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## RECORDER'S NOTE

The attached Joint Letter of Understanding dated August 8, 1995 and Memorandum dated August 9, 1995 are hereby being recorded to create a public record of the agreements therein contained. The documents relate to the property legally described on Exhibit "A" attached hereto and incorporated herein by this reference.

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DEPT-01 RECORDING

\$53.50

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COOK COUNTY RECORDER

This space reserved for Recorder.

Street Address: 1849 Golf Road, Skokie, Illinois 60077

Permanent Index Numbers: 10-16-204-034, 10-16-204-035, 10-16-205-027

This document prepared by  
and after recording return to:

Charles E. Alexander, Esq.  
Katz Randall & Weinberg  
333 West Wacker Drive  
Suite 1800  
Chicago, Illinois 60606  
KRW File No.: 07197.01200



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## EXHIBIT "A"

### LEGAL DESCRIPTION

#### PARCEL 1:

THAT PART OF LOTS 1 TO 7, LOTS 38 TO 55 AND LOT 60 AND THAT PART OF VACATED LA CROSSE AVENUE AND VACATED ALLEY FALLING WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE EAST ALONG THE SOUTH LINE OF SIMPSON STREET, 216.35 FEET TO THE CENTERLINE OF VACATED LA CROSSE AVENUE; THENCE SOUTH ALONG SAID CENTERLINE, 141.00 FEET TO THE NORTH LINE OF SAID LOT 46 EXTENDED WEST; THENCE EAST ALONG SAID EXTENDED LINE AND THE NORTH LINE OF LOT 46, 156.14 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF LOTS 38 TO 46, A DISTANCE OF 269.08 FEET TO A LINE WHICH IS 410.08 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF SIMPSON STREET; THENCE WEST ALONG SAID LINE WHICH IS 410.08 FEET SOUTH OF AND PARALLEL TO THE SOUTH LINE OF SIMPSON STREET, 372.25 FEET TO THE WEST LINE OF SAID LOT 60; THENCE NORTH ALONG THE WEST LINE OF LOT 60 AND SAID WEST LINE EXTENDED AND THE WEST LINE OF LOT 1, 410.08 FEET TO THE PLACE OF BEGINNING, ALL IN TALMAN AND THIELE'S CICERO AVENUE SIMPSON STREET SUBDIVISION OF THE NORTH 40 RODS OF THE EAST 33 RODS OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST 33 RODS OF THE NORTHEAST 1/4 OF SAID SECTION 16, 40.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST 1/4; THENCE SOUTH ON THE WEST LINE OF THE EAST 33 RODS OF THE NORTHEAST 1/4 OF SAID SECTION 16, 410.08 FEET; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4, 12.00 FEET; THENCE NORTH ON A LINE PARALLEL WITH THE WEST LINE OF THE EAST 33 RODS 291.77 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 50.46 FEET, 33.84 FEET; THENCE NORTHWESTERLY ON A LINE TANGENT TO THE LAST DESCRIBED CURVE 53.82 FEET TO A POINT OF CURVE; THENCE NORTHERLY ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 72.12 FEET, 48.09 FEET TO A POINT ON A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST 1/4, 72.00 FEET WEST OF THE PLACE OF BEGINNING; THENCE EAST ON A LINE 40.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH

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LINE OF SAID NORTHEAST 1/4, 72.00 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE SOUTH 10.00 FEET OF THE NORTH 460.08 FEET OF THE EAST 12.00 FEET OF THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE WEST LINE OF THE EAST 33 RODS OF THE NORTHEAST 1/4 OF SAID SECTION 16, IN COOK COUNTY, ILLINOIS.

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## JOINT LETTER OF UNDERSTANDING

August 8, 1995

Barcelona Master Board Association  
c/o Mr. L.W. Olson, Vice President  
9530 Lamon, Apartment 213  
Skokie, Illinois 60077

Orchard Place L.L.C.  
Mitchell Saywitz, Owner  
c/o HSS Real Estate, Inc.  
35 West Wacker Drive  
Chicago, Illinois 60601

To whom it may concern:

Starting in May of 1995, meetings were initiated between Orchard Place L.L.C., the owner of the former Balcor and Vogue Tyre properties, and the Barcelona Condominium Association Master Board, for the purpose of discussing the shopping center development planned by Orchard Place L.L.C. The goal of both parties was to examine the shopping center development in the context of minimizing any negative impact to the surrounding residents of the Barcelona Condominium Complex while still adhering to principles of proper planning as delineated by the Planning, Traffic, and Engineering Divisions of the Village of Skokie. Since May, there have been numerous meetings between the parties, resulting in a number of modifications to the original planned development.

As a result of the modifications to the Plan, on August 2, 1995, the Master Board voted to support the Orchard Place Shopping Center Development and the request for zoning relief currently before the Village of Skokie Plan Commission.

The purpose of this joint letter is to set forth the modifications of the planned development that Orchard Place L.L.C. has agreed to include in the Orchard Place request for zoning relief currently before the Village of Skokie Plan Commission. The modifications are categorized according to the four principal concerns of the Barcelona residents: Traffic, Privacy, Security, and Property Value.

### Traffic

#### Lamon Avenue

We jointly support the desire of Barcelona to prevent non-Barcelona residents and guests from using Lamon Avenue as a thoroughfare between Foster and Golf. The following modifications have been made to effectively give Barcelona residents and their guests exclusive use of Lamon Avenue, despite Orchard Place's joint ownership and perpetual easement rights.

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(1) The Orchard Place exit through the Lamon/Golf intersection has been curved and curbed to prevent Orchard Place patrons from turning south onto Lamon Avenue.

(2) Traffic control elements may be placed on Lamon Avenue south of the Orchard Place entrance/exit onto Lamon. Currently, a landscaped cul-de-sac (mountable only by emergency vehicles) has been incorporated into the Plan. However, Orchard Place would support a key-card operated control gate or a one-way street designation as alternatives to this plan, should the residents of Barcelona prefer.

The reduction of vehicular traffic on Lamon will be an added benefit to Barcelona pedestrian traffic.

## Lamon/Golf Intersection

The following modifications to the Plan have been made to give a sense of separation between Barcelona and Orchard Place while sharing the Lamon/Golf intersection.

- (1) The entrance into Orchard Place has been diverted to the east to direct shopping center traffic away from the Barcelona buildings and access drive.
- (2) Separate entrances have been created for Barcelona and Orchard Place from Lamon.
- (3) The center median has been extended to prevent Orchard Place traffic from entering the Barcelona access drive.
- (4) Left turns from Barcelona into the exit lanes of the intersection have been eliminated. This change improves safety and eliminates the incentive for non-Barcelona traffic to circumnavigate Barcelona via Bronx street once Lamon Avenue is closed to non-Barcelona traffic.

## Additional Ingress/Egress

The entrance/exits at the former Vogue Tyre site at Golf Road and Skokie Boulevard at the east-west alley shall be improved and widened to 24 feet (from 16 feet) to promote customer use for right-in-right-out traffic access to Skokie Boulevard. This is designed to reduce traffic pressure from the Lamon/Golf intersection and limit traffic on the north-south alley against Barcelona Building One. The required additional right-of-way public easement will be provided by Orchard Place L.L.C.

## East-West Access Road

As with Lamon Avenue, we jointly support the desire of Barcelona to stop non-Barcelona residents and guests from using the East-West access road between Barcelona Building One and Orchard Place. To this end the following

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modifications have been made to effectively give Barcelona exclusive use of the East-West access road, despite Orchard Place's perpetual easement rights.

(1) Traffic control elements may be placed at the intersection of the access road and the north-south alley. Currently, a landscaped cul-de-sac (mountable only by emergency vehicles) has been incorporated into the Plan. However, Orchard Place would support a key-card operated control gate or a one-way street designation as alternatives to this plan, should the residents of Barcelona prefer. Note that Barcelona residents would continue to have access to Foster via Lamon Avenue.

(2) All truck docks for the main retail building have been relocated to the north-south alley.

## North-South Alley

We jointly support keeping the north-south alley at 16 feet to discourage vehicular traffic across the eastern face of Barcelona Building One.

## Delivery Truck Traffic

The following modifications have been made to limit any impact on the Barcelona residents from delivery traffic. The truck route and delivery restrictions will be made part of the tenant leases and will be strictly enforced by Orchard Place L.L.C.

(1) Truck traffic servicing Orchard Place will be restricted from entering the shopping center from Lamon. Instead, all truck traffic will be routed to enter Orchard Place at the eastern entrance-only Golf Road curb cut. The truck traffic would then proceed through the north-south alley to the truck docks at the south-east corner of the retail building, exiting south on the north-south alley through to Foster. Any necessary improvements to the Foster median at the Foster/Golf intersection to allow for smooth truck turning will be made.

(2) Trucks will be restricted to 40 feet or less in length (eliminating standard over-the-road semi-trailers).

(3) The delivery times will be restricted so as to prevent after hours activity which could disturb the surrounding residents.

(4) All proposed tenants have agreed to restrict frequency of non-UPS/panel truck deliveries to no more than five times per week.

## Refuse Service Traffic

All refuse for the tenants will be stored in a compactor/trailer installed in the truck dock area. The trailers will be completely contained in the enclosed truck docks and thus will be completely shielded from the surrounding residents. Refuse trailers will be picked up and replaced by empty trailers no more than five

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times per week. These delivery vehicles will be subject to the same route restrictions as the tenant delivery trucks described above.

## Privacy

In order to create a sense of separation and privacy, a number of buffers between Orchard Place and the Barcelona Condominium Complex have been created.

### Lamon Avenue Parkway Buffer

A ten (10) foot wide parkway has been installed along the eastern edge of Lamon Avenue, between Barcelona Building Six and the retail building. The parkway will be landscaped with a variety of bushes and trees, including Austrian Pines, which will provide a visual and spacial barrier between Orchard Place and Barcelona. Sidewalks will not be provided to discourage non-Barcelona pedestrian traffic between Foster and Golf.

### East-West Access Road Parkway Buffer

A ten (10) foot wide parkway has been installed along the southern border of Orchard Place, between Barcelona Building One and the retail building. The parkway will be landscaped with a variety of bushes and trees, including Austrian Pines, which will provide a visual and spacial barrier between Orchard Place and Barcelona.

### North-South Alley

To prevent additional traffic on the north-south alley from disturbing east-facing residents of Barcelona Building One, landscaping of trees and bushes shall be added to the grassy area between Building One and the north-south alley.

### Parapet Walls

Parapet walls of six feet in height will be installed above the roof line of the Retail Building and five feet above the ramp surface. The height of the parapet walls are designed to shield residents of Barcelona Building One from any impact of customer vehicles accessing the upper level parking.

### Lighting

The lighting for Orchard Place has been designed to accommodate the needs of both shopping center patrons and surrounding residents (Barcelona).

(1) The main lighting in the ground lot and upper level will be light standards with full cut off design fixtures, so that adequate lighting levels will be achieved within the project, while eliminating any light spillover beyond the property boundaries.

(2) The main parking lights will be activated at dusk utilizing a photocell device and be deactivated one hour after the closing of the retail stores

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(typically 10:00 p.m.).

(3) The lighting of the ramps will be accomplished with spot lighting mounted to the interior retaining walls of the ramps specifically to light the ramp surface, while eliminating any spillover beyond the ramps.

(4) The landscaped parkways, Lamon Avenue entrance drive and east-west access road will be lit with a variety of decorative fixtures mounted on both the building exterior and landscaped lighting in the parkways to decoratively light the building exterior. This lighting will incorporate a timer system with hours established in conjunction with the Barcelona Condominium Master Board.

## Orchard Place Parking

(1) The total number of parking spaces exceeds the Village of Skokie Zoning Code by more than 20% and also exceeds the national recommended standard for shopping centers of its type, thereby insuring that there will be no spillover into the Barcelona property.

(2) Orchard Place patrons will be restricted from parking on Barcelona property; this restriction will be strictly enforced by Orchard Place L.L.C. As part of this policy, signage will be posted warning Orchard Place patrons that Barcelona parking areas are restricted to Barcelona residents and guests and are off limits to Orchard Place patrons.

(3) Barcelona residents and guests will be allowed to use the ground level parking lot on a non-exclusive basis for general parking after retail shopping hours.

(4) The ramps to the upper parking level have been relocated so that both up and down ramps are located along the eastern face of the retail building. The ramp system will be both heated and grooved, to minimize any traffic problems due to inclement weather.

(5) The elevated parking deck will be closed after hours through the use of a physical barrier with an integral warning sign (of a type recommended by the Skokie Police Department) at the mouth of the ramps.

## **Security**

The Orchard Place development has been reviewed by the Village of Skokie Police Department and all recommendations by the Police Department have been included in the Plan.

## Adequate Lighting

The Village of Skokie Police Department has determined that the current lighting plan would provide more than adequate lighting for safety purposes.

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## Closing of Upper Parking Level

The parking deck will be closed after hours through the use of a physical barrier with an integral warning sign. The Village of Skokie Police Department recommended a "soft" barrier such as a chain, in order to discourage use of the ramps after business hours.

## Security Cameras

Security cameras with closed-loop video recording were recommended for the elevator towers and the parking deck, and will be installed as part of the Plan. Per the request of Barcelona, cameras will also view Lamon Avenue and the east-west access road, including the landscaped parkways adjacent to the building.

## Property Value

It is jointly recognized that property value is of serious concern to the residents of Barcelona. Several features of the development have been designed to prevent any adverse impact on property values as a result of the Orchard Place development.

## Physical Separation and Privacy

Through the redesigned Lamon/Golf entrance, the exclusive use of Lamon Avenue and the East-West Access Road, the landscaped parkway buffers, and many other of the features described above, Barcelona will maintain and actually enhance its sense of a separate identity.

- (1) Orchard Place customer traffic cannot spill over into Barcelona.
- (2) The Orchard Place buildings have been screened from view through extensive use of landscaping and have been set back so as to retain light and air for the benefit of Barcelona residents.
- (3) The on-going problem of non-Barcelona traffic using Lamon and the East-West Access Road as a "short cut" between Golf Road and Skokie Boulevard will be eliminated as a direct result of the Plan..
- (4) The Lamon/Foster intersection will become an exclusive entrance to the Barcelona Complex.

## Quality of Orchard Place Development

The Orchard Place development will be constructed to a standard similar to Old Orchard, which is a much higher standard than typical shopping centers. This level of construction should have a positive impact on property values. Some of the features include the following.

- (1) The building exterior will be architectural pre-cast panels (similar to the Bloomingdales building at Old Orchard) with imbedded quality brick on the north, south, and west sides of the building.

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(2) The high degree of landscaping on the north, west, and south sides is much greater than the typical shopping center, and is consistent with Barcelona landscaping.

(3) Landscaping and other decorative lighting will be utilized to create a quality presence for the areas in proximity to Barcelona.

(4) The removal of the Balcor and Vogue Tyre buildings will allow for expansive views to the North and East for upper level condominiums.

## Orchard Place Management

The operation of Orchard Place will meet or exceed the standards established for typical shopping center properties. The site will be maintained in a first-class condition to insure that it is clean, safe, free of debris and snow, and in excellent repair. Orchard Place will include the Golf/Lamon intersection as part of its maintenance program.

## Future Changes

As a general rule, any subsequent changes to the shopping center will be reviewed with Barcelona as part of a good neighbor policy. Additionally, Orchard Place has agreed to allow the property to be designated Planned Development pursuant to the Village of Skokie Zoning Ordinance. This would require that any significant change to Orchard Place, including additions to the retail buildings, changes in entrances, exits or internal circulation, would require a zoning amendment. Changes in zoning require a public hearing process with a requirement to provide written notice to every property owner and resident of Barcelona. Therefore, Barcelona will have notice rights and the opportunity to participate in any future public process.

For the Barcelona Condominium Association Master Board

  
\_\_\_\_\_  
Mr. L.W. Olson, Vice President

For Orchard Place L.L.C.

  
\_\_\_\_\_  
Mr. Mitchell Saywitz, Managing Member

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## HSS REAL ESTATE INC.

MANAGEMENT LEASING DEVELOPMENT

35 W. WACKER DRIVE, SUITE 3240, CHICAGO, IL 60601

PHONE: 312/849-2044 FAX: 312/849-2060

To: Peter W. Peyer, Planning Supervisor  
Frederick G. Schattner, Traffic Engineer

At: Village of Skokie Village Hall  
5127 Oakton St.  
Skokie, Illinois 60077

Via: Facsimile and Hand Delivery

From: Mitchell Saywitz, Owner of Orchard Place L.L.C.

Subject: Orchard Place Shopping Center, Golf Road & Skokie Blvd.

Date: August 9, 1995

CC:

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Per the request of Village staff, the following is a memorialization of the operating features of the Orchard Place development which have been discussed and agreed to during several meetings between representatives of Orchard Place L.L.C., owners of the Balcon and Vogue Tyre properties, and members of Village staff.

### Ingress/Egress for Orchard Place

Orchard Place has several points of ingress and egress for patron vehicular movement.

#### (1) Lamon/Golf Intersection

On Golf Road, Orchard Place shares private ownership of Lamon Avenue with the adjacent Barcelona Condominium Complex. Orchard Place uses the Golf/Lamon intersection for ingress from Golf Road by both eastbound and westbound traffic from Golf.

In addition, the Lamon/Golf Intersection has been redesigned to accomplish the following: (1) Create separate entrances for the shopping center (veering left into the parking lot) and Barcelona (making a right turn onto the access road parallel to Golf); (2) Create separate left and right turn lanes for exiting traffic from the Lamon/Golf intersection; (3) Increase vehicular safety while exiting out of the Lamon/Golf intersection from the Barcelona access road parallel to Golf through the Lamon/Golf intersection by disallowing left turns into the exit lanes and instead allowing Barcelona

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residents to circulate through the front parking lot of the shopping center to access the intersection exit lanes; and (4) extending the center median to prevent shopping center traffic from entering the Barcelona access road parallel to Golf Road.

## (2) Golf Road Entrance

Golf Road curb cut east of the Golf/Lamon intersection has been made an entrance only. Since all current curb cuts east of the Golf/Lamon intersection are in the deceleration/right turn lane, the improved Golf Road curb cut prohibits exiting traffic from cutting across Golf Road to attempt a left turn.

## (3) Skokie Boulevard Entrance/Exit

Entrance/Exits at the former Vogue Tyre site at Skokie Boulevard have been consolidated at the east-west alley, which shall be improved and widened to 24 feet (from 16 feet) to promote customer use for right turns in from and out to Skokie Boulevard. The additional right-of-way public easement will be provided by Orchard Place L.L.C.

## (4) North-South Alley

The North-South Alley shall be used primarily for delivery truck and refuse truck traffic and will not be encouraged as a route for vehicular traffic.

## Buffers for Barcelona Residents

Several landscaped areas have been created to create a sense of separation between Orchard Place and the Barcelona Condominium complex.

### (1) Landscaped Parkways

Two ten (10) foot wide parkways will be installed; one along the southern border of Orchard Place, between Barcelona Building One and the retail building, and one along the eastern edge of Lamon Avenue, between Barcelona Building Six and the retail building. The parkways are landscaped with a variety of bushes and trees, including Austrian Pines, which will provide a visual and spacial barrier between Orchard Place and Barcelona.

### (2) North-South Alley

To prevent additional traffic on the north-south alley from disturbing east-facing residents of Barcelona Building One, landscaping of trees and bushes shall be added to the grassy area between Building One and the north-south alley.

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## (3) Parapet Wall

Parapet Walls of six feet in height are being installed above the roof line of the Retail Building and five feet in height above the ramp surface. The height of the parapet walls are designed to shield residents of Barcelona Building One from any adverse impact of vehicular traffic accessing and parking on the rooftop parking area.

## Traffic Control

Considerable effort has been spent on resolving internal vehicular circulation issues, especially in connection with any impact upon the surrounding residents (Barcelona) and businesses. A major goal of the traffic control design was to solve an existing traffic problem experienced by the Barcelona residents, namely, the use of Lamon Avenue by non-residential traffic as a short cut between Fashion Square/Foster and Old Orchard/Golf.

### (1) Lamon Avenue

In order to restrict non-Barcelona traffic from using Lamon Avenue as a thoroughfare between commercial areas to the south (Fashion Square, Sony Movie Theaters, etc.) and those to the north (Old Orchard), as well as restrict Orchard Place patrons, a traffic control device has been proposed at a point south of the Golf/Lamon intersection (and its extension into Orchard Place). Since no Barcelona garage entrance/exits are on Lamon, this would not create a significant inconvenience to the residents, but would effectively restrict Lamon Avenue south of the Golf/Lamon intersection to Barcelona traffic only. Currently, a cul-de-sac barrier across Lamon Avenue mountable only by emergency vehicles is being proposed. However, Orchard Place could support a key card operated control gate or a one way designation as alternatives, at the choice of Barcelona. The support of Orchard Place in implementing these solutions is necessary given that Orchard Place and Barcelona each own a portion of Lamon Avenue and each possesses perpetual easements for the portion not owned.

### (2) East-West Easement

As with Lamon Avenue, in order to restrict non-Barcelona traffic from using the east-west easement directly north of Barcelona Building One, including restricting Orchard Place patrons, a traffic control device has been proposed at the intersection of the east-west easement and the north-south alley. Currently, a cul-de-sac barrier across the east-west easement mountable only by emergency vehicles is being proposed. However, Orchard Place would support a key card operated control gate or a one way designation as alternatives, at the choice of Barcelona. Barcelona residents would preserve their

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access to Foster via Lamon Avenue. The support of Orchard Place in implementing these solutions is necessary given that Orchard Place possesses a perpetual easement for the use of the east-west roadway.

### (3) Golf/Lamon Intersection Median

In order to prevent Orchard Place patron traffic from spilling into the Barcelona circulation and parking areas on the Barcelona access road parallel to Golf Road, the raised median at the Golf/Lamon Intersection will be extended to a point south of the Barcelona entrance to prevent access to the Barcelona entrance from Orchard Place.

### (4) Routing of Truck Traffic

Truck traffic servicing Orchard Place will be restricted from entering the shopping center from the Golf/Lamon intersection. Truck traffic for Orchard Place will be restricted to WB 40 type vehicles, or smaller. Instead, all truck traffic will be routed to enter Orchard Place at the Golf Road entrance-only eastern curb cut and directed through the north-south alley to the truck docks at the south-east corner of the retail building. The trucks will pull past the docks and then back into the enclosed docks. The docks have rolling doors which will be shut at all times except when trucks are entering or exiting the docks. Upon exiting, the trucks will proceed south on the north-south alley to Foster through to Skokie Boulevard. Any necessary improvements to the Foster median at the Foster/Golf intersection to allow for smooth truck turning will be provided.

### Parking

Parking at Orchard Place will be composed of two facilities, a ground level lot accommodating 107 cars and an upper level lot accommodating 258 cars. The total number of parking spaces exceeds the Village of Skokie Code by more than 20% and also exceeds the national recommended standards for shopping centers of its type. This was intentionally planned to insure that there would be no spill over into the Barcelona property. Notwithstanding, Orchard Place patrons will be restricted from parking on Barcelona property and this restriction will be enforced by Orchard Place L.L.C. As part of this policy, signage will be posted warning Orchard Place patrons that Barcelona parking areas are restricted to Barcelona residents and guests and are off limits to Orchard Place patrons. Barcelona residents and their guests will be allowed to use the ground level parking lot on a non-exclusive basis for general parking during non-operating hours of the day (typically from one hour after closing of the retail stores until one hour before the opening of the retail stores).

The ground level lot will be specifically for customer traffic; all store employee parking will be restricted to a designated area at the rear of the

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upper level, shielded from the view of the Barcelona residents by the rear parapet wall. The employee parking restriction will be included in all tenant leases and will be strictly enforced by Orchard Place L.L.C. Traffic flow in the ground level lot has been designed so that it can be used by Barcelona residents exiting from the Barcelona access road parallel to Golf Road as a "turn-around" to enable them to exit through the Golf/Lamon intersection. It is the opinion of both the currently proposed tenants and Jerry Lingren of KOLA, Inc., traffic consultant, that the ground level lot will contain sufficient parking stalls for typical customer traffic, excepting peak periods such as Christmas and during any major promotional events.

The upper parking level will be accessed by a double ramp system located along the eastern face of the retail building. The ramp system will be both heated and grooved, to minimize any traffic problems due to inclement weather. A five foot retaining wall will shield traffic on the ramps from the Barcelona residents in Building One. A special signage system reviewed by the Village of Skokie Traffic Division will be installed to insure that patrons are aware of the deck parking entrance and exit. No parking will be allowed on the upper level between one hour after the closing of the retail stores until one hour before the opening of the retail stores (typically 10 p.m. through to 8 a.m.). Closure of the upper level will be accomplished by a physical barrier with integral warning sign (of a type recommended by the Skokie Police Department) at the mouth of the ramps. All store employee parking will be restricted to a designated area at the rear of the upper level, shielded from the view of the Barcelona residents by the rear parapet wall. The employee parking restriction will be included in all tenant leases and will be strictly enforced by Orchard Place L.L.C.

## Site Lighting

The site lighting for Orchard Place has been designed to accommodate the needs of both shopping center patrons and surrounding residents (Barcelona). The main lighting in the ground level lot and upper level lot will consist of light standards with full cut off design fixtures, so that adequate lighting levels will be achieved in the lots while preventing light from spilling beyond the property boundaries. The main parking lights will be activated at dusk utilizing a photocell device and will be deactivated one hour after the closing of the retail stores (typically 10:00 pm). The lighting of the ramps will be accomplished with spot lighting mounted to the interior retaining walls of the ramps illuminating the ramp surface. The landscaped parkways, and adjacent Lamon Avenue and east-west easements will be lit with a combination of decorative fixtures mounted on the building exterior and ground spot lights mounted in the parkway and illuminating the building exterior. This lighting will be operated with a timer system which hours of operation will be established in conjunction with the Barcelona Condominium Master Board.

## Hours of Operation

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The hours of operation for Orchard Place shall be one hour before and after the opening and closing times of the tenants. The opening and closing times of the tenants will be similar to industry standards for normal retail stores, currently 9:00 am to 9:00 pm Monday through Saturday and 10:00 am to 6:00 pm on Sunday. Main site lighting, including parking lot light standards, will be activated at dusk and deactivated one hour after the end of business hours (currently projected to be 10:00 pm Monday-Saturday and 7:00 pm on Sunday). The deactivation time for perimeter site lighting, including parkway lighting and security lighting described in the lighting section will be determined in conjunction with the Barcelona Condominium Master Board. No parking will be allowed after Orchard Place has closed for the night. Closure of the upper level will be accomplished by a physical barrier with integral warning sign (of a type recommended by the Skokie Police Department) at the mouth of the ramps.

## Security Features

The Orchard Place development plan has been reviewed by the Village of Skokie Police Department. All recommendations by the Police Department have been incorporated into the shopping center plan. These recommendations include adequate lighting of the site and the closing of the parking deck after business hours. In addition, security cameras with closed-loop video recording were recommended for the elevator towers and the parking deck. Pursuant the request of Barcelona, cameras will also view Lamon Avenue and the east-west easement, including the landscaped parkways adjacent to the building.

## Truck Delivery

Truck traffic will be limited to WB40, i.e. trucks with a 40 foot maximum length. The currently proposed tenants have agreed to limit non-UPS type deliveries to no more than five (5) per week. The delivery times will be restricted so as to prevent after hours activity which could disturb the surrounding residents. The truck traffic will be restricted from using the Golf/Lamon intersection. The truck traffic route will use the eastern entrance on Golf and proceed directly south through the north-south alley, exiting onto Foster. In the event conflicts arise due to the illegal parking of trucks in the North-South alley, the Village of Skokie Police Department has advised that they can be contacted and they will enforce the ordinances prohibiting parking in a public alley. The truck route and delivery restrictions will be made part of the tenant leases and shall be strictly enforced by Orchard Place L.L.C.

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## Refuse Delivery

All refuse for the tenants will be stored in a compactor/trailer installed in the truck dock area. The trailers will be completely contained in the enclosed truck docks and thus will be completely shielded from the surrounding residents. Refuse trailers will be picked up and replaced by empty trailers by refuse cabs no more than five times per week. These refuse cabs will be subject to the same route restrictions as delivery trucks as described above.

## Orchard Place Management

The operation of Orchard Place will meet or exceed the standards established for shopping center properties. The site will be maintained in a first-class condition to insure that it is clean, safe, free of debris and snow, and in excellent repair. Orchard Place will include the Golf/Lamon intersection as part of its maintenance program. It is intended that Orchard Place will be managed by HSS Real Estate, Inc. Owned by Mitchell Saywitz, the beneficial owner of Orchard Place, HSS manages the commercial real estate portfolio owned by the Saywitz Family (twelve shopping centers totaling over 1.5 million square feet). All questions or comments concerning the operation of Orchard Place should be directed to Mitchell Saywitz, president, HSS Real Estate, Inc. at 312/849-2044.

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