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PREPARED BY:

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ANCEL, GLINK, DIAMOND,
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KRAFTHEFER, P.C.
140 S. Dearborn, Suite 600
Chicago, IL 60603

AFTER RECORDING

RETURN TO:

Marcia Pollowy
Village Clerk
Village of Harwood Heights
7300 W. Wilson
Harwood Heights, IL 60706

3-8 FIRST AMERICAN

CK File # 501176

This space for Recorder's use only

PROPERTY ADDRESSES:

7401 W. Lawrence Avenue,
Harwood Heights, IL 60706

4700 N. Oketo Avenue,
Harwood Heights, IL 60706

P.I.N.s: 12-13-203-023-0000
12-13-203-024-0000
12-13-203-025-0000
12-13-202-013-0000

12-13-202-014-0000
12-13-202-019-0000
12-13-203-013-0000

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 2012 - 05

**AN ORDINANCE GRANTING PLANNED DEVELOPMENT PERMIT APPROVAL TO BRADFORD
EQUITIES, LLC, FOR A GROCERY STORE AND ACCESSORY PARKING AT THE SOUTHWEST
CORNER OF LAWRENCE AND OKETO AVENUES, 7401 W. LAWRENCE AVENUE AND 4700 NORTH
OKETO AVENUE**

(BRADFORD EQUITIES, LLC - 7401 W. LAWRENCE & 4700 N. OKETO AVENUES)

Passed by the Board of Trustees, January 26, 2012

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

Trustees:

MARK DOBRZYCKI
MICHAEL J. GADZINSKI
DEMETRIOS MOUGOLIAS

THERESE SCHUEPFER
LAWRENCE STEINER
LESTER SZLENDAK

M.G.R. TITLE

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VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ORDINANCE NO. 12 - 05

AN ORDINANCE GRANTING PLANNED DEVELOPMENT PERMIT APPROVAL TO
BRADFORD EQUITIES, LLC, FOR A GROCERY STORE AND ACCESSORY
PARKING AT THE SOUTHWEST CORNER OF LAWRENCE AND OKETO
AVENUES, 7401 W. LAWRENCE AVENUE AND 4700 NORTH OKETO AVENUE
(BRADFORD EQUITIES, LLC - 7401 W. LAWRENCE & 4700 N. OKETO AVENUES)

Passed by the Board of Trustees, January 26, 2012

Printed and Published, January 26, 2012

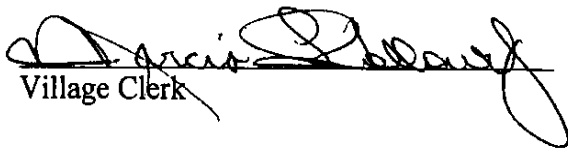
Printed and Published in Pamphlet Form
By Authority of the Village Board of Trustees

VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS

ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK

MARK DOBRZYCKI
MICHAEL J. GADZINSKI
DEMETRIOS MOUGOLIAS
THERESE SCHUEPFER
LAWRENCE STEINER
LESTER SZLENDAK

I hereby certify that this document was
properly published on the date stated above.


Village Clerk

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VILLAGE OF HARWOOD HEIGHTS COOK COUNTY, ILLINOIS

ORDINANCE NO. 12-05

AN ORDINANCE GRANTING PLANNED DEVELOPMENT PERMIT APPROVAL TO BRADFORD EQUITIES, LLC, FOR A GROCERY STORE AND ACCESSORY PARKING AT THE SOUTHWEST CORNER OF LAWRENCE AND OKETO AVENUES, 7401 W. LAWRENCE AVENUE AND 4700 NORTH OKETO AVENUE

WHEREAS, the Village of Harwood Heights (the "Village") is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois;

WHEREAS, the Village is a home rule unit of government pursuant to Section 6(a), Article VII of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs; and

WHEREAS, the Corporate Authorities have a duty pursuant to Section 17.56.200(E)(5) of the Village of Harwood Heights Code of Ordinances to act as the final decision-making body for planned development permit petitions and in that capacity, must either approve, approve subject to conditions, deny the planned development permit, or refer the application back to the Plan Commission for further review; and

WHEREAS, BRADFORD EQUITIES, LLC ("Bradford"), an Illinois limited liability company, is the contract purchaser of an approximately 4.7 acres of real property located at 7401 W. LAWRENCE AVENUE (hereinafter, the "Tornado Parcel") bearing the tax identification numbers 12-13-203-023-0000; 12-13-203-024-0000; 12-13-203-025-0000; 12-13-202-013-0000; 12-13-202-014-0000; and 12-13-202-019-0000, and legally described as follows:

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PARCEL 1:

LOTS 6, 7 AND THE NORTH HALF OF LOT 8 IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, A SUBDIVISION IN THE NORTH EAST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN;

PARCEL 2:

LOTS 13 AND 14 IN BLOCK 1 AND THAT PART OF LOTS 15 TO 18 IN SAID BLOCK 1, LYING NORTH OF A LINE DRAWN FROM A POINT IN THE EAST LINE OF SAID LOT 15, WHICH IS 47.80 FEET SOUTH OF THE NORTH EAST CORNER OF SAID LOT 15 TO A POINT IN THE WEST LINE OF SAID LOT 18, WHICH IS 42.60 FEET SOUTH OF THE NORTH WEST CORNER OF SAID LOT 18, TOGETHER WITH THE EAST AND WEST VACATED 20 FOOT PUBLIC ALLEY IN SAID BLOCK 1 LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF SAID LOT 14 AND THE SOUTH LINE OF SAID LOT 14, EXTENDED EAST TO THE EAST LINE OF SAID BLOCK 1 AND LYING NORTH OF AND ADJOINING THE NORTH LINE OF SAID LOTS 15 TO 18 AND THAT PART OF THE VACATED NORTH AND SOUTH PUBLIC ALLEY IN SAID BLOCK 1, LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 13 AND 14 AFORESAID ALL IN LAWRENCE LAWN'S ADDITION, BEING A SUBDIVISION OF THE SOUTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER AND OF THE NORTH HALF OF THE WEST 10 ACRES OF THE EAST HALF OF THE WEST HALF OF THE NORTH EAST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHEREAS, Bradford is simultaneously entering into a development agreement with the Village of Harwood Heights that provides for Bradford eventually acquiring approximately 2.2 acres of real property located at 4700 N. Oketo Avenue, bearing the tax identification numbers 12-13-203-023-0000; 12-13-203-013-0000, and a related easement for parking and access (collectively, the "Tarson Parcel"), which is legally described as follows:

PARCEL 1:

THE SOUTH 1/2 OF LOT 8 AND THE NORTH 112 FEET OF LOT 9 IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, BEING

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A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF ACCESS AND PARKING EASEMENTS DATED JANUARY 23, 2008 AND RECORDED FEBRUARY 1, 2008 AS DOCUMENT 0803205139 FROM BLUEBIRD HARWOOD HEIGHTS, LLC, TO MONTROSE, LLC, FOR THE PURPOSE OF ACCESS AND PARKING AS DEPICTED ON EXHIBIT "C" ATTACHED THERETO, OVER THE NORTHERLY AND EASTERLY PART OF THE FOLLOWING DESCRIBED LAND:

THE WEST 250 FEET (AS MEASURED ON THE SOUTH LINE THEREOF) OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

LOT 9 (EXCEPT THE NORTH 112 FEET, AS MEASURED ON THE EAST LINE THEREOF) LOTS 10 AND 11 AND THAT PART OF LOT 12 LYING NORTH OF AND ADJOINING THE NORTH LINE EXTENDED WEST OF WEST WILSON AVENUE IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHEREAS, the Tornado and Tarson Parcels shall hereinafter be collectively known as the "Grocery Store Property";

WHEREAS, the Grocery Store Property currently consists of an approximately seven (7) acre site consisting of 327,468 square feet located at the southwest corner of Lawrence and Oketo Avenues and extending southward thereof;

WHEREAS, the Grocery Store Property is currently improved with an approximately 62,000 square foot existing occupied industrial building, an additional, partially demolished building, and accessory surface parking areas;

WHEREAS, Bradford is seeking a planned development permit in order to construct an approximately 72,000[±] square foot "Mariano's Fresh Market" grocery store (the "Grocery Store") and an accessory surface parking lot on the Grocery Store Property;

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WHEREAS, the Grocery Store Property is currently located in the Village's B2 – Central Shopping District zoning classification, in which a grocery store is a permitted use;

WHEREAS, the aggregate lot area of the proposed commercial development exceeds 25,000 square feet and thus requires a planned development permit pursuant to Section 17.56.200(B)(1) of the Village Code;

WHEREAS, on December 12, 2011, the Plan Commission conducted a properly noticed public hearing to consider Bradford's application for a planned development permit;

WHEREAS, following the public hearing, the Plan Commission made certain factual findings and conclusions pertaining to the application for a planned development permit and issued a unanimous recommendation to the Village Board that the Village Board grant the requested planned development permit upon the fulfillment of several conditions, and the Plan Commission submitted its findings, conclusions and recommendations to the Corporate Authorities for review on January 5, 2012, via its *Report of Findings of Fact and Recommendation to the Village Board of Trustees for Conditional Planned Development Approval* ("Plan Commission Report"); and

WHEREAS, the Corporate Authorities have reviewed Petitioner's application for a planned development permit and associated exhibits, the minutes of the public hearing, and the Plan Commission Report, which Plan Commission Report is incorporated herein by reference as Exhibit A hereto;

WHEREAS, following the Plan Commission hearing, Bradford proposed several minor changes to its site plan and proposed delivery truck circulation patterns to address certain concerns identified by Village officials, staff, consultants and residents;

WHEREAS, the proposed alterations to the proposal heard by the Plan Commission are

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minor in nature and have been reviewed by the Village's Planning Consultant, Houseal Lavigne, and the Corporate Authorities and said minor changes to the plans are found and determined to have no deleterious impact on the proposal;

WHEREAS, the Corporate Authorities exercised their powers under Section 17.56.200(E)(5)(a) of the Village Code to require Bradford to submit additional information pertaining to traffic associated with the proposed development and the impact of such traffic on the existing road network, and the Corporate Authorities have received and reviewed such additional information from Bradford and said information was independently reviewed by Village engineering consultant Christopher B. Burke Engineering, Ltd., with a letter setting forth the analysis of the supplementary traffic study submitted to the Corporate Authorities for review;

WHEREAS, the Corporate Authorities find and determine that, given the conditions associated with issuance of the planned development permit identified herein, Bradford has demonstrated satisfaction of the planned development evaluative criteria set forth in Section 17.56.200(C) of the Village of Harwood Heights Zoning Code;

WHEREAS, the Village Board concurs with the factual findings and conclusions rendered by the Plan Commission and agrees with the recommendation made by that body regarding the granting of the requested planned development permit, subject to the explicitly identified divergent findings, conclusions, and conditions appended to the Village's approval as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, as follows:

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SECTION 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

SECTION 2. Title. This Ordinance shall be known and may hereafter be referred to as the *Ordinance Granting Planned Development Permit Approval to Bradford Equities, LLC, for Construction of a Grocery Store and Surface Parking Lot at the Southwest Corner of Lawrence and Oketo Avenues*

SECTION 3. Enactment.

A. Incorporation of Plan Commission Report. The Plan Commission Report is adopted by reference as though fully set forth herein.

B. Incorporation of Exhibits. Because certain minor changes were made to the site plans, building elevations and delivery truck circulation patterns following the Plan Commission hearing and the drafting of the Plan Commission Report in order to address concerns raised at the Plan Commission hearing and by Village officials and members of the public, which changes have been reviewed by the Village's Planning Consultant, engineering consultant, attorneys and the Corporate Authorities, the updated exhibits describing the proposed commercial planned development project ("the Project") in detail are attached hereto and are fully incorporated herein as follows:

- Exhibit A: Plan Commission Report
- Exhibit B: ALTA Survey, dated December 5, 2011
- Exhibit C: Site Plan, dated January 16, 2012
- Exhibit D: Concept Utility Plan

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- Exhibit E: Utility Impact Report
- Exhibit F: Representational Floor Plan
- Exhibit G: Building Elevations -- (north, south, east and west)
- i. Black & white renderings
 - ii. Color renderings
- Exhibit H: Conceptual Landscape Plan, dated January 17, 2012
- Exhibit I: Photometric Plan, dated November 17, 2011
- Exhibit J: Signage Plan, dated November 29, 2011, revised 12/09/11
- Exhibit K: Traffic Impact and Access Study, dated January 17, 2012

C. General Description. While the Project is described in greater detail in the various exhibits appended hereto, consistent with all of the Exhibits attached hereto, the Project is generally described as follows (to the extent that any of the site features are mischaracterized, the controlling documents shall be the site plans, elevations, landscape plans and other renderings identified as Exhibits B – D and F – J):

- i. Demolition and site clearance of the two existing industrial buildings presently located on the Grocery Store Property.
- ii. Construction of an approximately 72,000^{+/-} square foot Mariano's Fresh Market grocery store along the southern half of the Grocery Store Property. The maximum height of the grocery store building is reached at the glass-enclosed atrium located at the northeast corner of the building, which tops out at approximately 32 feet (32') to allow ornamental trees to grow in the café inside the atrium. The balance of the grocery store building is approximately 26 feet (26') tall, inclusive of the decorative

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corrugated metal parapet wall, which is raised approximately 6 feet above the 20 foot (20') tall roofline in order to screen approximately 12 to 14 rooftop units, including exhaust and air conditioning units, which stand roughly four and a half to five feet (4'6" – 5') above the roof. The grocery store façade is composed of masonry materials, including red brick and cream-colored burnished block, with aluminum and glass accents, including clear glass and a limited amount of Spandau (opaque) glass to screen sensitive areas, such as receiving areas. The north grocery store façade, facing Lawrence Avenue, features a prominent floor-to-roof rounded glass atrium that encloses an indoor dining area.

- iii. Surface parking lot featuring 382 parking stalls, including 330 parking spaces available for customers, 16 offsite employee parking spaces located immediately southwest of the Grocery Store Property, and 16 "cart corrals." The surface parking lot is located primarily north of the structure, with some additional customer parking located along the west side of the grocery store building.
- iv. Three full-access driveways to serve the Project, as follows.
 - a. A full access, two-lane driveway located on Oketo Avenue approximately 250 feet (250') south of Lawrence Avenue for customer ingress and egress. This is anticipated to be the primary access to the Project because it is the first access driveway for southbound traffic from Lawrence Avenue. Outbound traffic exiting the site will be under stop sign control.
 - b. A full access, two-lane driveway located on Oketo Avenue, north of Leland Avenue, for customer ingress and egress. This is anticipated to be a secondary access point. Outbound traffic exiting the site will be under stop sign control.

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- c. A full access, three-lane driveway located on Olcott Avenue, north of Leland Avenue for customer ingress and egress. Traffic exiting onto Olcott Avenue will have dedicated left and right turn lanes. All delivery truck traffic will enter the site from this entryway, therefore this will be a wider driveway to accommodate delivery truck turning movements exiting the site. Outbound traffic exiting the site will be under stop sign control.
- v. A service delivery driveway will be located on Oketo Avenue immediately south of the grocery store building (south of Leland Avenue) to separate exiting truck traffic from customer traffic. Delivery trucks would enter the site via the full-access driveway on Olcott Avenue. Departing semi-trailers would exit the site onto Oketo Avenue via this service driveway and proceed south towards Wilson Avenue. Pursuant to the condition of approval set forth in Subsection 3(E)(ix), the semi-trailers would continue southbound on Oketo Avenue beyond Wilson Avenue. All semi-traffic would be one-way. Smaller, single unit trucks will both enter and exit the site on Olcott Avenue via Lawrence Avenue. Employees would access and depart the site via this service driveway.
- vi. Landscape improvements to the Grocery Store Property would include ornamental grasses, evergreen and deciduous shrubs approximately three (3') to four feet (4') in height and perennial plantings along the perimeter of the Grocery Store Property and at the driveway entrances, together with two shade trees, and shrubs and perennials located on each parking lot island throughout the parking lot, and ornamental trees, deciduous and evergreen shrubs and perennial plantings along the grocery store building foundation, as well as a grass lawn area along the east side of the building

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along Oketo Avenue and a narrow strip of grass lawn along the southern edge of the parking lot, linking to the detention basin. All existing trees on site will remain intact.

- vii. A “7”-shaped dry detention facility west of the grocery store building adhering to Metropolitan Water Reclamation District stormwater management standards. The detention basin would be five feet (5’) deep with sloped sides, be approximately 180’ x 70’ for the top of the “7” and 180’ x 45’ for the bottom of the “7”. In terms of volume, the detention basin would be capable of storing 1.7 acre feet of water (approximately 60,000 cubic feet of water or 553,947 gallons of water).
- viii. Four “Mariano’s” signs are proposed for the Grocery Store Property. The primary sign, approximately 9’6” x 15’ and constructed of a masonry “stone” base topped with a corrugated brushed metal sign designed to mimic and complement the grocery store façade, would be located at the southwest corner of Lawrence and Oketo Avenues, ringed by perennial shrubs and lit by two small “spotlights” at the base. A smaller, 4’ x 3’ “Mariano’s” sign would be located at each customer access driveway (two on Oketo and one on Olcott).
- ix. Parking lot lighting will be provided by six lights mounted on 32’ poles on 3’ bases providing 120,000 lumens each, and seven lights mounted on 32’ poles on 3’ bases providing 120,000 lumens each. The rear (southern exterior) of the building will be lit with six mounted lights attached to the exterior of the grocery store at a height of 16’, with each light providing

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44,000 lumens. All lights will be shielded to protect residents along Oketo Avenue from spillage and glare.

D. Findings Differing From Plan Commission Report. Based upon Bradford's planned development application materials and exhibits, testimonial evidence presented at the Plan Commission public hearing, analysis supplied by Village Planning Consultant John Houseal, public comment, the Plan Commission Report, the supplementary Traffic Impact and Access study requested by the Corporate Authorities and appended hereto as Exhibit K, the independent review of and report on said traffic study by Village engineering consultant Christopher B. Burke Engineering, Ltd., the modified site plans presented to and reviewed by the Corporate Authorities and Planning Consultant Houseal Lavigne appended hereto as Exhibits B – K attached hereto, and in addition to the findings of the Plan Commission incorporated herein and set forth in Section 3(A), the Corporate Authorities of the Village of Harwood Heights further finds in relation to the proposed planned development as follows (only those findings that differ from or are additional to those set forth by the Plan Commission are noted in this Section 3(D)):

- i. The Project conforms with or exceeds all B-2 Central Shopping District zoning regulations, and no element of the Project is found to require a variance from such regulations.
- ii. The revised site plan, depicted in Exhibit C, features the following minor changes to the plans presented to the Plan Commission:
 - a. The grocery store building is shifted approximately twenty five feet (25') north of its previously proposed location.

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- b. The number of off-street parking spaces on the Grocery Store Property reserved exclusively for customers was reduced from 349 spaces to 330 spaces.
 - c. The truck loading dock has moved from the west side of the grocery store building to the south side of the building.
 - d. All semi-trailer trucks will now enter the Grocery Store Property from the Olcott Avenue entrance, circulate west-to-east along the delivery truck path to the truck loading dock on the south side of the building, and then exit the Grocery Store Property onto Oketo Avenue, via the access driveway along the southern facade of the building, and will travel southbound on Oketo Avenue.
 - e. A sidewalk is now depicted along the northern edge of the Olcott Avenue entrance to the Grocery Store Property, which, coupled with painted crosswalks, will allow pedestrians to safely access the grocery store from Olcott entrance.
 - f. Additional crosswalks are striped throughout the parking lot to enhance pedestrian safety.
 - g. The stormwater detention basin is now enlarged, with no cut-out along the southern edge necessary to accommodate truck turning movements given the revised truck circulation pattern on the site.
 - h. Six lights, providing 44,000 lumens each, will be mounted along the rear of the grocery store near the southern edge of the Grocery Store Property, rather than seven light stands.
- iii. Each of the foregoing modifications was made by Bradford in response to articulated concerns by Village staff or Plan Commission members, and is determined to have a either a negligible effect or a positive impact on the health, welfare and safety of the Village, as follows:
- a. The northward shifting of the grocery store building eliminates the previous need for a variance from the Zoning Code's applicable 25' rear setback requirement between the building and the southern edge of the Grocery Store Property. The shift north results in a setback between the property line and the nearest point of the foundation wall of the main building varying between 46' at its narrowest point and 59' at its widest, which is well in excess of Village minimum setback requirements. The Village Board finds and determines that the horizontal distance between the property

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line and the truck loading bay is 15 feet, 3 inches (15' 3"), which does not constitute an encroachment on the minimum required rear setback, per Section 17.04.050(B) of the Village Zoning Code. This change further obviates the need for any deviation from the International Building Code requirement that a building of the size and type proposed have at least 40' of open space to ensure safe access for emergency firefighting personnel. The northward shift allows more space for delivery truck travel, while also allowing for the installation of a strip of lawn along the southern edge of the Grocery Store Property. Finally, under the updated site plan, the Village need not grant an access easement over any portion of its water tower property.

- b. The slight reduction in the number of off-street parking spaces reserved exclusively for customers is still well in excess of the minimum 288 space requirement set forth in the Village Zoning Code for a 72,000 square foot commercial building.
- c. The move of the truck loading docks from the west to the south side of the grocery store ensures that the truck loading area is located on the side of the structure facing industrial properties, which provides better screening of loading activities from nearby residential properties.
- d. The new west-to-east circulation of semi-trailer delivery trucks throughout the Grocery Store Property dictates that all semis will travel exclusively southbound along Oketo Avenue, along the opposite side of the street (west) from the Eisenhower Public Library. Smaller delivery trucks will continue to enter and exit the site from Olcott Avenue driveway, as previously proposed. This change in proposed truck circulation will ensure that semis need not turn around on the Grocery Store Property after making deliveries. To the extent that the modified site plan's restriction on the travel of semis on Oketo Avenue to southbound-only travel (in addition to time-based restrictions on such semi truck deliveries and the prohibition of left turns by such semis onto Wilson Avenue from Oketo Avenue, as noted in Section 3(E)(ix) of this Ordinance) has any impact at all on the safety of library patrons, the Village Board finds that the impact is marginally improved by shifting such traffic to the westernmost lane along Oketo Avenue.
- e. The installation of a sidewalk along the northern edge of the Olcott Avenue entrance to the Grocery Store Property was requested by the Village Planning Consultant and made a recommended condition of planned development permit approval by the Plan Commission. The Village Board finds that the installation of the sidewalk, coupled with painted crosswalks throughout the parking

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lot, will improve pedestrian safety and allow pedestrian-customers to safely access the grocery store on foot from the Olcott Avenue entrance to the Grocery Store Property.

- f. The Village Board finds that the addition of striped crosswalks linking the southern and northern portions of the surface parking lot will enhance the safety of patrons by alerting drivers entering or exiting the property from the northernmost Oketo Avenue access driveway of the possible presence of pedestrians.
 - g. The Village Board is unable at this time to determine whether the elimination of the "cut-out" along the southern edge of the stormwater detention basin will enhance detention capabilities, but finds that it will not reduce such capacity, which already complied with the Village Code and MWRDC regulations.
 - h. The Village Board finds that the elimination of a single mounted light along the southern façade of the grocery store structure will have no deleterious impact on the safety, health or welfare of neighboring property owners, truck loading or unloading, or on the community at large.
- iv. None of the foregoing minor site plan modifications alter the Village Board's endorsement and adoption of the Plan Commission's findings with respect to the Project's satisfaction of the plan development permit approval criteria set forth in Section 17.56.200(C)(1-9) of the Village of Harwood Heights Zoning Code, which the Village explicitly incorporates by reference as though fully set forth herein.
- v. The Village Board found and determined that the traffic evaluation originally submitted by Petitioner Bradford with its application materials was inadequate, insofar as it did not contain any count of existing traffic volume and present-day traffic conditions or an analysis that reflected the compounding effect of Project-generated traffic on existing traffic conditions. The Village Board requested additional information and has

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received and reviewed Bradford's submission of a supplementary *Traffic Impact and Access Study* dated January 17, 2012 and prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. ("KLOA") at the request of the Corporate Authorities ("the Traffic Study").

- vi. The Village Board also reviewed the January 23, 2012 letter from Christopher B. Burke Engineering, Ltd., which letter provided the results of an independent review and analysis of the Traffic Study ("Independent Traffic Analysis Letter") on behalf of the Village.
- vii. Based on the previously-remitted information, the Traffic Study and the Independent Traffic Analysis Letter, the Village Board makes the following findings with respect to traffic conditions (only those findings that differ from or are supplementary to those previously set forth in the Plan Commission Report are noted in this Section 3(D)(vi):
- a. The Traffic Study is premised upon manual traffic counts made on Saturday, January 7, 2012 between 12:00 and 2:00 p.m. and on Wednesday, January 11, 2012 from 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. at four intersections near the Project, including the intersections of Oketo/Lawrence, Olcott/Lawrence, Oketo/Wilson and Olcott/Wilson, in order to determine present traffic counts at high volume times ("Existing Traffic Conditions") in the areas most likely to be impacted by the Project.
 - b. Weekday morning peak traffic hours occur between 7:15 and 8:15 a.m. in the vicinity of the Project.
 - c. Weekday evening peak traffic hours occur between 4:30 and 5:30 p.m. in the vicinity of the Project.
 - d. Saturday midday peak hours occur between 12:15 and 1:15 p.m. in the vicinity of the Project.

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- e. Existing Traffic Conditions are set forth in Table 3 on page 17 of the Traffic Study (Exhibit K), which Table is incorporated herein by reference.
- f. The Traffic Study analyzes the projected impact of the Project on the above-identified intersections, with these "Future Traffic Conditions" set forth in Table 4 on page 18 of the Traffic Study, which Table is specifically incorporated herein by reference.
- g. The Project would have no significant impact on Existing Traffic Conditions for the intersections of Oketo/Wilson and Olcott/Wilson, with both such intersections maintaining identical traffic ratings of either "A" or "B" at all peak traffic hours, meaning that the short delays and good to very good vehicle progression associated with said intersections is projected to persist largely unaffected by the Project. The Olcott/Wilson intersection is projected to have no measurable increase in traffic delays, while the highest projected increase in average vehicle delay times at Oketo/Wilson is a mere 1.6 seconds, which is determined to have a negligible effect on congestion.
- h. The Village Board finds and determines that the traffic congestion impact of the Project on the Olcott/Wilson and Oketo/Wilson intersections will be *de minimis*.
- i. At present, the Oketo/Lawrence intersection is classified as a "C" rated intersection during all peak weekday and weekend periods, meaning that the intersection presently is marked by light congestion, with a significant number of vehicles stopped during peak hours, with an approximate northbound queue of 400 feet of vehicles during weekday evening peak hours.
- j. While traffic congestion at the intersection of Oketo/Lawrence would significantly increase and traffic conditions would deteriorate dramatically during weekday evening and weekend peak traffic times if no roadway infrastructure improvements are instituted, the installation of a northbound dedicated left-turn lane on Oketo Avenue would almost entirely eliminate the projected increase in traffic congestion and result in substantially similar post-Project traffic conditions relative to Existing Traffic Conditions, with the intersection still meriting a "C" rating.
- k. At present, the Olcott/Lawrence intersection suffers from significant congestion during weekday evening peak hour traffic, netting an "E" rating and suffering from high delays and poor vehicle progression.

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- l. The Traffic Study shows significant deterioration from existing traffic conditions at the intersection of Olcott/Lawrence during weekday evening peak travel hours and during Saturday mid-day peak travel times, with the intersection meriting an “F” rating (“unacceptable delays occurring, with oversaturation”) during weekday afternoons and Saturday midday when accounting for the traffic impact of the Project. The Traffic Study notes that the projected deleterious impact of the Project on the Olcott/Lawrence intersection is misleading due to limitations in traffic modeling software, which is unable to account for existing traffic signals west of the Olcott/Lawrence intersection at Overhill Avenue and east of the intersection at Oketo Avenue. The Village Board acknowledges such limitations and the likelihood that the aforementioned traffic signals will create gaps in traffic to allow for outbound turning movements from Olcott Avenue onto Lawrence Avenue, but further identifies this intersection as being a particular focus for ongoing monitoring and a candidate for future improvements to alleviate traffic congestion in the event that poor or significantly deteriorating traffic flows are apparent following the opening of Mariano’s.
- m. The Village Board finds that installing a northbound left-turn lane on Oketo Avenue will serve to separate the northbound, left-turning vehicles from northbound through or right-turning vehicles and will mitigate the increased delays at the intersection attributable to the Project to an acceptable level, but further finds that continued monitoring and study of traffic conditions is necessary following the opening of the commercial development to determine whether additional improvements are necessary to relieve traffic congestion at the Oketo/Lawrence intersection.
- m. The Village Board acknowledges the concerns of Village residents regarding increased traffic congestion along the Oketo Avenue corridor as a result of the Project, particularly with respect to the northbound approach to Lawrence Avenue from Oketo Avenue. The Village Board further finds, however, that instituting a dedicated left-turn lane will mitigate the most significant travel delays, while further reserving the right to make additional roadway infrastructure improvements as needed following the opening of the Mariano’s Fresh Market to minimize inconvenience to area residents, businesses and visitors.
- n. The Village Board finds that the serious and legitimate traffic concerns articulated throughout the review process will be adequately addressed at the outset of the Project by carefully restricting truck access to Oketo Avenue, instituting the aforementioned dedicated left-turn lane, restricting the hours of

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semi-trailer truck deliveries to Mariano's, and by monitoring local conditions for further traffic improvements in the future.

- o. The Village Board further finds that, on balance, the projected economic benefits to the Village of hosting Mariano's Fresh Market, including the creation of jobs and significantly increased sales tax revenues, coupled with the Village's opportunity to stimulate long-sought commercial development along Lawrence Avenue and initiate the transformation of Lawrence Avenue and the immediate vicinity of the Project from a primarily industrial area into a thriving commercial corridor in fulfillment of the Village's vision expressed in its recently-enacted Comprehensive Plan, outweigh any deleterious impact on local traffic conditions in light of the protections and allowances instituted in this Ordinance to provide for traffic improvements going forward as may be desirable or necessary.

E. Planned Development Permit Conditional Approval. Pursuant to the

authority granted by Sections 17.56.010(A)(3) and 17.56.200(E)(5) of the Village Code, the Corporate Authorities hereby approve issuance of a planned development permit to Petitioner BRADFORD EQUITIES, LLC ("Bradford"), for the development of a grocery store conducting packaged liquor sales in the event such liquor license is created and approved by the Village Board pursuant to Chapter 4.12 of the Harwood Heights Code of Ordinances and subsequently issued by the Local Liquor Commissioner upon application by Roundy's, and a pharmacy, café, and other permitted accessory uses enclosed within the building, and an accessory surface parking lot as more fully described herein and in the Exhibits appended hereto, on the real property located at the southwest corner of Lawrence and Oketo Avenues, 7401 W. Lawrence Avenue and 4700 N. Oketo Avenue and referred to herein as the Grocery Store Property. The planned development permit authorizes the Project in accordance with the plans described herein and appended hereto in Exhibits B - K, subject to the following express conditions set forth in this Subsection. The planned development permit approved herein shall be and is hereby expressly subject to and contingent upon each and every term, condition, and restriction

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specified in this Subsection 3(E). Upon failure or refusal of the Petitioner Bradford Equities, LLC, Roundy's, Mariano's Fresh Market, and any other operators or tenants and any affiliates, successor owners, landlords, assigns and operators of the Grocery Store Property or any tenant therein to comply with the conditions, restrictions, or provisions of this Ordinance, the planned development permit approved by this Ordinance will, at the sole discretion of the Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Board of Trustees will not revoke the planned development permit unless it first provides Petitioner with an opportunity to be heard at a regular or special meeting of the Board of Trustees, as provided for in Section 17.56.170(M) of the Village Code. The conditional approval of the planned development permit is premised on full compliance by Petitioner Bradford Equities, LLC, Roundy's, Mariano's Fresh Market, and any other operators or tenants and any successor owners, landlords, assigns and operators with the following conditions:

- i. That Bradford or the primary tenant on the Grocery Store Property enters into a maintenance agreement with the Village providing for the ongoing maintenance of landscaping and replacement of landscape elements as may prove necessary to replace dying or dilapidated landscape features, including with particularly the landscape features on the parking lot islands, which are not subject to mechanical irrigation;
- ii. That the Grocery Store Property be maintained in a manner free from trash or other debris, and that this ongoing maintenance activity shall occur on a weekly basis or when directed by the Village;
- iii. All semi-trailer truck deliveries under Roundy's control accessing the Grocery Store Property shall be restricted to occurring between the hours

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of 5:00 a.m. and 7:30 a.m., except in the event of inclement weather or exigent circumstances as those terms may be construed by the Village, in which case all such deliveries shall cease by 8:00 a.m. (“the Outside Semi Delivery Time”). All semi-trailer truck trailer deliveries by vendors outside of Roundy’s control (e.g. beverage trucks), shall be subject to good faith, commercially reasonable efforts by Roundy’s to restrict delivery times to the same schedule as is provided for semi-trailer truck deliveries under Roundy’s control;

- iv. That the ornamental fencing surrounding the detention basin be erected and maintained at a height of no less than six feet (6’);
- v. That the maintenance of the stormwater detention facility shall be the sole responsibility of Bradford;
- vi. That prior to the opening of the Mariano’s Fresh Market, the Village restripes the existing pavement on Oketo Avenue in order to install a dedicated left-turn lane for northbound vehicular traffic on Oketo Avenue turning onto Lawrence Avenue for westbound travel;
- vii. That following “opening day” of Mariano’s Fresh Market, and throughout the operating life of retail center, the Village monitor traffic conditions and study additional roadway or traffic infrastructure improvements in the “Impacted Area,” which shall be defined as Oketo and Olcott Avenues, north of the southern lot line of the Grocery Store Property up to and including the intersections of Lawrence and Oketo Avenues and Lawrence and Olcott Avenues, and which improvements may include, without

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limitation, a southbound right turn lane on Oketo Avenue into the grocery store parking lot, the installation of new signalization on existing traffic control devices in the Impacted Area, additional temporal restrictions to or reductions in street parking along certain portions of roadways in the Impacted Area;

- viii. That Bradford pay over to the Village \$50,000.00 ("Traffic Improvement Contribution") upon "substantial completion" of the construction of the Project, as the term "substantial completion" is defined in the development agreement to be executed between Bradford and the Village. The Traffic Improvement Contribution is intended to defray the cost to the Village of making any roadway or other traffic-related improvements that the Village may elect to install in the Impacted Area, as provided in more detail in Subsections 3(E)(vi) and (vii); however, the payment by Bradford of the Traffic Improvement Contribution shall not be conditioned in whole or in part on the Village actually making infrastructure or other traffic-related expenditures beyond the restriping of the pavement along Oketo Avenue in order to institute a dedicated left-turn lane for northbound traffic along Oketo Avenue;
- ix. That any semi-trailers exiting the Grocery Store Property and proceeding south along Oketo Avenue shall continue southbound travel to Montrose Avenue (or points further south) prior to making a left turn for eastbound travel towards Harlem Avenue;
- x. That the Village study the prohibition of all semi-trailer trucks from

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turning onto Oketo Avenue from Lawrence Avenue;

- xi. That Bradford shall adjust the exterior lighting on the Grocery Store Property upon request of the Village, including after initial installation and issuance of a certificate of occupancy, as may be required by the Village to ensure that the light sources are properly screened to minimize glare and spillage onto adjacent properties;
- xii. That Bradford shall obtain all necessary permits and approvals as further described in Subsection 3(F) of this Ordinance;
- xiii. That the Project be constructed in full accordance with the plans, drawings and documents appended hereto in Exhibits C, D, and F through J, subject to any approved modifications as more fully provided in Subsection 3(F) of this Ordinance;
- xiv. That the Project shall comply with all building, fire and related technical code requirements, with compliance to be determined by the Village Building Commissioner, Norwood Park Fire Protection District, and any third-party technical consultants retained by the Village for the purpose of reviewing any permit applications for conformity to technical code requirements; and
- xv. This Ordinance is contingent upon Bradford entering into and executing a development agreement with the Village governing the respective rights and responsibilities of Bradford and the Village with respect to the Project within fourteen (14) days of the adoption of this Ordinance. If such Development Agreement is not executed within said timeframe and the

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Grocery Store Property not developed in accordance therewith, this Ordinance shall be null and void and of no further effect.

- xvi. This planned development permit approval shall be effective for 365 days from the date of passage of this Ordinance, during which time a building permit shall be obtained and construction commenced. Once commenced, construction shall continue in good faith until completion.

Notwithstanding any provisions of the development agreement as may be executed between Bradford and the Village, failure to obtain a building permit and commence construction within this time period, or to continue construction in good faith once commenced, shall result in the issuance of a notice by the Village to Bradford, providing thirty (30) days to correct any violations of the terms of this paragraph. Failure to comply with the provisions of this paragraph within the time period provided for in such notice may result in a revocation of all or part of this planned development permit approval by the Village and the issuance of an immediate stop work order for any work in progress. In the event of such a revocation, no additional work shall be undertaken without first being authorized by the Village Board of Trustees in the form of a new planned development permit approval;

- xvii. Notwithstanding the expiration date of this planned development permit as provided in Subsection 3(E)(xvi), permit approval is further conditioned upon Bradford commencing and completing construction of the Project in accordance with the timelines provided in the development agreement

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approved contemporaneously with the enactment of this Ordinance, per the terms of the development agreement.

F. Planned Development Regulations. The Planned Development shall be developed in accordance with the following:

- i. Prior to initiating demolition on the Grocery Store Property, Bradford shall first obtain all necessary demolition permits from all jurisdictional governmental bodies capable of issuing said demolition permits.
- ii. Prior to the issuance of a building permit, the Project shall be subject to and undergo an engineering review and approval of the proposed dimensions of the access driveways to ensure that delivery trucks have sufficient space to achieve all contemplated turning movements within and without the Grocery Store Property.
- iii. Prior to initiating building construction on the Grocery Store Property, Bradford shall first apply for and obtain a building permit for the Project from the Village and shall submit site and building plans and specifications to the Village Building Commissioner for the issuance of said building permit that comply with all applicable Village codes, regulations and policies and are consistent with the materials contained in Exhibits C, D, and F through J attached hereto. In the event there are conflicts between the aforesaid Exhibits and the terms of this Ordinance with respect to building locations, configurations, dimensions, materials, colors, and architectural details and elements, the most restrictive

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provisions shall apply.

- iv. Prior to the issuance of a building permit for the Project, Bradford shall submit, and the Village's Engineer shall approve, stormwater management plans and specifications that comply with all applicable Village codes, regulations and policies and, at a minimum, ensure that post-development runoff does not exceed existing runoff.
- v. Prior to the issuance of a building permit for the Project, Bradford shall submit a final landscape plan in accordance with the procedures and standards set forth in Chapter 17.32 of the Village of Harwood Heights Code of Ordinances.
- vi. Prior to the issuance of a building permit for the Project, Bradford shall submit, and the Norridge Park Fire Protection District shall approve, plans and specifications for fire department access and fire suppression systems that comply with all applicable Fire District codes, regulations and policies.
- vii. Prior to initiating construction, Bradford shall further obtain all necessary construction permits as may be required from any governmental body with jurisdiction, including, without limitation, any required sign permits, Metropolitan Water Reclamation District of Chicago permits, plumbing, electrical, sanitary sewage and potable water service permits or approvals, as may be relevant or required.

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viii. Prior to the issuance of a certificate of occupancy for the Project, Bradford shall construct the landscape and hardscape improvements detailed in the Exhibits appended hereto, including, without limitation, sidewalks and other paving, curbs, drives, trees, shrubs, flowers, and other landscaping, regulatory signs, lighting and similar amenities, provided that such certificate of occupancy may be issued at the Building Commissioner's discretion subject to the completion of landscaping improvements to the extent that such certificate is applied for at a time of year in which cold or inclement weather renders it prudent to complete the installation of landscaping during a non-winter month.

ix. It is understood and agreed that the drawings contained in Exhibits C, D, and F through J attached hereto are preliminary and that minor changes, revisions, refinements and other non-substantial deviations of a technical nature are likely to occur and that such technical, minor changes may be approved by the Village's Building Commissioner following internal or third-party review without additional action by the Plan Commission or Village Board. Changes that are not of a technical nature and which involve a significant deviation from the plans approved by the Village Board, as determined by the Building Commissioner, shall be referred back to the Plan Commission for recommendation and the Village Board for final approval.

G. Binding on Successors and Assigns. The terms and conditions of this Ordinance shall be binding upon Bradford Equities, LLC, its successors, affiliates, and

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assigns. Bradford Equities, LLC shall have the right to assign its rights and responsibilities hereunder to one or more affiliate entities, but no such assignment shall relieve Bradford Equities, LLC of its responsibilities hereunder. In the event that Bradford Equities, LLC's successor in interest is or becomes an entity not affiliated with Bradford in any manner, the responsibilities hereunder shall be transferred to and become binding upon such successor or assign and Bradford Equities, LLC shall be relieved of any liability or obligation hereunder.

SECTION 4. RESOLUTION OF CONFLICTS.

All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SAVING CLAUSE.

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 6. RECORDING.

The Village Clerk shall record a certified copy of this Ordinance against each parcel of real property comprising the Grocery Store Property with the Cook County Recorder of Deeds.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Passed and Approved this 26th day of January, 2012.

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Mayor Arlene Jezierny

ATTEST:


Marcia L. Pollowy, Village Clerk

VOTES

AYES: Trustee Gadzinski, Schuepfer, Steiner, Mayor Jezierny

NAYS: Trustee Dobrzycki, Mougolias, Szlendak

ABSENT:

ABSTAIN:

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STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, **Marcia L. Pollowy**, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 12-05 entitled:

AN ORDINANCE GRANTING PLANNED DEVELOPMENT PERMIT APPROVAL TO BRADFORD EQUITIES, LLC, FOR A GROCERY STORE AND ACCESSORY PARKING AT THE SOUTHWEST CORNER OF LAWRENCE AND OKETO AVENUES, 7401 W. LAWRENCE AVENUE AND 4700 NORTH OKETO AVENUE

(BRADFORD EQUITIES, LLC - 7401 W. LAWRENCE & 4700 N. OKETO AVENUES)

Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 26th day of January, 2012.

I do further certify that the original of which the foregoing is a true copy is entrusted to my care and safekeeping, and that I am keeper of the same.

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 26th day of January, 2012.


Marcia L. Pollowy
Village Clerk

Corporate Seal

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Exhibit A: Plan Commission Report

**COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____**

**COOK COUNTY
RECORDER OF DEEDS
SCANNED BY _____**

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VILLAGE OF HARWOOD HEIGHTS, COOK COUNTY, ILLINOIS PLAN COMMISSION

In Re the Matter of:	}	
Petition of Bradford Equities, LLC	}	No. 2011-4
for Planned Development Approval for	}	
Grocery Store Redevelopment of 4700 N. Oketo	}	
Avenue and 7401 W. Lawrence Avenue	}	

REPORT OF FINDINGS OF FACT AND RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES FOR CONDITIONAL PLANNED DEVELOPMENT APPROVAL

I. BACKGROUND

A. Petitioner.

BRADFORD EQUITIES, LLC ("Bradford"), an Illinois limited liability company, is the contract purchaser of certain real property identified below. Bradford is a private developer seeking to redevelop certain industrial properties in the Village into a grocery store and lease the premises for operation as a Mariano's Fresh Market. Bradford primarily develops shopping centers in the Chicagoland area, having constructed approximately fifty commercial developments in greater Chicago over the course of the past twenty-five years. Appearing and testifying at the Plan Commission public hearing for Bradford was President/CEO Steven M. Pagnotta. Pagnotta's testimony was joined by that of Dan Farrell, the Vice President of Real Estate for Roundy's Supermarkets, Inc. (corporate parent of would-be operator Mariano's Fresh Market), and a series of third-party consultants, including Andrew Heinen of Kimley-Horn and Associates, Inc. (civil engineer), William Woodward (traffic consultant), David Baum (architect), and Kevin Clark (landscape architect).

B. Property.

Bradford is the contract purchaser of certain real property located at 7401 W. LAWRENCE AVENUE, Harwood Heights, IL 60706 and 4700 N. OKETO AVENUE, Harwood Heights, IL 60706, which are described as follows, respectively:

7401 W. LAWRENCE AVENUE (hereinafter, the "Tornado Parcel")

Approximately 4.7 acres of real property commonly known as 7401 W. Lawrence Avenue, Harwood Heights, Cook County, Illinois, bearing the tax identification numbers 12-13-203-023-0000; 12-13-203-024-0000; 12-13-203-025-0000; 12-13-202-013-0000; 12-13-202-014-0000; and 12-13-202-019-0000, and legally described as follows:

PARCEL 1:

LOTS 6, 7 AND THE NORTH HALF OF LOT 8 IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, A SUBDIVISION IN THE NORTH EAST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN;

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PARCEL 2:

LOTS 13 AND 14 IN BLOCK 1 AND THAT PART OF LOTS 15 TO 18 IN SAID BLOCK 1, LYING NORTH OF A LINE DRAWN FROM A POINT IN THE EAST LINE OF SAID LOT 15, WHICH IS 47.80 FEET SOUTH OF THE NORTH EAST CORNER OF SAID LOT 15 TO A POINT IN THE WEST LINE OF SAID LOT 18, WHICH IS 42.60 FEET SOUTH OF THE NORTH WEST CORNER OF SAID LOT 18, TOGETHER WITH THE EAST AND WEST VACATED 20 FOOT PUBLIC ALLEY IN SAID BLOCK 1 LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF SAID LOT 14 AND THE SOUTH LINE OF SAID LOT 14, EXTENDED EAST TO THE EAST LINE OF SAID BLOCK 1 AND LYING NORTH OF AND ADJOINING THE NORTH LINE OF SAID LOTS 15 TO 18 AND THAT PART OF THE VACATED NORTH AND SOUTH PUBLIC ALLEY IN SAID BLOCK 1, LYING EAST OF AND ADJOINING THE EAST LINE OF LOTS 13 AND 14 AFORESAID ALL IN LAWRENCE LAWN'S ADDITION, BEING A SUBDIVISION OF THE SOUTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER AND OF THE NORTH HALF OF THE WEST 10 ACRES OF THE EAST HALF OF THE WEST HALF OF THE NORTH EAST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

4700 N. OKETO AVENUE (hereinafter, the "Tarson Parcel")

Approximately 2.2 acres of real property commonly known as 4700 N. Oketo Avenue, Harwood Heights, Cook County, Illinois, bearing the tax identification number 12-13-203-023-0000; 12-13-203-013-0000, and legally described as follows:

PARCEL 1:

THE SOUTH 1/2 OF LOT 8 AND THE NORTH 112 FEET OF LOT 9 IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2 ("PARKING EASEMENT"):

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF ACCESS AND PARKING EASEMENTS DATED JANUARY 23, 2008 AND RECORDED FEBRUARY 1, 2008 AS DOCUMENT 0803205139 FROM BLUEBIRD HARWOOD HEIGHTS, LLC, TO MONTROSE, LLC, FOR THE PURPOSE OF ACCESS AND PARKING AS DEPICTED ON EXHIBIT "C" ATTACHED THERETO, OVER THE NORTHERLY AND EASTERLY PART OF THE FOLLOWING DESCRIBED LAND:

THE WEST 250 FEET (AS MEASURED ON THE SOUTH LINE THEREOF) OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

LOT 9 (EXCEPT THE NORTH 112 FEET, AS MEASURED ON THE EAST LINE THEREOF) LOTS 10 AND 11 AND THAT PART OF LOT 12 LYING NORTH OF AND ADJOINING THE NORTH LINE EXTENDED WEST OF WEST WILSON AVENUE IN KLEFSTAD'S INDUSTRIAL ADDITION TO HARWOOD HEIGHTS, A SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Tornado Parcel and the Tarson Parcel are collectively referred to herein as the "Grocery Store Property," which designates an approximately 7 acre site consisting of 327,468

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square feet located at the southwest corner of Lawrence and Oketo Avenues and extending southward thereof.

The Grocery Store Property is currently improved with two existing industrial buildings. The "Tornado Building" is a vacant industrial building located on the Tornado Parcel, and is currently being demolished following weather-related damage to the structure. The "Tarson Building" is an approximately 65,000 square foot industrial building located on the Tarson Parcel, which building is currently occupied by industrial lessee Kimco Facility Services Corporation.

Pursuant to recent amendments to the official zoning map of the Village of Harwood Heights enacted on December 8, 2011 by the Village Board, the Grocery Store Property is currently located in the village's B2 – Central Shopping District zoning classification.

C. Petition for Planned Development Approval.

Bradford applied for an amendment to the Village's official zoning map, requesting that the Grocery Store Property be rezoned from its M1 – Manufacturing zoning designation to a B2 – Central Shopping District classification. As noted above, this portion of Bradford's petition was not considered by the Plan Commission, because the request for this type of zoning relief was mooted by the Village's independent action to rezone the Grocery Store Property in the manner sought as part of a comprehensive rezoning of primarily industrial properties located in the western region of the Village. At the time the application for zoning relief was submitted by Bradford, the Grocery Store Property was zoned M1. Because the Grocery Store Property had already been re-zoned to a B2 classification prior to the public hearing, this portion of Bradford's application was no longer relevant and was therefore not discussed at the public hearing.

Bradford also simultaneously applied for planned development permit approval to enable applicant to tear down the existing industrial buildings and redevelop the Grocery Store Property with an approximately 70,000 square foot Mariano's Fresh Market grocery store, together with an accessory surface parking lot and landscaping. Following the submission of the application for a planned development permit, the Village overhauled its Zoning Code on December 8, 2011. Because the application pre-dated the zoning amendments, all notices and procedures employed by the Village were performed pursuant to then-applicable regulations. Because the proposed development would be constructed subject to the amended Zoning Code, the Plan Commission evaluated the proposal in light of the substantive criteria and standards set forth in the amended Zoning Code, including with particularity the factors set forth in new Section 17.56.200 ("Planned Developments").

The proposed grocery store use is a permitted use in the Village's B2 – Central Shopping District. Bradford is seeking zoning relief because Section 17.56.200(B)(1) of the recently amended Village Zoning Code mandates that even permitted uses must receive planned development approval when the proposed development is on a lot exceeding 25,000 square feet. As such, while the proposed grocery store use is a permitted use in the B2 zoning district, the size of the development dictates that it is not a use "as of right."

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If planned development approval is granted by the Village Board and Bradford is subsequently able to close on its acquisition of the Tornado and Tarson Parcels, Bradford would design and construct the development in accordance with any approved plans and specifications detailed in its petition for planned development approval and further pursuant to any and all subsequent permits and approvals issued by the Village of Harwood Heights and any other governing bodies.

While the proposed development is described in greater detail in the various exhibits incorporated herein by reference, in general terms, Bradford proposes to demolish the existing industrial buildings on the Grocery Store Property and erect an approximately 70,000 square foot commercial building served by a 335-stall surface parking lot located primarily north of the structure, and lease the building for twenty (20) years to Roundy's Supermarkets, Inc. for operation as a Mariano's Fresh Market grocery store.

D. Jurisdiction.

Pursuant to powers granted to it by Section 17.56.020(A)(3) of the Village Code, the Plan Commission has jurisdiction to hear requests for planned developments and act in its capacity as an advisory body to recommend to the Village Board whether to approve, conditionally approve, or deny the requested planned development.

E. Notice.

Notice of the Plan Commission public hearing was properly provided by the Village under then-applicable regulations of the former Zoning Code, including publication of a public hearing notice in the *Pioneer Press – Norridge/Harwood Heights News* on November 24, 2011, between 15 and 30 days prior to the hearing, mailing notice to all property owners within 250 feet of the proposed development, and a public announcement of the public hearing at the December 1, 2011 Committee of the Whole presentation by Bradford, which was preceded by a Village-wide "robo-call."

F. Village Review.

Bradford participated in a pre-application conference with Village Zoning Officer Carmen Rinaldi, Village staff member Natalie Mendel, the Village's Economic Development Coordinator Wayne Pesek, and Village Attorney Mark Heinle. The pre-planned development application conference is designed to review the contents of any forthcoming application for a planned development and identify additional elements or information needed to complete the application and enable appropriate review. Following the pre-application conference, certain application materials were supplemented to include additional information and the site plan was revised to address concerns identified by Village staff. The Village's Planning Consultant, John Houseal, drafter of the Village's Comprehensive Plan, Zoning Code amendments, and rezonings, also reviewed the application materials on behalf of the Village and appeared at the public hearing to offer testimony and offer guidance to the Plan Commission as necessary. The Plan Commission additionally received a memorandum authored by the Village's legal counsel which set forth the procedures and criteria governing planned development review under the newly amended Zoning Code.

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G. Public Hearing.

After reviewing Petitioner's application for planned development approval, including site plans, architectural elevations, floor plans, landscape plans, a site survey, general location map, a traffic report, utility impact report, as well as staff, attorney and plan consultant comments, the Harwood Heights Plan Commission conducted a properly noticed public hearing on December 12, 2011, to consider Petitioner's application for a planned development. Five Plan Commission members (Chairman Chris White and Plan Commission members Carl Christl, John Hood, Mike Holzer, and Ray Mazzulla) were present for the public hearing.

At the public hearing, the Plan Commission listened to testimony and reviewed evidence presented by Petitioner in support of its request for planned development approval. Testifying for Petitioner were Bradford President/CEO Steven M. Pagnotta; Dan Farrell, the Vice President of Real Estate for Roundy's Supermarkets, Inc.; Andrew Heinen of Kimley-Horn and Associates, Inc. (civil engineer); William Woodward of Kenig, Lindgen, O'Hara, Aboona, Inc. (transportation and parking consultant); David Baum of Schroeder and Holt Architects (architect); and Kevin Clark of the Lakota Group (landscape architect). The Plan Commission questioned Petitioner and the aforementioned consultants, listened to considerable testimony from Village residents attending the public hearing, reviewed Bradford's application materials and exhibits, questioned Village Plan Consultant John Houseal, and deliberated the merits of Petitioner's application for a special use permit. All of the testimony and evidence are set forth in the hearing transcript and exhibits, which are available for review at Village Hall.

H. Criteria.

Planned developments are governed by Section 17.56.200 of the Zoning Code. The purpose of the planned development approval procedure is to provide a more flexible zoning procedure in which land can be developed in a more innovative way that encourages better design and planning for large-scale developments than would otherwise be possible under straightforward application of typical zoning regulations.

The specific factors considered by the Plan Commission in formulating its recommendation as to the proposed planned development is set forth in Section 17.56.200(C) of the Village Zoning Code as follows:

- i. How does the proposed plan conform with general planning policies of the Village as articulated in the comprehensive plan?
- ii. How does the proposed plan impact the public health, safety and welfare?
- iii. How will the proposed development impact nearby property and would it impede orderly development and improvement of surrounding properties, and whether it would be consistent with the community character of the neighborhood?
- iv. Is there adequate utility service, road access, and drainage?

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- v. Does the proposed development negatively affect any archaeological, historical or cultural resources?
- vi. Parking and traffic – is there satisfactory ingress and egress to minimize congestion in streets?
- vii. Does the proposed development have adequate landscaping and buffering features?
- viii. Does the proposed signage conform with Village's signage regulations?

In addition, the Plan Commission considered the following additional criteria where the planned development deviates from otherwise-applicable zoning regulations:

- ix. Integrated design – is the site well-planned out?
- x. Is there any beneficial common open space?
- xi. Are the functional and mechanical features (trash containers, truck loading areas, etc.) as unobtrusive as possible?
- xii. Any screening or other efforts to reduce objectionable elements, such as truck loading, garbage, etc?
- xiii. Is the design energy efficient?
- xiv. Are the driveways, parking and vehicle and pedestrian circulation well-planned out to provide safe and efficient access?
- xv. Adequate and sufficient drainage of surface waters on site to prevent water from collecting and obstructing traffic?

The Plan Commission's recommendation as to whether the application fulfills the planned development approval criteria listed below is based upon the application materials and exhibits presented at the public hearing, the conformance of the proposed plan to the Zoning Code and Comprehensive Plan, input from Village Planning Consultant John Housea, the Village's third-party reviewer, public input and testimony at the hearing, and the Plan Commission's determination as to the impact of the proposal on the neighborhood, surrounding area, and community as a whole.

After reviewing all application materials, hearing testimony, receiving evidence, and listening to public comment at the public hearing conducted on December 12, 2011, the Harwood Heights Plan Commission finds as follows:

II. FINDINGS OF FACT & CONCLUSIONS

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1. The foregoing recitals shall be and are hereby incorporated into and made a part of the Findings and Conclusions as if fully set forth herein.

2. All exhibits, testimony and evidence presented at the public hearing are made a part of the official record of proceedings and are hereby incorporated into and made a part of the Findings and Conclusions by reference as if fully set forth herein.

3. Consistent with the exhibits and testimony presented at the public hearing, the proposed commercial planned development project ("the Project") is generally described as follows (to the extent that any of the site features are mis-characterized, reference should be made to the site plans, elevations, landscape plans and other renderings identified as Exhibits B – I from the Plan Commission public hearing):

- A. Demolition and site clearance of the two industrial buildings presently located on the Grocery Store Property.
- B. Construction of an approximately 70,000 square foot, single-story commercial building to house Mariano's Fresh Market grocery store along southern edge of Grocery Store Property. The maximum height of the grocery store building is the glass-enclosed atrium located at the northeast corner of the building, which tops out at approximately 32 feet to allow ornamental trees to grow in the café inside the atrium. The balance of the grocery store building is approximately 26 feet tall, inclusive of the decorative corrugated metal parapet wall, which is raised approximately 6 feet above the 20 feet tall roofline in order to screen approximately 12 to 14 rooftop units, including exhaust and air conditioning units, which stand roughly 4 and a half to five feet off of the roof. The grocery store façade is composed of masonry materials, including red brick and cream-colored burnished block (stone appearance), with aluminum and glass accents, including clear glass and a limited amount of Spanclau (non-transparent) glass to screen sensitive areas, such as receiving areas. The north grocery store façade, facing Lawrence Avenue, features a prominent floor-to-roof rounded glass atrium that encloses an indoor dining area.
- C. Surface parking lot featuring 349 customer parking stalls north of the grocery store building and an additional (approximately) 40 employee parking spots immediately south of the grocery store building, for a total of approximately 389 parking spaces on the Grocery Store Property.
- D. Three full-access driveways to serve the Project, as follows:
 - i. A full access, two-lane driveway located on Oketo Avenue approximately 300 feet south of Lawrence Avenue for customer ingress and egress. This is anticipated to be the primary access to the Project because it is the first access driveway for southbound

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traffic from Lawrence Avenue. Outbound traffic exiting the site will be under stop sign control.

- ii. A full access, two-lane driveway located on Oketo Avenue, north of Leland Avenue for customer ingress and egress. This is anticipated to be a secondary access point. Outbound traffic exiting the site will be under stop sign control.
 - iii. A full access, three-lane driveway located on Olcott Avenue, north of Leland Avenue for customer ingress and egress. Traffic exiting onto Olcott Avenue will have dedicated left and right turn lanes. This will be a wider driveway to accommodate delivery truck turning movements exiting the site. Outbound traffic exiting the site will be under stop sign control.
- E. A one-way service delivery driveway will be located on Oketo Avenue immediately south of the grocery store building to separate truck traffic from customer traffic. Delivery trucks would approach the Grocery Store Property via the intersection of Harlem and Wilson Avenues, proceed west along Wilson Avenue, north on Oketo Avenue and enter Grocery Store Property, proceed directly to the loading docks without entering the main surface parking lot area, and exit onto Olcott Avenue and proceed north towards Lawrence Avenue. All truck traffic would be one-way, circulating through the Grocery Store Property from east to west.
- F. Landscape improvements to the site include ornamental grasses, evergreen and deciduous shrubs approximately three to four feet in height and perennial plantings along the perimeter of the Grocery Store Property and at the driveway entrances, two shade trees, shrubs and perennials located on each island throughout the parking lot, and ornamental trees, deciduous and evergreen shrubs and perennial plantings along the grocery store building foundation, together with a grass lawn area along the east side of the building along Oketo Avenue. All existing trees on site will remain intact.
- G. A "7"-shaped dry detention facility west of the grocery store building adhering to Metropolitan Water Reclamation District stormwater management standards. The detention basin would be five feet deep with sloped sides, be approximately 180' x 70' for the top of the "7" and 180' x 45' for the bottom of the "7". In terms of volume, the detention basin would be capable of storing 1.7 acre feet of water (approximately 60,000 cubic feet of water or 553,947 gallons of water).
- H. Four "Mariano's" signs are proposed for the Grocery Store Property. The primary sign, approximately 9'6" x 15' and constructed of a masonry "stone" base topped with a corrugated brushed metal sign, would be

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located at the southwest corner of Lawrence and Oketo Avenues, ringed by perennial shrubs and lit by two small “spotlights” at the base. A smaller, 4' x 3' “Mariano’s” sign would be located at each customer access driveway (two on Oketo and one on Olcott).

- I. Parking lot lighting will be provided by six lights mounted on 32' poles on 3' bases providing 120,000 lumens each, and seven lights mounted on 32' poles on 3' bases providing 120,000 lumens each. The rear of the building and truck loading bay will be lit with seven mounted lights attached to the exterior of the grocery store at a height of 16', with each light providing 44,000 lumens.
4. The 70,000 square foot grocery store building would comprise 21.4% of the Grocery Store Property, with an additional 190,512 square feet of impervious area (58.2%).
5. The off-street parking allocation for customers of 349 parking stalls (5.57 spaces per 1,000 square feet of retail building area) is well in excess of the minimum 280 spaces required for a building of the type and size contemplated and is therefore compliant with the Village Zoning Code.
6. The parking lot aisle width of 27' is well in excess of the 24' width minimum required by the Village Code and is therefore compliant with the Village Zoning Code, which will enable safe circulation of traffic on the Grocery Store Property.
7. The Project complies with nearly all B2 zoning district bulk and yard requirements established by Table 17.16.040.1 of the Zoning Code, including with particularity the maximum building height, maximum floor area ratio, and front and side yard setback requirements. The lone deviation from a required setback is that the southeast corner of the grocery store building is set back only 19' from the southern property line, instead of the minimum 25'. Because of the angled nature of the grocery store building, the deviation from the minimum rear yard setback only extends along the easternmost half of the Grocery Store Building, adjacent to the Village's water tower parcel of property and a small portion of an area used for surface parking. This type of deviation from regularly-applicable B2 zoning district yard requirement standards is minor, not anticipated to be of any consequence in light of the lack of improved real property along the southern boundary, and in any event, is the type of deviation that is permissible pursuant to planned development approval.
8. Bradford's landscape plan, including parking lot landscaping, foundation landscaping and perimeter landscaping is compliant with the landscaping and screening requirements set forth in new Chapter 17.32 of the Village Zoning Code.
9. The proposed building foundation landscaping and perimeter landscaping would be mechanically irrigated to provide consistent caretaking of such landscaping, while the interior parking light islands would be maintained by “hand” watering, in light of the diversity of plant species on such islands and the varying water requirements that would allow each plant type to thrive.

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10. The proposed signage appears to comply with the Village's signage regulations pertaining to type, size and location, but confirmation that the proposed signage complies with the Village's signage illumination limitations is not yet complete. The calculation of external illumination levels from the two ground-mounted micro-liter flood lights illuminating the main Mariano's monument sign at the southwest corner of Lawrence and Oketo Avenues, and the measure of the smaller LED Mariano's signs at the parking lot entrances must be determined in order to verify compliance with 17.36.060(A) of the Zoning Code's illumination regulations and prior to sign permits issuing to enable installation of the signs. The location of the proposed signage is ideal.

11. Existing utilities servicing the site, including water, sanitary sewer, storm sewer, electric service, gas service, and phone service are sufficient to service the Project. These technical elements will be further reviewed by third-party consultants as part of the permitting and occupancy permits.

12. The Project's water distribution system will interconnect (at the Village Engineer's request) the 8" diameter water main on the east side of Olcott Avenue with the 8" diameter water main running along the west side of Oketo Avenues. The proposed water distribution system on-site will comply with Village and Norwood Park Fire Protection District requirements.

13. Village engineers have determined that the Village's water distribution system has adequate flow and pressure to service the development and the development will not have a deleterious effect on water service to surrounding properties.

14. Bradford proposes installing 8" sanitary sewer to convey waste from the grocery store building to the existing sewer in Oketo Avenue, and a grease trap will separate grease from domestic waste on site.

15. The proposed dry stormwater detention basin will satisfy the MWRDC's stormwater management ordinance, which mandates that 1.7 acre-feet of volume is required for on-site detention. Excess water on the Grocery Store Property in the event of a flood will be diverted into the stormwater detention area and slowly-released to the existing sewer on Oketo Avenue.

16. The ornamental fence surrounding the dry detention basin should be the maximum height permissible under the Village Zoning Code, six feet tall (pursuant to Section 17.40.030 of the Zoning Code) in order to protect the safety of residents.

17. Due to local topography, the Grocery Store Property drains northwest-to-southeast towards Oketo Avenue.

18. The Village has experienced flooding problems in the area of the Grocery Store Property due in part to the lack of stormwater detention facilities on the existing industrial properties, which were constructed prior to regulations governing stormwater detention.

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19. There is currently no stormwater detention on the Grocery Store Property and the proposed stormwater detention, coupled with an increase of permeable surface area on the Grocery Store Property from the current 10% to the proposed 28% permeable surface area due to the stormwater detention and landscaped areas, will improve the Village's flooding problems in the area by detaining and slowly releasing excess water rather than having it simply flow over land off the site and onto Oketo Avenue, flowing towards the intersection of Oketo and Wilson Avenues. The detention facilities on the site are capable of storing roughly 554,000 gallons of water on site for gradual release that would otherwise flood surrounding neighborhoods.

20. Roundy's Supermarkets, Inc. ("Roundy's") is a 140 year old retail grocery company headquartered in Milwaukee, Wisconsin. Roundy's operates 158 grocery stores under five retail banners (Pick 'n Save, Copps, Rainbow, Metro Market, and Mariano's Fresh Market) throughout Wisconsin, across the Twin Cities and in the greater Chicagoland area.

21. Roundy's is expanding into Chicagoland with Mariano's Fresh Markets ("Mariano's"). Four Mariano's are currently open (Vernon Hills, Arlington Heights, two in Chicago), with three more slated to open in 2012.

22. Bradford developed the Vernon Hills Mariano's, and has taken ownership of the Arlington Heights Mariano's property.

23. Mariano's offers an upscale, service oriented grocery shopping experience with competitively priced groceries focusing on low prices, and extensive variety.

24. Mariano's is designed to be a single-stop grocery shopping experience, enabling customers to replace separate visits to conventional grocery stores, warehouse clubs, and ethnic operators with a single-stop.

25. Each Mariano's is uniquely designed, tailored and stocked for the particular neighborhood it is operated within, so there is no prototype Mariano's store.

26. Mariano's anticipates a total of approximately 400 employees at the Grocery Store Property, including roughly 100 full-time and 300 part-time positions.

27. Delivery trucks pulling into the loading dock will shut off their engines while waiting to unload deliveries, as opposed to idling, pursuant to Roundy's regulations.

28. Vehicle headlights and the parking lot generally will be visually screened from adjacent residential districts (except for those homes located directly across from an open driveway) and surrounding streets by virtue of the shrubs ringing the perimeter of the Grocery Store Property. The shrubs will be installed at three foot intervals and will initially be approximately two feet in height. The shrubs will grow together to form a dense hedge and grow to approximately four feet in height.

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29. Parking lot lights will be mounted on 32' poles and be installed on every-other parking lot island. The lights will feature a shield on the east side of the lights so that the lights do not glare onto Oketo Avenue. The lighting would not exceed a half-foot candle at the Grocery Store Property property lines.

30. The sidewalk along Oketo is currently directly adjacent to the curb, but the Project will involve the installation of a green parkway between the curb and the sidewalk to ensure that an ADA accessible pathway extends along the entire site from the grocery store building up to Lawrence Avenue, which will confer net visual and practical benefits to the surrounding neighborhood.

31. Approximately 12 to 14 HVAC rooftop units would be located on the roof of the grocery store building. The parapet rises approximately 6' above the 20' roofline, and will screen the HVAC rooftop units from view for all pedestrians, motorists, and the vast majority of nearby residents. Testimony was heard regarding the ability of third-floor tenants of neighboring apartment buildings along Olcott to potentially have limited, partial views of the HVAC rooftop units in spite of the parapet screening, but no firm conclusions were drawn by the Plan Commission. In any event, the screening of the HVAC rooftop units is deemed adequate and Bradford need not take additional steps to screen the rooftop units beyond what is proposed in light of a theoretical, limited and remote chance that the HVAC units could potentially be visible to a select few Village residents of a third story apartment.

32. All garbage generated by Mariano's remains inside of the building at all times or is otherwise contained within a single compactor near the southwest corner of the building that is shielded from view by a 6' to 8' wall. Trash is loaded into a compactor via a chute from inside the building, and the compactor condenses the garbage and ensures that garbage need not be removed from the site more than once per week.

33. No direct access to the Grocery Store Property was contemplated from Lawrence Avenue given the limited frontage that the Grocery Store Property enjoys along Lawrence Avenue. The close proximity to a signalized intersection immediately east of the Grocery Store Property on Lawrence, coupled with the Norwood Park Fire Protection District station immediately west of the Grocery Store Property on Lawrence Avenue dictated that direct access to the Grocery Store Property from Lawrence Avenue would have the effect of blocking the fire station's driveway access by eastbound cars decelerating in front of the fire station driveway in anticipation of turning into the Grocery Store Property.

34. Having three access points to the Grocery Store Property for customers enables flexibility for site ingress and egress and will help to avoid concentrating traffic at any particular access point.

35. A complete traffic study was not performed, but Bradford submitted for the Plan Commission's review a "Summary Traffic Evaluation" (Plan Commission hearing Exhibit J) prepared by traffic and parking planning consultant firm Kenig, Lindgren, O'Hara, Aboona, Inc. that involved a study of the area, the surrounding roadway network in light of nearby land uses, traffic characteristics of the proposed Mariano's, including site access and circulation for

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customers and delivery vehicles, and estimated traffic volumes at various peak times for the size and type of development based on the Institute of Transportation Engineers' *Trip Generation Manual*, 8th Edition.

36. Mariano's is anticipated to generate approximately 250 two-way vehicle trips (155 in, 95 out) per weekday morning peak hour, 695 such two-way vehicle trips (355 in, 340 out) during evening peak hour, and 760 two-way vehicle trips (390 in, 370 out) during Saturday mid-day peak hour. Typical traffic evaluation standards reduce such estimates by up to approximately 20%, since many vehicles simply stop at grocery stores while already on the roadway en route to another destination (e.g. "pass-by trips").

37. The Plan Commission heard and credited testimony from several Village residents along Oketo Avenue that Oketo Avenue already has significant traffic volume that leads to slow-downs and back-ups at peak hours. The Plan Commission further finds that a successful commercial development primarily (although not exclusively) accessible via Oketo Avenue will intensify existing traffic along Oketo Avenue.

38. The Plan Commission recommends studying the installation of a dedicated left-turn lane for northbound traffic on Oketo Avenue, including widening the Oketo Avenue right-of-way as may be necessary to accommodate the installation of a third lane allowing for dedicated left-hand turns onto Lawrence Avenue. The existing width of Oketo Avenue is 34'. Additional investigation will need to be undertaken to determine whether a third traffic lane could be accommodating without widening the Oketo Avenue right-of-way.

39. The Plan Commission heard and credited testimony by several area residents expressing concern about semis traversing north on Oketo Avenue past Eisenhower Public Library, which opens at 9 a.m. Those concerns are reflected in the Plan Commission's conditional recommendation which restricts permissible delivery times for semi-trucks to Mariano's.

40. There are no school bus stops along the relevant stretch of Oketo Avenue near the Project.

41. Two types of delivery vehicles will transport merchandise to Mariano's. The largest trucks are semis. Because Roundy's is a wholesaler that stocks its own grocery stores, Mariano's has full control of the delivery times of such semi truck deliveries. Typically four to six semis per day make deliveries to Mariano's, and these trucks will access the loading dock via the southernmost Oketo entrance at the rear of the grocery store building.

42. The other type of delivery vehicles are smaller "panel trucks" (e.g. FedEx-sized trucks) that will enter and exit the Grocery Store Property via the Olcott Avenue entrance. Typically 10 to 15 such smaller trucks make deliveries to Mariano's each day.

43. Mariano's initially proposes to be open from 6 a.m. to 10 p.m., seven days per week, but indicates that some of their stores remain open until midnight and that the ultimate hours of operation depend on customer demand.

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44. The Village Code does not restrict the hours of operation of a grocery store.

45. The Plan Commission finds that the Grocery Store Property currently features two industrial buildings, one of which is vacant and partially demolished, and that the Grocery Store Property would be improved by the proposed development.

46. The Plan Commission finds that Mariano's has an exceptional reputation as a retailer, the Project involves high-quality architecture, landscaping, and a well-conceived site plan in light of the limited Lawrence Avenue frontage.

47. The Plan Commission finds that Mariano's would act as a catalyst for existing local businesses and stimulate further retail development in the surrounding area.

48. The Plan Commission finds that Mariano's would strengthen the Village's sales tax base and potentially relieve some of the tax burden on local residents, create additional jobs, provide additional convenience and destination shopping opportunities for Village residents, and provide a revenue stream to support existing and new Village services, which would improve the welfare of Village residents.

49. Planned developments are governed by Section 17.56.200 of the Zoning Code. The purpose of the planned development approval procedure is to provide a more flexible zoning procedure in which land can be developed in a more innovative way that encourages better design and planning for large-scale developments than would otherwise be possible under straightforward application of typical zoning regulations.

50. Section 17.56.200(C)(1) of the Village Zoning Code requires that the Plan Commission make findings that the proposed development satisfies the criteria listed below. Based on the testimonial evidence presented at the public hearing, the exhibits presented, and the conditions set forth in the Plan Commission's Recommendation, the Plan Commission finds the following relative to the Project's conformance with said approval criteria:

- i. **How does the proposed plan conform with general planning policies of the Village as articulated in the comprehensive plan?**

The general goal for the area of the Grocery Store Property expressed in the Comprehensive Plan and recent amendments to the official zoning map of the Village is to target underutilized and vacant industrial properties on and around Harlem and Lawrence Avenues and provide for retail redevelopment, and to enhance the quality of development within the Village by providing for planned developments, landscape plans, and the like. This Project is the first major development to be evaluated pursuant to the new guidelines and standards and is not only consistent with the vision set forth in the Comprehensive Plan, it is a direct implementation of the Village's articulated goals to encourage transition of aging industrial properties into revenue-generating commercial properties and to create a thriving retail corridor along Lawrence Avenue. Moreover, the Grocery Store Property was depicted as "general commercial" in the land use planning objectives depicted in the Land Use Plan appearing as Figure 8 in the Comprehensive

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Plan. The Project is a direct response to the priorities and goals articulated by the Village's Comprehensive Plan and a step towards achieving the identified vision of the Village.

The proposed development is an important project to meet the Village's economic development objective of transforming an underutilized and partially blighted industrial site into a foundational part of the redevelopment of the Lawrence Avenue corridor into a thriving commercial district. The Project will preserve and enhance aesthetic values in the surrounding area by implementing the Village's short and medium-term land-use vision and policies expressed by the Comprehensive Plan, including facilitating the redevelopment of blighted industrial parcels and the development of aesthetically pleasing and functionally well-designed retail.

ii. **How does the proposed plan impact the public health, safety and welfare?**

Residents immediately adjacent to the Grocery Store Property identified concerns with increased traffic generally along Oketo Avenue and delivery truck traffic. The latter concern relates to the safety of Village residents, particularly those utilizing the Eisenhower Public Library. The Plan Commission believes that the considerable benefits conferred by the Project outweigh this concern on balance, particularly in light of Mariano's willingness to abide by the Plan Commission's recommended condition that all semi-truck deliveries along Oketo Avenue be made between the hours of 5 a.m. and 7:00 a.m., which means that semis will not be traversing Oketo Avenue during library hours or during any other times identified by concerned residents as being peak hours for school children or general morning rush hour. The ongoing heavy traffic volume along Oketo Avenue militates in favor of the Village giving strong consideration to the installation of a dedicated left turn lane for northbound Oketo traffic turning left onto Lawrence Avenue, as this will help alleviate backups caused by vehicles being stuck behind left-turning motorists.

Beyond the identified traffic concerns, the Project is consistent with and will enhance the public health, safety and welfare by expanding the Village's commercial base to bolster sales tax revenues and potentially reducing the tax burden on Village residents, stimulating the development of nearby properties for complimentary commercial redevelopment of blighted or underutilized properties that suffer from vacancy or deferred maintenance, reducing the deleterious impact on adjacent residential and commercial areas created by the truck traffic, noise, odors and other externalities typically associated with industrial uses, and by providing a strong anchor for the subsequent redevelopment of Lawrence Avenue into a healthy commercial corridor. The creation of approximately 400 jobs confers further economic benefits to Village residents, and the sales taxes created by a successful Mariano's development, estimated to exceed \$500,000 per year, will inject long-sought revenue into the Village during challenging times for the local economy.

Although the Plan Commission considered the traffic-related concerns of residents living in the immediate vicinity of the Grocery Store Property, the Plan Commission nonetheless ultimately finds and concludes that the relative gains to the Village and its residents at-large would substantially outweigh the hardships imposed on Oketo Avenue residents, particularly in light of the recommendation that the Village study the installation of a dedicated traffic lane

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northbound on Oketo Avenue and restrict semi-truck traffic on Oketo Avenue to early-morning hours. The Project will help to prevent the spread of blighted conditions, encourage further private investment and development, encourage the transition in the Village from industrial and manufacturing uses to commercial and retail uses, enhance the Village's tax base, and to increase employment opportunities for Village residents.

iii. How will the proposed development impact nearby property and would it impede orderly development and improvement of surrounding properties, and whether it would be consistent with the community character of the neighborhood?

The Village's density and the close proximity of residential districts to commercial and industrial areas has long posed a challenge in the Village with incompatible uses of land, such as heavy industry co-existing adjacent to residential areas. The challenge, identified in the Village's Comprehensive Plan, has been addressed in part by rezoning industrial properties that were immediately adjacent to residential districts as less-intensive commercial districts. While neighboring residents identified legitimate concerns regarding traffic flow, the existing industrial uses were no more, and indeed considerably less consistent with the community character of the neighborhood. The extensive landscaping, on-site stormwater detention, sidewalks and parkways featured in the Project, together with the handsome architecture and screening of neighborhood-unfriendly components, minimize the deleterious impacts of the Project on neighboring residents and confer many benefits that will enhance the community character of the neighborhood. The Project is compatible with and protective of neighboring properties through measures such as compatible design and integration, visual buffering along the perimeter of the Grocery Store Property via the proposed landscaping, shielded outdoor lighting, and a parapet masking HVAC rooftop units.

A 70,000 square foot Mariano's on a site rezoned for commercial purposes (indeed, the grocery store is a permitted use in the host B-2 zoning district) is expected to boost the commercial prospects for recently-rezoned aging industrial properties and vacant parcels in the area. Mariano's should stimulate development and the improvement of surrounding properties and be a significant boost to area businesses and would-be businesses.

iv. Is there adequate utility service, road access, and drainage?

For reasons set out in more detail above, the Plan Commission finds that existing utilities servicing the site, including water, sanitary sewer, storm sewer, electric service, gas service, and phone service are adequate to service the Project and the projected impacts of the Project. The site has been continuously developed for decades and the Project will not measurably increase the demand for public facilities and services beyond that which already exists on the premises. The Project will not result in diminished-quality utility service to neighboring residents or businesses.

Every element of the drainage plans for the Project is clear improvements over existing site conditions. At present, the aging industrial buildings have no stormwater detention capabilities and feature almost exclusively impermeable surfaces. As a consequence, even

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modest rain events result in water sheeting off the property to the southwest and causing flooding problems near Wilson and Oketo Avenues. The Project features an on-site stormwater detention basin that will accommodate about 554,000 gallons of water for on-site retention and slow release into the sewer system. This amount of water would otherwise sheet off of the property and flood adjacent properties, as it currently does. Further, increased permeable surface area due to the detention basin and improved landscaping will further reduce the likelihood of flooding in the area.

Road access to the site is adequate, with three distinct customer access points along Oketo and Olcott Avenues. Unique site challenges, including the proximity to the fire station, prohibit direct access to the Grocery Store Property from a more major thoroughfare (Lawrence Avenue), but given the inherent challenges of the site, the proposed ingress and egress routes optimize the safe and orderly ingress, egress from the site onto the local roadway network and internal site circulation.

- v. **Does the proposed development negatively affect any archaeological, historical or cultural resources?**

No.

- vi. **Parking and traffic – is there satisfactory ingress and egress to minimize congestion in streets?**

As previously stated, the Plan Commission acknowledges the heavy traffic volume along Oketo Avenue in the vicinity of the Grocery Store Property. The Village has nonetheless identified the Grocery Store Property as being ideally suited for retail development. Given the challenges presented by area traffic patterns and the anticipated increase in such traffic, the site plan properly calls for the dispersal of customer traffic via three distinct full-access driveways. Concentrating the ingress and egress at a single access point would serve to heighten, rather than minimize, congestion on local streets. The Project provides safe and efficient design of parking and circulation areas and access to public ways. The on-site surface parking significantly exceeds the Village's requirements for this type of development.

- vii. **Does the proposed development have adequate landscaping and buffering features?**

The Plan Commission deems the landscape plan commendable. While the existing site provides essentially no landscaping beyond some existing trees along the perimeter (which trees will remain), the proposed landscape improvements to the site include the planting of ornamental grasses, evergreen and deciduous shrubs that will grow to approximately four feet in height and perennial plantings along the perimeter of the Grocery Store Property in order to create a visual buffer of the surface parking lot. Moreover, the interior of the parking lot features islands with shade trees, shrubs and perennials, while ornamental trees, deciduous and evergreen shrubs and perennial plantings will ring the grocery store building foundation, together with an expanded and improved grass lawn area along the east side of the building and a parkway along Oketo Avenue. Bradford's landscape plan, including parking lot landscaping, foundation landscaping

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and perimeter landscaping is compliant with the landscaping and screening requirements set forth in new Chapter 17.32 of the Village Zoning Code.

viii. Does the proposed signage conform with Village's signage regulations?

The proposed signage, depicted in Exhibit E to the Plan Commission public hearing, complies with the Village's signage regulations pertaining to type, size and location. The Plan Commission finds that the high-quality design and materials, which mimic the store façade, enhance the site generally, are suitably located at the various site entrances and along Lawrence Avenue, but final confirmation that the proposed signage complies with the Village's signage illumination regulations set forth in Section 17.36.060(A) of the Zoning Code will await Bradford's application for sign permits.

51. Although not required given that the proposed plan development does not deviate in any discernable manner from the underlying B2 zoning regulations other than a limited reduction in the rear yard setback, the Plan Commission nevertheless considered the additional standards set forth in Section 17.56.200(C)(2-9) to evaluate the proposed planned development, even though such criteria are technically limited to evaluating requested deviations from underlying zoning standards and the proposed development does not seek such deviations. The below criteria are not intended to be inflexible, but merely provide a framework to judge the quality of the site amenities, benefits to the community, and the design and desirability of the Project.

ix. Integrated design – is the site well-planned out?

The Plan Commission finds that the Project features an integrated overall design that blends an attractive commercial building with aesthetically complementary signage, well-planned landscaping, and high-quality materials. Moreover, the site planning addresses and responds to the inherent limitations of an industrial site with little frontage along Lawrence Avenue in the midst of a dense neighborhood featuring both industrial and residential neighbors by providing for safe, efficient and harmonious organization of shopping activities with necessary corollaries thereto, such as vehicles, water detention and the necessary presence of delivery vehicles.

x. Is there any beneficial common open space?

The Plan Commission finds that while there is no common open space of the sort contemplated by Section 17.56.200(C)(4), Bradford has made an extensive effort to provide for attractively landscaped "green areas" throughout the Grocery Store Property to the extent possible, including with particularity the proposed installation of parkway green space between Oketo Avenue and the sidewalk running along the western edge of Oketo.

xi. Are the functional and mechanical features (trash containers, truck loading areas, etc.) as unobtrusive as possible?

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Every referenced element of the functional and mechanical features is addressed immediately below, other than the truck loading area. The loading dock will be located at the west side of the building, between the grocery store and the dry detention area. By locating on the western edge of the building, as would be the case with a loading dock along the southern building façade, the proximity of truck deliveries to residences is minimized. Mariano's also indicated that it has institutional control over its own semi-truck deliveries and, to a somewhat lesser degree, vendor deliveries, and that it mandates that truck engines be shut off rather than idle while waiting to unload deliveries. The location of the truck loading dock, coupled with consistent regulatory enforcement of the no-idling rule, will combine to minimize the impact of truck deliveries on neighboring property owners.

xii. Any screening or other efforts to reduce objectionable elements, such as truck loading, garbage, etc?

Each of the potentially objectionable elements of the Project is mitigated by effective screening efforts. Evergreen and deciduous shrubs that will grow to approximately four feet in height and perennial plantings along the perimeter of the Grocery Store Property will create a visual buffer of the vehicles (and headlights) in the surface parking lot. The lights in the parking lot and affixed to the building will feature screens designed to shield glare towards residences located along Oketo Avenue. In addition, the trash compactor at the southwest corner of the building will be screened from view by a masonry wall of sufficient height (6' or 8', depending on the dimensions of the trash compactor) to render the trash invisible. The dry detention basin will be surrounded by an ornamental 6' fence to restrict access to the area and promote safety, while the HVAC units on the rooftop will be screened from view by the parapet, which is integrated seamlessly into the façade design.

xiii. Is the design energy efficient?

The Plan Commission did not consider this factor in its evaluation of the proposed planned development, though the extensive use of clear glass on the north façade and glass-enclosed atrium in particular will allow daylight into the store, which will both improve the shopping experience of customers and improve energy efficiency because the building automatically shuts off interior lights on sunny days when adequate natural light is present. The Plan Commission also heard testimony regarding the efficiency of the HVAC units that will be installed on the roof.

xiv. Are the driveways, parking and vehicle and pedestrian circulation well-planned out to provide safe and efficient access?

Three distinct two-way customer access points along Oketo and Olcott Avenues optimize the safe and orderly ingress and egress from the site onto the local roadway network and internal site circulation by minimizing the backups that would ensue from all vehicular access to the site being concentrated in a single, or even two, access points. The one-way semi-truck circulation path and the location of the loading dock away from public areas of the site will serve to protect public safety. The Plan Commission is recommending the installation of a sidewalk along the north edge of the Olcott entrance on the west side of the Grocery Store Property and that a

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pedestrian crosswalk be provided along the northern Oketo Avenue exit to alert drivers to the potential presence of pedestrians.

xv. Adequate and sufficient drainage of surface waters on site to prevent water from collecting and obstructing traffic?

The Plan Commission finds that the Project provides for adequate drainage that will significantly reduce the likelihood and frequency of surface waters collecting, running off-site and creating traffic or other flooding problems in the area. The proposed dry stormwater detention basin will satisfy the MWRDC's stormwater management ordinance, which mandates that 1.7 acre-feet of volume is required for on-site detention. Excess water on the Grocery Store Property in the event of precipitation will be diverted into the stormwater detention area and slowly-released to the existing sewer on Oketo Avenue. There currently is no stormwater detention capabilities located on the premises, and the increased permeable surface area, together with the aforementioned detention basin, will help to alleviate any contribution of the Grocery Store Property to local flooding problems.

III. RECOMMENDATION

NOW THEREFORE, following a public hearing hosted by the Village of Harwood Heights Plan Commission, held on December 12, 2011 (No. 2011-4), the Plan Commission hereby recommends that the Village Board approve the planned development as presented by Petitioner BRADFORD EQUITIES, LLC, in accordance with the plans presented to the Plan Commission at the aforementioned public hearing, subject to the following express conditions that Petitioner, Mariano's Fresh Market, and any other operators or tenants and any successor owners and operators of the Grocery Store Property or any tenant therein comply with as may be applicable:

- A. Petitioner enter into a maintenance agreement with the Village providing for the maintenance of landscaping and replacement of landscape elements as may prove necessary to replace dying or dilapidated landscape features, including with particularly the landscape features on the parking lot islands, which are not subject to mechanical irrigation;**
- B. All semi-truck deliveries accessing Mariano's from Oketo Avenue be restricted to occurring between the hours of 5 a.m. and 7:30 a.m.;**
- C. That the ornamental fencing surrounding the detention basin be installed at a height of six feet (6');**
- D. That a sidewalk be installed on the northern edge of the Olcott Avenue entrance to the Grocery Store Property;**
- E. That a pedestrian crosswalk be striped at the northernmost Oketo Avenue entrance to the parking lot;**

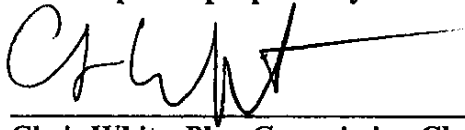
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- F. That the Village consider and study the installation of a dedicated left-turn lane for northbound vehicular traffic on Oketo Avenue turning onto Lawrence Avenue and that Petitioner pays its pro rata share (calculated as a function of the increased traffic on Oketo Avenue attributable to the planned development) of any such improvement that the Village may install;
- G. That Petitioner shall adjust the exterior lighting of the Grocery Store Property, including after initial installation, as may be required by the Village to ensure that the light sources are properly screened to minimize spillage onto adjacent properties;
- H. That Petitioner shall obtain all necessary construction permits (including, without limitation, building and sign permits, and MWRDC permits) from the Village and any other required governmental bodies prior to commencing construction on the Project;
- I. That the Project be constructed in full accordance with the plans, drawings and documents approved by the Village Board, as modified by any conditions attached to such approval by the Village Board, although it is understood and agreed that minor changes, revisions and refinements to the site plan and other non-substantial deviations of a technical nature are likely to occur and that such technical, minor changes may be approved by the Village's Building Commissioner following internal or third-party review without additional action by the Village Board or Plan Commission. Changes that involve a significant deviation from the plans approved by the Village Board, as determined by the Building Commissioner, shall be referred back to the Plan Commission for recommendation and the Village Board for final approval;
- J. That the Project shall comply with all building, fire and related technical code requirements, with compliance to be determined by the Village Building Commissioner, Norwood Park Fire Protection District, and any third-party technical consultants retained by the Village for the purpose of reviewing any permit applications for conformity to technical code requirements; and
- K. That Petitioner enter into a development agreement with the Village governing the respective rights and responsibilities of Petitioner and the Village with respect to the improvements contemplated herein, which condition shall be a condition precedent to the validity of any final approval of the planned development by the Village Board.

On December 12, 2011, the Village of Harwood Heights Plan Commission voted unanimously (5 - 0, with two Plan Commission members in absentia) to recommend conditional approval of the planned development based on the Findings of Fact and Conclusions as described herein. Chairman White, and Plan Commission members

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Christl, Hood, Holzer, and Mazzulla each voted in favor of conditional approval of the planned development proposed by Bradford Equities, LLC, as set forth above.

By: 

Chris White, Plan Commission Chair
On Behalf of and with the Approval of the Village of
Harwood Heights Plan Commission

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Exhibit B: ALTA Survey, dated December 5, 2011

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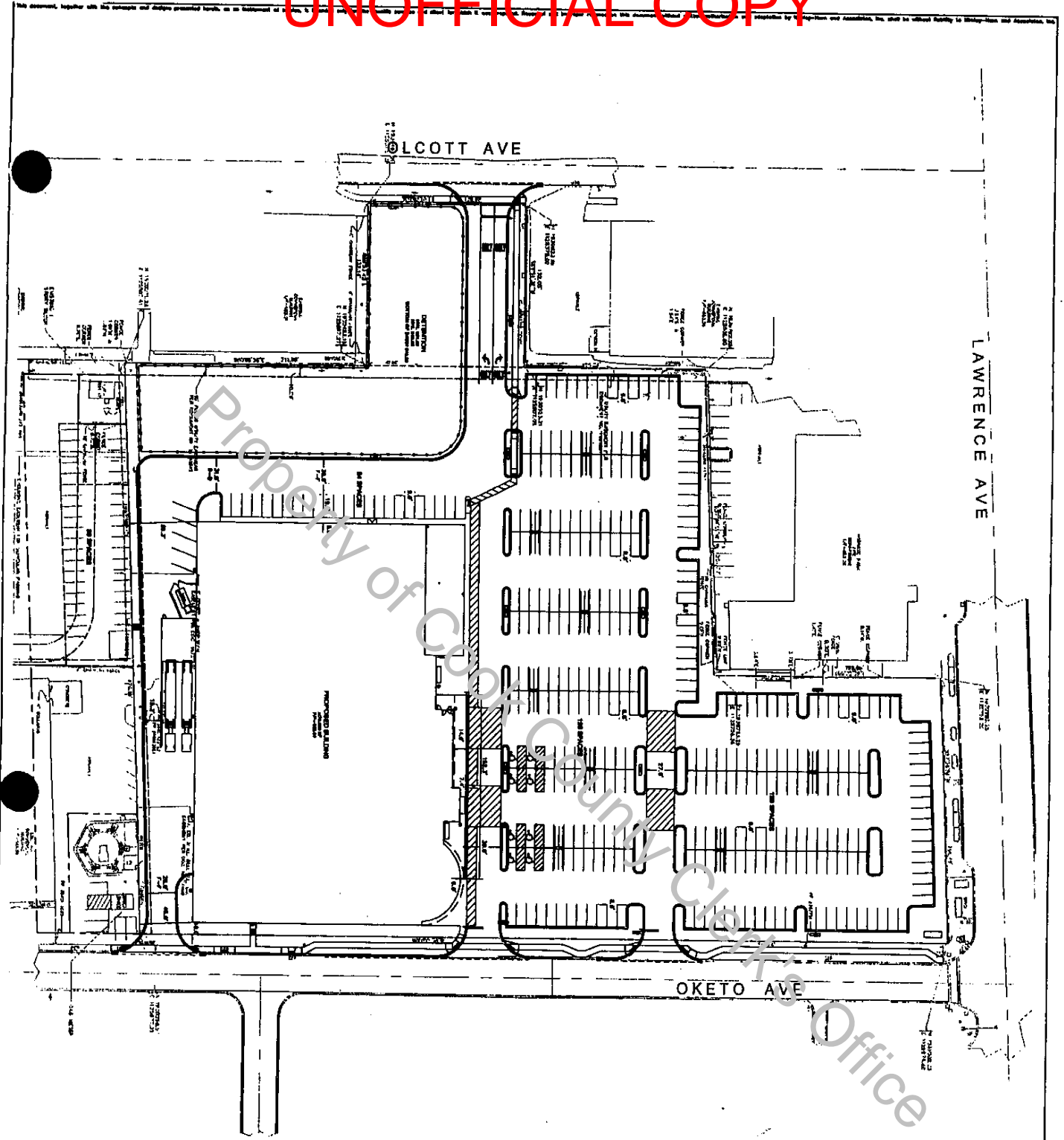
Exhibit C: Site Plan, dated January 16, 2012

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PARKING SUMMARY
 TOTAL SPACES = 382
 REGULAR STALLS = 322
 CART CORRAL STALLS = 18
 ACCESSIBLE STALLS = 8
 OFFSITE PARKING STALLS = 36
 *INCLUDES OFFSITE EMPLOYEE PARKING ON SOUTH PARCEL

SHEET NUMBER EX1	MARIANO'S FRESH MARKET HARWOOD HEIGHTS, IL		RHA PROJECT #18130600	DATE 01/19/12	REVISIONS No. DATE
			SCALE 1"=40'-0" DESIGNED BY MJD DRAWN BY MJD	CHECKED BY AMK	

SITE PLAN EXHIBIT

Kimley-Horn and Associates, Inc.
 200 WEST HANCOCK DRIVE, SUITE 2125, CHICAGO, IL 60609
 PHONE: 312-726-3443 FAX: 312-726-3448
 WWW.KIMLEY-HORN.COM

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Exhibit D: Concept Utility Plan

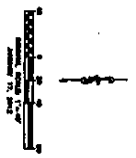
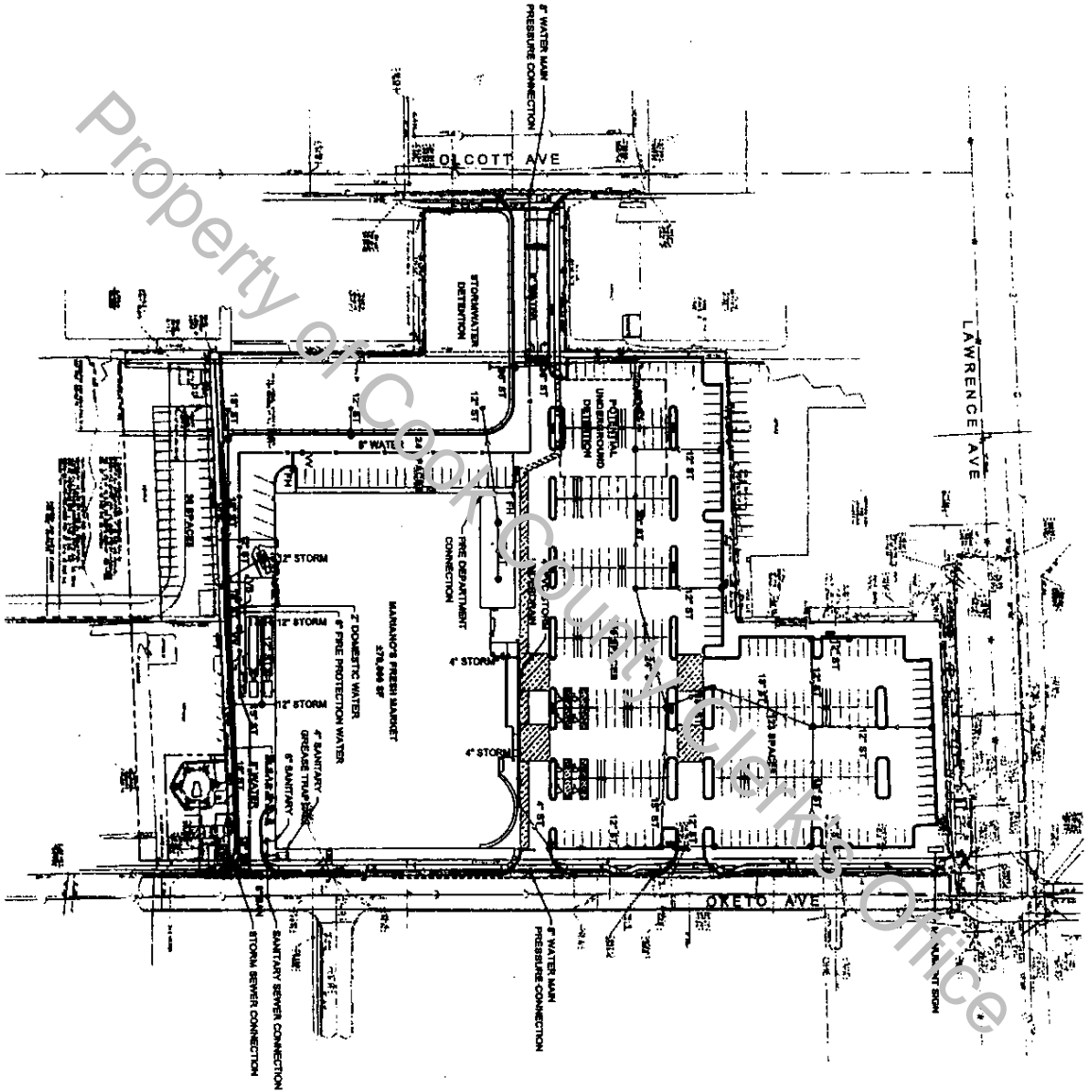
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MARLIANO'S Fresh Market™
CONCEPT UTILITY PLAN
HARWOOD HEIGHTS, ILLINOIS



BRADFORD
ENGINEERS ARCHITECTS
CONSULTANTS

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Exhibit E: Utility Impact Report

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Utility Impact Report

Mariano's

Southwest Corner of Lawrence Ave & Oketo Ave

Harwood Heights, Illinois

Prepared By:

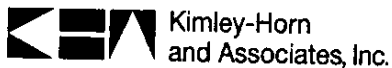


**Kimley-Horn
and Associates, Inc.**

Issue: December 6, 2011

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Kimley-Horn
and Associates, Inc.

Mariano's – Harwood Heights
Southwest corner of Lawrence Avenue and Oketo Avenue
Date: December 6, 2011

Listed below is a summary of the Utility Impact Report for the proposed Mariano's development at the southwest corner of Lawrence Avenue and Oketo Avenue in Harwood Heights, Illinois.

Utilities:

Water Distribution System: An existing 8" diameter watermain is located on the east side of Olcott Avenue and an existing 8" diameter watermain is located on the west side of Oketo Avenue. Based upon a meeting on November 16, 2011 with Christopher B. Burke Engineering, Ltd. (CBBEL) who is representing the Village of Harwood Heights, it is requested that the proposed water distribution system for Mariano's would interconnect the main from Olcott Avenue to Oketo Avenue. It was noted that the existing water distribution system should have adequate flow and pressure to service the development. The proposed water distribution system on-site will comply with the Village and Fire District requirements including appropriate fire hydrant coverage around the proposed building.

Sanitary Sewer System: An existing 15" diameter sanitary sewer is located within the middle of Oketo Avenue and flows north towards Lawrence Avenue. The existing sanitary sewer is tributary to the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) Waste Water Treatment Plant.

A proposed 8" sanitary sewer will convey the waste from the proposed building and connect to the existing sewer in Oketo Avenue. A proposed grease trap will be proposed on-site which will separate the grease from the domestic waste. It was noted in the meeting on November 16, 2011 that the existing sewer has capacity to service the proposed development.

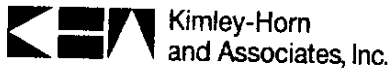
Storm Sewer System: An ALTA and topographic survey has been prepared by Roake and Associates. Based upon the existing topography, the site drains southeast towards Oketo Avenue. Based upon the MWRDGC stormwater management ordinance, approximately 1.7 ac-ft of volume is required for stormwater detention on-site.

An existing 18" diameter storm sewer is located on the west side of Oketo Avenue. An outlet structure is proposed at the southeast corner of the site that will restrict the allowable release from the proposed stormwater management facility on-site and connect to the existing sewer on Oketo Avenue.

Electric Service: ComEd is the provider for electric service on-site. Overhead 3-phase or single phase electric is available adjacent to the site. A will service letter has been submitted for ComEd and we are awaiting their response.

Gas Service: Nicor is the provider for gas service on-site. Based upon the ALTA survey prepared by Roake and Associates, an existing 4" gas main is located on the west side of Oketo Avenue. A will service letter has been submitted for Nicor and we are awaiting their response.

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Phone Service: AT&T is the provider for phone service on-site. Existing service lines are adjacent to the subject property. A will service letter has been submitted for AT&T and we are awaiting their response.

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Exhibit F: Representational Floor Plan

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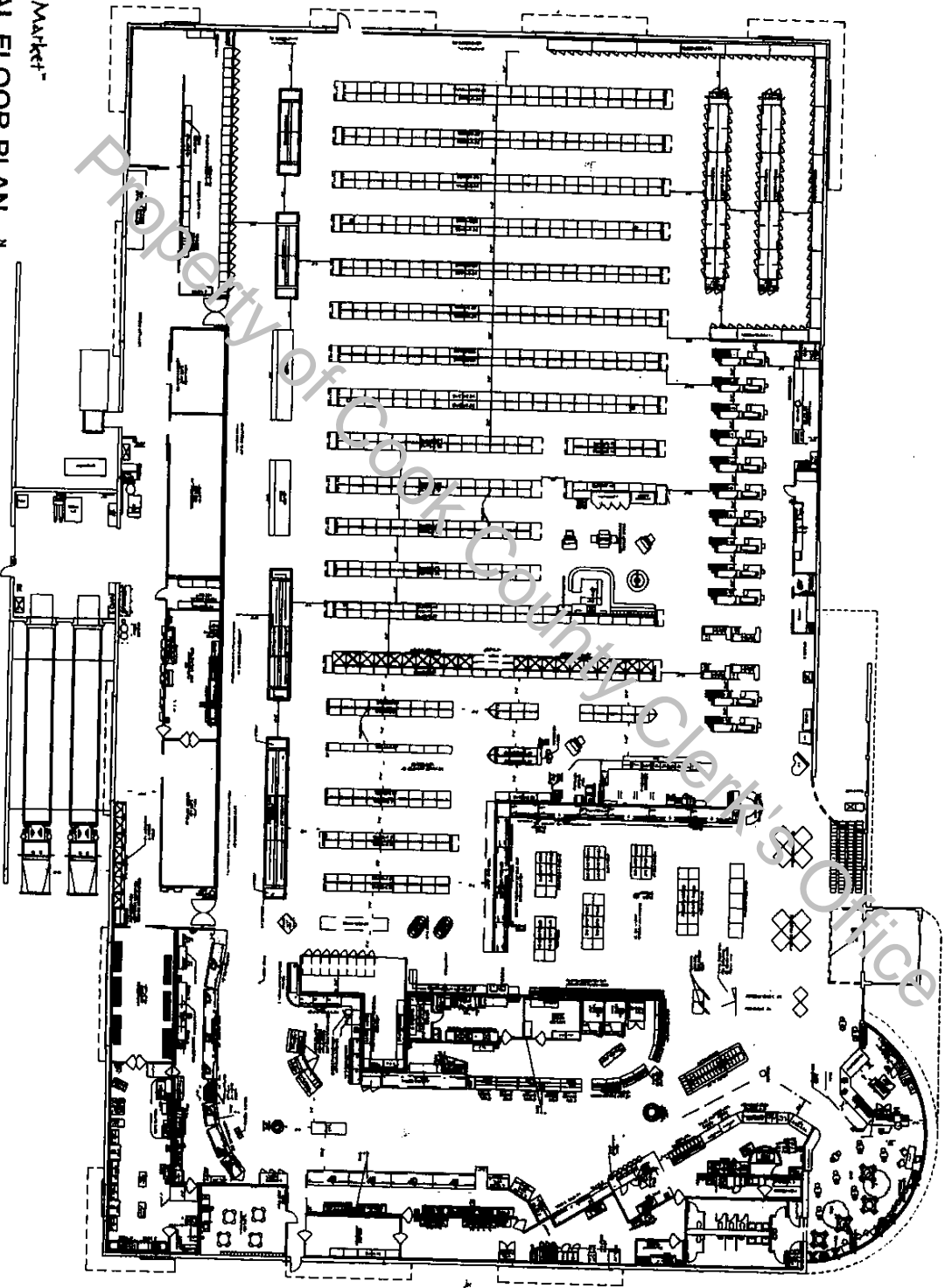
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MARLANO'S Fresh Market™
REPRESENTATIONAL FLOOR PLAN

HARWOOD HEIGHTS, ILLINOIS



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Exhibit G: Building Elevations – (north, south, east and west)

- i. Black & White renderings
- ii. Color renderings

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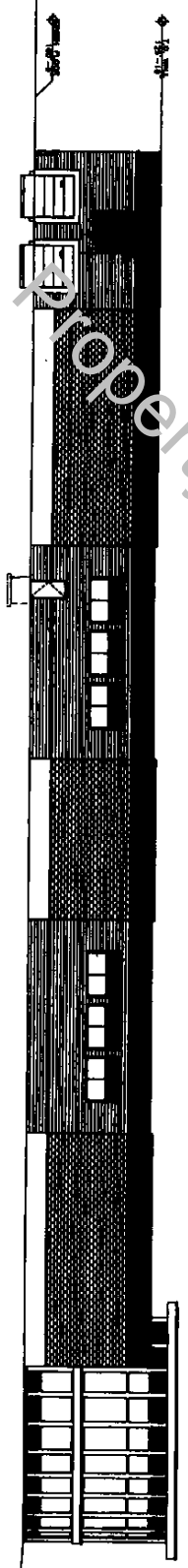
NEW GROCERY STORE
LAWRENCE AVENUE
HAWKWOOD MARKET, LAWRENCE, ILLINOIS



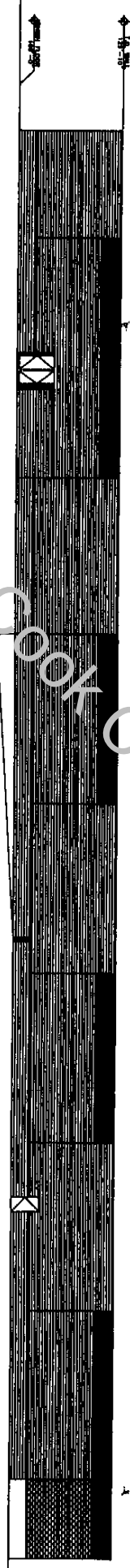
January 12, 2012

VIEW FROM OKETO AVENUE

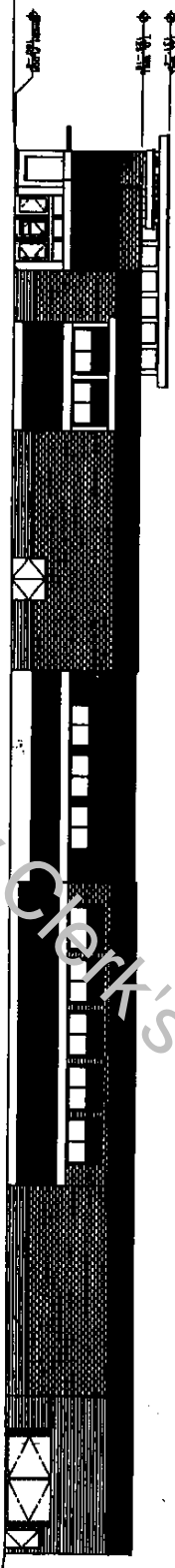
SCALE: 3/32" = 1'-0"



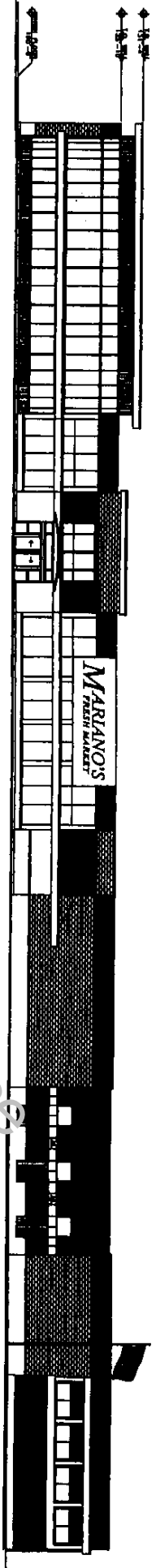
VIEW FROM SOUTH



VIEW FROM COTT AVENUE

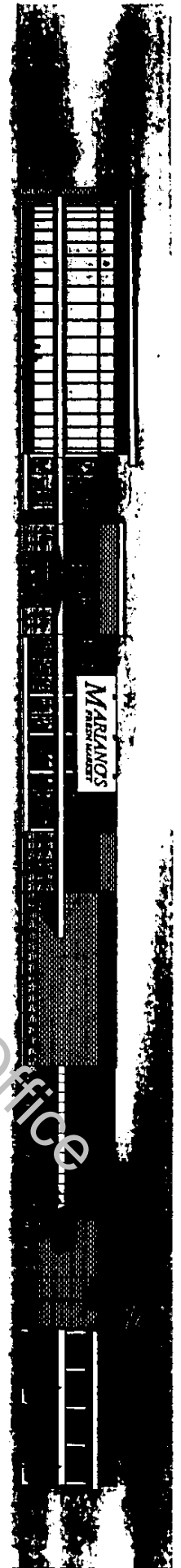


VIEW FROM LAWRENCE AVENUE

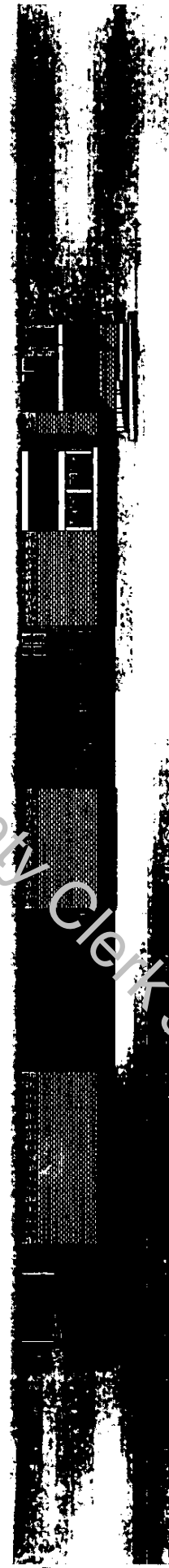


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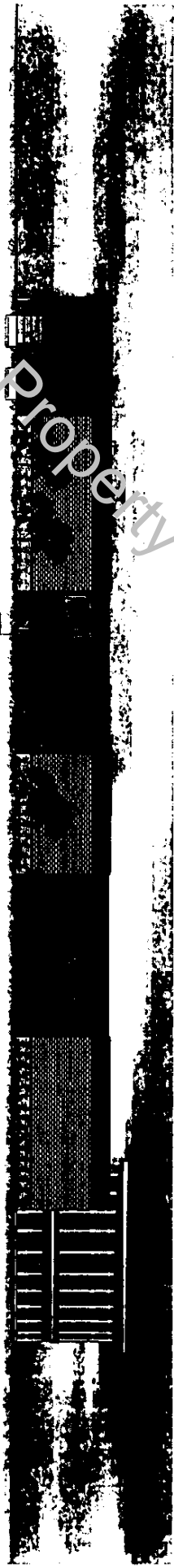
NORTH ELEVATION (VIEW FROM LAWRENCE AVENUE)



WEST ELEVATION (VIEW FROM OLCOTT AVENUE)



SOUTH ELEVATION



January 15, 2012

EAST ELEVATION (VIEW FROM OKETO AVENUE)

SCALE: 3/32" = 1'-0"

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SHHA

ARCHITECT

ILLINOIS

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NEW GROCERY STORE

1200 N. LAURENCE AVENUE
CHICAGO, IL 60642

MARIANOS
FRESH MARKET

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Exhibit H: Conceptual Landscape Plan, dated January 17, 2012

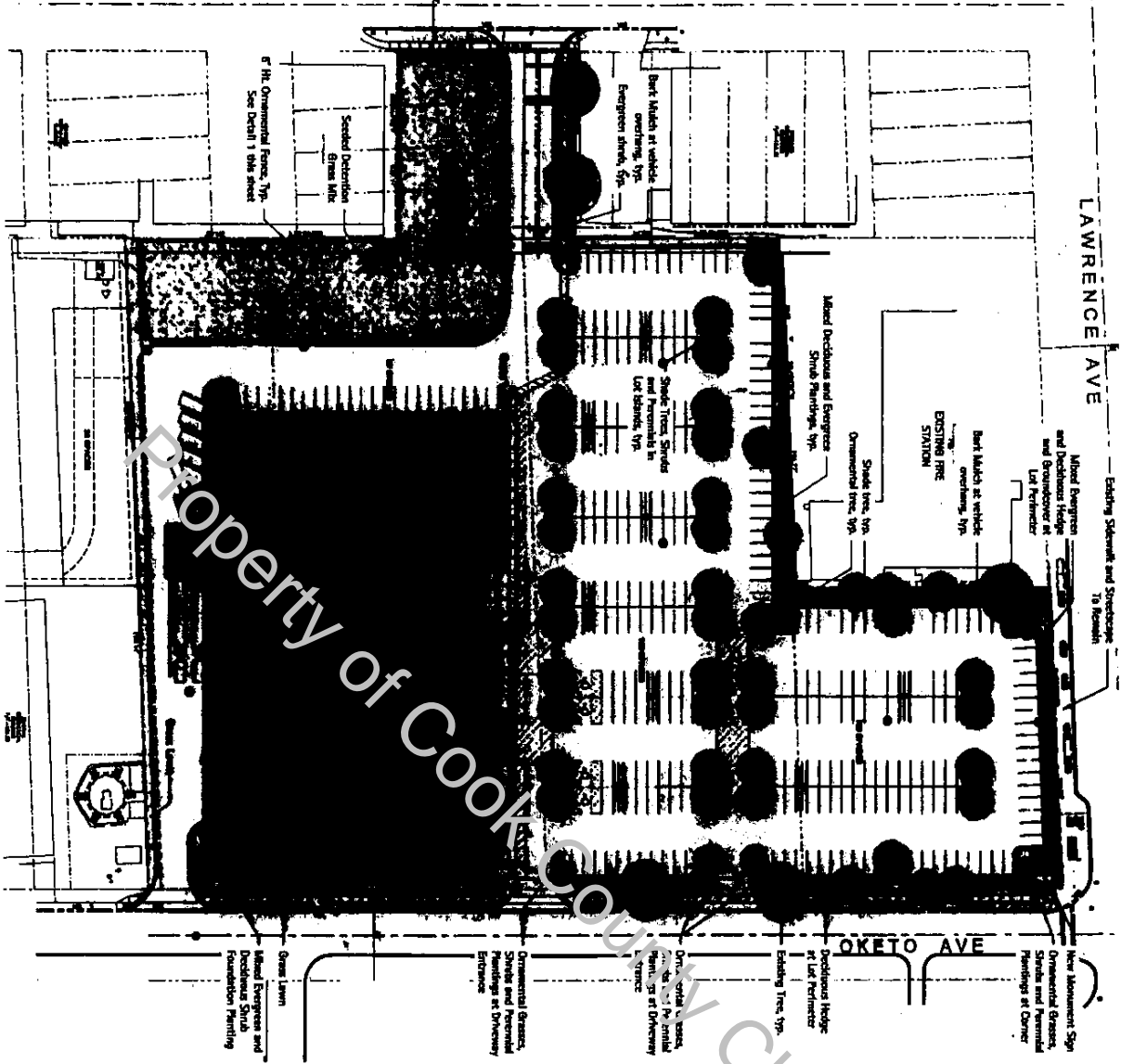
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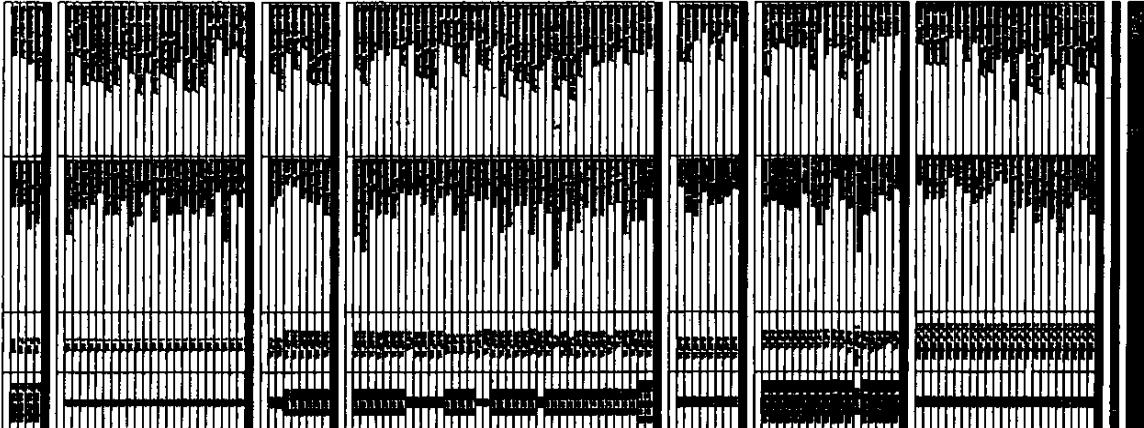
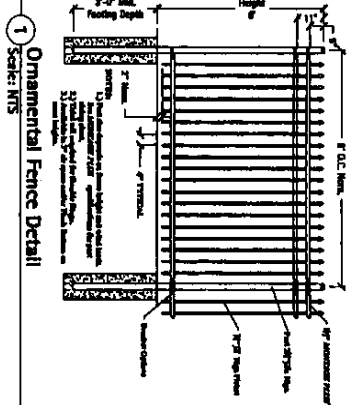
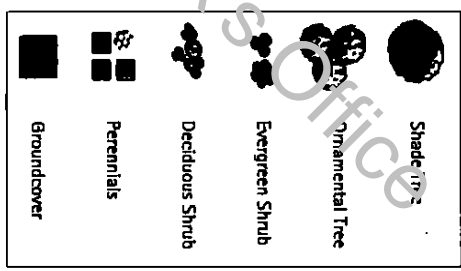
OF COTT AVE



LAWRENCE AVE

OKETO AVE

Landscape Key



Mariano's Fresh Market Harwood Heights, Illinois
Conceptual Landscape Plan

BRADFORD LAKOTA

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Exhibit I: Photometric Plan, dated November 17, 2011

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Exhibit J: Signage Plan, dated November 29, 2011

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Exhibit K: Traffic Impact & Access Study, dated January 17, 2012

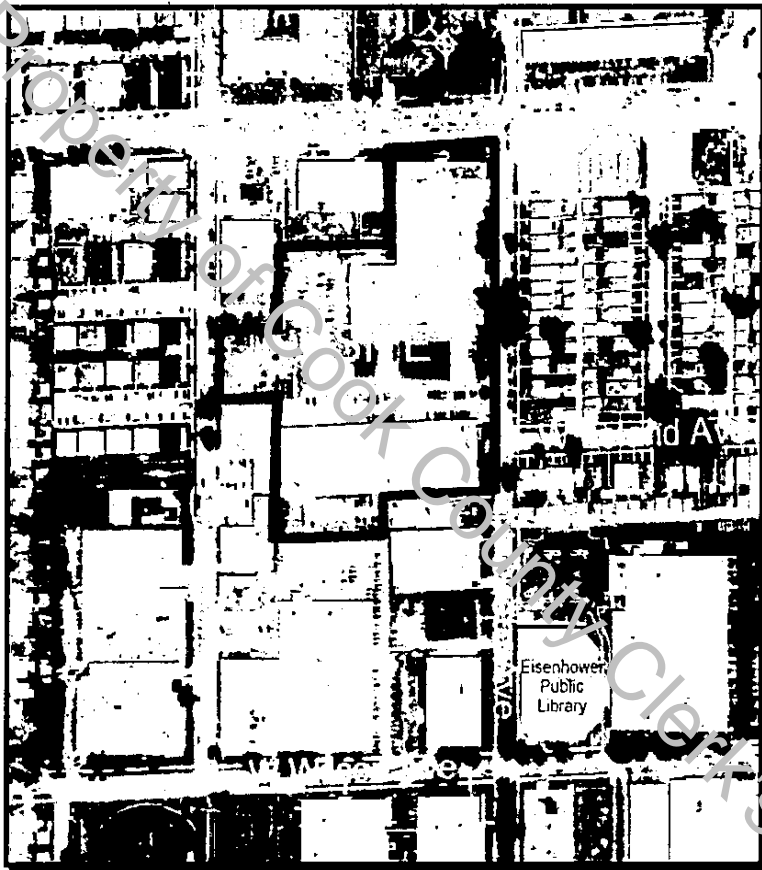
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Traffic Impact and Access Study Mariano's Development Harwood Heights, Illinois



Prepared for:

The Bradford Real Estate Companies

Submitted by:



Kenig, Lindgren, O'Hara, Aboona, Inc.

January 17, 2012

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Introduction

This report summarizes the methodologies, results and findings of a site traffic impact analysis conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Mariano's Fresh Market (Mariano's) development to be located in the southwest quadrant of the intersection of Lawrence Avenue and Oketo Avenue in Harwood Heights, Illinois. The site is bound by Lawrence Avenue to the north, industrial/commercial and Wilson Avenue to the south, Olcott Avenue and adjoining properties to the west, and Oketo Avenue to the east. **Figure 1** shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site area.

Mariano's will be built on a site that is currently occupied by commercial/industrial land uses. All existing structures and infrastructure will be removed in conjunction with this proposed development. The development proposes a 70,000 square-foot Mariano's Fresh Market with an approximate 382-parking space surface lot.

Access to Mariano's will be provided via three full access drives: two full access driveways on Oketo Avenue and one full access driveway on Olcott Avenue. In addition, a full access service driveway will be provided on Oketo Avenue, between Leland Avenue and Wilson Avenue, allowing access to the employee parking area and the truck dock facility.

The following sections of this report present the following:

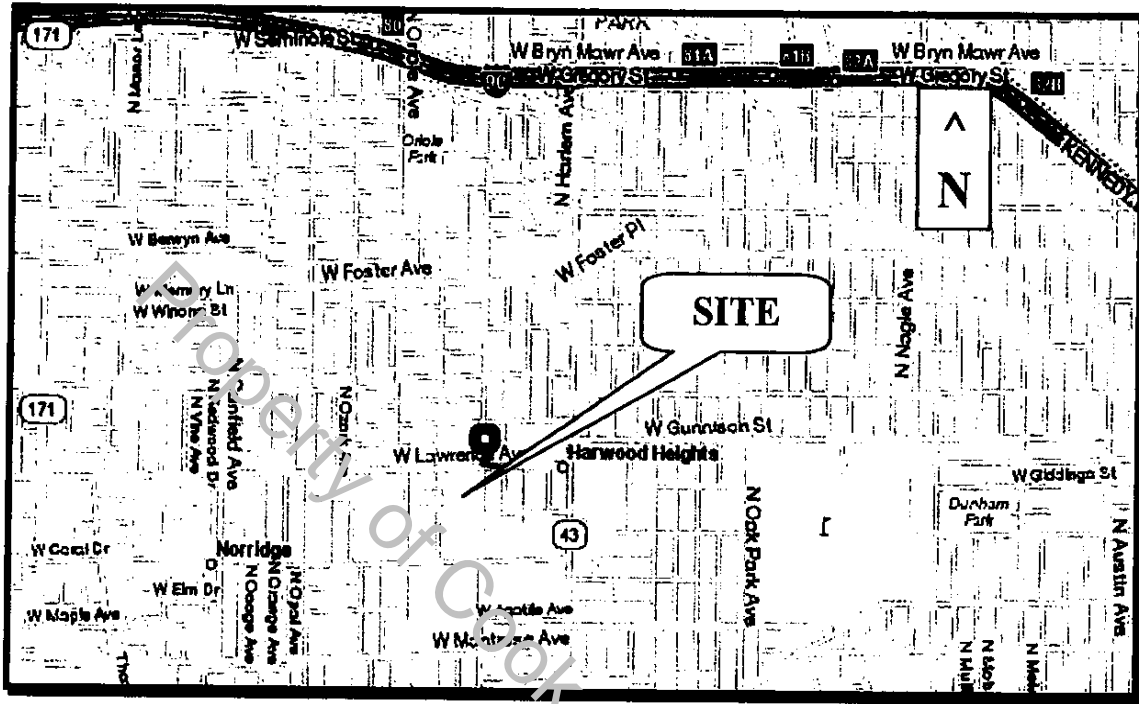
- Existing roadway conditions including traffic volumes for the weekday morning, weekday evening, and Saturday midday peak hours
- A detailed description of the proposed development
- Vehicle trip generation for the proposed development
- Directional distribution of development-generated traffic
- Future transportation conditions including access to and from the site

Traffic capacity analyses were conducted for the weekday morning, weekday evening, and Saturday midday peak hours for the following two conditions.

1. Existing Condition - Analyzes the capacity of the existing roadway system using existing traffic volumes in the surrounding area.
2. Future Condition - This condition projects traffic to Year 2017, which represents construction plus five years. Included in the future condition are the existing traffic volumes increased by a regional growth factor in addition to the traffic estimated to be generated by the proposed Mariano's.

¹ The outline of the site area shown in Figure 2 is intended for illustrative purposes only.

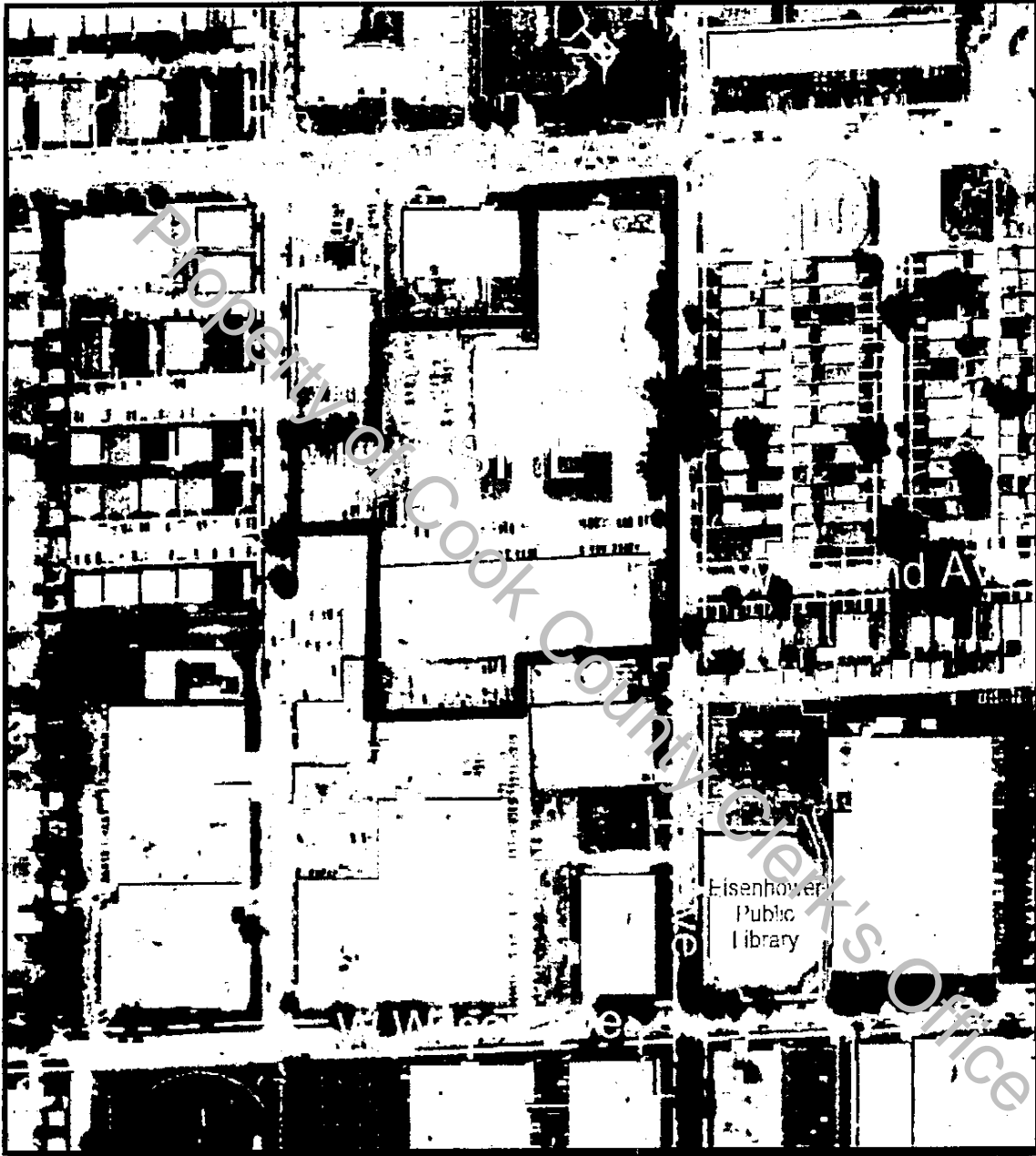
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Site Location

Figure 1

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Aerial View of Site Location²

Figure 2

² The outline of the site area shown in Figure 2 is intended for illustrative purposes only.

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The purpose of this study was to examine existing traffic conditions, assess the impact that the proposed development would have on traffic conditions in the area and determine what additional, if any, geometric and traffic control improvements are necessary to accommodate the projected conditions.

Existing Conditions

Existing traffic and roadway conditions were documented based on field visits and traffic counts conducted by KJLOA, Inc. The following provides a detailed description of the physical characteristics of the roadways including geometry and traffic control, adjacent land uses and peak hour traffic flows along area roadways.

Existing Roadway System Characteristic

The characteristics of the existing streets that surround the proposed development are illustrated in **Figure 3** and described below.

Lawrence Avenue

Lawrence Avenue provides two through lanes in each direction with a center lane providing storage for left-turning movements. Lawrence Avenue is signalized at its intersection with Oketo Avenue and is under freeflow conditions at its intersection with Olcott Avenue. The posted speed limit is 35 mph, and parking is permitted on both sides of the roadway east of Olcott Avenue. Lawrence Avenue is served by CTA Bus Route #21W. Bus stops for eastbound travel are provided on the near side of Olcott Avenue and the near side of Oketo Avenue. Bus stops for westbound travel are provided on the near side of the intersection at both Oketo Avenue and at Olcott Avenue. Lawrence Avenue is under the jurisdiction of the Illinois Department of Transportation (IDOT).

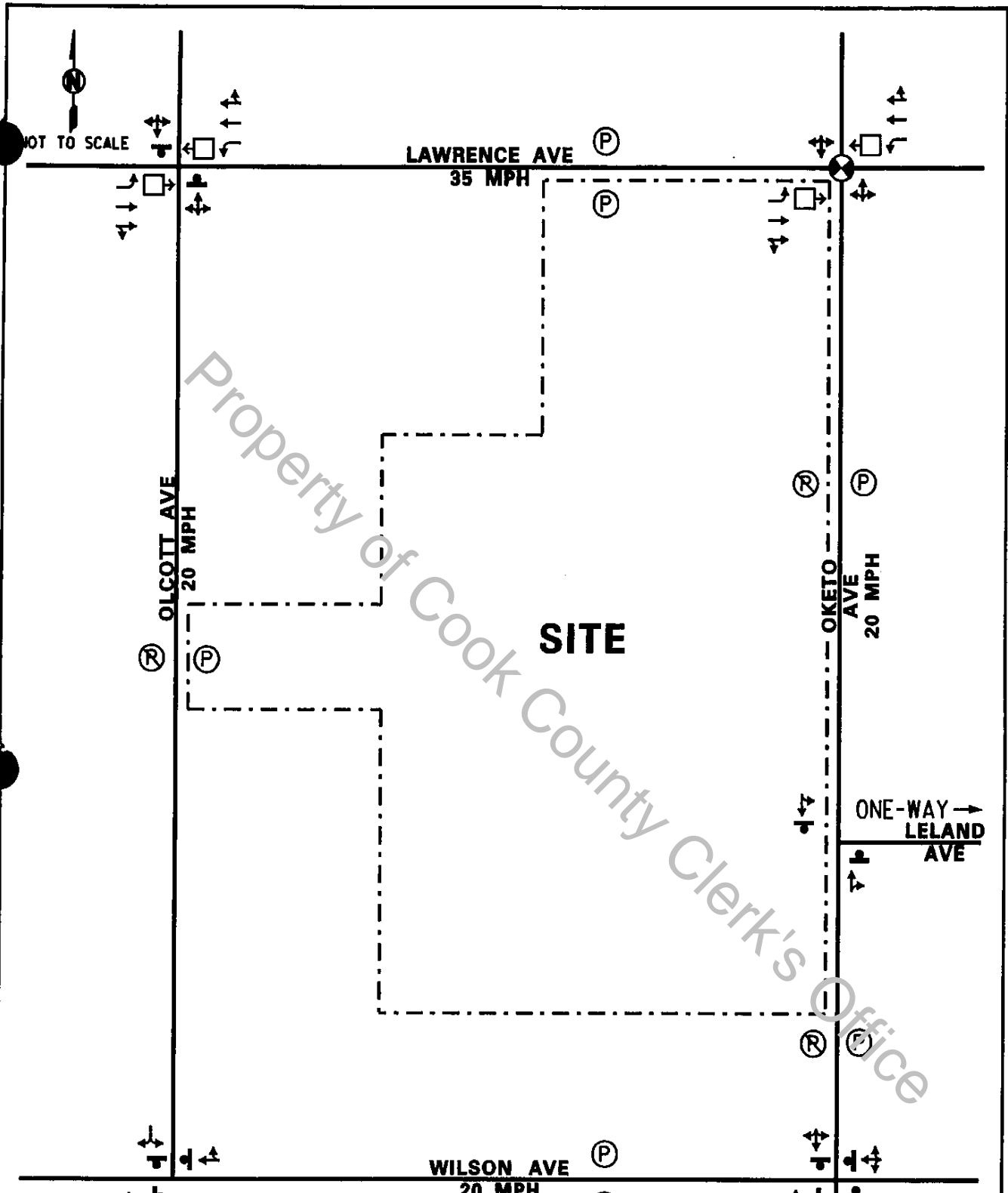
Oketo Avenue

Oketo Avenue provides one lane in each direction. At its signalized intersection with Lawrence Avenue, a single-lane is provided on both the north and south approaches to allow left, through, and right-turning vehicle movements. Right turns on red are not permitted. The posted speed limit is 20 mph. Parking is prohibited on the west side of the roadway, and is restricted to resident permits only on the east side of the roadway.

Olcott Avenue

Olcott Avenue provides one lane in each direction and is under stop sign control at its intersection with Lawrence Avenue. Parking is restricted on the west side of the roadway Monday through Friday from 8:00 AM to 5:00 PM. Parking is permitted on the east side of the roadway. The posted speed limit is 20 mph.

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LEGEND

- - TRAVEL LANE
- ⊗ - TRAFFIC SIGNAL
- ⊥ - STOP SIGN
- - BUS STOP
- Ⓟ - ON STREET PARKING
- Ⓡ - ON STREET PARKING PROHIBITED/RESTRICTED

<p>PROJECT: MARIANO'S HARWOOD HEIGHTS, ILLINOIS</p>	<p>TITLE: EXISTING ROADWAY CHARACTERISTICS</p>	<p>PROJECT NO: 11-201</p> <p style="text-align: center;">KLOAN</p> <p>FIGURE NO: 3</p>
--	---	---

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Wilson Avenue

Wilson Avenue provides one lane in each direction with single-lane approaches at its all-way stop intersection with Olcott Avenue and with Oketo Avenue. West of Oriole Avenue, which is one block west of Olcott Avenue, Wilson Avenue has a one-way eastbound orientation, thereby prohibiting westbound through movements west of Oriole Avenue. The posted speed limit is 20 mph. Parking is permitted on both sides of the roadway.

Surrounding Land Uses

The site is located within a commercial/industrial area. Residential homes are located on the east side of Oketo Avenue and south of Wilson Avenue. The Eisenhower Public Library is located on the northeast quadrant of the intersection of Oketo Avenue and Wilson Avenue, which is southeast of the proposed development. Access to the library is from a full access driveway on Oketo Avenue, just north of Wilson Avenue.

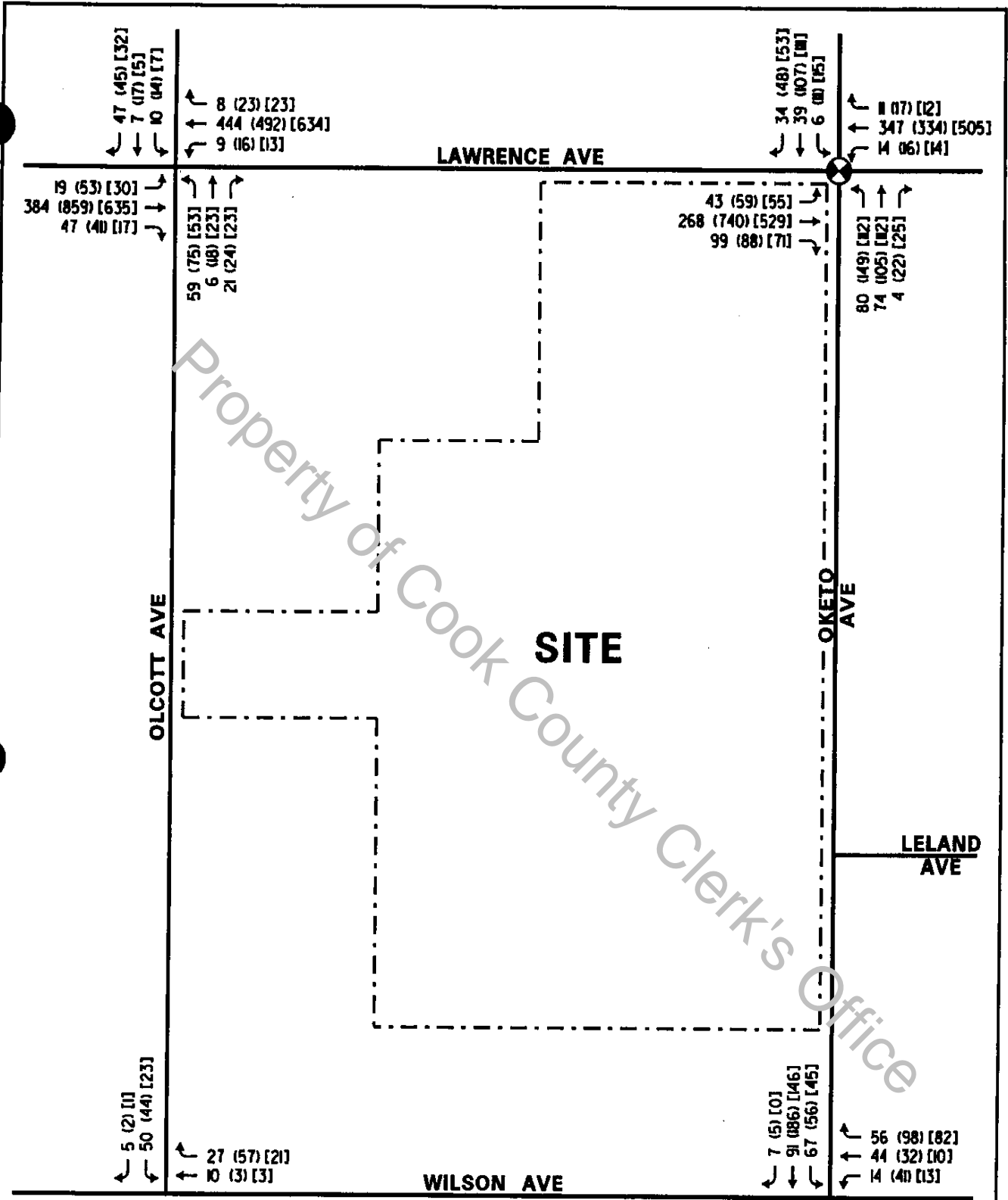
Existing Traffic Volumes

Manual turning movement traffic counts were conducted on Wednesday, January 11, 2012 during the weekday morning (7:00 to 9:00 A.M.) and the weekday evening (4:00 to 6:00 P.M.) and on Saturday, January 7, 2012 between 12:00 and 2:00 P.M. at the following four intersections.

1. Lawrence Avenue and Oketo Avenue (signalized)
2. Lawrence Avenue and Olcott Avenue (stop sign)
3. Olcott Avenue and Wilson Avenue (all-way stop sign)
4. Oketo Avenue and Wilson Avenue (all-way stop sign)

These manual turning movement counts were classified between passenger vehicles, heavy vehicles (i.e. trucks), and school buses. From the manual turning movement count data, it was determined that the weekday morning peak hour occurs between 7:15 and 8:15 A.M., the weekday evening peak hour occurs between 4:30 and 5:30 P.M., and the Saturday midday peak hour occurs between 12:15 and 1:15 P.M. These three respective peak hours will be used for the traffic capacity analyses which are presented later in this report. Heavy vehicles were low during the times recorded. Less than 3 school buses were counted on either Oketo Avenue or Olcott Avenue during the times recorded. Pedestrian activity was observed at the intersection of Oketo and Wilson Avenues due to the proximity of the public library. The other three intersections reported very low pedestrian volumes. The existing peak hour traffic volumes (both passenger vehicles and trucks combined) are shown in **Figure 4**.

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LEGEND

- TRAFFIC SIGNAL
- OO - WEEKDAY AM PEAK HOUR (7:15-8:15 AM)
- (OO) - WEEKDAY PM PEAK HOUR (4:30-5:30 PM)
- [OO] - SATURDAY MIDDAY PEAK HOUR (12:15-1:15 PM)



NOT TO SCALE

PROJECT: <p style="text-align: center;">MARIANO'S HARWOOD HEIGHTS, ILLINOIS</p>	TITLE: <p style="text-align: center;">EXISTING TRAFFIC VOLUMES</p>	PROJECT NO: <p style="text-align: center;">11-201</p>
		FIGURE NO: <p style="text-align: center;">4</p>

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Traffic Characteristics of the Mariano's Development

To evaluate the impact of the subject development on the area roadway system, it was necessary to quantify the number of vehicle trips the overall site will generate during the weekday morning, weekday evening, and Saturday midday peak hours and then determine the directions from which this traffic will approach and depart the site.

Proposed Site and Development Plan

The proposed 70,000 square-foot Mariano's Fresh Market building will be located at the south end of the site and will provide a parking capacity of approximately 382 parking spaces. The main customer access door will be located on the north face of the building. The customer parking lot will be located on the northern half of the site. All existing buildings/infrastructure improvements will be removed/replaced to accommodate this development. The current site plan dated January 16, 2012 is included in the Appendix of this report.

Site Access

The subject development proposes four full access driveways to serve the site:

North Access and Oketo Avenue

This full access will be located on Oketo Avenue, approximately 300 feet south of Lawrence Avenue. This access will serve as the main access since it is the first access driveway coming from Lawrence Avenue, in addition to providing immediate access to the general customer parking area. The driveway will be designed to provide one lane inbound and one lane outbound. Outbound movements will be under stop sign control. No roadway or traffic control improvements are proposed or recommended on Oketo Avenue to accommodate this access driveway.

South Access and Oketo Avenue

This full access will be located on Oketo Avenue, north of Leland Avenue. This access will continue west across the north face of the building. The access will be designed to provide one lane inbound and one lane outbound under stop sign control. No roadway or traffic control improvements are proposed or recommended on Oketo Avenue to accommodate this access driveway.

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It should be noted that although the access drive will be located adjacent to the main entry to the building where pedestrian activity and internal circulation and parking movements will be occurring, this should not have an adverse impact due to the following:

- Inbound vehicles will be entering the site at a low rate of speed as the posted speed limit is 20 mph on Oketo Avenue.
- This driveway will be serving a single land use, a grocery store, which typically has recurring customers that will be familiar with the site, as opposed to a retail center, that has various tenants and may attract drivers unfamiliar with the site.
- Adequate internal stacking is provided so that entering vehicles can access the parking lot without impeding internal circulation or cause delays on Oketo Avenue.
- Crosswalks and signage will be provided at the main customer entrance to the building.

Access and Olcott Avenue

This full access will be located on Olcott Avenue. Because this access will serve as the truck delivery access, the driveway will be wide enough to accommodate truck turning movements accessing the site. Outbound movements will be under stop sign control. No roadway or traffic control improvements are proposed or recommended on Olcott Avenue to accommodate this access driveway.

Service Access and Oketo Avenue

This full access will be located on Oketo Avenue, between Leland Avenue to the north and Wilson Avenue to the south, and will primarily be used for truck deliveries and employee access. As such, very low volumes of traffic are anticipated to use this driveway.

Access on Lawrence Avenue

It is important to note that access to Lawrence Avenue is not proposed/provided for the following reasons:

- Limited frontage on Lawrence Avenue
- Close proximity to the signalized intersection of Oketo Avenue
- Close proximity to the Harwood Heights Fire Station which has direct access onto Lawrence Avenue immediately west of the Mariano's property line.

Proposed Parking

The site proposes approximately 382 off-street parking spaces. Thirty-six of these spaces will be located in the rear (south) of the building to be used by employees. These thirty-six spaces are considered off-site and are provided by a perpetual easement and a separate agreement.

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Truck Route

Mariano's will receive daily truck deliveries. The truck docks are proposed to be located on the south face of the building. Smaller truck deliveries will occur primarily near the southwest section of the building.

- The semi-trailer trucks will enter the site via the proposed full access driveway on Olcott Avenue. When departing, the truck will pull out onto Oketo Avenue via the proposed full access service driveway. The truck will travel south to Wilson Avenue and then travel eastbound toward the signalized intersection at Harlem Avenue. This proposed one-way truck path for the semi-trailer trucks minimizes the impact on the surrounding roadway network, particularly to the nearby residential homes and the public library since the trucks will be travelling on the west side of Oketo Avenue and the south side of Wilson Avenue (opposite sides of the roadway from the location of these respective land uses).
- The single-unit trucks will both enter and exit the site via the proposed full access on Olcott Avenue via Lawrence Avenue.
- If feasible, and in order to minimize the impact on the surrounding roadways and on the customer traffic, truck deliveries should be scheduled during the off-peak hours.

Directional Distribution of Site Traffic

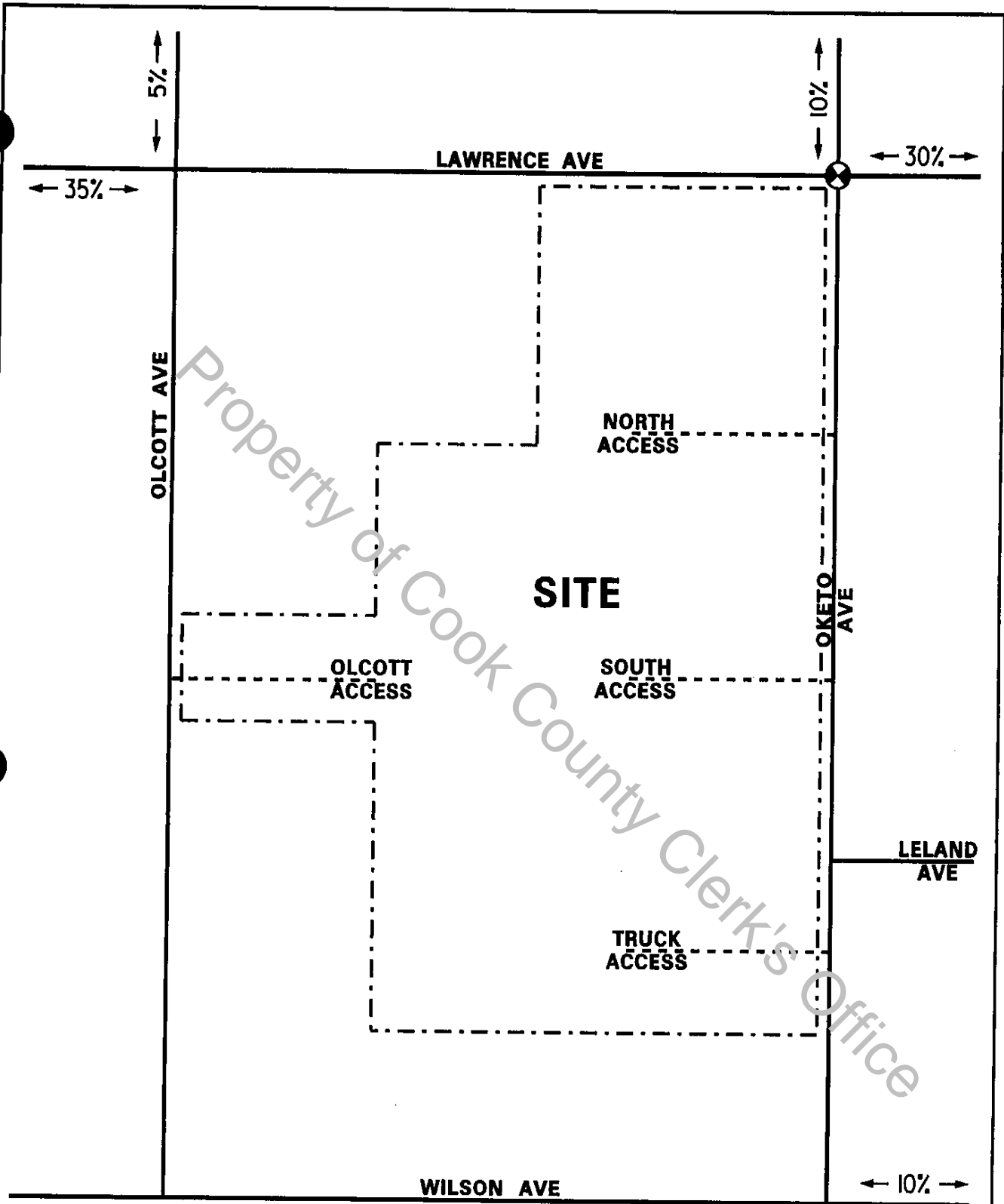
The directional distribution of how traffic will approach and depart the site was estimated based on a combination of existing travel patterns, the direction/location of nearby residential neighborhoods, similar-type land uses, the location of the proposed access driveways serving the development, and the existing roadway characteristics and traffic controls. The directional distribution established is illustrated in **Figure 5**.

Site Traffic Generation

The estimates of traffic to be generated by the site are based upon the proposed land use type and size. The volume of traffic generated was estimated using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 8th Edition.

Table 1 tabulates the total trips anticipated from the Mariano's Fresh Market for the weekday morning, weekday evening, and Saturday midday peak hours.

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LEGEND

- ⊗ - TRAFFIC SIGNAL
- 00 - WEEKDAY AM PEAK HOUR (7:15-8:15 AM)
- (00) - WEEKDAY PM PEAK HOUR (4:30-5:30 PM)
- [00] - SATURDAY MIDDAY PEAK HOUR (12:15-1:15 PM)



NOT TO SCALE

PROJECT: MARIANO'S HARWOOD HEIGHTS, ILLINOIS	TITLE: ESTIMATED DIRECTIONAL DISTRIBUTION	PROJECT NO: 11-201 FIGURE NO: 5
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Table 1
ESTIMATED SITE TRAFFIC VOLUMES

ITE Land- Use Code	Type/Size	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Saturday Midday Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
850	Grocery Store – 70,000 s.f.	155	95	250	355	340	695	390	370	760

As shown in Table 1, the development is estimated to generate approximately 250 two-way vehicle trips during the weekday morning peak hour, 695 two-way vehicle trips during the weekday evening peak hour, and approximately 760 two-way vehicle trips during the Saturday midday peak hour.

It is important to note that the Mariano's will attract pass-by trips, which are those vehicles already on the roadway and may stop at this land use while enroute to another destination (i.e. home or work). A pass-by reduction up to 20 percent is typically applied. However, to provide for a conservative study, pass-by trips were not considered when analyzing projected traffic conditions.

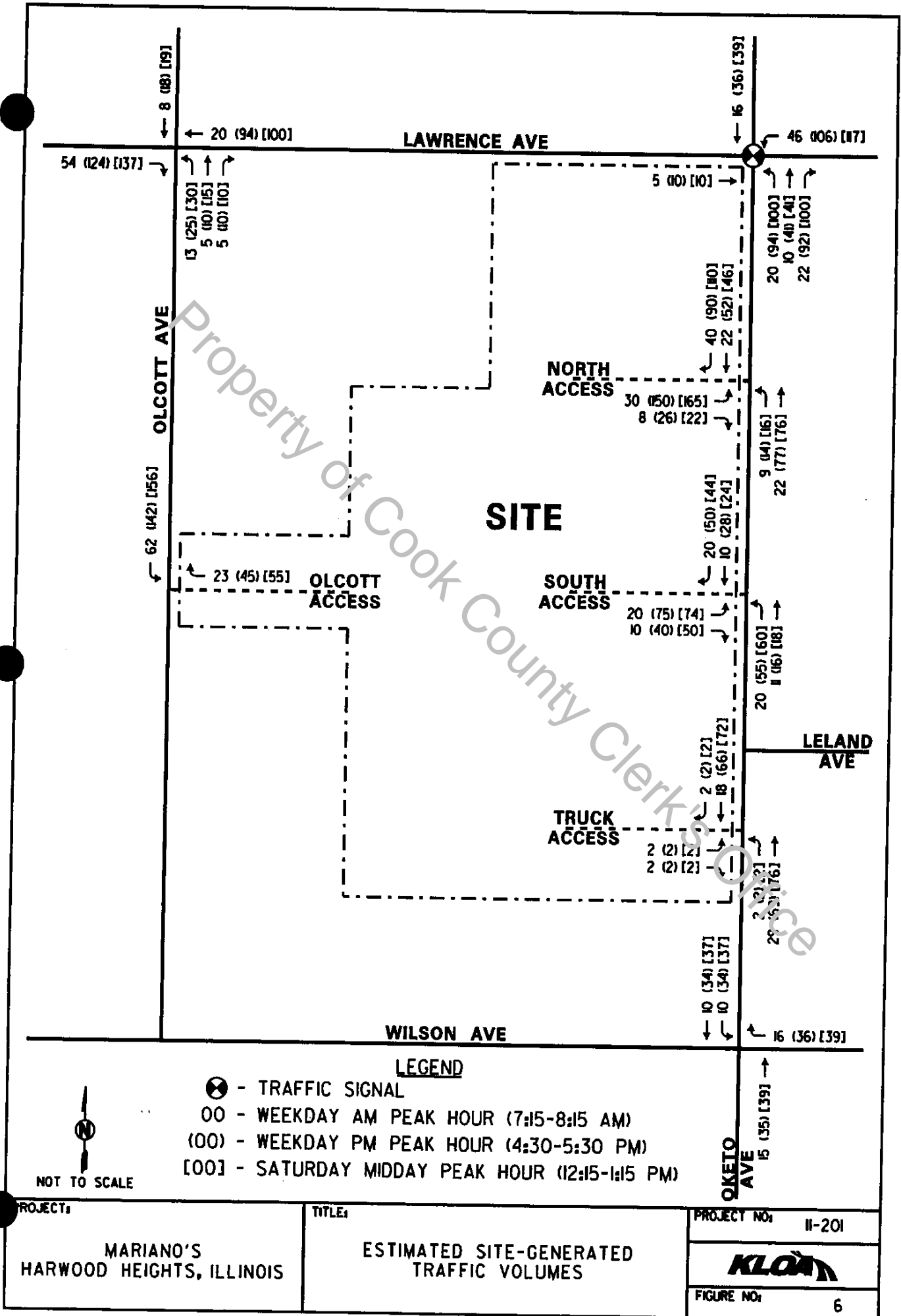
Site Traffic Assignment

The peak hour traffic volumes projected to be generated by the proposed Mariano's development (refer to Table 1) were assigned to the area roadways based on the directional distribution analysis (Figure 5) and the proposed access driveways. Figure 6 shows the assignment of peak hour traffic volumes estimated to be generated by the proposed development.

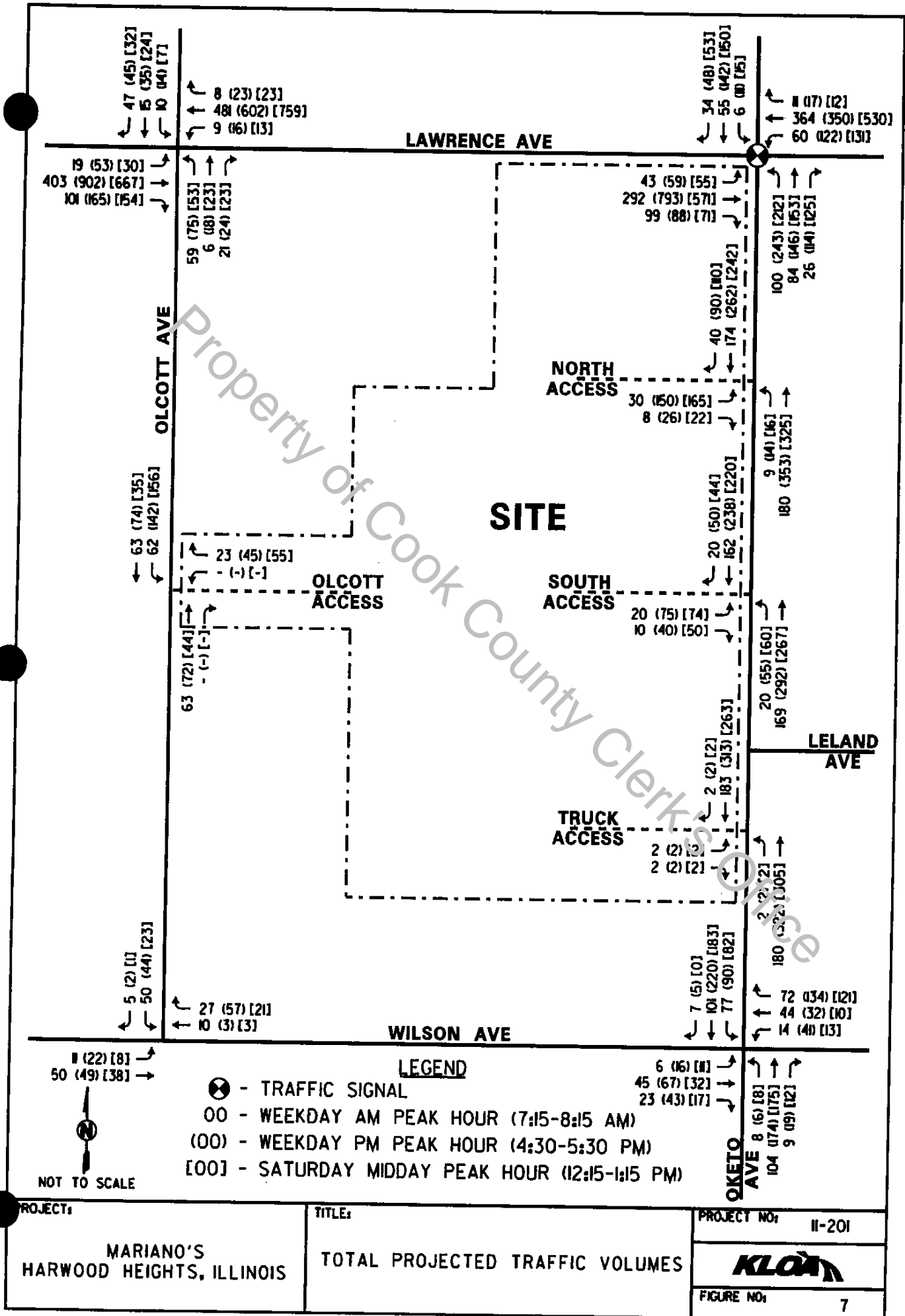
Total Projected Traffic Conditions

Traffic was projected to Year 2017 conditions, which assumes five years beyond the buildout of the proposed development. Future traffic volumes include the existing peak hour traffic volumes on Lawrence Avenue increased by a regional growth factor plus the peak hour traffic volumes generated by the proposed development. These projected traffic volumes are shown in Figure 7.

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PROJECT: **MARIANO'S HARWOOD HEIGHTS, ILLINOIS**

TITLE: **TOTAL PROJECTED TRAFFIC VOLUMES**

PROJECT NO: **11-201**

KLOM

FIGURE NO: **7**

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Traffic Evaluation

The following provides an evaluation conducted for the weekday morning, weekday evening, and Saturday midday peak hour periods. The analysis includes conducting capacity analyses to provide an indication of how well the roadway facilities serve the anticipated traffic demands placed upon them. The primary focus of the analyses is to determine the roadway and traffic control improvements needed on the existing adjacent roadways to accommodate the site-generated traffic and the background growth in traffic for future conditions.

Traffic Analyses

Roadway and adjacent or nearby intersection analyses were performed for the weekday morning, weekday evening, and Saturday midday peak hour periods for both the existing and future (Year 2017) conditions.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM), 2000*.

The analysis for the traffic-signal controlled intersections were accomplished using existing cycle lengths recorded in the field to determine the average overall vehicle delay, volume-to-capacity ratios, and levels of service.

The analyses for the unsignalized intersections determine the average control delay to vehicles at an intersection. Control delay is the elapsed time from a vehicle joining the queue at a stop sign (includes the time required to decelerate to a stop) until its departure from the stop sign and resumption of free flow speed. The methodology analyzes each intersection approach controlled by a stop sign and considers traffic volumes on all approaches and lane characteristics.

The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection. The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are shown in **Table 2**.

Summaries of the traffic analysis results showing the LOS and overall intersection delay (measured in seconds) for existing conditions (Figure 4) and future projected conditions (Figure 7) are presented in **Table 3**, and **Table 4**, respectively. A discussion of the intersections follows.

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Table 2
LEVEL OF SERVICE CRITERIA

Signalized Intersections

Level of Service	Interpretation	Average Control Delay (seconds per vehicle)
A	Very short delay, with extremely favorable progression. Most vehicles arrive during the green phase and do not stop at all.	≤ 10
B	Good progression, with more vehicles stopping than for Level of Service A causing higher levels of average delay.	> 10 - 20
C	Light congestion, with individual cycle failures beginning to appear. Number of vehicles stopping is significant at this level.	> 20 - 35
D	Congestion is more noticeable, with longer delays resulting from combinations of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop, and the proportion of vehicles not stopping declines.	> 35 - 55
E	High delays result from poor progression, high cycle lengths, and high V/C ratios.	> 55 - 80
F	Unacceptable delays occurring, with oversaturation.	> 80

Unsignalized Intersections

Level of Service	Average Control Delay (seconds per vehicle)
A	0 - 10
B	> 10 - 15
C	> 15 - 25
D	> 25 - 35
E	> 35 - 50
F	> 50

Source: *Highway Capacity Manual*, 2000.

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Table 3
CAPACITY ANALYSES RESULTS—EXISTING CONDITIONS

Intersection	Weekday A.M. Peak Hour	Weekday P.M. Peak Hour	Saturday Midday Peak Hour
	LOS – Delay	LOS – Delay	LOS – Delay
Oketo Avenue and Lawrence Avenue (signalized)	C – 20.7	C – 27.0	C – 23.7
Olcott Avenue and Lawrence Avenue (stop sign)	B – 14.4	E – 36.1	C – 22.0
Oketo Avenue and Wilson Avenue (all-way stop)	A – 8.4	B – 10.0	A – 8.7
Olcott Avenue and Wilson Avenue (all-way stop)	A – 7.4	A – 7.3	A – 7.1

LOS = Level of Service
Delay is measured in seconds.
NBA = Northbound approach
LOS represents the intersection as a whole for both signalized and all-way stop sign-controlled intersections; for two-way stop sign-controlled intersections, the LOS represents the minor approach.
Delay is measured in seconds.

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Table 4

CAPACITY ANALYSES RESULTS—FUTURE CONDITIONS

Intersection	Weekday A.M. Peak Hour	Weekday P.M. Peak Hour	Saturday Midday Peak Hour
	LOS – Delay	LOS – Delay	LOS – Delay
Oketo Avenue and Lawrence Avenue (signalized)	C – 21.1	F – 92.4	F – 84.5
	C – 20.4 (NBL)	C – 29.7 (NBL)	C – 25.7 (NBL)
Olcott Avenue and Lawrence Avenue (stop sign)	C – 18.3	F > 60.0	F – 50.3
Oketo Avenue and Wilson Avenue (all-way stop)	A – 8.7	B – 11.6	A – 9.8
Olcott Avenue and Wilson Avenue (all-way stop)	A – 7.4	A – 7.3	A – 7.1
North Access and Oketo Avenue (stop sign)	B – 11.1	C – 20.3	C – 20.3
South Access and Oketo Avenue (stop sign)	B – 10.7	C – 15.3	B – 14.6
Access and Olcott Avenue (stop sign)	A – 8.8	A – 8.9	A – 8.8
Truck Access and Oketo Avenue (stop sign)	B – 10.1	B – 11.9	B – 11.3

LOS = Level of Service

Delay is measured in seconds.

NBA = Northbound approach

LOS represents the intersection as a whole for both signalized and all-way stop sign-controlled intersections; for two-way stop sign-controlled intersections, the LOS represents the minor approach.

Delay is measured in seconds.

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Discussion and Recommendations

Recommended roadway and traffic control improvements are identified below.

Oketo Avenue and Lawrence Avenue

This intersection currently operates at an overall acceptable level of service and delay, but has a lengthy northbound queue during the weekday evening peak hour. This is primarily due to the single-lane approach provided on Oketo at its intersection with Lawrence Avenue. Field observations during peak periods show that northbound to westbound left-turning vehicles tend to line up close to the centerline allowing northbound through and right-turning movements to "slip-by". With the addition of the traffic proposed by the Mariano's coupled with the regional growth in through traffic on Lawrence Avenue, the northbound queue will be further extended and will spillback past the proposed North Access serving the site. It is recommended that a northbound left-turn lane be striped on Oketo Avenue to separate the left-turn movements. The future analysis was conducted assuming both existing geometric conditions and the inclusion of a northbound left-turn lane. As the results show in Table 4, with the inclusion of a northbound left-turn lane on Oketo Avenue, the intersection level of service and overall delay for future conditions will operate at a similar, if not better level of service/delay than under current conditions. Further, as a result of the separate northbound left-turn lane, the northbound queue will be shortened, allowing better flow of traffic on Oketo Avenue. Traffic signal modifications are not needed to accommodate this northbound left-turn lane. From an aerial, it appears there is sufficient pavement width on Oketo Avenue to provide a separate northbound left-turn lane.

The future analyses also show that the existing westbound left-turn lane on Lawrence Avenue will be sufficient to accommodate the additional traffic expected with the proposed development. As such, no geometric improvements are recommended on Lawrence Avenue in conjunction with this proposed development.

Olcott Avenue and Lawrence Avenue

This intersection operates as a typical intersection where a minor roadway intersects a major roadway under stop sign control. It is important to note that the capacity analysis software does not consider the benefit of the traffic signal at Oketo Avenue and the traffic signal to the west at Overhill Avenue which effectively platoon the through traffic on Lawrence Avenue thereby creating gaps in traffic for outbound turning movements from Olcott Avenue onto Lawrence Avenue. It is expected that most of the exiting Mariano's traffic wanting to travel westbound on Lawrence Avenue will utilize the existing traffic signal at Oketo Avenue. No geometric or traffic control improvements are recommended at this intersection in conjunction with the proposed development.

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Oketo Avenue and Wilson Avenue

This all-way stop sign-controlled intersection will continue operating at an acceptable level of service/delay with the anticipated projected traffic conditions. As a result, no geometric or traffic control improvements are recommended at this intersection in conjunction with the proposed development.

Olcott Avenue and Wilson Avenue

This all-way stop sign-controlled intersection will continue to operate at an overall acceptable level of service. As such, no roadway or traffic control improvements are needed in conjunction with this proposed development.

North Access Driveway and Oketo Avenue

This proposed access driveway will provide one lane inbound and one lane outbound under stop sign control. The capacity analyses show that this driveway will operate at an acceptable level of service. Therefore, no further improvements are recommended to the driveway and no geometric or traffic control improvements are needed on Oketo Avenue.

South Access Driveway and Oketo Avenue

This proposed access driveway will provide one lane inbound and one lane outbound under stop sign control. The capacity analyses show that this driveway will operate at an acceptable level of service. Therefore, no further improvements are recommended to the driveway and no geometric or traffic control improvements are needed on Oketo Avenue.

Truck Access Driveway and Oketo Avenue

This proposed access driveway will provide one lane inbound and one lane outbound under stop sign control. The capacity analyses show that this driveway will operate at an acceptable level of service. Therefore, no further improvements are recommended to the driveway and no geometric or traffic control improvements are needed on Oketo Avenue.

Access Driveway and Olcott Avenue

This proposed access driveway will provide one lane inbound and two lanes outbound under stop sign control. The capacity analyses show that this driveway will operate at an acceptable level of service. Therefore, no further improvements are recommended to the driveway and no geometric or traffic control improvements are needed on Olcott Avenue.

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Conclusion

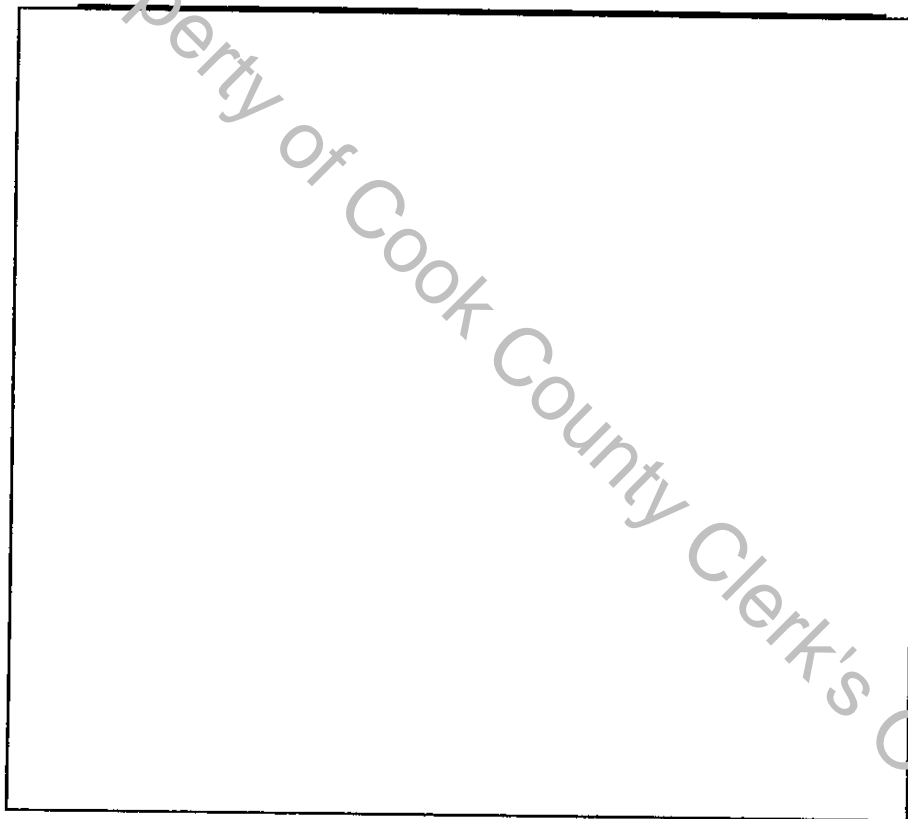
The traffic generated by the proposed Mariano's development and the increase in traffic related to regional growth can be accommodated by the surrounding roadway network provided the recommended roadway and driveway access improvements for future conditions noted in this report are implemented.

Below is a summary of the findings and conclusions of this traffic study.

- The development proposes an approximate 70,000 square feet Mariano's grocery store
- The Mariano's site will provide approximately 382 off-street parking spaces.
- Access to the Mariano's grocery store will be from three full access driveways on Oketo Avenue and a full access driveway on Olcott Avenue.
- The truck docks are proposed to be located on the south face of the building. The semi-trailer and single-unit trucks will enter the site via the proposed full access on Olcott Avenue. The semi-trailer trucks will continue eastbound to Oketo Avenue via the truck access driveway and proceed east to the signalized intersection of Wilson Avenue and Harlem Avenue. All other trucks will exit to Lawrence Avenue via the Olcott Avenue access driveway.
- Truck deliveries should be scheduled during the off-peak hours, if feasible, in order to minimize the impact on the surrounding roadways and school buses, and on the customer traffic.
- Future traffic projections include the existing traffic volumes increased by a regional growth factor and the traffic estimated to be generated by the proposed Mariano's.
- The study examined the weekday morning, weekday evening, and Saturday midday peak hour periods.
- A northbound left-turn lane on Oketo Avenue at its signalized intersection with Lawrence Avenue is proposed to separate the northbound to westbound left-turn movements from the northbound through or right-turn movements. The inclusion of this northbound left-turn lane will improve the projected level of service and overall delay at this intersection, and help reduce the northbound queuing on Oketo Avenue at Lawrence Avenue.
- No geometric improvements are proposed on Oketo Avenue or on Olcott Avenue at their respective intersections with the access driveways proposed with this development.

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Technical Appendix Mariano's Development Harwood Heights, Illinois





Submitted by:



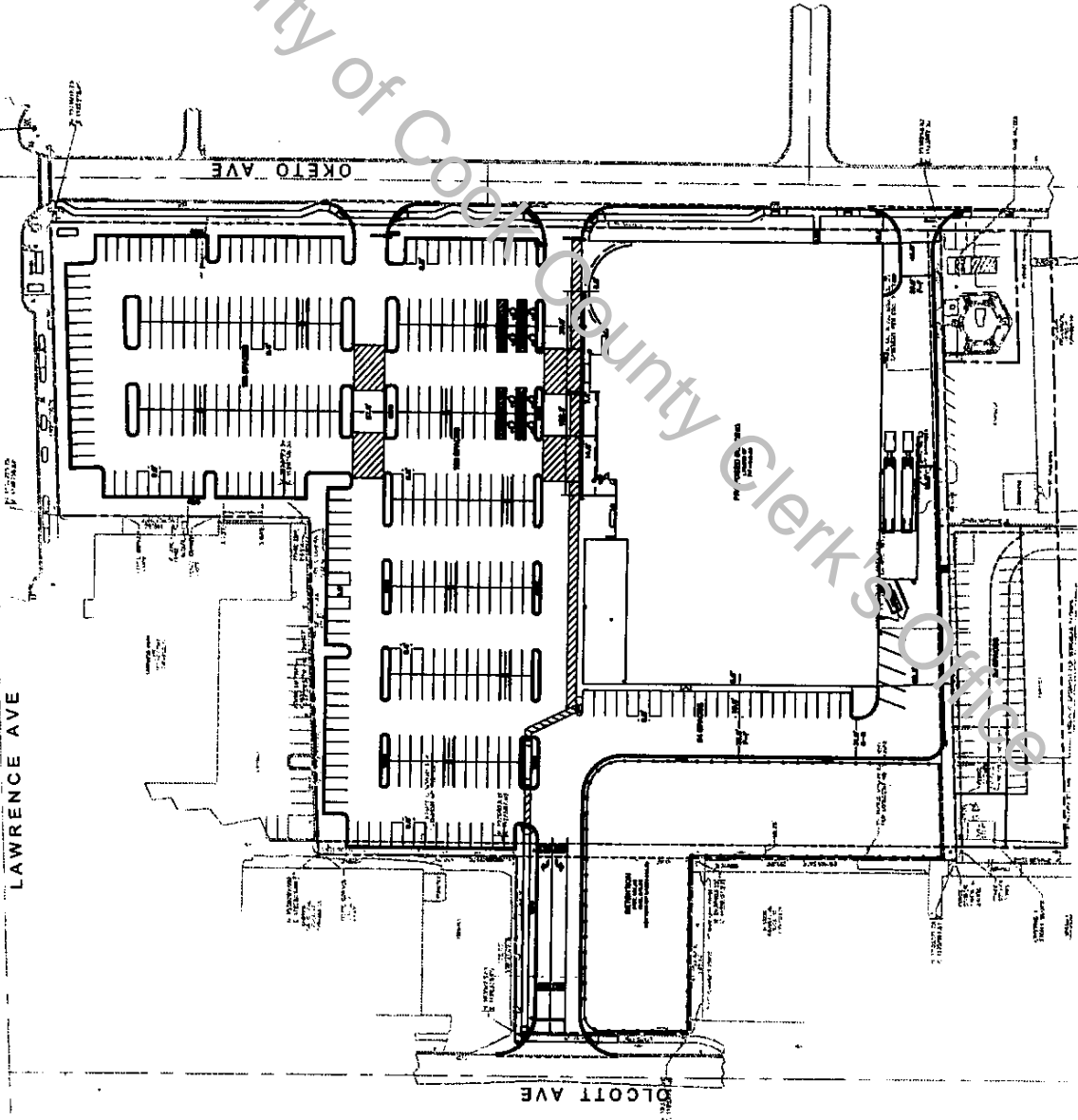
Kenig, Lindgren, O'Hara, Aboona, Inc.

January 17, 2012

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 <p>Kimley-Horn and Associates, Inc. 1000 North 17th Street, Suite 200 Raleigh, NC 27601 Phone: 919-876-7000 Fax: 919-876-7001 www.kimley-horn.com</p>	SHEET NO. 100 DATE:	PROJECT NO. 100 DATE:		MARIANO'S FRESH MARKET SITE PLAN EXHIBIT	HAMMOCK HEIGHTS, L
	REVISIONS:	NO.	DATE:	DATE:	DATE:

PARKING SUMMARY
 TOTAL SPACES = 362
 REGULAR STALLS = 322
 CART CORRAL STALLS = 16
 ACCESSIBLE STALLS = 6
 OFFSITE PARKING STALLS = 36
 *INCLUDES OFFSITE EMPLOYEE PARKING ON SOUTH PARCEL



EXT1