executed by the owner of the Subject Property and the other party(ies) in interest consenting to and agreeing to be bound by the terms and conditions contained within this Ordinance. Such execution shall take place within sixty (60) days after the passage and approval of this Ordinance or within such extension of time as may be granted by the Corporate Authorities by motion.

[The remainder of this page is intentionally left blank]

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Date _____, 2002

Its:

By _____

See attached signature page.

Simon Property Group (Illinois), L.P.,
an Illinois Limited Partnership,

Simon Property Group (Illinois), L.P., an Illinois Limited Partnership, does hereby consent to the adoption of this ordinance and does hereby accept and concur with the terms of this Ordinance that apply to it.

Date June 15, 2002

Its:

By _____

Grosspross Associates L.L.C.

Grosspross Associates L.L.C., an Illinois Limited Liability Company, being the owner of the Subject Property legally described within this Ordinance and referred to as the eastern one-half of Lots 3B and 3C, having read a copy of this Ordinance, and having the authority to agree and to execute this Ordinance, does hereby accept, concur with and agree to develop and use the eastern one-half of Lots 3B and 3C in accordance with the terms of this Ordinance.

ACCEPTANCES:

Village Clerk

Carol Krikorian

Carol Krikorian

ATTEST:

President

Peter T. Moy

Peter T. Moy

ABSENT: none

NAYS: none

AYES: *Present during early session, Council's Rights*

PASSED THIS 18th day of April, 2002.

30079651

Property of Cook County Clerk's Office


UNOFFICIAL COPY

30079651

Property of Cook County Clerk's Office

Dated: July 16, 2002

Randolph L. Foxworthy
Executive Vice President

By: 

SIMON PROPERTY GROUP (ILLINOIS), L.P., an
Illinois limited partnership
By: CHARLES MALL COMPANY LIMITED
PARTNERSHIP, a Maryland limited partnership,
General Partner
By: SIMON PROPERTY GROUP
(DELAWARE), INC., a Delaware
corporation, General Partner

SIGNATURE PAGE

UNOFFICIAL COPY

Property of Cook County Clerk's Office

EXHIBIT E
Lighting Plan

EXHIBIT D
Landscape Development Plan, Dated October 10, 2001, Revised April 18, 2002

EXHIBIT C
Engineering Site Improvement Plans, Dated March 6, 2002

March 8, 2002 letter from Petitioner's attorney.

Building Commissioner John R. Lebeque's Memorandum and Accompanying Documents" dated
March 13, 2002".

Plan Commission/Zoning Board of Appeals Minutes of October 24, 2001 and March 13, 2002;

GROUP EXHIBIT B

EXHIBIT A
Legal Description

UNOFFICIAL COPY

Property of Cook County Clerk's Office

Grossprops Associates, L.L.C. property located in Lincolnwood, Illinois

Lincolnwood, IL 60712

6900 North McCormick Blvd.

10-35-204-007

10-35-204-006

Document No. 89522374, in Cook County, Illinois.

County, Illinois and according to the plat thereof recorded November 2, 1989 as

Principal Meridian, as recorded May 26, 1989 as Document No. 89242443, in Cook
part of the North Half of Section 35, Township 41 North, Range 13 East of the Third
resubdivision of Lincolnwood Town Center Subdivision (excepting therefrom Lot 9), a
the West line) in LINCOLNWOOD TOWN CENTER RESUBDIVISION, being a
Lot 3B and Lot 3C (except the West 435.00 feet thereof (as measured perpendicular to

Legal Description of the Parcel

EXHIBIT "A" TO SPECIAL WARRANTY DEED

Exhibit A

30079651

UNOFFICIAL COPY

In discussion, Mr. Clarke pointed out that the Comprehensive Plan changes do not change the current zoning for any property but, if adopted, would allow a

Tim Clarke, Director of Community Development, had distributed a memo and a revised draft ordinance incorporating the changes as discussed by the PC/ZBA at the October 10, 2001 meeting. This memo and ordinance had been distributed with the meeting packet. Mr. Clarke said that if possible, the Ordinance should go to the Board of Trustees on November 1, 2001 for adoption.

Public hearing on the Comprehensive Plan was continued from the October 10, 2001 meeting to allow residents more time to address the proposed changes. Chairman Eisterhold stated that at the October 10th meeting, Jean Lindwall of Camiros presented a summary of the proposed changes to the Comprehensive Plan of 1992.

Building Commissioner Lebegue pointed out an error in petitioner's name for 6755 Kenneth. Motion was made by Commissioner Theisen, seconded by Commissioner Yohanna, to accept the minutes with the correction. Motion carried unanimously.

APPROVAL OF PREVIOUS FINDINGS OF FACT

OTHERS PRESENT: Tim Clarke, Director of Community Development; John R. Lebegue, Building Commissioner

VILLAGE BOARD LIASION: Mary Couzin

MEMBERS ABSENT: None

MEMBERS PRESENT: Chairman Paul Eisterhold, Herbert Theisen, Mark Yohanna, Kenneth Klint, Anthony Pualetto, Renee Sprogis-Marohn, Yehuda Lebovits

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE

MEETING MINUTES OF THE
PLAN COMMISSION/ZONING BOARD OF APPEALS
OCTOBER 24, 2001
7:30 P.M.

30079651

EXHIBIT B

property owner to request a zoning change to reflect the proposed use in the Comprehensive Plan. The land use map incorporated into the Ordinance shows the desired land use for the future.

Only one member of the public had a question. He did not identify himself. He asked for clarification of the changes regarding public space. Chairman Eisterhold read the sentence from the Carreros report that clarified the change: "Public open space includes park facilities maintained and operated by the Village and open space owned by the Metropolitan Water Reclamation District of Greater Chicago and other public entities." Commissioner Lebovits asked if public space hearings would come before the Board of Trustees or if the PC/ZBA would hear them. Tim Clarke said that the Board would probably hear any proposed changes.

There being no further discussion by the members of the Plan Commission/Zoning Board of Appeals and no further comments or questions from the public, Chairman Eisterhold called for a motion.

Before the motion was voted, Commissioner Klint asked about changes from industrial to commercial uses. In particular he was referring to the corner of Touhy and Lincoln. Tim Clarke again stated that the map shows the preferred future land use and does not change any of the current zoning for any property.

Motion was made by Commissioner Theisen, seconded by Commissioner Sprogis-Marohn, to recommend adoption of the modified draft of the Comprehensive Plan dated October 24, 2001. Ayes: Klint, Yohanna, Pualitto, Theisen, Lebovits, Sprogis-Marohn, Eisterhold. Motion carried unanimously. To Board of Trustees on November 1, 2001.

6900 McCormick – Grossinger's Autoplex

This matter was called by Chairman Eisterhold. However, Mr. Francke was unable at this time to produce an affidavit or return cards to prove notification. The matter was temporarily tabled so that Mr. Francke could contact Ms. Grossinger to verify proper notification was made.

Workshop for 6755 Kenneth

Stanley Kalapurayil came forward. He had not prepared any additional drawings but was seeking guidance from the PC/ZBA on the proposed two-story addition. Mr. Kalapurayil had met with Building Commissioner Lebegue to discuss his plans, once after the August 8th meeting and again after the September 12th meeting. He had adjusted his plans to remove the necessity of the side yard variance, but only reduced the rear yard request by one foot. Mr. Kalapurayil had also spoken to Trustee Mary Couzin regarding his proposal. He wanted to know what could be worked out.

30079651

UNOFFICIAL COPY

Chairman Eisterhold asked what he was proposing, because the PC/ZBA needed to react to a specific request. The ideal is that all construction fit into the allowable footprint, meeting the required setbacks for buildable space on a lot. The PC/ZBA members felt that the proposed use was excessive, reducing the rear yard to 18.5-feet. He further stated that the petitioner should provide some type of drawings for consideration.

Mr. Kalapurayil said that at the last meeting it appeared the problem was the second floor. He is willing to make the second floor smaller. Building Commissioner Lebegue said he had advised the petitioner that specific plans had to be presented showing a reduction. He also explained that it was up to the petitioner to decide how to revise the plans.

Commissioner Lebovits said the PC/ZBA had made a specific recommendation at the September 12, 2001 meeting. Chairman Eisterhold said the applicant could request that the Board of Trustees either vote on the PC/ZBA recommendation as made, or the applicant could in writing request that the Board refer the matter back to the PC/ZBA. In the latter case, modified plans would need to be submitted.

Commissioner Lebovits recalled that the applicant had been specifically asked if he wanted to proceed with a vote at the October 10, 2001 meeting. A motion to deny was recommended and voted on, to be sent to the Board of Trustees on November 1, 2001.

Commissioner Klint said it was very difficult since there were no new sketches with dimensions submitted. Several suggestions were made for the petitioner's consideration. Part of the discussion centered on the two-story living room/foyer area. A reduction of this space, particularly on the second floor would offer some options for reducing the second floor.

Commissioner Sprogis-Marohn said that even if the petitioner were referred back to the PC/ZBA and brought in new drawings, he needed to understand this would not guarantee approval. Chairman Eisterhold suggested that Mr. Kalapurayil should go back to the architect and attempt to reduce the massiveness of the house, particular on the second floor.

Chairman Eisterhold declared the workshop closed at this time. Mr. Kalapurayil was to decide if he wished the matter to go forward to the Board of Trustees or if he wished to ask the Board of Trustees to refer the matter back to the PC/ZBA.

Grossinger's 6900 McCormick

Grossinger's was recalled. The commissioners were reluctant to hear this matter without verification of notification. The primary question was one of

30079651

UNOFFICIAL COPY

Commissioner Sprojis-Marohn asked if it was their intention to pave before winter. Mr. Morgenstern said this is their target, since keeping inventory in the winter months is very difficult. In reply to Commissioner Theisen, Mr.

Steve Morgenstern, comptroller for Grossinger, took the floor and pointed out that the business has grown over the ten years he has been with Grossinger. The business requires that they keep a large inventory of vehicles in order to satisfy customers. Chairman Eisterhold asked if this area would be strictly for inventory. Mr. Morgenstern confirmed that this would be new car inventory only, as keeping such an inventory is an integral part of their sales.

Mr. Francke addressed the PC/ZBA. He presented a sketch to orient the board members with the proposed property (Exhibit #1). In a brief history, he stated that this vacant parcel consists of approximately six (6) acres of land, designated as Lots 3B and 3C in the Lincolnwood Town Center PUD. Grossinger has already purchased these parcels from Simon Properties and the land has been placed in a land trust with LaSalle Bank. He pointed out several areas on this exhibit (Centerpoint PUD; PUD for Dominick's; Lincolnwood Place). Mr. Francke pointed out that an easement for the connector road has been allowed.

John Lebeque, Building Commissioner, had distributed a memo to members of the PC/ZBA just prior to the meeting. This memo summarized the intrinsic elements of the request. There have been a number of changes over the years to the original ordinance creating the original PUD. This request is for a change in the use of six acres from the flextech development to a use for storage of vehicles for sale at Grossinger's. There are a number of issues that need to be dealt with: (1) change of use; (2) impact of the connector road; (3) impact on future land use; (4) development of property to the west of this parcel. Commissioner Theisen commented on the excellence of the memo prepared by John Lebeque.

Lincolnwood, Illinois 60712.
Morgenstern, Comptroller, Grossinger Autoplex, 6900 McCormick Blvd.,
Chicago, Illinois 60602-1293; Alberto Boldizar, architect, Becker Architects
Limited, 595 Elm Place, Suite 225, Highland Park, Illinois 60035; and Steve
Francke, attorney, Piper, Marbury, Rudnick and Wolfe, 203 N. LaSalle Street,
On the basis of this phone conversation, Chairman Eisterhold swore in Harold W.

The meeting was reconvened and Chairman Eisterhold spoke to Ms. Grossinger personally. She stated that a member of her personal staff had sent out the notification letters via certified mail. She understands that if the affidavit and/or the return cards are not brought to the Building Commissioner on October 25, 2001, the hearing at this meeting will be void and the application process will have to start over.

jurisdiction. A call was placed to Caroline Grossinger by Steve Morgenstern. While waiting for the call to go through, Chairman Eisterhold called a short break.

Morgenstern said that amount of inventory is predicated on sales. Grossinger's inventory is large because they are one of the largest dealers in the Chicago land area. However, he also stated that it not their policy to sell new vehicles to other dealers without getting another new vehicle as part of the deal.

Alberto Boldizar, architect, explained to the PC/ZBA that this would provide space for an 400 cars in addition to the approximately 200 in their current inventory. Mr. Morgenstern stated that the usual turnover for inventory was 90 to 120 days. Commissioner Lebovits asked if these vehicles were only for the McCormick facility. He pointed out that Ordinance No. 88-1801, Section 2, paragraph 2 states "...only cars being sold or serviced at Grossinger's Lincolnwood Town Center facility may be stored on said Lot. No storage of vehicles to be sold or serviced at any other Grossinger facility or other dealership shall be brought to or stored on the property." It was suggested that this language be amended to allow storage of vehicles from other Grossinger Lincolnwood dealerships on the property in question if necessary in the future.

Mr. Francke stated that they understand that any action is subject to the approval of the Village Engineer. In a conversation with Steve Berecz, Village Engineer, earlier, Mr. Francke said that it appeared there were no problems; however, a written report will need to be submitted by Steve Berecz. In addition, verification from Camiros that the landscaping plan dated October 10, 2001 is compatible with the existing landscaping on other properties. There is also a question as to whether the capacity of the existing retention pond will be sufficient.

There was a great deal of discussion on the proposed extension of the connector roadway. Mr. Francke said that both Grossinger and Simon Properties has reserved easements for the connector road. Commissioner Sprogis-Marohn was concerned about future curb cuts. She felt these should be shown on the plans. In discussing the proposed roadway, Tim Clarke presented an aerial view of the PUD and indicated the proposed route of the connector roadway. Chairman Eisterhold asked about a median in the roadway. Tim Clarke said there is a median at the Dominick's site and near the turn, but this may be redesigned. In addition, Tim Clarke stated that the Village had made offers to Grossinger for three small parcels of land. He also said that Grossinger had been asked to dedicate the strip of land south of the retention pond to the Village for the connector road. Commissioner Theisen asked if any action by the PC/ZBA should be tied to sale and dedication of land by Grossinger. Tim Clarke said that the Board of Trustees needs resolution on both the proposed purchase by the Village and the dedication for the roadway.

Commissioner Lebovits wanted to know if the previous reduction in sales tax to the Village for Grossinger is still in effect. Tim Clarke said there had been such an agreement in the past but he is not up to date on the current status. Steve Morgenstern said that a sales tax report is prepared and prorated for the Village by the State of Illinois. At the request of Commissioner Lebovits, Tim Clarke will

Sandra Harper

Respectfully submitted,

meeting at 10:00 p.m.

Commissioner Theisen, seconded by Commissioner Pauletto, to adjourn the
There being no staff comments or further business, motion was made by

unanimously.

Yohanna, Pauletto, Theisen, Lebovits, Sprogis-Marohn, Eisterhold. Carried
to continue this petition to a date certain of November 14, 2001. Ayes: Klint,
Motion made by Commissioner Pauletto, seconded by Commissioner Yohanna,

It was decided that Grossinger should provide more information before a vote is
taken. Included in this are: 1) Fiscal impact; 2) Study a report from John
Dolasinski on TIF and sales tax; 3) attendance of a representative from Simon
Properties at next meeting to address remainder of site, detention basin capacity
and road dedication of land; 4) report on landscaping compatibility from Camiros;
5) future curb cuts; 6) parking for Volvo and Toyota facility (change in language
#88-1801, Section 2, paragraph 2); 7) Space for connector road – what is there
now versus what is being proposed; 8) line up of driveways to south; 8) report on
photometrics from Village Engineer; 9) capacity of retention basin for new
proposal; 10) flow of vehicles from site to dealership and service areas.

In discussion of security for these storage lots, Alberto Boldizar stated that
these will be gated and commissioners commented that chain link fencing was
not desirable for this use on this site.

A question of whether Simon Properties should properly be a partner in this
application was raised. Mr. Francke stated that Simon Properties had already
sold the property to Grossinger, thus implying consent to the project. They are
also actively marketing the remaining sites to the west. It is possible that once
this property is sold, a new amendment to the PUD will be required but this
cannot be addressed at this time.

study is part of the PUD review process.
reserved for the Board of Trustees. Eisterhold confirmed that financial impact
was not sure if this falls into the PC/ZBA purview or if such discussion should be
check with Director of Finance, John Dolasinski. There was also discussion of
tax increment financing. After more discussion, Commissioner Sprogis-Marohn

**MEETING MINUTES OF THE
PLAN COMMISSION/ZONING BOARD OF APPEALS
MARCH 13, 2002
7:30 P.M.**

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE

MEMBERS PRESENT: Chairman Paul Eisterhold, Kenneth Klint,
Mark Yohanna, Herbert Theisen, Renee
Spriggs-Marohn, Yehuda Lebovits, Anthony Pauletto

MEMBERS ABSENT: None

VILLAGE BOARD
LIASION: Mary Czuzin

OTHERS PRESENT: John R. Lebeque, Building Commissioner; Tim
Clarke, Director of Community Development; Maris
Grossman, Building Inspector

I. APPROVAL OF PREVIOUS FINDINGS OF FACT

Motion was made by Commissioner Yohanna, seconded by
Commissioner Klint, to accept the minutes of the February 13, 2002
meeting as submitted. Motion carried unanimously.

II. ORDER OF BUSINESS

6539 Lawndale

Petitioners Limoun and Gabriel T. Gabriel, owners, appeared and were
sworn in by Chairman Eisterhold. John Lebeque confirmed that the
petitioner had made proper notification. He then said that this request was
to allow construction of a 6-ft. high solid wood fence on a south interior
property line. The ordinance requires only 4-ft, 50% open fencing on
interior property lines in residential areas.

Mr. Gabriel addressed the PC/ZBA, stating the reason for this request was
there had been continued difficulties with their neighbor to the south. He
felt that this lengthy dispute had affected his family adversely and since

they did not wish to resort to a civil action, this appeal for the fence variances seemed to be the appropriate course of action. There was some discussion in which the question of landscaping as a barrier was brought up as an alternative to the installation of the fence. Commissioner Yohanna asked if they had considered trying to obtain an injunction, but the Gabriels felt this was not a viable option and would be extremely expensive and stressful to their family.

Commissioners discussed difficulties encountered if petitioner had to resort to civil action against the neighbor.

Mr. Gabriel asked for approval of a 7-ft solid wood fence. He said the extra height was needed because his kitchen windows were higher than the neighbors and the taller fence would provide privacy, permitting his family to use the rear yard of their property without being harassed by the neighboring property owners.

Chairman Eisterhold asked if any members of the audience wished to comment on the petitioner's fence variation request. No one came forward to speak in regard to the requested variation. Commissioner Pauletto asked Ms. Lorraine Weinberg, 6533 Lawndale, if she wanted to respond, but Ms. Weinberg declined.

Motion was made by Commissioner Theisen, seconded by Commissioner Pauletto, to recommend approval of the 7-ft high, solid wood fence with the condition that should either party move, the fence would be removed. Ayes: Klint, Yohanna, Pauletto, Sprogis-Marchn, Theisen, Lebovits, Eisterhold. Carried unanimously. To Board of Trustees on March 21, 2002.

6603 Minnehaha

Petitioners Kasia and Ira Hochberg, owners, appeared and were sworn in by Chairman Eisterhold. John Lebegue, Building Commissioner, confirmed proper notifications had been made by the petitioner.

Mr. Lebegue explained that two variances were needed for this property. The first was a variance from the required lot size of 9,000 square feet to the existing 7,555 square feet, a reduction of 1,445 square feet. The second variation request is to reduce the rear yard from the required 33.5 feet to the existing 11.53-feet to construct a second story addition and a small one story addition. The existing home is located 11.53-ft. from the property line.

In answer to a question from the Board, Tasia Hochberg said that the first floor would remain and would not be removed as part of this project. Mrs.

UNOFFICIAL COPY

30079651

Hochberg continued by stating that they may consider changing the façade of the building to stone at some time in the future.

Chairman Eisterhold asked if any member of the audience wished to comment on the petitioner's variation request. No one can forward to speak in regard to the variation request.

Motion was made by Commissioner Theisen, seconded by Commissioner Lebovits, to recommend approval of the lot size variance and the side yard variance. Ayes: Yohanna, Pauletto, Klint, Sprogis-Marohn, Theisen, Lebovits, Eisterhold. Motion carried unanimously. To Board of Trustees on April 4, 2002.

6649 Longmeadow

David Kamish, owner, and Eduardo Proenza, architect, appeared and were sworn in by Chairman Eisterhold. Building Commissioner Lebegue confirmed that proper notification had been made by the petitioner. He stated that the configuration of this lot is somewhat unique, in that the lot has three side yards because of the curved area in the front. The northwest side yard at the building averages 10.09-feet. With a lot width of 108.18, the required side yard setback is 10.28-feet. At the front, the setback at the garage is 17.58-feet. The owner wishes to add a second floor addition.

Chairman Eisterhold questioned the 10-ft. building line indicated on the plat of survey along the curved portion of the lot. Mr. Lebegue stated that he felt this was drawn at the time of subdivision and had no bearing at this time. Mr. Proenza stated this house was built in 1958 and he too felt that this line was only an indicator for subdivision. John Lebegue stated further that research into the ordinance creating the Towers did not show any evidence that there were any additional building line restrictions.

Chairman Eisterhold asked if any member of the audience wished to comment on the petitioner's variation request. No one can forward to speak in regard to the variation request.

Motion was made by Commissioner Theisen, seconded by Commissioner Klint, to recommend approval of the variances. Ayes: Pauletto, Yohanna, Klint, Lebovits, Sprogis-Marohn, Theisen, Eisterhold. Motion carried unanimously. To Board of Trustees on April 4, 2002.

UNOFFICIAL COPY

TEXT AMENDMENT – TOWERS, ANTENNAS, ET AL

Page 9: The PC/ZBA did not feel that schools should be exempt. It was felt that allowing installation of these antennae, towers, etc on school property could be a means of generating some income for the school, and should be under the control of Village ordinances. Especially since the schools are in a residential zone.

Page 11: Windloading standards. As John Lebegue was unable at this time to find any windloading standards for these structures, it was agreed that the wording should make reference to International Building Code without a year.

Page 11, (4)h: The PC/ZBA felt these standards were in compliance with the Landscaping Ordinance.

Page 12 (i) The Board felt that since barbed wire is allowed in M-Manufacturing Districts and for utilities, its use for these structures is appropriate.

Page 12, j(2) The PC/ZBA felt that the last sentence starting "In no event shall a total of more than" should be stricken.

Page 13, K(1) The PC/ZBA felt that some type of annual inspection should be done to check for abandoned antennas.

Page 13, k(2) The PC/ZBA agreed that the Board of Trustees would make the determination as to whether this responsibility was with the Administrative Officer or with Village Administrator.

Page 13, k(3) Commissioner Yohanna felt the wording should be changed to read "shall have sixty (60) days from mailing of notice....".

Page 13 k(4) The wording here should read "..., the Village may remove such facility and to record a lien against the property in the Office of the Cook County Recorder of Deeds for the cost of removal."

Page 14/15 Note on requiring technical information for CORB to determine proper limitations. The PC/ZBA felt that this should "The Building Commissioner should be provided with adequate engineering information as to the structural integrity of the structure on which the tower, antenna, etc is to be placed."

Page 18 (4) The word "express" in third sentence should be changed to "impose".

UNOFFICIAL COPY

Page 18 (6) Note for CORB regarding the \$10,000 letter of credit, the PC/ZBA felt that some sort of formula should be worked out as this may not always be an appropriate figure. This figure should reflect the cost of removal.

No one came forward to comment on the amendment. No written comments were received.

Motion was made by Commissioner Pauletto, seconded by Commissioner Sprogis-Marohn to recommend adoption of this Amendment by the Board of Trustees, subject to input from the Telecommunications Committee, if not already done. Ayes: Klint, Lebovits, Sprogis-Marohn, Theisen, Yohanna, Pauletto, Eisterhold. Passed unanimously.

TEXT AMENDMENT – PRINTING, PUBLISHING, ETC.

There was no discussion other than presentation of background by Chairman Eisterhold and Building Commissioner Lebegue. There was no public comment nor were any written comments received.

Motion was made by Commissioner Lebovits, seconded by Commissioner Klint, to recommend adoption of the Text Amendment by the Board of Trustees.
Unanimous.

30079651

6900 MC CORMICK – GROSSINGER'S

Harold Francke, attorney for Grossinger's, appeared. This item was continued from October to allow the petitioner time to gather and present information as requested by the PC/ZBA. This material was sent to the PC/ZBA members along with a memo from Building Commissioner Lebegue, which summarized the requests.

Mr. Francke went over this memo, point by point, and stated that his client agreed with each point. It is understood that some of the proposed plans, such as the photometric, would have to be approved by Steve Berecz, Village Engineer and the Building Commissioner.

There were two concerns about the vehicles to be stored on the proposed lot. Commissioner Klint was concerned about the quality of the cars stored on the lot immediately adjacent to the Connector Road. Commissioner Sprogis-Marohn was concerned that the creation of this lot would draw additional traffic onto the Connector Road. It was agreed that only vehicles to be sold at Grossinger Lincolnwood locations would be stored on the lot. The agreed percentage was at least 65% new cars and a maximum of 35%

UNOFFICIAL COPY

30079651

pre-owned vehicles. Secondly it was agreed that new or merchandisable cars would be stored in the first two rows adjacent to the Connector Road.

Mr. Francke said his client was in agreement with most of the items, but felt that the retention pond, sale of the property to the Village for the Connector Road and items such as the fencing should not properly be included in any recommendation at this time.

The discussion returned to the traffic that might be generated on the Connector Road. Tim Clarke traced the proposed route of the Connector Road on an aerial map of the Village. Since the purpose of the Connector Road is to pull traffic from Touhy and McCormick, this was not felt to be an issue.

Motion was made by Commissioner Pauletto, seconded by Commissioner Lebovits, to recommend approval of the amendment to Ordinance No. 88-1801 to allow purchase and development of east half of Lots 3B and 3C for storage of vehicles, subject to the conditions as outlined in memo from John Lebegue dated March 13, 2002 (Addendum A), with accompanying documents, and conditions as outlined in Harold Francke's letter dated March 8, 2002; that the sale agreement between the Village of Lincolnwood and Grossinger's for the roadway be done in conjunction with the proposed amendment; that Lot 3B would be allowed to have one curb cut on Connector Road to line with the curb cut on the Bell & Howell property to the south; that the fence requested by Grossinger's along the southern perimeter of Lot 3B would be allowed, but that the fence be of a decorative type for aesthetic reasons; that the first two rows of vehicles in Lot 3B be new vehicles; that the vehicles in Lot 3B be displayed in a similar manner to those on other Grossinger sales lots, and consistent with the requirements of the PUD; and all engineering plans be approved by the Village Engineer. Ayes: Pauletto, Yohanna, Klint, Lebovits, Sprogis-Mann, Theisen, Eisterhold. Carried unanimously.

III. STAFF COMMENTS:

The March 27th meeting is to be a workshop, held in the Police/Fire Training Room, to continue discussion of the Fence Ordinance. Commissioners Klint and Lebovits will not attend.

Chairman Eisterhold reported that the recommend approval of the fence ordinance for 6538 Christiana was denied by the Board of Trustees who felt that the petitioner had not proven hardship.

Building Commissioner Lebegue introduced Maris Grossman, the new Building Inspector.

UNOFFICIAL COPY
30079651

Motion was made by Commissioner Pauletto, seconded by Commissioner Klint, to adjourn the meeting at 10:20 p.m.

Respectfully submitted,

Sandra Harper
Recording Secretary

Property of Cook County Clerk's Office

Memorandum

To: Chairman Eisterhold and Members of the PC/ZBA
From: John Lebegue, Building Commissioner *John R. Lebegue*
Date: 03/13/02
Re: Amendment to P.U.D. - Grossinger's Motorcorp Inc

At the upcoming March 13, 2002 PC/ZBA meeting, Grossinger's Motorcorp Inc. will be appearing for a second time to request an amendment to Ordinance #88-1801 to allow for a change in use on a portion of Lot 3B and Lot 3C to allow the property to be used for the outdoor storage of vehicles. This amendment request was continued at the October 20, 2001 meeting of the PC/ZBA in order for Grossinger's Motorcorp Inc. to provide further information. Following are the requested items and the status of each item:

- 1) **Fiscal Impact Analysis and Statement**
Per request, Steve Morgenstern, Comptroller for Grossinger's, performed a fiscal analysis and the results of the analysis are outlined in the attached letter from Mr. Morgenstern.
- 2) **A report from the Finance Director, John Dolasinski, in regard to the impact the proposed amendment will have on the sales tax sharing agreement that exists between the Village of Lincolnwood and Grossinger's Motorcorp Inc. According to John Dolasinski, the sales tax sharing agreement was created as an incentive to have Grossinger build a new facility in Lincolnwood. The agreement is a 20 year agreement that provides Grossinger's one half of the share of the incremental sales tax revenue up to \$250,000. The incremental sales tax revenue generated by the base Volvo and Cadillac dealerships is not included in the sales tax sharing agreement. All incremental sales tax revenue generated by the Volvo and Cadillac dealerships comes directly to the Village of Lincolnwood. Grossinger's share of the incremental sales tax revenue is used to pay debt service for the cost of building the new facility. The Village of Lincolnwood receives the full share of incremental sales tax revenue over \$250,000. Should the proposed amendment increase the sale of vehicles, the Village's sales**

tax revenue will increase, but Grossinger's share will not be affected, as they are limited to only one half share up to \$250,000. There are 8 years remaining on the 20-year sales tax sharing agreement. According to John Dolasinski, Grossinger's is currently generating approximately 1.1 to 1.2 million dollars of sales tax revenue per year.

- 3) **Attendance by a representative of Simon Properties** at next meeting to address development of the remaining west, 6 acres, retention basin capacity and dedication of land for the Connector Road. In response to the request of the PC/ZBA, Grossinger's obtained the attached e-mail statement from Simon Properties, supporting the proposed amendment and vehicle storage use. Simon Properties is currently marketing the remaining west, 6 acres and the proposed development will not negatively impact efforts to market the property. In regard to the capacity of the existing retention basin, the matter is being studied by the Village Engineer to verify that sufficient capacity exists for the proposed parking lot development and development of the remaining 6 acres. Lastly, the Village is expecting a contract from Simon Properties for the purchase of land needed to construct the Connector Road in the next week.
- 4) **Report on landscaping compatibility with Camiros design plans.** In response to the request of PC/ZBA, I have attached copies of design plans prepared by Camiros for the Northeast Business Park Improvement Plan. The Camiros design plan shows the installation of street trees along both sides of the proposed Connector Road and the planting of parking lot screening. The landscape plans submitted for proposed parking lot development are consistent with the plans prepared by Camiros. Shrubbery will be installed around the entire perimeter of the proposed parking lot to screen view of the area and trees are to be planted around the perimeter of the property. The proposed landscape plans are also consistent with the landscape requirements outlined in the draft landscape Ordinance. The requirement to provide landscaping on the subject property and the public right-of-way adjacent to the property should be a condition of the development, should the requested amendment be granted. As a further landscaping condition, all landscape areas to have sod where grass is to exist. No seeding of landscape areas will be allowed.
- 5) **Location of future curb cuts from the proposed parking lot area onto the Connector Road.**
The issue of locating curb cuts from the proposed parking area onto the proposed Connector Road has not yet been fully resolved. I was

UNOFFICIAL COPY

30079651

March 13, 2002

informed by Hal Francke, attorney for Grossinger's, that the matter is being considered by his client and more information will be provided at the March 13, 2002 Public Hearing.

- 6) **Allowing Grossinger Motorcorp Inc. to store vehicles from their Volvo and Toyota dealerships at the proposed parking area.**
In Section 2, paragraph 2 of Ordinance No. 91-1994, Grossinger's Motorcorp Inc. was allowed to purchase Lot 3A with the restriction that Lot 3A be used for the storage of cars being sold or serviced at Grossinger's Lincolnwood Town Center facilities. At the October 24, 2001 PC/ZBA meeting, it was suggested that this language be amended to allow the storage of vehicles from other Grossinger Lincolnwood dealerships on the property. This suggestion would give Grossinger's the ability to increase their inventory for all Lincolnwood dealerships, but said storage should be restricted to the storage of new vehicles from the other Grossinger dealerships. In the attached, March 8, 2002 correspondence from Hal Francke, it is suggested that at least 65% of the vehicles maintained on the new storage lot will be new vehicles. Furthermore, Mr. Francke proposes that the subject property will be used only for the storage of vehicles being sold at Grossinger franchises that are located in Lincolnwood. In response to the petitioner's contention that 65% of the new vehicles stored on the lot be new vehicles, a set percentage of new versus used vehicles should be established to limit the number of used vehicles, vehicle trade-ins and leased vehicles stored on the property. Furthermore, a specific storage area should be designated for the storage of used, vehicle trade-ins and leased vehicles.
- 7) **Space for Connector Road**
The plans that have been submitted for the proposed parking lot, take into account the construction of the Connector Road. The Village is currently in negotiations with representatives of Grossinger's to acquire the needed land to construct the Connector Road in the future. The proposed parking lot will be designed and located in such a fashion that will not interfere with the installation of the Connector Road. Hal Francke, the attorney representing Grossinger's, will distribute a status letter to the members of the PC/ZBA at the March 13, 2002 Public Hearing that will summarize the status of negotiations between Grossinger's and the Village. Please find attached a copy of the March 7, 2002 correspondence from Village Engineer, Steve Berecz, regarding the status of the engineering plans for the proposed vehicle storage lot. Any and all construction will be subject to the approval of the Village Engineer, prior to construction.

UNOFFICIAL COPY

March 13, 2002

30079051

8) Alignment of Driveways

This matter has yet to be resolved and will be addressed by the petitioner at the March 13, 2002 Public Hearing.

9) Photometric plans for the proposed parking lot development.

Revised photometric drawings are to be provided by the architect by March 13, 2002. As in earlier amendments to Ordinance No. 88-1801, a condition should be included that prohibits direct light glare beyond the property line. The photometric plan shall be subject to the final approval of the Village Engineer and the Building Commissioner. The lighting that is being proposed for the new parking area is comparable to the lighting fixtures located on the existing vehicle storage lot to the east.

10) Flow of vehicles from proposed vehicle storage lot to dealership and service areas.

Information relative to vehicle circulation will be provided by the petitioner at the March 13, 2002 Public Hearing. Given that it has not yet been determined if curb cuts will be made onto the future Connector Road, the issue of vehicle circulation from the proposed vehicle storage lot to the dealership and service areas has yet to be resolved. While the issue of vehicle circulation remains unsettled, it has been determined that delivery trucks will not use the proposed Connector Roadway to unload vehicles that are to be stored on the subject property. Furthermore, trucks delivering vehicles to be stored on the subject property will not queue on the proposed Connector Roadway. These issues are outlined in points 3 and 4 of the attached March 8, 2002 correspondence from Hal Francke.

11) Amendment of Covenants, Conditions, Restrictions, ^{Rights} ~~Easements~~ and Easements of the Lincolnwood Town Center

In addition to amending Ordinance No. 88-1801 to allow for a change in use on a portion of Lot 3B and 3C to allow the property to be used for the outdoor storage of vehicles, the Declarations of Covenants, Conditions, Restrictions, Rights and Easements of the Lincolnwood Town Center must also be amended. As a condition of Ordinance No. 90-1901, which granted approval for the Grossinger facilities, any modification of the Lincolnwood Town Center Covenants which the Village Attorney deems necessary shall be prepared by Applicants and submitted to the Village Attorney for review and approval.

**UNOFFICIAL COPY****30079651**

203 North LaSalle Street, Suite 1800
Chicago, Illinois 60601-1293
www.piperrudnick.com

PHONE (312) 368-4000
FAX (312) 236-7516

WRITER'S INFORMATION

herold.francke@piperrudnick.com
PHONE (312) 368-4047
FAX (312) 630-5380

March 8, 2002

Chairman Paul Eisterhold and Members of the Plan Commission
Village of Lincolnwood
6900 North Lincoln Avenue
Lincolnwood, IL 60712

RE: East Half of Lots 3B and 3C/Proposed Amendment to Town Centre PUD

Dear Chairman Eisterhold and Members of the Plan Commission:

Grossinger Motorcorp, Inc. has applied to the Village of Lincolnwood for an amendment to the Lincolnwood Town Centre PUD to permit the storage of automobile vehicles on the east half of Lots 3B and 3C of the Town Centre PUD. The purpose of this letter is to respond to certain issues you raised the last time you publicly considered the Grossinger application.

First, you asked that certain additional information be provided on Grossinger's improvement plans for the subject property and the Village Engineer asked that certain revisions be made to those plans. Revised plan sets were delivered to the Village on March 6th. We believe Village staff and the Village Engineer are satisfied that the revised plans reflect such additional information and that the plans for the improvements to the land being proposed substantially conform to Village ordinance requirements. These plans indicate that 604 vehicle spaces will be provided, which will mean a net increase of 288 vehicle storage spaces on the Grossinger properties after taking into account the existing vehicle spaces on the property, the construction of the new parking lot and the loss of vehicle spaces that will be realized when the Village constructs the proposed East-West Connector Roadway.

Second, you asked that Grossinger representatives estimate the increase in vehicle sales and Village sales tax revenues that may attain from the requested change in use for the subject property. Attached to this letter is a summary projection of such estimate. This estimate was prepared by Steve Morgenstern, Grossinger's Controller.

Third, you asked us to confirm that Grossinger's seller, which has retained ownership of the west half of Lot 3B and Lot 3C, consents to Grossinger's application. A copy of an email transmission that confirms such consent is also attached.



PIPER
MARBURY
RUDNICK
& WOLFE

UNOFFICIAL COPY

Chairman Paul Eisterhold
and Members of the Lincolnwood Plan Commission

March 8, 2002

Page 2

30079651

In addition, in discussions with Village representatives, Grossinger has been asked to acknowledge certain matters relative to the future use of the subject property. With respect to the same, this will confirm as follows:

1. At least 65% of the vehicles maintained on the new storage lot will be new vehicles.
2. The subject property will be used only for the storage of vehicles being sold at Grossinger franchises that are located in Lincolnwood.
3. Delivery trucks will not use the proposed East-West Connector Roadway to unload vehicles that are to be stored on the subject property.
4. Trucks delivering vehicles that are to be stored on the subject property will not cue on the proposed East-West Connector Roadway.

We assume that these matters will be confirmed in any ordinance that might be adopted approving the requested PUD amendment.

We look forward to appearing before you on the evening of March 13th.

Very truly yours,

PIPER MARBURY RUDNICK & WOLFE

Harold W. Francke

cc: Caroline Grossinger
Steve Morgenstern
Burt Boldizar
Warren Opperman
Mark Gershon
Mort Steinberg

queue
J

UNOFFICIAL COPY

30079651

GROSSINGER AUTOPLEX/LINCOLNWOOD TOWN CENTRE

ESTIMATED INCREASE IN VEHICLE SALES & VILLAGE SALES TAX REVENUES THAT COULD RESULT FROM ADDITION OF VEHICLE STORAGE SPACES

By providing the opportunity to increase the number of vehicle storage spaces within the Grossinger Autoplex complex, Grossinger believes that it will be better able to maintain its current significant levels of vehicle sales and that it will be better positioned to sell more automobiles, on an annual and recurring basis. As a result, the Village of Lincolnwood's sales tax revenue stream from Grossinger will be better secured and the likelihood of increasing that sales tax revenue stream, on an annual and recurring basis, will be enhanced.

Specifically, based on a review of its 2001 records for vehicle sales, inventory levels and sales tax revenues generated, Grossinger projects that the net addition of 288 vehicle storage spaces on its property will make it possible for Grossinger to sell approximately 900 additional new vehicles and approximately 400 additional pre-driven vehicles each year, that this will increase annual gross sales volumes by approximately \$34,000,000, and that this amount, after giving credit for the amount of vehicle trade-ins, will annually generate approximately \$285,000 in additional sales tax revenues to the Village. Needless to say, these projections assume favorable market and competitive conditions.

UNOFFICIAL COPY

Francke, Harold W. - CHI

From: Gershon, Mark A. - CHI
Sent: Thursday, January 10, 2002 11:05 AM
To: Francke, Harold W. - CHI
Subject: FW: Grossinger: Application for Amendment to Lincolnwood Town Center PUD

-----Original Message-----

From: mfranken@simon.com (SMTP:mfranken@simon.com)
Sent: Wednesday, January 09, 2002 4:21 PM
To: Farrell, Eileen - CHI; Mark.Gershon@PiperRudnick.com
Cc: bcrawfor@simon.com
Subject: Grossinger: Application for Amendment to Lincolnwood Town Center PUD

30079651

Mark:

In accordance with our telephone conversation and your email request attached below, Simon Property Group consents to amendment of the Lincolnwood Town Center PUD to allow use of the Property for storage of motor vehicles for both on-site and off-site dealerships.

Marc Frankenstein
Senior Staff Attorney
Legal Development
Simon Property Group
Direct Dial 317.263.7936
Facsimile 317.263.7038
mfranken@simon.com

"Farrell, Eileen - CHI"
<eileen.farrell@piperrudnick.com>
To: "mfranken@simon.com" <mfranken@simon.com>
"m.franken@simon.com" <m.franken@simon.com>
cc:
01/09/02 04:11 PM Subject: Grossinger: Application for Amendment to Lincolnwood Town Center PUD

> As you are aware, Grossproprs Associates LLC acquired an approximately
> six-acre portion of Parcels 3B and 3C in the Lincolnwood Town Center (the
> "Property") from Simon Property Group (Illinois), L.P. ("Simon") and is
> seeking approval from the Village of Lincolnwood of an amendment to the
> Lincolnwood Town Center PUD to allow the use of the Property for storage
> of motor vehicles for both on-site and off-site dealerships (the
> "Amendment"). In accordance with our previous conversations, please
> confirm for our benefit and for the benefit of the Village, the approval
> by Simon of: (i) the use of the Property for storage of motor vehicles
for both on-site and off-site dealerships and (ii) the Amendment, by
returning a copy of this e-mail with an indication of such approval. If you have
> any questions please call me.

>

> Thank you.

>

> Mark

>

> Mark A. Gershon

> Piper Marbury Rudnick & Wolfe

>> 203 North LaSalle Street

> Chicago, Illinois 60601

> Phone: (312) 368-2127

> Fax: (312) 630-5338

>

RECEIVED

March 7, 2002

MAR - 8 2002

Mr. John LeBegue
Building Commissioner
Village of Lincolnwood
6900 Lincoln Avenue
Lincolnwood, Illinois 60712

**LINCOLNWOOD
BLDG. DEPT.**

Consulting Engineers
and Surveyors

Civil, Municipal, & Traffic

850 Forest Edge Drive
Vernon Hills, Illinois 60061
tel 847 478 9700, fax 847 478 9701

Re: Grossinger Autoplex - 6 Acre Parcel
Engineering Plan Review

30079651

Dear Mr. LeBegue:

Our office in receipt of the following documents:

- Final Engineering - Submittal #2, sheets 1-7 as prepared by Joseph A. Schudt & Associates, latest revision date of 3-6-02
- Easement Exhibit, dated 12-10-01 (1 sheet)
- Grossinger Autoplex Parking Exhibit, dated 3-6-02 (1 sheet)

We have the following comments relative to these engineering plans. They are provided for the owner's consideration, for your information and the subsequent reviews by the Zoning Board, Plan Commission and Village Board.

SHEET C-4

1. We reserve judgement on the stormwater detention requirements for this development.
2. Please describe the intended use of the two proposed entrances to the E/W Connector Roadway along the south property lines of lots 3B and 3A. Expected number of trips, destination, etc.
3. Revise the south curb line (east of the requested entrance to lot 3A) to run parallel with the 10' utility easement. This south curb line shall be 0.5' North of the utility easement at all locations. The Village will waive the minimum drive aisle width requirement for the southeast corner of lot 3A.

SHEET C-5

4. Remove the note requiring relocation of the fire hydrant. The Village will relocate this hydrant.

Easement Exhibit

5. We reserve judgement on this exhibit.

UNOFFICIAL COPY

Mr. John LeBegue
Grossinger - 6 Acre Parcel
March 7, 2002
Page 2

We will continue to review these engineering plans in more detail, however the comments listed above are the suggested major changes. As Village Engineers, we retain the authority to make additional changes and comments to the plans as we see them during our further reviews. Any approvals should be contingent on our final review and approval of the engineering plans.

If you have any other questions or need additional information, please feel free to call me.

Sincerely,
Gewalt Hamilton Associates, Inc.

30079651

Steven D. Bercz

Steven D. Bercz, P.E.
Village Engineer

Cc: Bob Bocwinski, Village of Lincolnwood
Tim Clarke, Village of Lincolnwood
Manuel Castaneda, Village of Lincolnwood, DPW
Burt Boldizar, Becker Architects Limited

9232.059 Grossinger rev Review 3-7-02

Property of Cook County Clerk's Office

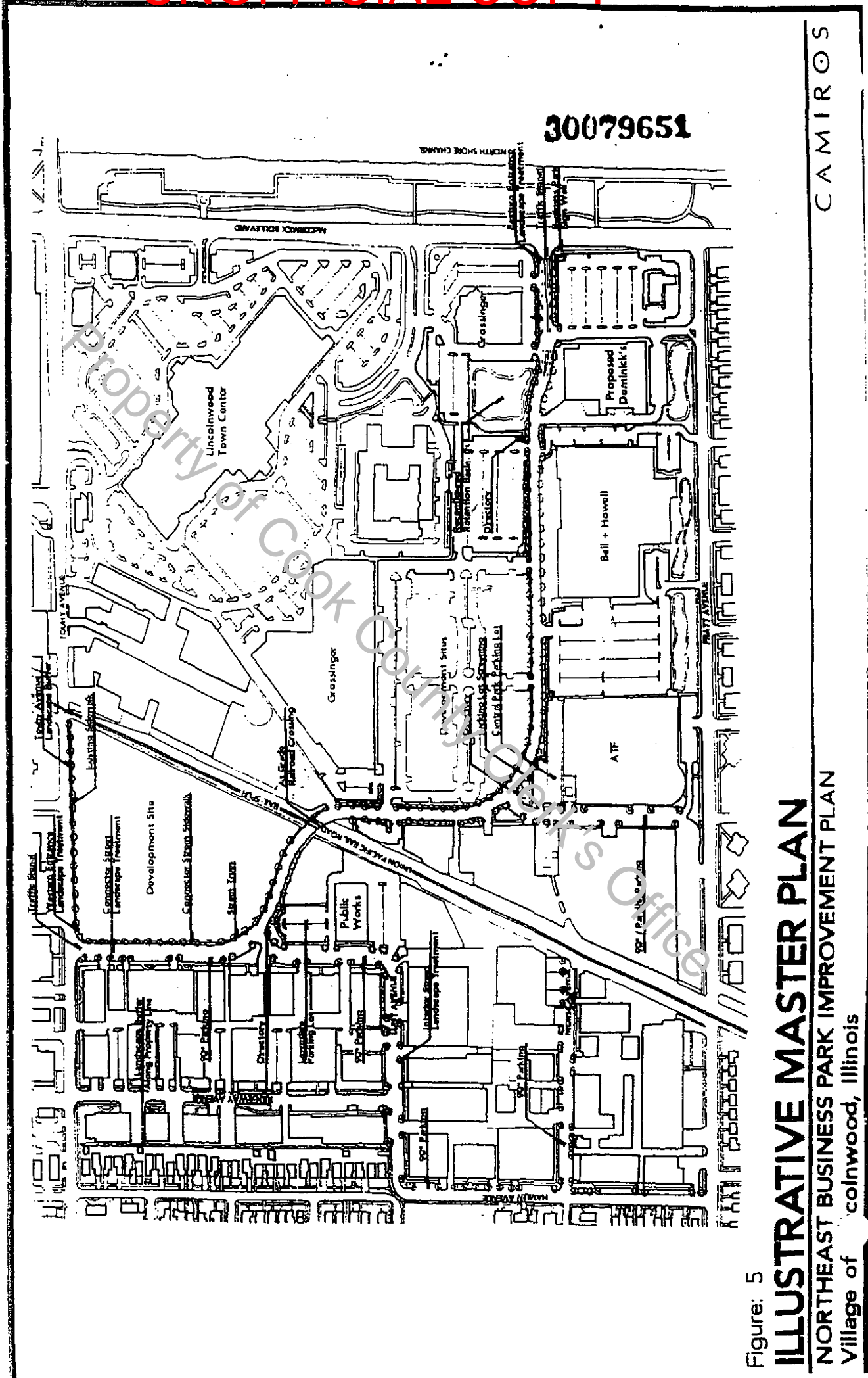


Figure: 5

ILLUSTRATIVE MASTER PLAN
NORTHEAST BUSINESS PARK IMPROVEMENT PLAN
 Village of Colnwood, Illinois

CAMIROS

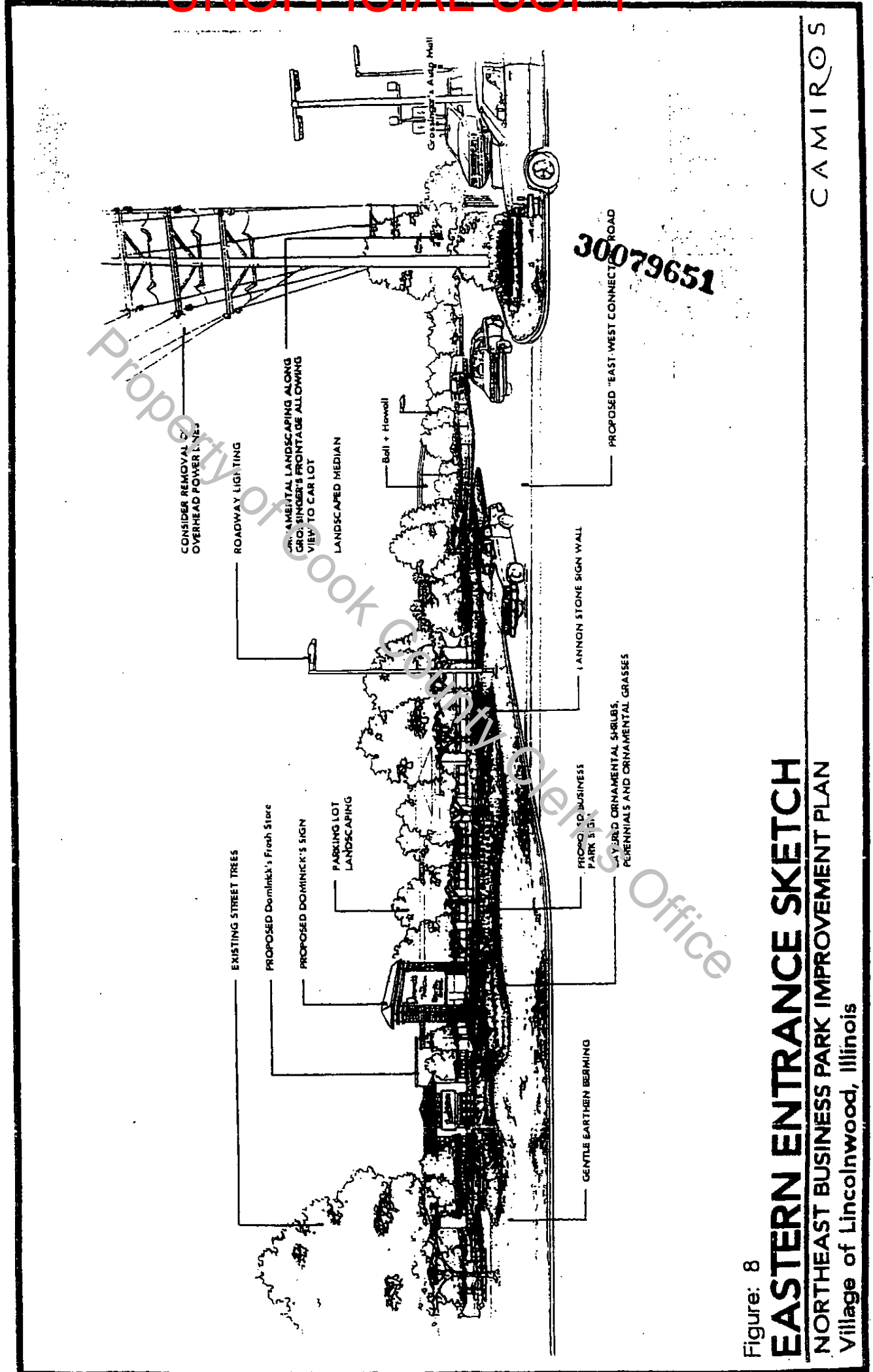
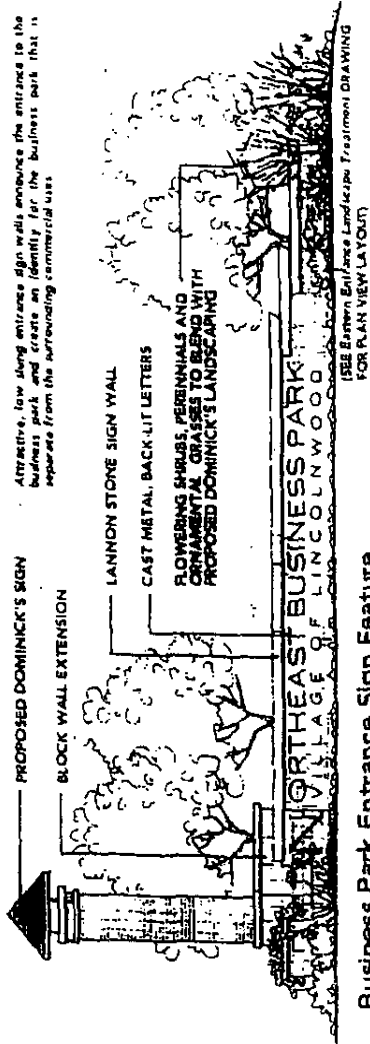


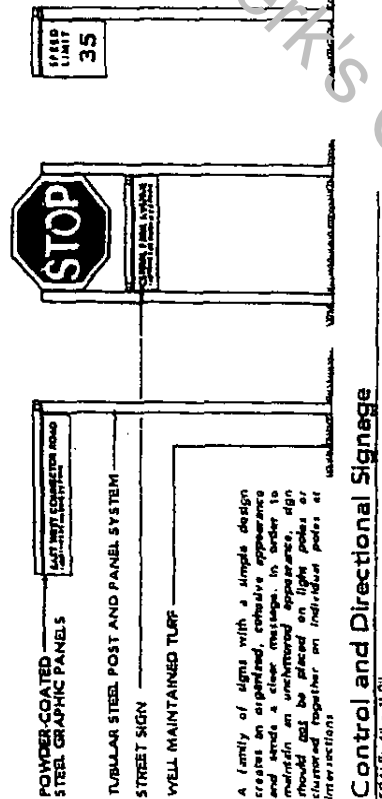
Figure: 8

EASTERN ENTRANCE SKETCH
NORTHEAST BUSINESS PARK IMPROVEMENT PLAN
 Village of Lincolnwood, Illinois

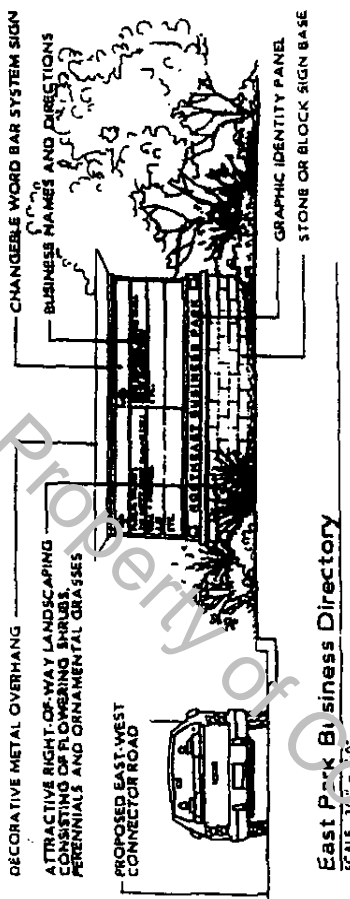
EXHIBIT ATTACHED



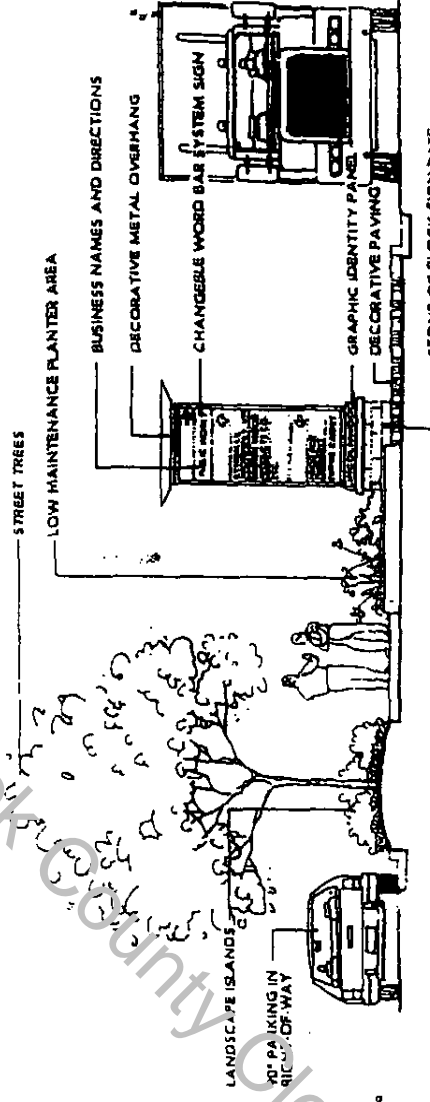
Business Park Entrance Sign Feature
SCALE: 3/8" = 1'-0"



Control and Directional Signage
SCALE: 1" = 1'-0"



East Park Business Directory
SCALE: 3/8" = 1'-0"



West Park Business Directory
SCALE: 3/8" = 1'-0"

(SEE Interior Road Landscape Treatment DRAW FOR PLAN VIEW LAYOUT)

Figure: 7

BUSINESS PARK IDENTITY PROGRAM

NORTH EAST BUSINESS PARK IMPROVEMENT PLAN

Village of Lincolnwood, Illinois

CAMIROS