

# UNOFFICIAL COPY



1417650039

## NOTICE OF APPROVAL

An ordinance granting a special use permit to allow truck and freight transportation services at 7400 Niles Center Road, Skokie, Illinois, in an M1 Office Assembly Industry district was approved by the Board of Trustees of the Village of Skokie on May 19, 2014.

The approval granted is shown on the document attached hereto, marked Exhibit "1" and hereby made a part of this Notice of Approval.

Doc#: 1417650039 Fee: \$48.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 06/25/2014 12:59 PM Pg: 1 of 6

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

## OWNER'S CERTIFICATION

The undersigned, being the owner or duly authorized representative of the owner, of the real estate commonly known as **7400 Niles Center Road, Skokie, Illinois** and legally described in Exhibit "1" attached hereto and hereby made a part of this Notice of Approval certifies that such Notice is true and correct and accepts and approves all of the provisions and conditions set forth in Exhibit "1", attached hereto.

Dated this 4<sup>th</sup> day of June, 2014.

7400 Niles Center Road, LLC

*Kevin Richards*  
Signature

Kevin Richards  
Print name

Manager  
Title

7400 Niles Center LLC  
Company

~~31800~~ Pittsburg Dr  
Address

Delaware OH 43015  
City, State, Zip

312 497 3522  
Phone Number

Plan Commission Case Number 2014-2P  
Special Use Permit Number 462.01  
Village Ordinance Number 14-5-Z- 4060

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## Exhibit 1

MML: \*5/19/14  
 PC: 2014-2P  
 SUP: 462.01

THIS ORDINANCE MAY BE CITED AS  
 VILLAGE ORDINANCE NUMBER

14-5-Z-4060

### **AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW TRUCK AND FREIGHT TRANSPORTATION SERVICES AT 7400 NILES CENTER ROAD, SKOKIE, ILLINOIS IN AN M1 OFFICE ASSEMBLY INDUSTRY DISTRICT**

1 **WHEREAS** the owner of the following described real property, 7400 Niles Center Road  
 2 LLC (hereinafter "Petitioner"):

3 THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 28,  
 4 TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN,  
 5 LYING WESTERLY OF THE CENTER LINE OF CARPENTER ROAD AND LYING  
 6 BETWEEN THE SOUTH LINE OF METROPOLITAN'S HOWARD-LARAMIE GARDENS,  
 7 ACCORDING TO PLAT THEREOF RECORDED JULY 23, 1926, AND A LINE DRAWN  
 8 603.50 FEET SOUTH, PARALLEL WITH AND MEASURED AT RIGHT ANGLES TO THE  
 9 SOUTH LINE OF METROPOLITAN'S HOWARD-LARAMIE GARDENS, (EXCEPTING  
 10 THEREFROM THE NORTH 250.0 FEET THEREOF, AND EXCEPT THE EASTERLY 50.0  
 11 FEET THEREOF TAKEN FOR NILES CENTER ROAD), ALSO LOT 24 (EXCEPT THAT  
 12 PART OF SAID LOT LYING EAST OF A LINE 50.0 FEET WESTERLY, MEASURED AT  
 13 RIGHT ANGLES THEREOF OF THE CENTER LINE OF CARPENTER ROAD) IN  
 14 COUNTY CLERK'S DIVISION OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 13,  
 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT OWNERS SUBDIVISION IN  
 16 THE WEST HALF OF THE SOUTHWEST QUARTER), IN COOK COUNTY, ILLINOIS.

17 PINS: 10-28-313-003-0000, 10-28-313-030-0000

18 more commonly described as 7400-7410 Niles Center Road, Skokie, Illinois (the "Subject  
 19 Property"), petitioned the Village of Skokie, on behalf of STI Moving & Storage, Inc. (hereinafter  
 20 "STI"), for a special use permit to allow truck and freight transportation services in an M1 Office  
 21 Assembly Industry district located at 7400 Niles Center Road (hereinafter "Subject Site"); and

22 **WHEREAS**, STI currently operates a 2,500 square foot office within the southeast portion  
 23 of the existing multi-tenant building and a 16,000 square foot warehouse within the northwestern  
 24 portion of the building. An overhead door provides access to the warehouse and there are two  
 25 designated truck docks on the east side of the building; and

26 **WHEREAS**, STI's office hours of operation are 9:00 AM to 6:00 PM, Monday through  
 27 Friday. The business employs 24 regular employees and up to 11 additional seasonal moving staff  
 28 during peak summer months. Ten STI employees typically drive their vehicles to work daily and  
 29 the remaining employees either take public transportation or ride their bicycles to work; and

30 **WHEREAS**, the parking requirement for the entire Subject Property is 58 vehicle parking  
 31 spaces, of which STI's required parking, as determined by the Plan Commission, is 29 vehicle  
 32 spaces and 3 bicycle spaces. Two 48-foot trucks and six 24-foot trucks are currently parked

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1 overnight on the Subject Property while 6 trucks are parked off-site. Since the Subject Property  
2 provides a total of 87 vehicle spaces, the parking requirement for all tenants is met; and

3 **WHEREAS**, at the Skokie Plan Commission public hearing duly held on March 6, 2014, no  
4 interested parties appeared. There was a discussion involving Petitioner, staff and commissioners  
5 regarding the parking of trucks and the Plan Commission directed that an additional condition be  
6 added to restrict the parking of moving trucks east of the front wall of the building; and

7 **WHEREAS**, the Petitioner objected to one of the conditions which would have eliminated  
8 parking spaces from the circular drive in front of the building. Village staff stated that condition  
9 would be reexamined; and

10 **WHEREAS**, subsequent to all testimony and discussion, the Skokie Plan Commission, (i)  
11 determined that proper legal notice had been achieved, (ii) made the appropriate findings of fact as  
12 required under Section 118-6(f) of the Skokie Village Code and (iii) voted to recommend to the  
13 Mayor and Board of Trustees that the requested special use permit be granted subject to the  
14 conditions contained in the Plan Commission Report dated April 23, 2014; and

15 **WHEREAS**, subsequent to the Plan Commission Hearing, the Engineering Division re-  
16 inspected the Subject Property and amended their recommendation to allow the two parking  
17 spaces on the circular drive to remain, which is reflected in the Plan Commission Report dated  
18 April 23, 2014; and

19 **WHEREAS**, the Mayor and Board of Trustees, at a public meeting duly held on April 23,  
20 2014, concurred in the aforesaid recommendations and findings of fact of the Skokie Plan  
21 Commission;

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

24 **Section 1:** That the special use permit requested by the petitioner to allow truck and  
25 freight transportation services at the Subject Site, described above and commonly known as 7400  
26 Niles Center Road, Skokie, Illinois, in an M1 Office Assembly Industrial district, be and the same is  
27 hereby granted and approved subject to each of the conditions set forth below:

- 28 1. Prior to the issuance of an occupancy permit, the petitioner must:
- 29 A. Remove the "Edler & Co." signage above the entrance to 7400 Niles Center  
30 Road,
  - 31 B. Remove all Hotline Sales Corp. signage from the property,
  - 32 C. Place address numbers which refer to the respective businesses that they provide  
33 access to at all points of entry to the building. The address numbers must be no  
34 less than 4 inches in height and contrast with the surface onto which they are  
35 applied,
  - 36 D. Provide a minimum of 3 bicycle parking spaces within 40 feet of the front entrance  
37 to the business in compliance with §118-221 and §118-222 of the Skokie Village  
38 Code,
  - 39 E. Patch, sealcoat, and restripe the parking lot on the north side of the building and  
40 the driveway and the parking lot on the east side of the building.

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- 1 F. Remove all dumpsters, propane cages, wooden pallets, and debris from parking  
2 spaces on the subject site;
- 3 2. Moving trucks that are parked in the driveway on the west side of the building  
4 shall not obstruct any emergency exit doors. An unobstructed one-way  
5 northbound drive lane shall be maintained at all times;
- 6 3. Moving trucks shall not be permitted to park to the east of the front wall of the  
7 building;
- 8 4. The propane storage racks that are used by the tenants at 7410 Niles Center  
9 Road must be protected by safety barriers that meet local and state code  
10 requirements;
- 11 5. The petitioner shall give the Village the rights to enter the subject site to study and  
12 install storm water controls, such as a barrier curb, at the Village's expense;
- 13 6. The petitioners must develop the Subject Property in substantial conformance  
14 with the final Village approved site plan, dated April 9, 2014, and landscape plan,  
15 dated April 9, 2014;
- 16 7. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas,  
17 signage, landscaping, structures, and any other facilities or infrastructure on the  
18 Subject Property must be maintained in a good state of repair, and when needed,  
19 be repaired or replaced in a timely manner;
- 20 8. Parking lot and exterior lighting shall meet Illuminating Engineering Society of  
21 North America (IES) standards, be full cut-off design, and be directed away from  
22 adjacent properties, subject to the approval of the Engineering Division. All off-  
23 street parking spaces must be legibly striped and maintained;
- 24 9. All modifications to building elevations, signage, and landscaping shall be subject  
25 to the review and approval of the Skokie Appearance Commission;
- 26 10. The handicapped parking spaces shall be installed and maintained in compliance  
27 with State of Illinois Accessibility Standards and the Skokie Village Code, including  
28 required signage;
- 29 11. All signage must conform to the Skokie Village Code. Any sign on the Subject  
30 Property that is in violation of that Code must be removed or modified to conform  
31 with the Village Code prior to the issuance of an occupancy permit;
- 32 12. Vehicles shall not be allowed to be parked in or otherwise block common  
33 driveways, sidewalks, aisles, or other points of access at any time. shall only be  
34 parked in designated parking spaces, and shall not overlap the striped lines of  
35 designated parking spaces. All private and public sidewalks must be maintained  
36 free of snow, ice, sleet, or other objects that may impede travel;
- 37 13. No required parking space on the site may be for the exclusive use of any tenant;
- 38 14. All objects and landscaping within a 15-foot sight distance triangle shall not  
39 exceed 30 inches in height, except traffic control devices listed in the Manual on  
40 Uniform Traffic Control Devices;
- 41 15. All new construction, alterations, and remodeling shall meet current International  
42 Building and NFPA Life Safety Codes as amended;
- 43 16. Prior to the issuance of building permits, the petitioners must submit to the

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1 Planning Division of the Community Development Department the name, address,  
2 and telephone number of the company and contact person responsible for site  
3 maintenance in compliance with the special use permit;

- 4 17. If work is to be performed on public property or if public property is utilized or  
5 impacted during construction and/or development, the owner shall provide, or  
6 shall cause the developer and/or contractor to provide, the Village of Skokie with  
7 a certificate of insurance naming the Village of Skokie as additionally insured for  
8 any and all claims related to any and all work. The owner shall hold, and shall  
9 cause the developer and/or contractor to hold, the Village of Skokie harmless and  
10 indemnify the Village for any and all claims for property damage or personal injury  
11 related to work on or use of public property;
- 12 18. The petitioners shall comply with all Federal and State statutes, laws, rules and  
13 regulations and all Village codes, ordinances, rules, and regulations;
- 14 19. Failure to abide by any and all terms of this Ordinance shall be cause for the  
15 Village to initiate hearings to determine whether the subject Ordinance, as well as  
16 any applicable business licenses, should be revised or revoked; and
- 17 20. The petitioners shall pay all costs related to any hearings conducted as a result of  
18 non-compliance with any of the provisions of the enabling ordinance. The costs  
19 shall include but not be limited to court reporter fees, attorney fees, and staff time  
20 required researching and conducting said hearing.

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

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

**ADOPTED** this 19th day of May, 2014.

Ayes: 7 (Bromberg, Gray-Keeler, Klein, Roberts,  
Sutker, Ulrich, Van Dusen)  
Nays: 0  
Absent: 0

Attested and filed in my  
office this 20th day of  
May, 2014.

Pramod Shah  
Village Clerk

Pramod Shah  
Village Clerk

Approved by me this 19th day of  
May, 2014.

George Van Dusen  
Mayor, Village of Skokie

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STATE OF ILLINOIS)  
  )SS  
COUNTY OF COOK)

I, PRAMOD SHAH, DO HEREBY CERTIFY that I am the regularly elected and acting Clerk of the Village of Skokie, County of Cook and State of Illinois.

I DO FURTHER CERTIFY that the annexed and foregoing Ordinance is a true and correct copy of an Ordinance adopted by the Mayor and Board of Trustees of the Village of Skokie on the 19th day of May, 2014 by a vote of 7 Ayes, 0 Nays and 0 Absent; that said Ordinance adopted as aforesaid was deposited and filed in the Office of the Village Clerk on the 20th day of May, 2014, and was approved by the Mayor and Board of Trustees on the 19th day of May, 2014.

I DO FURTHER CERTIFY that the original, of which the foregoing is a true copy is entrusted to my care and safekeeping and I am the Keeper of the records, journals, entries, ordinances and resolutions.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Skokie this 20th day of May, 2014.

Skokie Village Clerk  
Cook County, Illinois

(seal)