

# UNOFFICIAL COPY



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Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 12/03/2015 12:51 PM Pg: 1 of 7

## NOTICE OF APPROVAL

An ordinance granting site plan approval for the construction and establishment of a three-lot planned development at 9333-9361 Skokie Boulevard, Skokie, Illinois in a B3 Business district was approved by the Board of Trustees of the Village of Skokie on November 16 2015. The approval granted is shown on the document attached hereto, marked Exhibit "1" and hereby made a part of this Notice of Approval.

**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 **9333-9361 Skokie Boulevard, 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 23rd day of November, 2015.

**Emerson Skokie Partners, LLC**

  
\_\_\_\_\_  
Signature

Ryan Levy  
\_\_\_\_\_  
Print name

Authorized Signer  
\_\_\_\_\_  
Title

Emerson Skokie Partners LLC  
\_\_\_\_\_  
Company

150 N Michigan Ave, Skokie, IL 60076  
\_\_\_\_\_  
Address

Chicago, IL 60601  
\_\_\_\_\_  
City, State, Zip

312-360-1234  
\_\_\_\_\_  
Phone Number

Plan Commission Case Number 2015-31P  
Site Plan Approval Number 492.01  
Village Ordinance Number 15-11-Z-4186

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## Exhibit 1

MML: \*11/16/15  
 PC: 2015-31P  
 SUP: 492.01

<p>THIS ORDINANCE MAY BE CITED AS          VILLAGE ORDINANCE NUMBER  <b>15-11-Z-4186</b></p>
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**AN ORDINANCE GRANTING SITE PLAN APPROVAL FOR THE  
 CONSTRUCTION AND ESTABLISHMENT OF A THREE-LOT  
 PLANNED DEVELOPMENT AT 9333-9361 SKOKIE BOULEVARD,  
 SKOKIE, ILLINOIS IN A B3 BUSINESS DISTRICT**

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

2           LOTS 1, 2, AND 3 IN EMERSON CROSSING SUBDIVISION OF PARTS OF LOTS 1 AND  
 3           2 IN PARTITION BETWEEN THE HEIRS OF MICHAEL DIEDRICH OF THE  
 4           SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15,  
 5           TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN  
 6           COOK COUNTY ILLINOIS.

7  
 8           PINS: 10-15-017-0000, 10-15-115-020-0000

9           more commonly described as 9333-9361 Skokie Boulevard, Skokie, Illinois (hereinafter  
 10           "Subject Property"), petitioned the Village of Skokie for site plan approval to construct and  
 11           establish a three-lot planned development in a B3 Business district; and

12           **WHEREAS**, the proposed plan includes a 3,800 square foot bank with a two-lane  
 13           drive-through facility, a 5,000 square foot Chick-fil-A restaurant with a two-lane drive-through  
 14           facility and a 6,550 square foot AAA automotive repair facility that will also include a 3,700  
 15           square foot area for insurance sales and travel services; and

16           **WHEREAS**, the plan anticipates a full access driveway on Emerson and a right-in/right-  
 17           out driveway on Skokie boulevard. Pedestrian pathways will connect all the buildings on the  
 18           Subject Property as well as the public sidewalk system on Skokie Boulevard, Emerson Street  
 19           and Gross Point Road; and

20           **WHEREAS**, 50 new trees will be planted on the Subject Property with only 14 of the  
 21           existing trees to be removed; and

22           **WHEREAS**, the Skokie Plan Commission, at a public hearing duly held on October 15,  
 23           2015: (i) determined that proper legal notice had been achieved, (ii) made the appropriate  
 24           findings of fact in the affirmative, as required under Section 118-6(g) of the Skokie Village  
 25           Code, and (iii) voted to recommend to the Mayor and Board of Trustees that requested site  
 26           plan approval be granted subject to the conditions contained in the Plan Commission Report  
 27           dated November 2, 2015; and

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1           **WHEREAS**, the Mayor and Board of Trustees, at a public meeting duly held on November  
 2 2, 2015, voted to concur in the aforesaid recommendations and findings of fact of the Skokie Plan  
 3 Commission;

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

6           **Section 1:** That the site plan approval requested by the petitioner to construct and  
 7 establish a three-lot planned development at the property legally described above and  
 8 commonly known as 9333-9361 Skokie Boulevard, Skokie, Illinois in a B3 Business district is  
 9 hereby granted and approved subject to each of the conditions set forth below:

- 10 1. The petitioner shall develop the Subject Property in substantial conformance with the  
 11 final Village approved final site plan dated October 20, 2015, final landscape plan dated  
 12 October 22, 2015, final sign plans dated October 20, 2015, and final building elevations  
 13 dated October 20, 2015;
- 14 2. All overhead utilities on the Subject Property or in adjacent Emerson Street right-of-way  
 15 shall be placed or relocated underground. The petitioner shall bear the full cost of any  
 16 utility relocation and/or conflicts. The Engineering Division must approve the Emerson  
 17 Street work prior to the start of that portion of the project;
- 18 3. Parking lot and exterior lighting shall meet Illuminating Engineering Society of North  
 19 America (IES) standards, be full cut-off design, and be directed away from adjacent  
 20 properties, subject to the approval of the Engineering Division;
- 21 4. All existing damaged public sidewalks or public sidewalks damaged due to the  
 22 implementation of this plan shall be replaced;
- 23 5. No objects are allowed within a 15-foot sight distance triangle between 30" and 84" from  
 24 grade except traffic control devices listed in the Manual on Uniform Traffic Control  
 25 Devices;
- 26 6. All fencing, walls, sidewalks, driveways, curbs, wheel stops, parking areas, signage,  
 27 landscaping, structures, and any other facilities or infrastructure on the Subject Property  
 28 shall be maintained in a good state of repair, and when needed, be repaired or replaced  
 29 in a timely manner;
- 30 7. All private and public sidewalks shall be maintained free of snow, ice, sleet, or other  
 31 objects that may impede travel;
- 32 8. Trash shall only be allowed within a designated trash enclosure and shall be screened  
 33 from public view in an enclosure approved by the Appearance Commission. All trash  
 34 shall be contained in such a way as to remain out of sight at all times, except for waste  
 35 receptacles referenced in Condition Number 9 below;
- 36 9. Waste receptacles shall be placed on the Subject Property for the use of customers,  
 37 and that the Health Department shall determine the size, type, and location of these  
 38 units;
- 39 10. All off-street parking spaces shall be legibly striped and maintained;
- 40 11. Any plan to modify parking lot striping must be approved by the Director of Engineering;

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- 1 12. The handicapped parking spaces shall be installed and maintained in compliance with  
2 State of Illinois Accessibility Standards and the Skokie Village Code, including required  
3 signage;
- 4 13. Vehicles shall not be allowed to be parked in or otherwise block common driveways,  
5 sidewalks, aisles, or other points of access at any time, shall only be parked in  
6 designated parking spaces, and shall not overlap the striped lines of designated parking  
7 spaces;
- 8 14. The owner of the Subject Property and its tenants shall ensure that employees park on  
9 the Subject Property;
- 10 15. No required parking space on the site may be for the exclusive use of any tenant; ;
- 11 16. All new construction, alterations, and remodeling shall meet current International  
12 Building and NFPA Life Safety Codes as amended;
- 13 17. The petitioner shall obtain all required permits and approvals for improvements to  
14 County, State, or Federal rights-of-way from the governing jurisdiction;
- 15 18. The Subject Property must conform to the Village's storm water control requirements as  
16 contained in the Skokie Village Code;
- 17 19. All ground signage shall conform to the Skokie Village Code. Any sign on the Subject  
18 Property that is in violation of that Code must be removed or modified to conform with  
19 the Village Code prior to the issuance of an occupancy permit;
- 20 20. All modifications to building elevations, signage, and landscaping shall be subject to the  
21 review and approval of the Skokie Appearance Commission;
- 22 21. The petitioner shall submit to the Planning Division electronic files of the plat of survey,  
23 site plan, and landscape plan in their approved and finalized form. The files shall be  
24 scaled 2-dimensional drawing files on non-compressed, non-read only CD-ROM \*.dwg  
25 AutoCAD format;
- 26 22. Prior to the issuance of building permits, the petitioner shall submit to the Planning  
27 Division of the Community Development Department the name, property address, email  
28 address, and telephone number of the company and contact person responsible for site  
29 maintenance in compliance with the special use permit;
- 30 23. If work is to be performed on public property or if public property is utilized or impacted  
31 during construction and/or development, the owner shall provide, or shall cause the  
32 developer and/or contractor to provide, the Village of Skokie with a certificate of  
33 insurance naming the Village of Skokie as additionally insured for any and all claims  
34 related to any and all work. The owner shall hold, and shall cause the developer and/or  
35 contractor to hold, the Village of Skokie harmless and indemnify the Village for any and  
36 all claims for property damage or personal injury related to work on or use of public  
37 property;
- 38 24. The petitioner shall comply with all Federal and State statutes, laws, rules and  
39 regulations and all Village codes, ordinances, rules, and regulations; and
- 40 25. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to  
41 initiate hearings to determine whether the subject Ordinance, as well as any applicable  
42 business licenses, should be revised or revoked. The petitioner shall pay all costs

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related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing.

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

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

**ADOPTED** this 16th day of November, 2015.

Ayes: 5 (Gray, Keeler, Klein, Roberts, Sutker, Van Dusen)  
Nays: 0  
Absent: 2 (Bromberg, Ulrich)

Pramod Shah  
Village Clerk

Attested and filed in my office this 17th day of November, 2015.

Approved by me this 16th day of November, 2015.

Pramod Shah  
Village Clerk

George Van Dusen  
Mayor, Village of Skokie

