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ORDINANCE NO. M - 1207

DEPT-01 RECORDING \$33.50
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COOK COUNTY RECORDER

**AN ORDINANCE GRANTING FINAL APPROVAL AND
A PARKING VARIANCE FOR A SENIOR HOUSING COMPLEX
IN THE WASHINGTON PARK PLANNED UNIT DEVELOPMENT
IN THE VILLAGE OF HOMEWOOD, COOK COUNTY, ILLINOIS**

WHEREAS, American Housing Partners has petitioned the Village of Homewood for a parking variance and for approval of a site plan to construct a 191,008 square foot, 198 unit senior housing complex with a building footprint of 69,586 square feet to be located on the parcel of land south of Maple Road and east of Presidents Drive in the Washington Park Planned Unit Development (subarea B of the amended PUD); and

WHEREAS, a public hearing was held before the Village's Plan Commission on February 21, 1996, and that Commission has recommended approval of the proposed site plan; and

WHEREAS, a public hearing was held before the Village's Zone Board of Appeals on March 14, 1996, and that Board recommended approval of a parking variance of 333 spaces; and

WHEREAS, the President and Board of Trustees of the Village of Homewood are willing to approve the proposed site plan and parking variance in accordance with the terms and conditions hereinafter provided in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County Illinois that:

SECTION ONE - FINDINGS OF FACT:

- (A) The subject property is approximately 13.7 acres in size and is located south of Maple Road and east of Presidents Drive. It is located within the Washington Park Planned Unit Development and is zoned B-5 PUD.
- (B) The proposed building is 191,008 square feet with a footprint of 69,586 square feet and will consist of 125 one bedroom units and 73 two bedroom units, all intended for occupancy by persons age 55 and older.
- The proposed building is: (1) to be constructed with a two-hour fire rating for exterior walls and fire walls and a one-hour fire rating for interior walls; (2) to be fully sprinkled for fire protection; (3) to be

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constructed with metal interior studs; and (4) to be constructed with exterior materials so that the wall assembly has a fire rating of at least two hours.

(D) The proposed development is to be constructed in accordance with the following plans:

(1) Site plan dated December 12, 1995 prepared by Daniel LeNoble and Associates.

(2) Building elevations dated January 20, 1996.

(3) Landscape plan dated December 12, 1995 prepared by Davis & Associates Ltd.

SECTION TWO - APPROVAL OF SITE PLAN AND PLAT:

Subject to the terms and conditions of this Ordinance, approval of a final site plan and final plat for the American Housing Partners development is hereby granted to permit the subject property to be developed with a 191,008 square foot, three story, 198 unit senior housing complex and covered parking as shown on the aforesaid plans described in Section 14B) of this Ordinance. Prior to the beginning of construction, nonsubstantive amendments to those plans may be approved on behalf of the Village by the Village Manager or his designee. Any amendment to the plans deemed substantive by the Village Manager shall be approved only by the Board of Trustees. The property is described on Exhibit A attached to this ordinance.

SECTION THREE - APPROVAL OF PARKING VARIANCES:

A variance in the number of required parking spaces is hereby approved. Said variance shall be for 233 spaces. The developer shall initially construct 100 spaces, 40 of which will be covered. The developer shall land bank an additional 63 spaces. The variance shall be subject to the following conditions:

- (A) Visitors buzzers be installed at the rear (southeast) entrances to the building so that visitors who park in the main parking area won't have to walk around to the front of the building to gain entrance.
- (B) The Village may require the developer to properly surface one-half of the land banked spaces when 90% or more of the surfaced parking spaces are used 25% or more of the time. The Village may require the

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developer to properly surface the remaining half of the land banked spaces when 90% or more of all the surfaced parking spaces are used 25% or more of the time.

SECTION FOUR - APPROVAL OF DOCUMENTS:

The following documents are hereby made a part of this Ordinance:

The documents identified above are hereby approved subject to further revision at the direction of the Village's Director of Public Works or his designee(s). All construction of the American Housing Partners development shall be in accordance with the requirements of this Ordinance, the Homewood Municipal Code, and the said documents as approved by the Village or as later amended with the Village's approval. There shall be no substantial deviation therefrom without the prior consent of the Board of Trustees.

SECTION FIVE - CONDITIONS AND RESTRICTIONS:

The approvals granted by this Ordinance are subject to the following conditions and restrictions:

- (A) All construction and improvements in connection with the proposed development shall be done in accordance with the requirements of the Homewood Municipal Code.
 - (B) Prior to the issuance of a building permit for any portion of the American Housing Partners project, American Housing Partners shall perform the following:
 - (1) Obtain the Village's approval of the plat of subdivision previously required by this Ordinance.
 - (2) Obtain the Village's approval of all building and engineering plans.
 - (3) Deposit funds with the Village or enter into an escrow agreement in a form satisfactory to the Village to guarantee completion of any public improvements required by the Village in connection with the proposed project.
- The Village shall not be obligated to issue an occupancy permit until American Housing Partners has performed all construction in accordance with the

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Homewood Municipal Code and the terms and provisions of this Ordinance.

- (D) The entire building be sprinkled for fire protection purposes.
- (E) American Housing Partners or any successor owners of the property shall directly manage the day-to-day operation of the senior housing complex.
- (F) No residents younger than age 55 shall be permitted to reside in the development. This age restriction may not be lowered without approval from the Board of Trustees.
- (G) The use of the development may not be changed to a use other than senior housing without the approval of the Board of Trustees.
- (H) Smoke detectors shall be hard-wired with a battery back-up in accordance with applicable building codes.
- (I) The complex shall have no more than 198 units, 125 of which shall be one bedroom and 73 of which shall be two bedroom.
- (J) The exterior lighting plan shall not adversely affect the single-family residences located on Presidents Drive.
- (K) A barrier curb shall be constructed along the north edge of the front driveway entrance from Maple Road in accordance with Illinois Department of Transportation standard B9.12.

SECTION SIX - TIME LIMITATION:

The proposed project shall be substantially under construction no later than two hundred ten (210) days from the effective date of this Ordinance. Failure to substantially commence construction within that time or failure to complete construction within twenty-four (24) months from that date shall constitute grounds for the Board of Trustees to declare this Ordinance null and void after notice of such proposed action to American Housing Partners.

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SECTION SEVEN - ADDITIONAL MATERIALS TO BECOME A PART OF THIS ORDINANCE:

The following documents are hereby made a part of this Ordinance:

- (A) Village of Homewood Plan Commission minutes of February 21, 1996 as they relate to the subject development.
- (B) Village of Homewood Zone Board of Appeals minutes of March 14, 1996 as they relate to the subject development.
- (C) Village of Homewood Board of Trustees minutes of March 26, 1996 as they relate to the subject development.

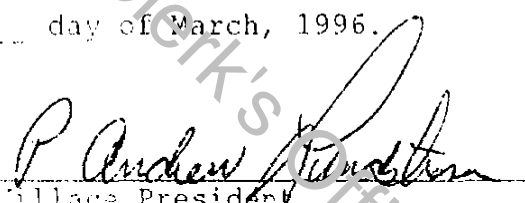
SECTION EIGHT - RECORDING:

The Village Attorney shall cause this Ordinance and other supporting documents, as he deems appropriate, to be recorded in the Office of the Recorder of Deeds of Cook County, Illinois.

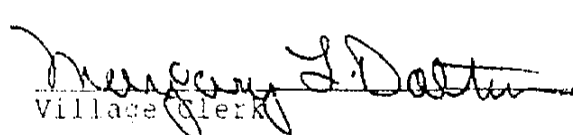
SECTION NINE - EFFECTIVE DATE:

This Ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 26th day of March, 1996.


Village President

ATTEST:


Village Clerk

AYES: 4 NAYS: 1 ABSTENTIONS: 0 ABSENCES: 2

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EXHIBIT "A" TO ORDINANCE M1207

That part of Lot 1 in Leisure Park at Homewood, according to the plat thereof recorded June 8, 1987 as Document No. 87308579 being a subdivision in the East Half of Section 32, Township 36 North, Range 14 East of the Third Principal Meridian, described as follows: Commencing at the Southeast Corner of Lot 13 in Washington Park Estates Unit No. 1, as recorded August 15, 1983 as Document No. 26732806 and Torrens Registration No. 3323774, thence North 12 Degrees 42 Minutes 17 Seconds East 182.57 along the East Line of said Washington Park Estates Unit 1 to the point of beginning; thence continuing North, along the previously described course 127.25 feet; thence North 77 Degrees 19 Minutes 37 Seconds West 119.93 feet; thence North 12 Degrees 42 Minutes 9 Seconds East 70.04 feet; thence South 77 Degrees 19 Minutes 40 Seconds East 119.95 feet; thence North 12 Degrees 42 Minutes 17 Seconds East 173.00 feet; thence North 23 Degrees 20 Minutes 56 Seconds East 627.95 Feet all along the East Line of said Washington Park Estates Unit 1, as monumented and occupied to a point on curve on the South Line of Maple Avenue; thence Southwesterly on a curve convex to the Northeast having a radius of 1005 feet, an arc distance of 98.47 feet, along the South Line of said Maple to a point of tangent; thence continuing along said South Line of Maple Avenue South 57 Degrees 5 minutes 31 Seconds East 234.10 Feet to a point of curve; thence Southeasterly on a curve tangent to the previously described course, convex to the Southwest, having a radius of 530 Feet, an arc distance of 31.28 Feet; thence South 29 Degrees 31 Minutes 36 Seconds West, perpendicular to the last described arc, 222.80 feet; thence Southwesterly on a curve tangent to the previously described course, convex to the Southeast having a radius of 200 feet, an arc distance of 89.34 feet; thence South 55 Degrees 7 Minutes 16 Seconds West 37.71 Feet; thence Southerly on a curve tangent to the previously described course, convex to the Northwest, having a radius of 200 Feet, an arc distance of 235.49 Feet; thence South 10 Degrees 8 Minutes 47 Seconds West, 58.95 Feet; thence Southwesterly on a curve tangent to the previously described course; convex to the Southeast, having a radius of 300 feet, an arc distance of 191.44 Feet; thence South 46 Degrees 42 Minutes 31 Seconds West, 86.73 Feet; thence Due West, 120.97 Feet to the point of beginning, containing 245325.15 square feet (5.612) acres, more or less, all in Cook County, Illinois.

PIN: 29-32-200-048

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Village of Homewood

2020 CHESTNUT ROAD
HOMEWOOD, ILLINOIS 60430-1776
708-798-3000

I hereby certify that the attached is a true and accurate copy of an ordinance passed by the President and Board of Trustees of the Village of Homewood on March 26, 1996.

Flora Czapacka

Deputy Village Clerk

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WALTER D. CUMMINGS
18027 HARWOOD
HOMERWOOD, IL 60430