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1023250013

NOTICE OF APPROVAL

An ordinance granting a special use permit to allow outdoor dining at 5313 Lincoln Avenue, Skokie, Illinois in a B2 Commercial district was approved by the Board of Trustees of the Village of Skokie on August 2, 2010. The approval granted is shown on the document attached hereto, marked Exhibit "1" and hereby made a part of this Notice of Approval.

Doc#: 1023250013 Fee: \$46.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 08/20/2010 09:10 AM Pg: 1 of 6

IMPORTANT: THE ABOVE PROVISION IS CONDITIONED UPON THE CERTIFICATION AND THE PAYMENT OF FEES AND EXPENSES IN CONNECTION WITH THE RECORDING OF THIS NOTICE. ALL DEPARTMENTS HAVE BEEN INSTRUCTED TO TAKE NO ACTION ON THE GRANT UNTIL THIS HAS BEEN SATISFIED.

OWNER'S CERTIFICATION

The undersigned, being the owner or duly authorized representative of the owner, of the real estate commonly known as **5313 Lincoln Avenue, Skokie, Illinois** and legally described in Exhibit "1" attached hereto and hereby made a part of this Notice of Approval certifies that such Notice is true and correct and accepts and approves all of the provisions and conditions set forth in Exhibit "1", attached hereto.

Dated this 4th, day of August, 2010.

Jinkyu Pak

Signature Jinkyu Pak

Print name Jinkyu Pak

Title Owner

Company _____

Address 3931 W. House Ave

City, State Zip Lincolnwood, IL 60712

Phone Number 847-562-3495

Plan Commission Case Number 2010-9P
Special Use Permit Number 409.01
Village Ordinance Number 10-8-Z-3778

UNOFFICIAL COPY**Exhibit 1**

JPH: *8/2/10
 PC: 2010-9P
 SUP: 409.01

THIS ORDINANCE MAY BE CITED AS
 VILLAGE ORDINANCE NUMBER

10-8-Z-3778

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW
 OUTDOOR DINING AT 5313 LINCOLN AVENUE, SKOKIE, ILLINOIS
 IN A B2 COMMERCIAL DISTRICT**

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

2 LOT 1, LOT 2, LOT 3, LOT 4, LOT 5, LOT 6, LOT 7 AND LOT 8 IN BLOCK 1 IN MAIN
 3 STREET AND LINCOLN AVENUE "L" SUBDIVISION OF PART OF THE WEST ½ OF
 4 SECTION 21, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL
 5 MERIDIAN, ACCORDING TO THE PLAT RECORDED IN THE REGISTRAR'S OFFICE
 6 ON JUNE 11, 1925 AS DOCUMENT NUMBER 259780, IN COOK COUNTY, ILLINOIS.

7 PINS: 10-21-132-009-0000, 10-21-132-010-0000, 10-21-132-011-0000, 10-21-132-012-0000,
 8 10-21-132-013-0000, 10-21-132-014-0000, 10-21-132-015-0000, 10-21-132-016-0000

9 more commonly described as 5313-5327 Lincoln Avenue, Skokie, Illinois, a strip shopping
 10 center in a B2 Commercial district (the "Subject Property"), petitioned the Village of Skokie to
 11 allow outdoor dining by its tenant, Johnny's Grill, at 5313 Lincoln Avenue, Skokie, Illinois. The
 12 outdoor dining area (the "Subject Site") will be located adjacent to Johnny's Grill and within a
 13 portion of a "lot" legally described as:

14 Lot 3 IN BLOCK 1 IN MAIN STREET AND LINCOLN AVENUE "L" SUBDIVISION OF
 15 PART OF THE WEST ½ OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 13, EAST OF
 16 THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED IN THE
 17 REGISTRAR'S OFFICE ON JUNE 11, 1925 AS DOCUMENT NUMBER 259780, IN COOK
 18 COUNTY, ILLINOIS.

19 **WHEREAS**, the proposed outdoor dining area will be located on a patio on the east side of
 20 the existing restaurant. There will be six tables with seating for 18 people. The patio will be
 21 enclosed on the north and east sides by metal railings and on the south and west sides by the
 22 existing brick walls with hanging planters installed around the inside perimeter of the dining area;
 23 and

24 **WHEREAS**, the outdoor dining area will be open from April 1 to October 31, and the hours
 25 of operation will be 11:00 a.m. to 9:00 p.m. daily, but in no case later than the hours of operation of
 26 the business in the Subject Site; and

27 **WHEREAS**, the four existing parking spaces located along the east wall of the Subject Site
 28 will be shifted further to the east, thereby reducing the current 42 foot wide driveway to the
 29 standard 24 foot width. In conjunction with the shift to the east, the driveway apron opening on
 30 Main Street will be widened to the east and be in alignment with the expanded driveway; and

31 **WHEREAS**, the Skokie Plan Commission, at a public hearing duly held on June 3, 2010,
 32 for which proper legal notice had been achieved and no interested parties appeared, (a) made the
 33 appropriate findings of fact as required under Section 118-32 of the Skokie Village Code and (b)

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1 voted to recommend to the Mayor and Board of Trustees that the requested special use permit be
2 granted subject to the conditions contained in the Plan Commission Report dated July 6, 2010; and

3 **WHEREAS**, the Mayor and Board of Trustees, at a public meeting duly held on July 6,
4 2010, concurred in the aforesaid recommendations and findings of fact of the Skokie Plan
5 Commission;

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

8 **Section 1:** That the special use permit requested by the petitioner to allow outdoor
9 dining at the Subject Site, legally described above and commonly known as a "lot" adjacent to 5313
10 Lincoln Avenue, Skokie, Illinois, in a B2 Commercial district, be and the same is hereby granted
11 and approved, subject to each of the conditions set forth below:

- 12 1. Prior to the issuance of an occupancy permit for the outdoor dining area, the following site
13 improvements must be made:
 - 14 A. Replace the existing trash corral gate with a screened gate;
 - 15 B. Patch deteriorating asphalt in the parkway along Lincoln Avenue;
 - 16 C. The trash container that belongs to 5309 Lincoln Avenue that is presently occupying a
17 portion of the parking space at the southeast corner of the Subject Site shall be
18 relocated onto the 5309 Lincoln Avenue property;
 - 19 D. Relocate the existing handicapped parking sign that is installed on the north wall of the
20 shopping center onto a channel post that is centered between the handicapped parking
21 space and the loading area;
- 22 2. Barriers, fencing, landscaping, and other features shall be utilized to define the outdoor
23 dining area;
- 24 3. Hours of operation for the outdoor dining shall be limited to between 11:00 AM and 9:00 PM,
25 but not longer than the posted operational hours of the associated food service facility;
- 26 4. All food preparation must take place inside the associated food service establishment;
- 27 5. Adequate refuse disposal shall exist as determined by the Health Department;
- 28 6. Advertising or promotional features shall be limited to umbrellas or canopies;
- 29 7. All applicable Village and State health requirements shall be met;
- 30 8. Waste receptacles shall be placed on the Subject Property for the use of customers, and the
31 Health Department shall determine the size, type, and location of these units;
- 32 9. At least once during every 4 hours of operation and before opening and closing of the
33 business, restaurant employees shall patrol the Subject Property and clear it of debris;
- 34 10. The plan to re-stripe the parking areas must be approved by the Village Traffic Engineer
35 prior to re-striping the lot;
- 36 11. Prior to the issuance of building permits, the petitioner shall submit to the Village of Skokie
37 Community Development Department a Cook County Assessor's Office Petition to
38 Consolidation of Property to consolidate property identification numbers 10-21-132-009-
39 0000, 10-21-132-010-0000, 10-21-132-011-0000, 10-21-132-012-0000, 10-21-132-013-
40 0000, 10-21-132-014-0000, 10-21-132-015-0000, and 10-21-132-016-0000 into a single tax
41 parcel;

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- 1 12. 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 in a
4 timely manner;
- 5 13. All off-street parking spaces shall be legibly striped and maintained;
- 6 14. Music and sound from any loudspeaker systems shall not be heard from outside of any
7 structure;
- 8 15. All modifications to building elevations, signage, and landscaping shall be subject to the
9 review and approval of the Skokie Appearance Commission;
- 10 16. All existing damaged public sidewalks or sidewalks damaged due to the implementation of
11 this plan shall be replaced;
- 12 17. Vehicles shall always be parked in designated parking spaces, and not overlap the striped
13 lines of designated parking spaces or parked in or otherwise block driveways, sidewalks,
14 aisles, or other points of access. All employees shall park on the Subject Property;
- 15 18. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other objects
16 that may impede travel;
- 17 19. All buildings shall meet current International Building and NFPA Life Safety Codes as
18 amended;
- 19 20. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division
20 of the Community Development Department the name, address, and telephone number of
21 the company and contact person responsible for site maintenance in compliance with the
22 special use permit;
- 23 21. If work is to be performed on public property or if public property is utilized or impacted
24 during construction and/or development, the owner shall provide, or shall cause the
25 developer and/or contractor to provide, the Village of Skokie with a certificate of insurance
26 naming the Village of Skokie as additionally insured for any and all claims related to any and
27 all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the
28 Village of Skokie harmless and indemnify the Village for any and all claims for property
29 damage or personal injury related to work on or use of public property;
- 30 22. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations
31 and all Village codes, ordinances, rules, and regulations;
- 32 23. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to
33 initiate hearings to determine whether the subject Ordinance, as well as any applicable
34 business licenses, should be revised or revoked; and
- 35 24. The petitioner shall pay all costs related to any hearings conducted as a result of non-
36 compliance with any of the provisions of the enabling ordinance. The costs shall include but
37 not be limited to court reporter fees, attorney fees, and staff time required researching and
38 conducting said hearing.

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

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

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ADOPTED this 2nd day of August, 2010.

Ayes: 6 (Bromberg, Perille, Roberts,
Shah, Sutker, Van Dusen)

Nays: 0

Absent: 1 (Lorge)

Attested and filed in my
office this 3rd day of
August, 2010.

Marlene Williams
Village Clerk

Marlene Williams
Village Clerk

Approved by me this 2nd day of
August, 2010.

George VanDusen
Mayor, Village of Skokie

Property of Cook County Clerk's Office

1

