

**VILLAGE OF LAKE BLUFF
JOINT PLAN COMMISSION & ZONING BOARD OF APPEALS
MEETING**

Wednesday, May 20, 2015
Village Hall Board Room
40 East Center Avenue
7:00 P.M.

A G E N D A

1. Call to Order and Roll Call

2. Consideration of the April 15, 2015 PCZBA Meeting Minutes

3. Non-Agenda Items and Visitors (Public Comment Time)

The Joint Plan Commission & Zoning Board of Appeals Chair and Board Members allocate fifteen (15) minutes during this item for those individuals who would like the opportunity to address the Board on any matter not listed on the agenda. Each person addressing the Joint Plan Commission & Zoning Board of Appeals is asked to limit their comments to a maximum of three (3) minutes.

4. Continuation of a Public Hearing to Consider: i) Amendments to the Text of the Zoning Regulations to Establish "Child Day Care Services (SIC 8351)" as a Special Use in the Light Industry District (L-1); ii) a Special Use Permit to Conduct Child Day Care Services at 917 Sherwood Drive by North Shore Preschool, LLC; iii) a Variation From Section 10-7A-5B of the Zoning Regulations to Allow Playground Equipment and a Fence in the Side Yard of the Property; and iv) Any Other Zoning Relief as Required to Permit the Operation of a Child Day Care Services Facility at 917 Sherwood Drive

5. A Public Hearing to Consider: i) a Variation From Section 10-7A-6B of the Zoning Regulations to Allow Reductions in the size of customer parking spaces; ii) a Variation From Section 10-7A-5A(2)(b) of the Zoning Regulations to Allow Parking in the Front Yard Along Carriage Park Avenue; iii) a Variation From Section 10-7A-5A(2)(a) of the Zoning Regulations to Allow a Reduction in the Required Front Yard to Allow Parking to Encroach 65 ft. into the Required Front Yard; and iv) Any Other Zoning Relief as Required to Modify the Parking Lot Located at 101 Waukegan Road (Carriage Point Office Building)

6. An Update and Continued Discussion Regarding Updates to the Village's Comprehensive Plan

7. Commissioner's Report

- Regular PCZBA Meeting Scheduled for June 17, 2015

8. Staff Report

- A Report and Update on the Review of Regulations Concerning the Subdivision of Lots East of Sheridan Road and the Village's Bulk Requirements

9. Adjournment

The Village of Lake Bluff is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact R. Drew Irvin, Village Administrator, at (847) 234-0774 or TDD number (847) 234-2153 promptly to allow the Village of Lake Bluff to make reasonable accommodations.

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals
FROM: Brandon J. Stanick, Assistant to the Village Administrator
DATE: May 15, 2015
SUBJECT: **Agenda Item #4** - Child Day Care Services Text Amendment, Special Use Permit and Zoning Variation for North Shore Preschool, LLC (917 Sherwood Dr.)

Applicant Information:	North Shore Preschool, LLC (Petitioner) 917 Sherwood Terrace, LLC (Owner)
Location:	917 Sherwood Drive
Requested Action:	Request for a text amendment, special use permit and zoning variation
Public Notice:	<i>Lake County News Sun</i> – March 30, 2015
Existing Zoning:	Light Industry District (L-1)
Purpose:	Amend Zoning Code to allow child day care services as a special use in the L-1 District, request for a special use permit to operate a child day care service at 917 Sherwood, and a variation from the L-1 District side yard requirements.
Tenant Space:	5,600 sq. ft.
Existing Land Use:	L-1 District – multi tenant building with existing medical office use
Surrounding Land Use:	<ul style="list-style-type: none">• North: Office/Automotive Service• East: Office• South: Open Space (Lake Forest)• West: Office
Comprehensive Plan Land Use Objective:	Enhance and maximize economic return to the Village in a manner compatible with existing uses.
Zoning History:	Ord. 2014-13: granted variations allowing 8.5' x 18' parking stalls and allowing parking in the front yard with modifications to landscape plans.
Applicable Land Use Regulations:	<ul style="list-style-type: none">• Text amendment• Special Use Permit• L-1 District side yard variation

Background and Summary

On March 20, 2015 North Shore Preschool, LLC (Petitioner) submitted a zoning application for the following: (i) a text amendment to the Zoning Code to allow Child Day Care Services (SIC 8351) as a special use in the L-1 District; (ii) a Special Use Permit (SUP) to allow the operation of a day care facility at 917 Sherwood Dr.; and (iii) a variation from Section 10-7A-5B of the Zoning Code to allow a playground and a fence in the westerly side yard (all “zoning relief”). The property located at 917 Sherwood Drive was granted, pursuant to Ordinance #2014-13, permission to modify the site allowing additional landscaping and larger parking lot and a variation to allow reduced parking stall size and allow parking in the front yard. The purpose of these changes was to increase the parking ratio for the site in order to attract additional medical office tenants.

At its meeting on April 15, 2015 the PCZBA commenced with the public hearing to consider the zoning relief being sought and continued the public hearing to May 20, 2015 to allow the Petitioner time to:

- Address traffic circulation issues in the parking lot regarding the picking-up and dropping-off of students;
- Minimize traffic congestion in the parking by coordinating the times delivery trucks will be onsite;
- Solicit feedback from other building tenants and neighboring property owners regarding the proposed playground located in the westerly side yard; and
- Evaluate an alternative location of the playground (possibly to the rear of the building).

Please find attached a letter, as well as a parking lot plan indicating dedicated parking spaces for student pick-up and drop-off (both received on May 6, 2015), addressing the concerns of the PCZBA.

Zoning Analysis

Text Amendment and Special Use Permit

The business will operate in a multi-tenant building comprising pediatric medical office establishments. The Petitioner will offer child day care services with a flexible enrollment structure consisting of two, three or five day programs. Commissioners may recall, that during its recent review of the Zoning Use List for the L-1 District, Child Day Care Services (SIC 8351) was selected to be a special use in the L-1 District. According to the Petitioner’s transmittal letter the day care will include four classrooms to accommodate a maximum of 76 children ranging from two to five years of age. The day care will be supported by a total of 13 staff members comprised of: eight lead teachers, 4 assistant teachers and one director.

According to the Petitioner’s materials, a typical day will include:

- morning drop-off from 7:30 to 9:30 a.m. (changed from 8:00 to 9:30 a.m.),
- transitional pick-up (optional) from 12:30 to 1:00 p.m., and
- afternoon Pick up from 3:30 to 5:30 p.m. (changed from 3:00 to 4:30 p.m.).

During the times above parents of North Shore Preschool students are to park in the six dedicated parking spaces (as shown on the updated site layout aerial) and escort their child into and from the building. From 8:00 to 9:00 a.m. the dedicated parking stalls are also available for Lake Forest Pediatrics sick calls. North Shore Preschool parents will be provided with a parking pass allowing them to park in these six dedicated spaces. The Petitioner advises that staff members will be asked to park on the north side of the building (site improvements have not been constructed as of May 15th), and if needed, in the lot across Sherwood Drive (the property owner has advised an arrangement for additional parking has been made with the neighbor across Sherwood Drive) to ease traffic flow and prevent congestion.

Petitioner indicates a delivery truck will be onsite delivering lunch daily, as well as other deliveries being made bi-monthly. The Petitioner notes deliveries will be required to take place after 10:00 a.m.

According to the property owner, fellow building tenants and the neighboring property owner to the west have not expressed concern for the proposed playground in the westerly side yard. Property owner also indicates they have evaluated relocating the playground to the rear of the building (east of the westerly side yard); however, they will maintain the request to use the westerly side yard to not eliminate parking spaces, provide more security, and because the feedback received from fellow tenants and neighbors was not against the westerly side yard location.

There will be minimum impact to public utilities as adequate water and sewer services are currently available.

Sanitation service will be provided by the property owner's contractor. Because of the type of use being proposed Village Staff does not anticipate any irregular police and/or fire service impacts.

Due to the increase in circulation within the parking lot during the blocks of time noted above it is recommended the PCZBA consider if the proposed changes adequately address the concerns expressed on April 15th.

In the event the PCZBA supports the text amendment and the SUP, Staff recommends the PCZBA consider adding the following conditions to the SUP:

1. Require the Petitioner to enter into a lease with the property owner to provide day care services at 917 Sherwood Dr. prior to commencement of operations;
2. Require the Petitioner's operations to comply with all Village, State and Federal statutes concerning child care and procedures and licensing requirements of the IL Department of Children and Family Services;
3. Require the Petitioner to provide evidence to the Village that all licenses, permits and other requirements to operate a child day care are maintained;
4. If desired, require the Petitioner to continue exploring circulation cues in the parking lot and designate other areas for pick-up and drop-off;
5. Require deliveries to take place between 10:00 a.m. and 3:30 p.m. (outside drop-off and pick-up hours as indicated in letter received on May 6th);
6. Limit maximum number of children to 76 (as indicated in the materials);
7. Limit the number of classrooms to 4 (as indicated in the materials); and

8. Establish hours of operation as Monday through Friday, from 7:30 a.m. to 5:30 p.m. (as indicated in the letter received on May 6th).

Most of the aforementioned conditions are examples of conditions approved as part of Ordinance #2002-11 for Tiny Town, Inc. to operate a day care facility at 101 Waukegan Road (Tiny Town, Inc. no longer operates in Lake Bluff) and Ordinance #2002-09 for the operation of a day care at Grace United Methodist Church.

Zoning Variation

The Petitioner also proposes the construction of a 2,800 sq. ft. playground area, enclosed with a 5 ft. black metal fence, in the westerly side yard for outdoor play activities. The construction of a playground in the side yard and the installation of a fence in the L-1 District will require a public hearing by the Architectural Board of Review to consider the proposed modifications to the site plan. However, pursuant to Section 10-7A-5B of the Zoning Code, side yards of parcels in the L-1 District are to be unoccupied and the request for constructing a playground, as well as a fence, in the side yard requires zoning relief.

PCZBA Authority

The PCZBA has authority to:

- Recommend the Village Board approve or deny the request for:
 - a text amendment to establish day care services as a special use in the L-1 District;
 - a SUP to operate a day care service at 917 Sherwood Drive (with or without the conditions provided above); and
 - a variation from Section 10-7A-5B of the Zoning Code to allow playground equipment and a fence to occupy the westerly side yard.

Recommendation

Following the public hearing the PCZBA should take one of the following actions:

- If more information is required, continue the public hearing to a date certain to allow the Petitioner to provide additional information.
 - If more information is not required, vote to:
 - Recommend the Village Board approve or deny the request for:
 - i. a text amendment to establish day care services as a special use in the L-1 District;
 - ii. a SUP to operate a day care service at 917 Sherwood Drive (with or without the conditions provided above); and
 - iii. a variation from Section 10-7A-5B of the Zoning Code to allow playground equipment and a fence to occupy the westerly side yard.
-

Attachments

- Letter received on May 6, 2015 addressing the PCZBA's concerns, as well as an aerial picture indicating dedicated parking, future planned parking, and the playground area; and
- Zoning application with supporting documentation.

If you should have any questions concerning the information provided in this memorandum please feel free to contact me at 847-283-6889.

MAY - 6 2015

Dear Chair Kruas and Members of the PCZBA,

We would like to thank you again for your time and consideration. North Shore Preschool would like to address the topics of concern that were brought to our attention on April 15th. We have put much thought and deliberation into your proposals and feel confident we have fulfilled your requests.

1. Circulation in the parking lot during pick-up and drop-off hours:

North Shore Preschool drop-off period 7:30-9:30a.m.

North Shore Preschool pick-up period 3:30-5:30p.m.

In agreement with Lake Forest Pediatrics and North Shore Preschool, building management has decided to reserve six 10 minute parking spots east of the handicap stalls for morning drop-off and sick call and for afternoon pick-up for the tenants in the building. The designated time for these spaces will be from 7:30a.m. to 9:30a.m. and 3:30p.m. to 5:30p.m. Lake Forest Pediatrics sick call is from 8:00a.m. to 9:00a.m. North Shore Preschool families will be provided with a parking pass that will allow them to park in the designated stalls for drop-off. There will also be an entrance sign to direct and improve traffic flow. North Shore Preschool has committed to having all staff members park in the over flow lot to accommodate other tenants and provide more parking spaces.

2. Playground Surrounding Businesses

We have discussed and shared our plans for North Shore Preschool, including the location of the playground, with the West neighbor, Anatal as well as the tenants in the building, Lake Forest Pediatrics and North Shore Pediatric Therapy. All businesses have conveyed approval.

3. Playground Alternative Location

There was a suggestion to examine moving the playground to the South side of the building. With much thought and discussion with Lake Forest Pediatrics, the consensus was to not eliminate the current eight parking spots. We feel having the playground on the West side of the building is more sheltered and secure and the neighboring property owners and 917 tenants have no issue with the playground being located on the West side.

4. Delivery Trucks

North Shore Preschool will have lunch delivered daily. The catering business has been notified and will be stated in our contract that all deliveries must take place after 10:00 a.m. This will also apply for our Sysco delivery which will occur bi-monthly. All delivery services will be asked to park in the reserved parking spots.

For reference of items above please see attached site lay-out exhibit. We appreciate the members consideration of the above items and we look forward to working with the village to resolve any outstanding concerns.

Thank you,

North Shore Preschool

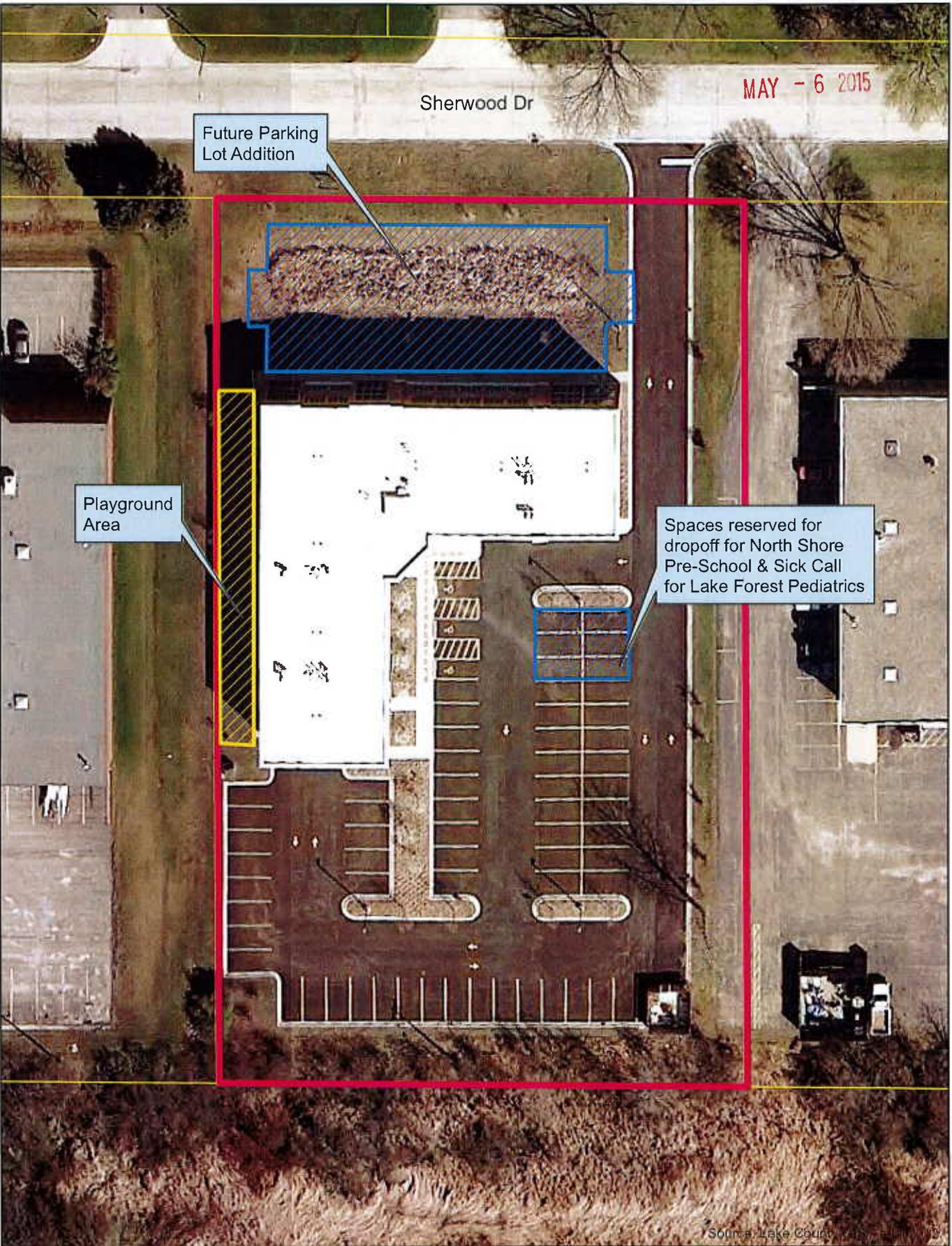
MAY - 6 2015

Sherwood Dr

Future Parking Lot Addition

Playground Area

Spaces reserved for dropoff for North Shore Pre-School & Sick Call for Lake Forest Pediatrics



Site Layout Exhibit
917 Sherwood Drive, Lake Bluff, IL

Subject Site Date: 05/05/15

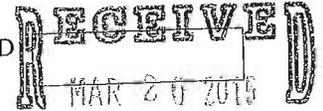
0 25 50 Feet

FEE PAID:

RECEIPT NUMBER:

[Empty box for receipt number]

DATE RECEIVED
BY VILLAGE:



VILLAGE OF LAKE BLUFF

APPLICATION FOR ZONING VARIATION, SPECIAL USE PERMIT, REZONING, OR PRD

BY:

SUBJECT PROPERTY

Address: 917 Sherwood Drive Zoning District: L-1
(Property address for which application is submitted)

Current Use: Office and Medical Use
(Residential, Commercial, Industrial, Vacant, Etc.)

PIN Number: 12-19-406-005

APPLICANT

Applicant: Allison McMahon

Address: 917 Sherwood Drive
(Address if different than subject property)

Relationship of Applicant to Property: Owner of Business (Tenant)
(Owner, Contract Purchaser, Etc.)

Home Telephone: 773-316-6125 Business Telephone: Same

OWNER

Owner - Title Holder	If Joint Ownership
Name: <u>917 Sherwood Terrace LLC</u>	Joint Owner: _____
Address: <u>917 Sherwood Drive</u>	Address: _____
<u>Lake Bluff, IL</u>	Daytime Phone: _____
Daytime Phone: _____	

If ownership is other than individual and/or joint ownership, please check appropriate category and provide all additional ownership information as an attachment.

- Corporation
- Land Trust
- Other: LLC
- Partnership
- Trust

Are all real estate taxes, special assessments and other obligations on the subject property paid in full?

Yes No If No, Explain: _____

ACTION REQUESTED

To provide time for legal notification requirements, any application requiring a Public Hearing before the Zoning Board of Appeals must be received at least 25 days prior to the next meeting date.

- Zoning Variation
- Special Use Permit
- Text Amendment
- Rezoning
- Planned Residential Development
- Other: _____

Applicable Section(s) of Zoning Ordinance, if known: _____

Narrative description of request: Applicant seeks i) an amendment to the text of the Zoning Regulations to establish "Child Day Care Services (SIC 8351)" as a special use in the Light Industry District (L-1); ii) a special use permit to conduct child day care services at 917 Sherwood Drive (Property); iii) a variation from Section 10-7A-5B of the Zoning Regulations to allow playground equipment and a fence in the side yard of the Property.

STANDARDS FOR VARIATIONS AND SPECIAL USE PERMITS

The Zoning Board is required by the Illinois State Statutes to apply the following standards in reviewing requests for Variations and Special Use Permits. The Board may only grant a variation or recommend that the Village Board grant a variation in cases where there are practical difficulties and particular hardships brought about by the strict application of the Zoning Ordinance and not by any persons, presently or formerly, having an interest in the property. **The applicant has the burden of establishing each of these standards both in writing and at the Public Hearing.** Please attach additional materials if necessary.

STANDARDS FOR VARIATIONS:

1. **Practical Difficulty or Hardship:** Describe the practical difficulty or particular hardship that would result from the strict application of the Zoning Ordinance.

Present zoning does not permit a pre-school/childcare in the L-1 District Hence, our request for a text amendment, special use permit and side yard variations.

2. **Unique Physical Condition:** Describe the unique characteristics of the lot or structures on the subject property which are exceptional, such as: a) existing unique structures or uses, b) irregular lot shape, size, or location, c) exceptional topographical features, or d) other extraordinary physical conditions.

The building is well suited to the use as parking has been supplemented and other tenants are all oriented to serving children
A further description is included in attached cover letter.

3. **Special Privilege:** Describe how the request will not simply provide the applicant with a special privilege that other property owners do not enjoy. The request must be for relief from the regulations due to hardship, and not simply to reduce inconvenience or to provide for financial gain.

Allowing a preschool would be consistent with a revised vision for this portion of Lake Bluff. Thus, our request for text amendment, special use permit and side yard variation.

4. **Code Purposes:** Describe how the request does not violate the intentions of the regulations. The applicant must show that the request does not adversely impact surrounding properties or the general welfare.

The use is in essential harmony with the office and light industrial users in the area and provides an amenity for those firms

5. **Public Health and Safety:** Describe how the request will not: a) adversely impact the supply of light and air to adjacent properties, b) increase traffic congestion, c) increase the hazard of fire, d) endanger public safety, e) diminish the value of property within the surrounding area, or f) impair the public health, safety, comfort, morals, and welfare of the people.

Parking will be provided to ensure safe and efficient access for all building tenants without endangering public safety, causing congestion or diminishing values in the area

STANDARDS FOR SPECIAL USE PERMITS:

1. **General Standard:** Describe how the proposed use will not adversely impact adjacent properties.

Please see Attachment A.

2. **No Interference with Surrounding Development:** Describe how the proposed use will not hinder or interfere with the development or use of surrounding properties.

Please see Attachment A.

3. **Adequate Public Facilities:** Describe how the proposed use will be served by streets, public utilities, police and fire service, drainage, refuse disposal, parks, libraries and other public services.

Please see Attachment A.

4. **No Traffic Congestion:** Describe how the proposed use will not cause undue traffic and traffic congestion.

The proposed day care use will not cause undue traffic or congestion because of the limited number of children - 72. The traffic will be primarily in the morning hours for drop off and in the early evening for pickup. The drop off and pickup will be primarily over a two hour period for drop off and a two hour period for pickup. This will allow the site and immediate street area to handle the traffic, without any undue congestion.

5. **No Destruction of Significant Features:** Describe how the proposed use will not destroy or damage natural, scenic or historic features.

Not applicable to this petition. The proposed use is being proposed in an existing building.

STANDARDS FOR TEXT AMENDMENTS

The wisdom of amending the Village Zoning Map or the text of the Zoning Code is a matter committed to the sound legislative discretion of the Village Board of Trustees and is not dictated by any set standard. In determining whether a proposed amendment will be granted or denied the Board of Trustees may be guided by the principle that its power to amend this title should be exercised in the public good.

TEXT AMENDMENT GUIDING PRINCIPLES:

In considering whether the principle is satisfied in amending the text of the Zoning Code, the Board of trustees may weigh, among other factors, the following:

1. **The consistency of the proposed amendment with the purposes of this title:**

The use is consistent with office and medical uses in the area and will provide an amenity for numerous area companies.

2. **The community need for the proposed amendment and any uses or development it would allow:**

North Shore Preschool will serve a community need for a preschool/childcare facility for the Lake Bluff area as described fully in the attached letter.

3. **The conformity of the proposed amendment with the village's comprehensive plan and zoning map, or the reasons justifying its lack of conformity:**

The use is in conformity with the Village's revised vision for the L-1 area and is required to permit the legal operation of a child care center.

APPLICATION MATERIALS

LEGAL DESCRIPTION - MUST BE PROVIDED

The east half of the west two thirds of Lot 2 in Unit 1 in North Shore Industrial and Research Centre, being a subdivision of parts of sections 19 and 20, Township 44 North, Range 12, east of the Third Principal Meridian, according to the plat thereof, recorded October 11, 1967 as Document 1354992 in Book of Plats, page 38 and Certificate of Correction recorded October 7, 1968 as Document Number 1396277, in Lake County, Illinois

Required*

- Plat of survey including legal description.
- Evidence of title to property for which relief is sought or written documentation of contractual lease.
- Scale site plan showing building locations and dimensions.
- Scale site plan showing addition, new construction, modification, etc.
- Schematic drawings showing floor plan, elevations, and exterior mechanical equipment.
- Floor Area Calculation Table (if applicable)
- Other: _____

Optional

- Landscape Plan
- Photographs of subject property and surrounding properties.
- Testimony from neighbors is strongly encouraged.

*15 copies, no larger than 11x17, must be submitted

SIGNATURES

The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. **The owner must sign the application.**

Owner

Signature: _____

Date: 3/20/15

Print Name: JOEY MANNORS

Applicant

Signature: _____

Date: 3/20/15

(If other than owner)

Print Name: Allison McMahon

To whom it may concern:

We would like to thank you for the opportunity for letting us share our vision and plans of our future business endeavor with you.

North Shore Preschool LLC believes a supportive, nurturing, and engaging learning environment can make a powerful impact on how children develop physically, emotionally, intellectually, and socially. Our hope is to bring the established preschool ideals founded in Lincoln Park Preschool & Kindergarten to the communities north of Chicago. North Shore Preschool LLC will offer developmentally appropriate, age-based curriculum designed to cultivate holistic wellness in children under the age of five. The school will incorporate key academic subjects such as mathematics, science, language arts, creative arts, and foreign language with a focused approach to organic food and nutrition, as well as a dedication to nurturing social and emotional development within each domain.

North Shore Preschool LLC will establish itself as a trusted preschool environment in the local market by providing professional, skilled instruction by certified and highly qualified teachers. North Shore Preschool LLC will provide a full time career to 8 lead teachers and 4 assistant teachers as well as a school Director. All lead teachers will possess a Bachelor's degree or higher in Childhood Development or Early Education.

The school will provide North Shore families a flexible enrollment structure- a two, three, or five day program to fulfill all individual needs. North Shore Preschool brings an original full-day option to those families seeking a more complete program. North Shore Preschool will also offer before and after school care, as well as a summer camp program.

The typical school day at North Shore Preschool LLC will run as follows:

- Morning Drop-Off: 8:00-9:30 am
- Transitional pick-up (optional) 12:30 - 1:00 pm
- Afternoon Pick-Up: 3:00 - 4:30 p.m.

During drop-off times we will request our families to park and escort their child into the school to sign them in within their designated classroom. When the parent returns to pick up their child, we will again request for them to park and come into the school to sign them out for the day. We feel we are allowing ample transition time in the morning as well in the afternoon to create an ease flow of traffic and to prevent congestion in the parking lot. All North Shore Preschool LLC teachers will be asked to park on the North side of the building and if need be across the street in the overflow parking lot.

North Shore Preschool will include four classrooms to accommodate a maximum of 76 children ranging from two to five years of age. The school will regularly incorporate enrichment and community involvement programs, such as onsite music and movement play, community service projects, and instructive language learning. Unstructured outdoor play will also be scheduled on a daily basis. Our summer camp will take place for an eight week period through the months of June, July, and August. During camp session our curriculum will be based mainly on outdoor activities and field trips.

Unstructured outdoor play will also be a part of North Shore Preschool's daily regimen. The school will install a five foot black aluminum fence to encase the playground on the West side of the building. The total play area will be 2,800 sq ft. There will be two secure points of entrance within the playground. One will be located along the East side of the play area and the second one will be located along the North side of the play area. There will be a large play structure for the children to play on as well as other interactive equipment for the children to explore. EWF (engineered wood fiber chips) will fill the surface below the equipment only. The remaining area will be left as grass.

North Shore Preschool LLC will be owned and operated by Allison McMahon, Jillian Wagner, and Sharon Kozek. Ms. McMahon is an experienced early childhood educator who has served as a Teacher for the past 13 years. Today, she is raising her own family at home, leading her to a greater understanding of the needs of today's families and inspiring the launch of North Shore Preschool. She holds a Bachelor of Arts degree in Child Development from Central Michigan University, as well as a Bachelor's degree in Montessori Early Childhood Education. Jillian Wagner holds certifications in Early Childhood Education, Elementary Education, and Language Arts, and received her Bachelor of Arts degree from Michigan State University in Child Development and Elementary Education. Sharon Kozek is the founder of Lincoln Park Preschool & Kindergarten in Chicago, IL. With a 21-year business history, Sharon has experience in establishing and continuing a successful Preschool program. She has received her Bachelor's degree in Early Childhood Education from Bowling Green State University. She not only successfully owns and operates 3 preschools; she is also committed to giving back both locally and globally on the schools' behalf.

Thank you for your time and consideration,

Allison McMahon

ATTACHMENT A

STANDARDS FOR SPECIAL USE PERMITS

1. **General Standard:** *Describe how the proposed use will not adversely impact adjacent properties.*

The facility is being housed within an existing building with an existing parking lot, a future improved parking lot in front of the building, increased landscaping around the building, and an existing access driveway. The building and facility are similar to other structures within an existing office and light industrial business park. There will be a play area on the west side side of the building. It is anticipated that there will not be any adverse impacts to adjoining properties because of the compatibility of the building and site improvements to other adjacent properties. In fact, there may be positive impacts to adjacent properties because there will day care provided in close proximity to parents that may be employed in the existing business park.

2. **No Interference with Surrounding Development.** *Describe how the proposed use will not hinder or interfere with the development or use of surrounding properties.*

All the surrounding property has been developed and is currently in established business and industrial uses. The subject use will be housed in an existing building that will include some site improvements. It is not anticipated that the improvements or the use will have any effects on current or future use of the surrounding properties, because the site is served by its own driveway entrance and there should not be any conflicts because of traffic or any other possible impact.

3. **Adequate Public Facilities.** *Describe how the proposed use will be served by streets, public utilities, police and fire service, drainage, refuse disposal, parks, libraries and other public services.*

The site and proposed use gets its access from Sherwood Drive an existing local street that serves the business park and gets access to Waukegan Road the arterial road at two locations. Construction of the existing building was started in 2007 and was designed to have adequate sizing of utilities for water, sanitary sewer, electricity, gas, and storm sewer to service the building and site. In 2014 plans were approved for expansion of the parking lot and the placement of storm water management underground beneath the new parking lot in front of the building. The Day Care facility does not anticipate any increase in calls for either the police or fire department, will not impact the library, or have any adverse impacts to any other public service. Refuse is being handled in an existing dumpster enclosure at the southeast corner of the site and this refuse is being picked up by a private waste disposal company on a scheduled and as needed basis.

J.F. MCKINNEY & ASSOCIATES LTD

February 15, 2015

Mrs. Allison McHahon
North Shore Preschool, LLC
1103 Foster Avenue
Lake Bluff, IL 60044

Dear Allison:

Thank you again for presenting 917 Sherwood to North Shore Preschool. I have enjoyed the opportunity to visit with you, John and Ryan and learn about your exciting plans.

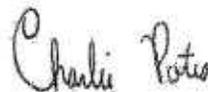
As we discussed, we are now in lease with the tenant taking the other half of the floor, and are pleased to present a proposal which we hope meets your client's needs.

We appreciate the opportunity to present this proposal, and look forward to working with you to create a vibrant and efficient new facility for North Shore Preschool at 917 Sherwood Drive.

J.F. MC KINNEY &
ASSOCIATES, LTD.



John F. McKinney
President



Charles Portis
Senior Vice President

CONSTRUCTION

Tenant shall receive an allowance of **REDACTED** per rsf to design and construct the space and adjacent play area. The allowance shall be applied to the space as it exists. Tenant shall be permitted to convert any unused allowance to free rent (up to \$10 per rsf) and shall be responsible for any costs in excess of the allowance. Landlord shall agree to fund a first space plan, however Tenant and Landlord shall agree to share on a 50%/50% basis any costs associated with securing the Village approvals for receiving the necessary text amendment(s) and special use permit. Tenant shall have the right to be reimbursed for its 50% of those costs from the construction allowance if the project is approved and a lease is fully executed.

IV. RENEWAL

Tenant shall have the right to renew the lease for two five year periods, at the market rate for comparable space, by providing 12 months written notice.

V. IDENTITY

North Shore Preschool shall be entitled to space on the building's monument sign at Landlord's expense.

VI. COMMISSION

The enclosed proposal assumes that J.F. McKinney & Associates and Berkshire Hathaway Home Services are the sole brokers in the transaction.

LEGALEFFECT

This proposal is not intended to serve as a binding agreement, or to otherwise obligate Lessee or Lessor to lease the Property. This proposal is intended only to confirm the mutual interest of both parties in proceeding with further negotiations toward attempting to enter into a Lease, and the parties shall respectively have no obligations unless and until a Lease Agreement is in fact executed by both parties. The terms of this proposal

MCKINNEY

are also subject to review of Tenant's most recent financial statements and determination of appropriate securitization.

Alyson McMath

Accepted and Approved

2-15-15

Date

Secretary of State Jesse White
Department of Business Services
Limited Liability Division
www.cyberdriveillinois.com

Filing Fee: \$500
Expedited Fee: \$100
Approved By: TLB

FILED
SEP 09 2014
Jesse White
Secretary of State

1. Limited Liability Company Name: NORTH SHORE PRESCHOOL L.L.C.

2. Address of Principal Place of Business where records of the company will be kept:
1103 FOSTER AVE

LAKE BLUFF, IL 60044

3. Articles of Organization effective on the filing date.

4. Registered Agent's Name and Registered Office Address:

ALLISON MCMAHON
1103 FOSTER AVE
LAKE BLUFF, IL 60044-1405

LAKE

5. Purpose for which the Limited Liability Company is organized:

"The transaction of any or all lawful business for which Limited Liability Companies may be organized under this Act."

6. The LLC is to have perpetual existence.

7. The Limited Liability Company is managed by the manager(s).

WAGNER, JILLIAN
1103 FOSTER AVE
LAKE BLUFF, IL 60044

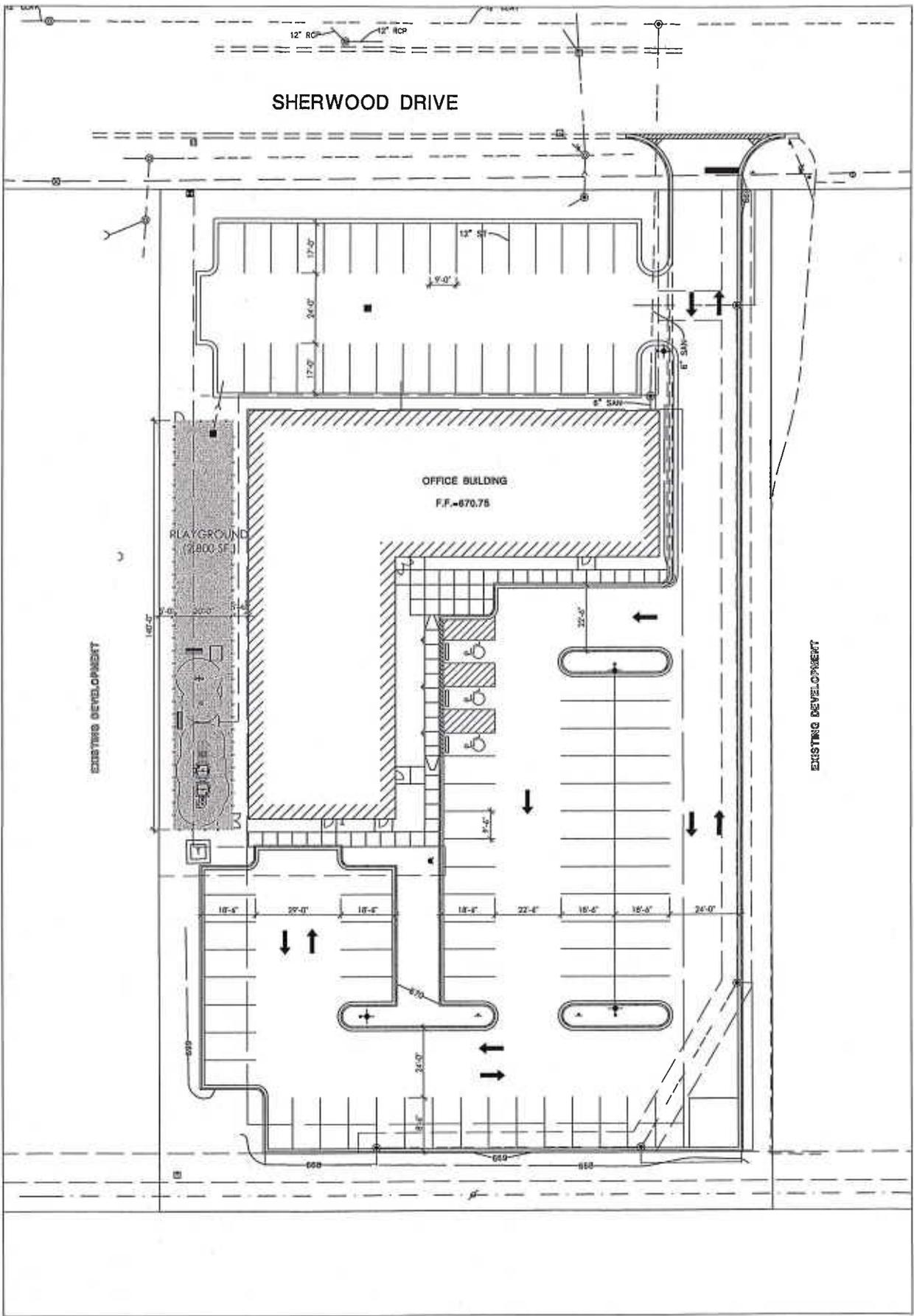
MCMAHON, ALLISON
1103 FOSTER AVE
LAKE BLUFF, IL 60044

8. Name and Address of Organizer

I affirm, under penalties of perjury, having authority to sign hereto, that these Articles of Organization are to the best of my knowledge and belief, true, correct and complete.

Dated: SEPTEMBER 09, 2014

ALLISON MCMAHON
1103 FOSTER AVE
LAKE BLUFF, IL 60044



inter:work
 architects
 Interwork architects Incorporated
 1000 shawnee rd - northbrook, il 60062
 t: 847-505-1070 f: 847-505-1604
 www.interworkarchitects.com

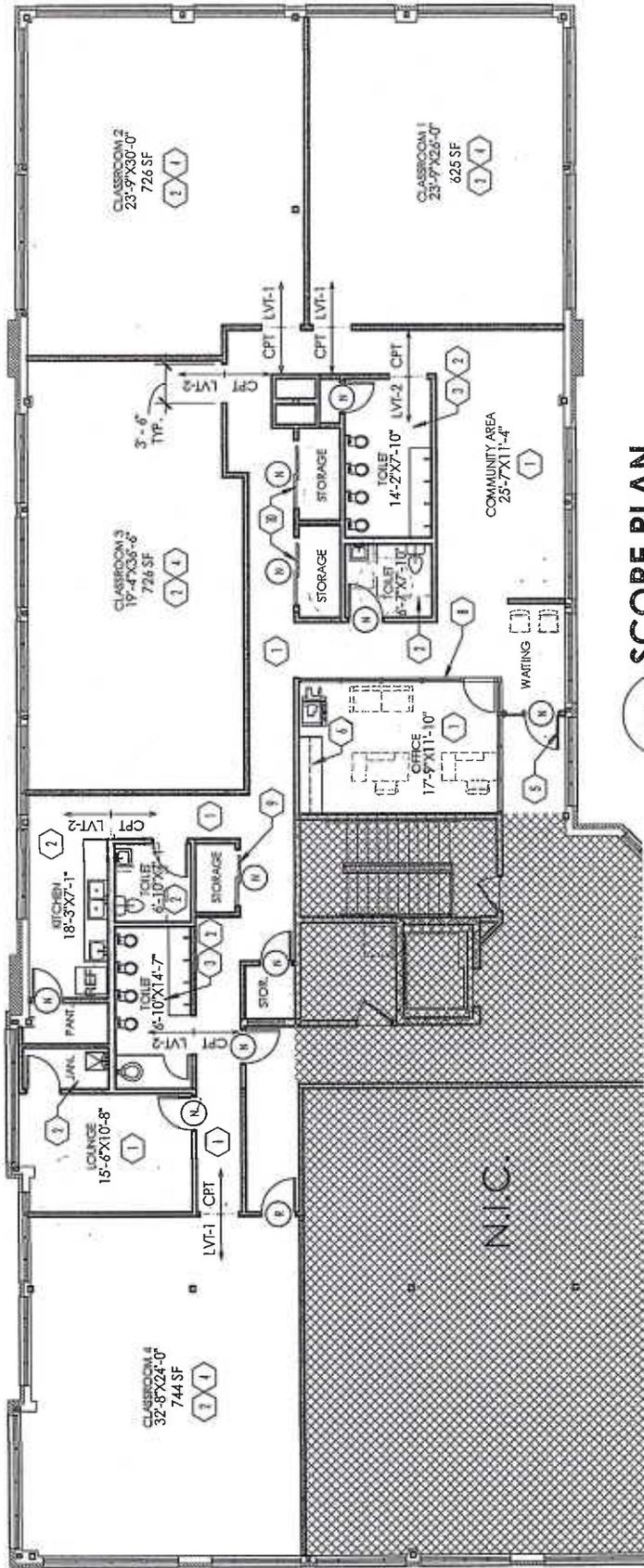
SITE PLAN

PROJECT NORTH SHORE PRESCHOOL
 ADDRESS 917 SHERWOOD, LAKE BLUFF
 PROJ NO 0632.017.000

REV 3.31.15

SCALE 1" = 300'
 AREA _____
 DATE 3.27.15
 SHEET SK-3.27-1





1 SCOPE PLAN

1" = 10'-0"

GENERAL NOTES

1. NEW PAINT THROUGHOUT SUITE.
2. ALL DOORS AND FRAMES ARE TO MATCH EXISTING BUILDING STANDARD, UNLESS NOTED OTHERWISE.

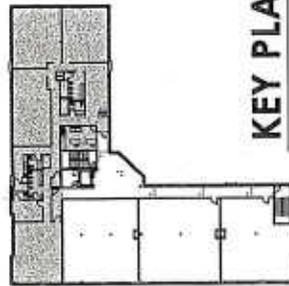
SCOPE PLAN KEYED NOTES

1. PROVIDE BROADLOOM CARPET IN THIS AREA.
2. PROVIDE LVT PLANK FLOORING IN THIS AREA.
3. PROVIDE TILE UP TO 48" AFF ON WALLS IN TOILET ROOM.
4. PROVIDE CORK BOARD ON ONE WALL IN EACH CLASSROOM FROM 2'4" AFF TO 7'2" AFF, 6" LONG WITH WOOD TRIM ALL AROUND.
5. NEW GLASS ENTRY DOOR WITH 18" SIDELITE.
6. NEW 7" LONG PLASTIC LAMINATE COUNTERTOP WITH WOOD BASE AND UPPER CABINET.
8. PROVIDE GLASS IN ALUMINUM FRAME FROM 36" AFF TO 8'4" AFF. WALLS TO EXTEND UP TO DECK. PROVIDE GLASS DOOR INTO OFFICE.
9. PROVIDE 5" WIDE SLIDING DOORS.
10. PROVIDE 6" WIDE SLIDING DOORS.

SPACE PLAN LEGEND

- WALL / DOOR TO BE DEMOLISHED
- EXISTING WALL TO REMAIN
- NEW 7' TALL PARTITION
- NEW FULL HEIGHT PARTITION
- HALF HEIGHT PARTITION
- EXISTING DOOR
- NEW DOOR

KEY PLAN



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Aegis Plus combines *strength greater than most industrial steel fences* with a surface finish that is essentially maintenance-free. The size of Aegis Plus works well for numerous applications where users are seeking greater strength and a *more substantial look without the high cost of industrial fencing.*

APPLICATIONS

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- *Self Storage*
- *Parks & Recreation*
- *Event Centers*
- *K-12 Schools*
- *Childcare Facilities*



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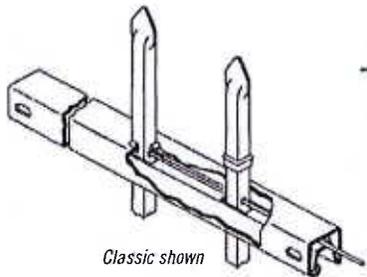
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ASSA ABLOY

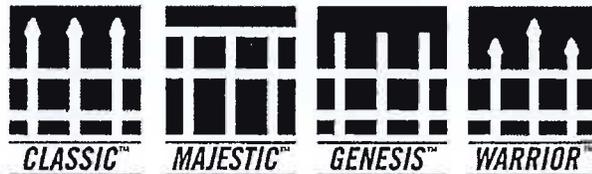
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COMMERCIAL ORNAMENTAL STEEL FENCE

.75"sq x 17ga PICKETS | 1.5" x 1.5" x 14ga ForeRunner[™] RAILS | 2.5"sq x 12ga POSTS



STYLE OPTIONS



FABRICATION & DESIGN

Ameristar crafted the ForeRunner rail to increase strength through architecture. The innovative design of the ForeRunner rail contains an internally secured rod that allows for variable pitch connection, high angle biasability and eliminates the need for visually unappealing external fasteners. Galvanized inside and out; to protect against internal corrosion; puts the ForeRunner rail in the upper echelon of fencing options.



PERMACOAT[™] PROTECTIVE FINISH

Ameristar's production facilities use a state-of-the-art polyester powder coating system that provides a durable and scratch resistant finish. Aegis is protected with Ameristar's PermaCoat multi-layer coating process. The combination of these layers delivers a system that increases weathering resistance and product durability. The Ameristar coating system results in finished surfaces with unmatched performance.



10 YEAR LIMITED WARRANTY

The family of Aegis steel fencing products are manufactured from the highest quality materials by skilled craftsmen to meet the highest standards of workmanship in the industry. This is why Ameristar proudly offers a limited 10 year warranty.



DOMESTIC MANUFACTURING

Ameristar is committed to providing products that are manufactured in the USA. We have made significant investments in technology, process improvement, and employee training in an effort to secure American jobs and combat inferior import products.

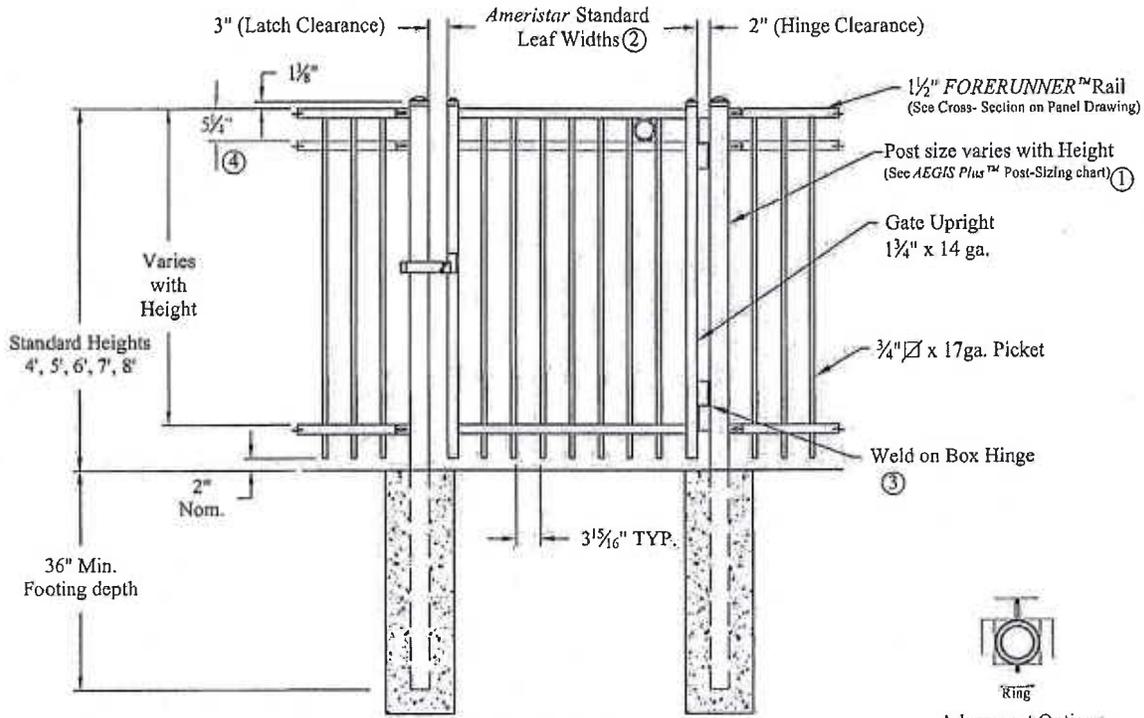
#DAP | REVISED 05/2014



FENCE PRODUCTS

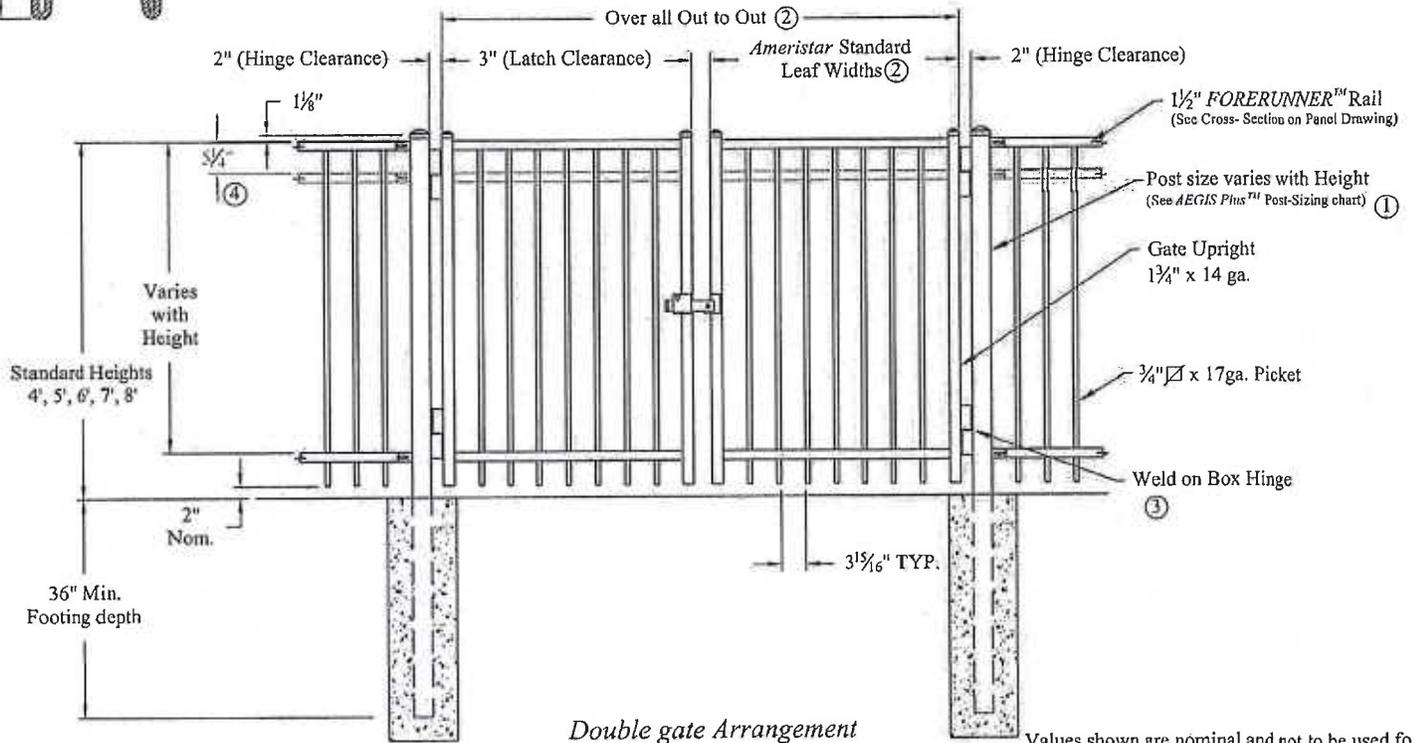
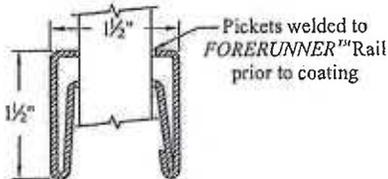
TO PLACE YOUR ORDER CALL 888-333-3422 | VISIT AMERISTARFENCE.COM





NOTES: *Single gate Arrangement*

- 1.) Post size depends on fence height, weight and wind loads. See *AEGIS Plus™* post sizing chart.
- 2.) See *Ameristar* gate table for standard out to outs. Custom gate openings available for special out to out/leaf widths
- 3.) Additional styles of gate hardware are available on request. This could change the Latch & Hinge Clearance.
- 4.) Third rail optional (Required with rings, See Detail).



Double gate Arrangement

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

IMISOG

COMMERCIAL STRENGTH STEEL

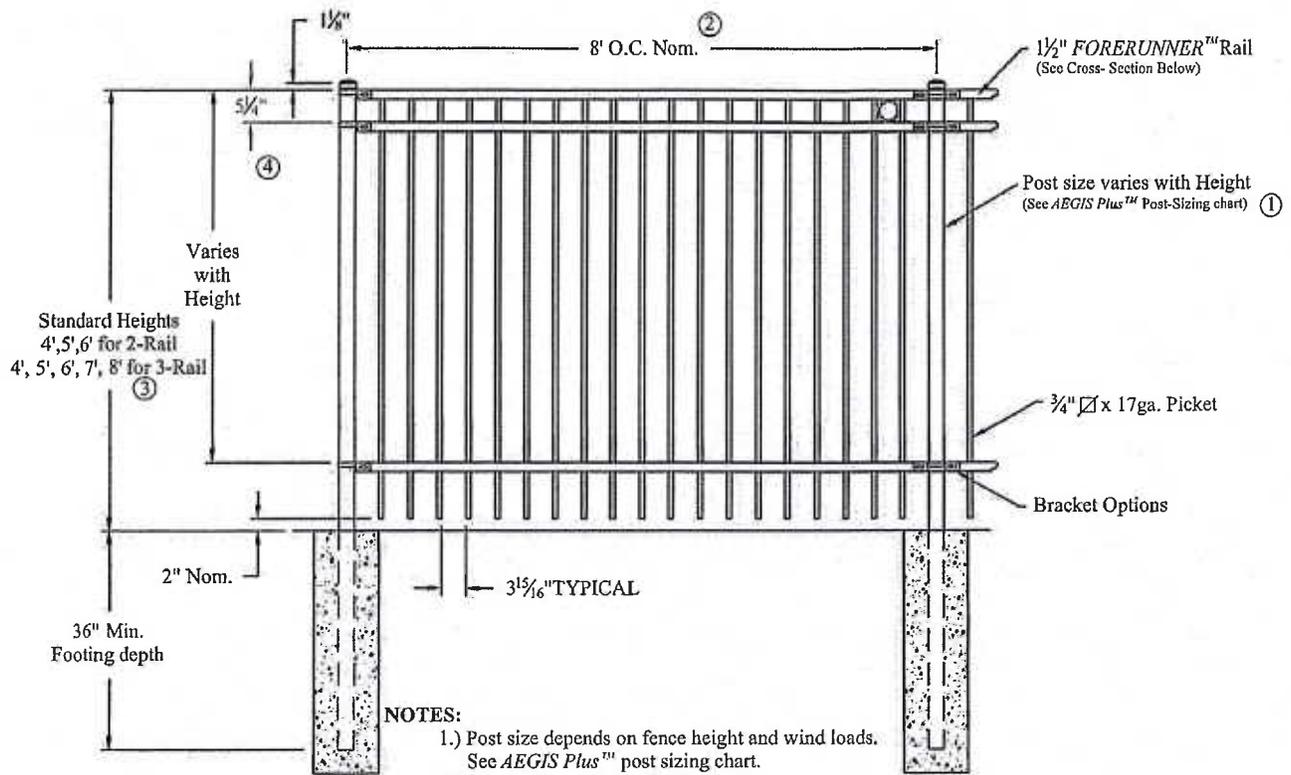
AEGIS PLUS MAJESTIC 2/3-RAIL SGL & DBL GATE

DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE
CK: PR	Date 6/17/10	REV: e



AMERISTAR

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com



NOTES:

- 1.) Post size depends on fence height and wind loads. See AEGIS Plus™ post sizing chart.
- 2.) Panels also available for 6' on center post spacing
- 3.) Additional heights available on request
- 4.) Third rail optional (Required with rings, See Detail).

RING OPTION

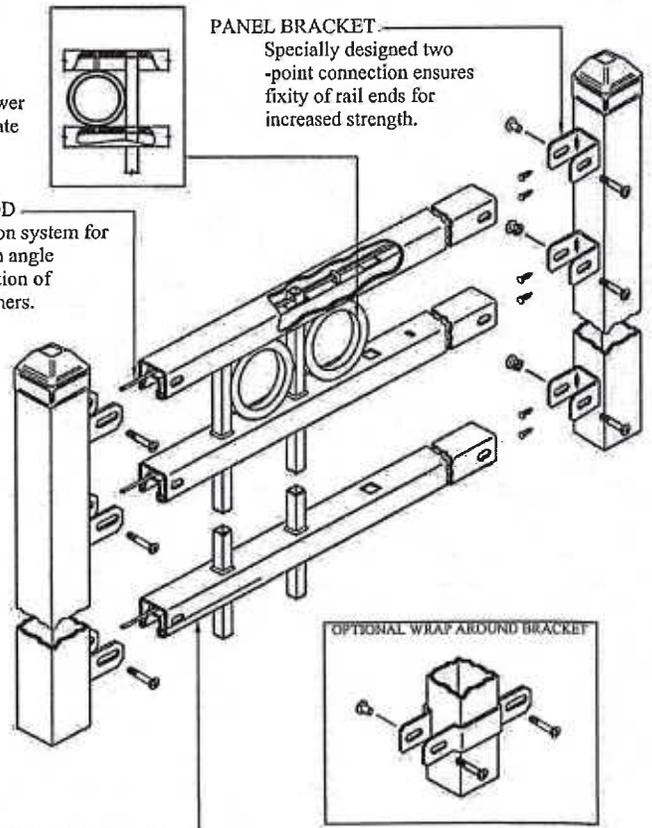
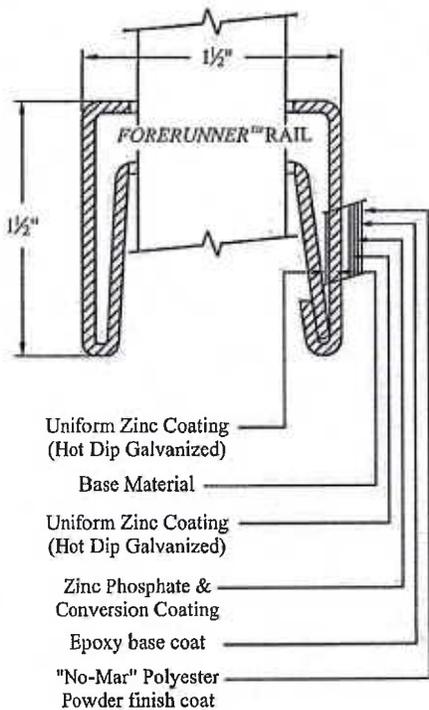
Held in place with upper and lower internal retaining rods to eliminate unsightly external fasteners.

INTERNAL RETAINING ROD

Variable pitch connection system for ease of installation, high angle bias ability and elimination of unsightly external fasteners.

PANEL BRACKET

Specially designed two-point connection ensures fixity of rail ends for increased strength.



Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

COMMERCIAL STRENGTH STEEL

AEGIS PLUS MAJESTIC 2/3-RAIL W/RING OPTION

DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE
CK: PB	Date 6/17/10	REV: e



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Engineered wood fiber material is the most widely used play surface today:

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- Sold by the truckload for commercial playgrounds
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- Wear mats and border accessories available (see below)



Keep woodchips in place under swings or other high wear spots with DynaCushion Wear Mats. Easy to install, these mats offer stability, longevity, durability, and resistance to wear.



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 LaGrange, IL 60525
 708-579-9055
 708-579-0109 (fax)
 1-800-526-6197

March 19, 2015

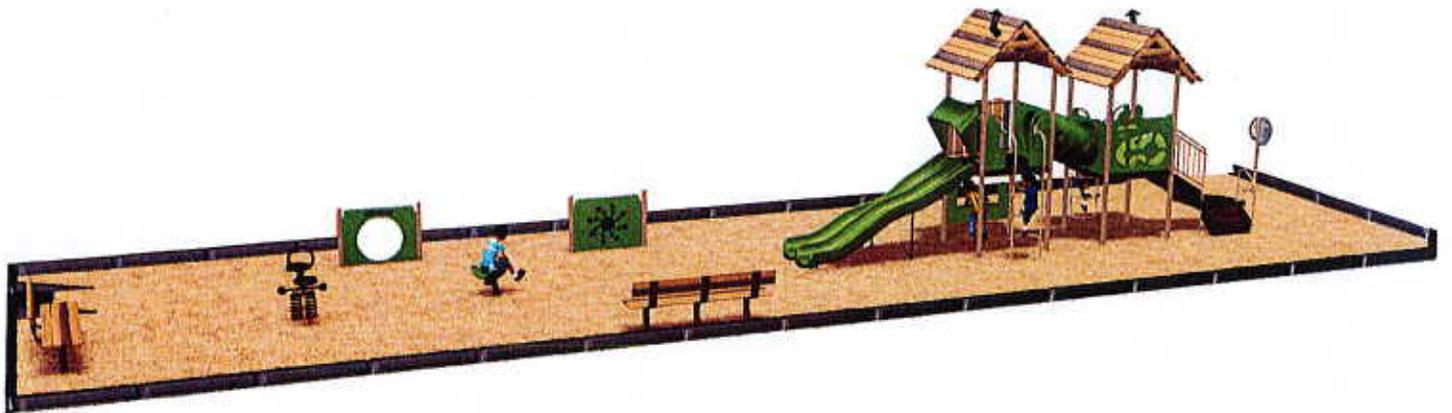
North Shore Preschool
 Lake Bluff, IL
 PlayShaper System

<u>QTY.</u>	<u>NO.</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>	<u>PRICE</u>
2-5 Year Olds Structure				
1	178720A	Double Wave Poly Slide 48"Dk DB		\$ 2,135.00
1	111364A	Loop Ladder 40"Dk DB		740.00
1	111364A	Loop Ladder 48"Dk DB		740.00
1	139268A	Offset Crawl Tunnel 8"Offset		1,155.00
1	117147A	Gear Panel Above Deck		1,440.00
1	173586A	Recycled Wood-Grain Lumber Panel Above Deck		980.00
1	144984A	Storefront Panel		330.00
2	173587A	Tree House Roof	\$ 2,750.00	5,500.00
1	153020B	Curved Transfer Module 40"Dk Left DB		1,995.00
2	111237A	Square Tenderdeck	615.00	1,230.00
4	111396C	129"Post For Roof DB	250.00	1,000.00
4	111396B	137"Post For Roof DB	\$ 270.00	1,080.00
1	182503A	Welcome Sign (LSI Provided) Ages 2-5 years Direct Bury		Complimentary
		Subtotal		\$ 18,325.00
Also:				
1	164075B	Double Bobble Rider DB		\$ 1,630.00
1	152179A	Saddle Spinner DB 12"Height		925.00
		Subtotal		\$ 2,555.00
Ground Level Panels				
1	111298A	Mirror Panel Ground Level		\$ 785.00
1	177719A	Rain Sound Wheel Panel Ground Level		1,630.00
4	111397H	69"Post DB	\$ 200.00	800.00
		Subtotal		\$ 3,215.00
Border for Playground EWF/Chip Area Only				
42	100626A	30" Galvanized Stake	\$ 11.00	\$ 462.00
38	119214A	Tuff-Timber 4'	\$ 41.00	1,558.00
1	130799A	TuffTimbers Access Wedge		685.00
		Subtotal		\$ 2,705.00
Site Furniture				
2	186583C	Wood-Grain Bench 70" w/Back 2x4 Cedar/Mink Slats w	\$ 650.00	\$ 1,300.00
		Equipment Total		\$ 28,100.00
		Sales Tax 8.25%		2,318.25
		Shipping Cost		1,965.00
		Total		\$ 32,383.25

LKB15NOR1-MW

North Shore Preschool

Lake Bluff, IL March 19, 2015 LKB15NDR1 RV



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North Shore Preschool

Lake Bluff, IL March 10, 2015 LKB16NORT.FV



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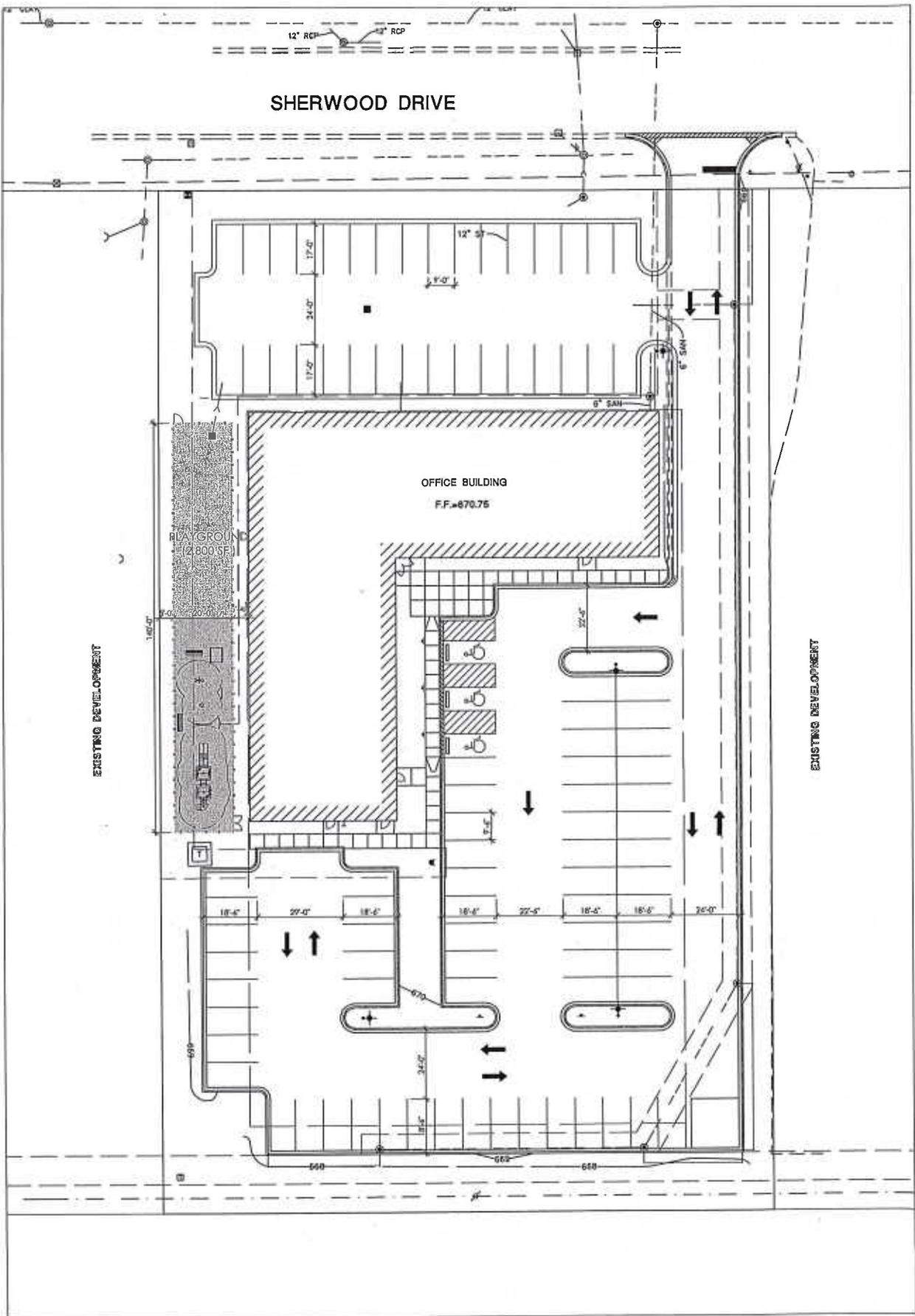


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SITE PLAN

PROJECT NORTH SHORE PRESCHOOL
 ADDRESS 917 SHERWOOD, LAKE BLUFF
 PROJ NO 0632.017.000 REV 3.31.15

SCALE 1" = 300'
 AREA _____
 DATE 3.27.15
 SHEET SK-3.27-1





UNITED STATES
DEPARTMENT OF LABOR

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Division I: ServicesMajor Group 83: Social Services

Industry Group 835: Child Day Care Services

8351 Child Day Care Services

Establishments primarily engaged in the care of infants or children, or in providing prekindergarten education, where medical care or delinquency correction is not a major element. These establishments may or may not have substantial educational programs. These establishments generally care for prekindergarten or preschool children, but may care for older children when they are not in school. Establishments providing babysitting services are classified in Industry 7299. Head Start centers operating in conjunction with elementary schools are classified in Industry 8211.

- Child care centers
- Day care centers, child
- Group day care centers, child
- Head Start centers, except in conjunction with schools
- Nursery schools
- Preschool centers

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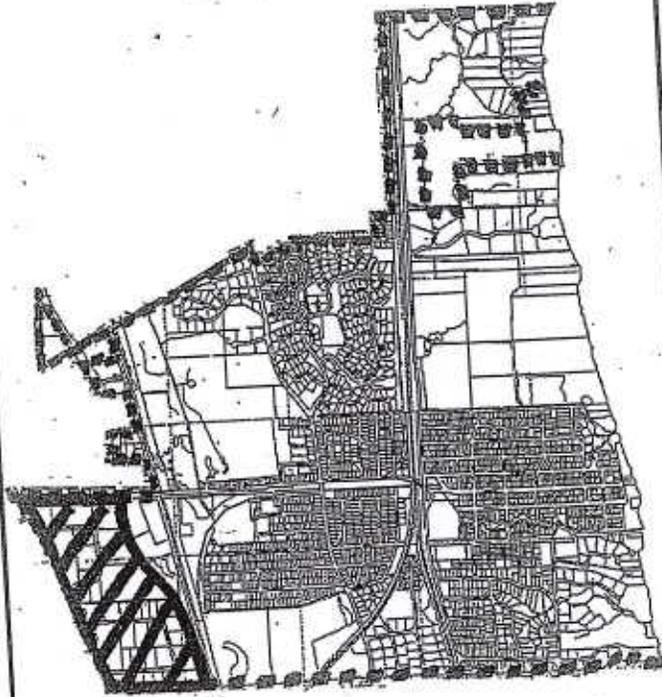
U.S. Department of Labor | Occupational Safety & Health Administration | 200 Constitution Ave., NW, Washington, DC 20210

Telephone: 800-321-OSHA (6742) | TTY

www.OSHA.gov

Objective - Land Use Area 8

LU8. Enhance and maximize economic return to the Village in a manner compatible with existing uses.

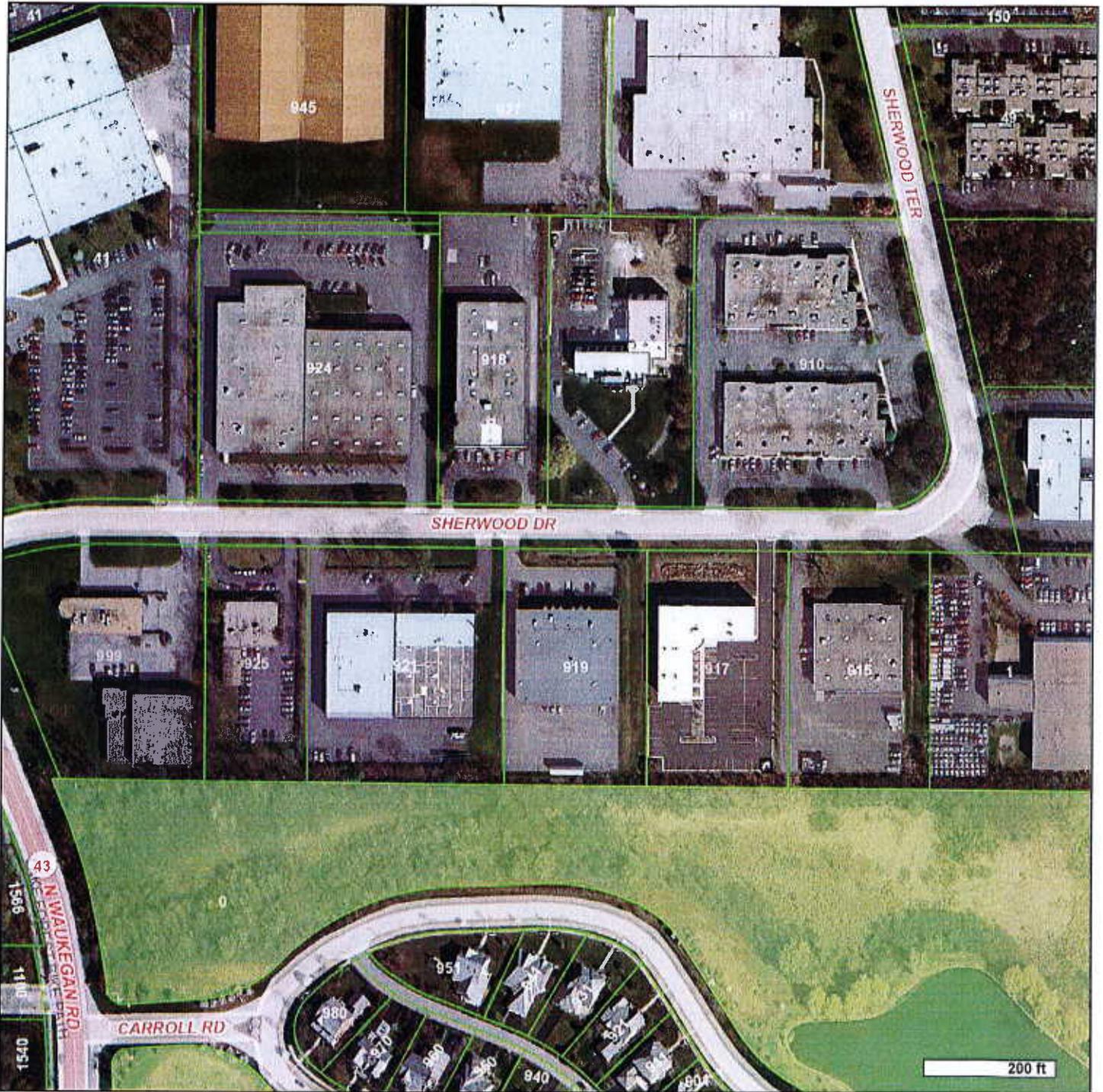


West of Route 41, south of Route 176, east of Route 43.

Policies - Land Use Area 8

- LU8-1. Maintain existing zoning classifications for the area except with reference to the area south of Route 176 and north of Carriage Park Avenue and east of the Carriage Way Shopping Center, to be rezoned to promote an automobile district or other retail development. See policy ED2-2.
- LU8-2. Inventory and control existing uses that pose environmental hazards.
- LU8-3. Maintain the appearance, setback requirements and controls regulating development in the area.
- LU8-4. As a general policy, retain existing public rights-of-way throughout the Village. Inventory and categorize existing Village rights-of-way. Develop a process, standards and criteria for identifying rights-of-way which, if vacated, sold or otherwise disposed of, would not adversely impact the character of the Village.

Lake County, Illinois



LakeCounty
Geographic Information System

Lake County Department
of Information Technology
18 N County St
Waukegan IL 60085
(847) 377-2373

Map Printed on 04/11/2015



-  Forest Preserves
-  Lake County Border
-  Streams
-  Tax Parcels
-  Trails

Disclaimer

The selected soil feature layer may not occur anywhere in the current map extent. A Registered Land Surveyor should be consulted to determine the precise location of property boundaries on the ground. This map does not constitute a regulatory determination and is not a base for engineering design. This map is intended to be viewed and printed in color.

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals
FROM: Brandon J. Stanick, Assistant to the Village Administrator
DATE: May 15, 2015
SUBJECT: **Agenda Item #5** - Proposed Site Modifications and Related Zoning Relief Requested for 101 Waukegan Road (Carriage Point Building)

Applicant Information:	Franklin 101 Waukegan, LLC (Petitioner/Owner)
Location:	101 Waukegan Road
Requested Action:	Request for zoning relief related to: i) reducing parking stall sizes, ii) allowing parking in the front yard, and iii) encroaching into the front yard to allow parking.
Public Notice:	<i>Lake County News Sun</i> -- May 5, 2015
Existing Zoning:	Light Industry District (L-1)
Purpose:	To increase the number of onsite parking spaces to attract office tenants.
Lot Size:	333,924 sq. ft. (7.67 acres)
Building Size:	98,572 sq. ft.
Existing Land Use:	L-1 District – multi-tenant building with existing office and medical office uses
Surrounding Land Use:	<ul style="list-style-type: none">• North: Retail and Restaurant• East: Service and Office• South: Medical Office• West: Residential and Recreational (Lake Forest)
Comprehensive Plan Land Use Objective:	Enhance and maximize economic return to the Village in a manner compatible with existing uses.
Zoning History:	None available
Applicable Land Use Regulations:	<ul style="list-style-type: none">• L-1 District parking stall size variation• L-1 District front yard requirement variations

Background and Summary

On March 5, 2015 the Plan Commission and Zoning Board of Appeals (PCZBA) and the Architectural Board of Review (ABR) conducted an informal workshop meeting with representatives from Franklin 101 Waukegan, LLC (Petitioner/Owner) to review proposed modifications to the parking lot of the Carriage Point Building (101 Waukegan Road). Comments generated during the workshop discussion include: i) preference for a 9 ft. parking stall width; ii) concern for parking lot setback along Carriage Park Ave. less than 10 ft.; iii) preference not to use public right-of-way to screen parking lot; iv) suggestion to shift parking lot south toward the building to increase setback along Carriage Park Ave.; v) create a drive aisle in the center of the parking spaces along Carriage Park Ave. to facilitate traffic flow; and vi) suggestions to make improvements in support of onsite retail and neighboring retail establishments (i.e. pedestrian pathway connection to sidewalk south of the Target Store).

Following the receipt of a revised proposal, and responses to Staff's recommendations, the Petitioner submitted a final proposal on May 1, 2015. The proposed modifications to the site include the following:

1. increase the total number of parking spaces by 99 (from 244 to 343 spaces) -
 - Required for office use: 1 space per 600 sq. ft. of building ($98,572/600 = 164$ required spaces);
2. reconfigure parking space locations and drive aisles and eliminate westerly entrance drive;
3. provide 9 single head light fixtures, 3 double-head fixtures and 1 triple head fixture; (18 total lights); and
4. install additional landscaping along Carriage Park Ave. and Waukegan Road, as well as throughout the reconfigured parking lot –
 - According to Petitioner existing green area is 39% of the site and is reduced to 33%.

Zoning Analysis

Village Staff has conducted the required zoning analysis and confirms the proposed plans, with the exceptions of the parking stall size and front yard regulations, are in compliance with the Zoning Code. As a point of information the Zoning Code defines "structure" as anything constructed above grade with the exception of patios, driveways and walks at grade level.

L-1 District Parking Stall Size

Minimum size for employees/officers:	9.5 ft. x 18.5 ft.
Minimum size for customers:	10.0 ft. x 19.5 ft.
<u>Proposed size:</u>	<u>9.0 ft. x 18.0 ft.</u>
Employee/officer space size total variation:	0.5 ft. x 0.5 ft. (5.26% x 2.70%)
Customer space size total variation:	1.0 ft. x 1.5 ft. (10.00% x 7.69%)

L-1 District Front Yard Encroachment

Required Front Yard (along Carriage Park Avenue):	75 ft.
<u>Proposed Front Yard encroachment:</u>	<u>65 ft.</u>
Front Yard encroachment variation:	86.67%

L-1 District Parking

Parking in the Front Yard: Not Allowed
Proposed: 178 parking spaces

Front Yard parking variation: Allow parking in the Front Yard

It is important to know the ABR is responsible for reviewing the overall proposed modifications to the site plan, including: parking space and aisle configuration, landscaping and lighting. The public hearing for the ABR to consider the proposal is tentatively scheduled for June 2nd. Although this is the case, there are requirements of the Zoning Code related to parking in the L-1 District that require the Petitioner to first seek zoning relief, and ultimately receive a recommendation from the PCZBA, related to the proposed plan. Also, any landscape improvements that are recommended for approval by the ABR will require an agreement between the Village and the Petitioner (considered by the Village Board) to use the public right-of-way along Carriage Park Ave.

The Petitioner will submit statements addressing the variation standards for the zoning relief being sought for the Front Yard prior to the meeting.

PCZBA Authority

The PCZBA has authority to:

- Recommend the Village Board approve or deny the request for:
 - a variation from Section 10-7A-5A(2)(b) of the Zoning Code to allow parking in the Front Yard along Carriage Park Ave., and
 - a variation from Section 10-7A-5A(2)(a) of the Zoning Code to allow a parking lot (“structure”) to encroach 65 ft. (86.67%) into the required front yard; and
- Conditionally approve or deny the 9.0 ft. x 18.0 ft. proposed parking stall size (note that under Section 10-2-4A1c of the Zoning Code, because the Village Board has final authority over the requested variations from the Front Yard regulations, the PCZBA’s decision on the parking stall size variation is contingent upon, and subject to, the Village Board’s approval of the variations concerning the Front Yard).

Recommendation

Following the public hearing to consider the requests, the PCZBA should take one of the following actions:

- If more information is required, continue the public hearing to a date certain to allow the Petitioner to provide additional information.
- If more information is not required, vote to:
 - Recommend the Village Board approve or deny the request for:
 - a variation from Section 10-7A-5A(2)(b) of the Zoning Code to allow parking in the Front Yard along Carriage Park Ave., and
 - a variation from Section 10-7A-5A(2)(a) of the Zoning Code to allow a parking lot (“structure”) to encroach 65 ft. (86.67%) into the required front yard; and
 - Conditionally approve or deny the 9.0 ft. x 18.0 ft. proposed parking stall size.

Attachments

- Zoning application with supporting documentation.

If you should have any questions concerning the information provided in this memorandum please feel free to contact me at 847-283-6889.

FEE PAID:
 RECEIPT NUMBER:

DATE RECEIVED BY VILLAGE: **RECEIVED**
MAY 1 - 2015

VILLAGE OF LAKE BLUFF
APPLICATION FOR ZONING VARIATION, SPECIAL USE PERMIT, REZONING, OR PRO.....

SUBJECT PROPERTY

Address: 101 WAUKEGAN ROAD, LAKE BLUFF, IL. Zoning District: _____
(Property address for which application is submitted)

Current Use: COMMERCIAL
(Residential, Commercial, Industrial, Vacant, Etc.)

PIN Number: 12-19-209-011-0000

APPLICANT

Applicant: WRIGHT HEEREMA ARCHITECTS - GARET STEFANOWSKI

Address: 140 S. DEARBORN, SUITE 200, CHICAGO, IL 60603
(Address if different than subject property)

Relationship of Applicant to Property: ARCHITECT
(Owner, Contract Purchaser, Etc.)

Home Telephone: _____ Business Telephone: 312.356.7985

OWNER

Owner - Title Holder FRANKLIN 101 WAUKEGAN If Joint Ownership
Name: FRANKLIN PARTNERS LLC (AGENT) Joint Owner: _____
RAYMOND WARNER
Address: 55 SHUMAN BLVD Address: _____
NAPERVILLE, IL. 60563
Daytime Phone: 630.357.5400 Daytime Phone: _____
RWARNER@FRANKLINPARTNERS.NET

If ownership is other than individual and/or joint ownership, please check appropriate category and provide all additional ownership information as an attachment.

- Corporation Partnership
- Land Trust Trust
- Other: L.L.C.

Are all real estate taxes, special assessments and other obligations on the subject property paid in full?

Yes No If No, Explain: _____

ACTION REQUESTED

To provide time for legal notification requirements, any application requiring a Public Hearing before the Zoning Board of Appeals must be received at least 25 days prior to the next meeting date.

- Zoning Variation
- Special Use Permit
- Text Amendment
- Rezoning
- Planned Residential Development
- Other: _____

Applicable Section(s) of Zoning Ordinance, if known: _____

Narrative description of request: TO HAVE 9'-0" WIDE PARKING SPACES AND ADDITIONAL PARKING AREA APPROVED.

STANDARDS FOR VARIATIONS AND SPECIAL USE PERMITS

The Zoning Board is required by the Illinois State Statutes to apply the following standards in reviewing requests for Variations and Special Use Permits. The Board may only grant a variation or recommend that the Village Board grant a variation in cases where there are practical difficulties and particular hardships brought about by the strict application of the Zoning Ordinance and not by any persons, presently or formerly, having an interest in the property. The applicant has the burden of establishing each of these standards both in writing and at the Public Hearing. Please attach additional materials if necessary.

STANDARDS FOR VARIATIONS:

1. **Practical Difficulty or Hardship:** Describe the practical difficulty or particular hardship that would result from the strict application of the Zoning Ordinance.

ADDITIONAL PARKING NEEDED TO ATTRACT TENNANTS IN THE CURRENT MARKET.

2. **Unique Physical Condition:** Describe the unique characteristics of the lot or structures on the subject property which are exceptional, such as: a) existing unique structures or uses, b) irregular lot shape, size, or location, c) exceptional topographical features, or d) other extraordinary physical conditions.

PROPERTY HAS A LARGE OVER 100'-0" WIDE OPEN LANDSCAPE SETBACK ALONG WAUKEGAN ROAD WHICH WE WOULD LIKE TO PRESERVE AS OPEN AT THIS TIME WHICH WE BELIEVE IS AN ASSET TO THE PROPERTY AND VILLAGE OF LAKE BLUFF.

3. **Special Privilege:** Describe how the request will not simply provide the applicant with a special privilege that other property owners do not enjoy. The request must be for relief from the regulations due to hardship, and not simply to reduce inconvenience or to provide for financial gain.

WE HAVE ELIMINATED A VEHICLE EXIT + ENTRANCE ALONG CARRIAGE PARK AVENUE CLOSEST TO THE WAUKESGAN ROAD INTERSECTION TO REDUCE CROSS TRAFFIC CLOSEST TO THE CORNER.

4. **Code Purposes:** Describe how the request does not violate the intentions of the regulations. The applicant must show that the request does not adversely impact surrounding properties or the general welfare.

WE ARE KEEPING THE LARGE OVER 100' WIDE OPEN LANDSCAPE SETBACK AND SCULPTURE AREA ALONG WAUKESGAN ROAD AND THE CORNER OF CARRIAGE PARK AVENUE.

5. **Public Health and Safety:** Describe how the request will not: a) adversely impact the supply of light and air to adjacent properties, b) increase traffic congestion, c) increase the hazard of fire, d) endanger public safety, e) diminish the value of property within the surrounding area, or f) impair the public health, safety, comfort, morals, and welfare of the people.

STANDARDS FOR SPECIAL USE PERMITS:

1. **General Standard:** Describe how the proposed use will not adversely impact adjacent properties.

2. **No Interference with Surrounding Development:** Describe how the proposed use will not hinder or interfere with the development or use of surrounding properties.

3. **Adequate Public Facilities:** Describe how the proposed use will be served by streets, public utilities, police and fire service, drainage, refuse disposal, parks, libraries and other public services.

APPLICATION MATERIALS

LEGAL DESCRIPTION - MUST BE PROVIDED

LOT 2 IN LAKE BLUFF BUSINESS CENTER BEING A RESUBDIVISION OF LOTS 1, 2 AND 6 AND PART OF LOT 3 IN NORTH SHORE AUTO SALES AND SERVICE CENTER SUBDIVISION AND A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 19, TOWNSHIP 49 NORTH RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED MAY 23 1984 AS DOCUMENT 2285299 IN LAKE COUNTY, ILLINOIS.

Required

- Plat of survey including legal description.
- Evidence of title to property for which relief is sought or written documentation of contractual lease.
- Scale site plan showing building locations and dimensions.
- Scale site plan showing addition, new construction, modification, etc.
- Schematic drawings showing floor plan, elevations, and exterior mechanical equipment.
- Floor Area Calculation Table (if applicable)
- Other: _____

Optional

- Landscape Plan
- Photographs of subject property and surrounding properties.
- Testimony from neighbors is strongly encouraged.

*15 copies, no larger than 11x17, must be submitted

SIGNATURES

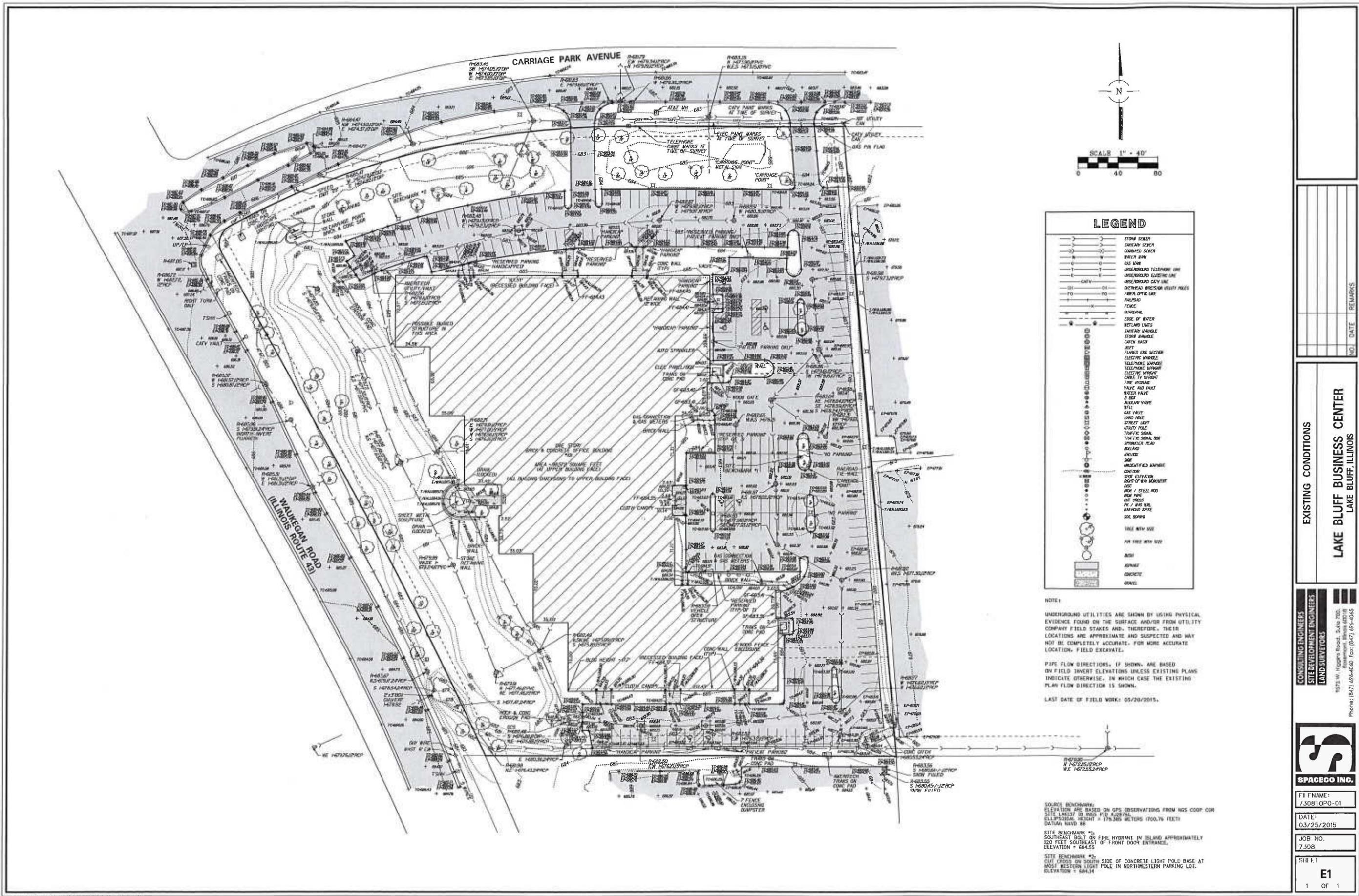
The undersigned hereby represent, upon all of the penalties of the law, for the purpose of inducing the Village of Lake Bluff to take the action herein requested, that all statements herein and on all related attachments are true and that all work here mentioned will be done in accordance with the ordinances of the Village of Lake Bluff and the laws of the State of Illinois. The owner must sign the application.

Owner Signature: [Signature] Date: _____

Print Name: Donald J. Shormaker

Applicant Signature: Garet Stefanowski Date: 05.01.15
(if other than owner)

Print Name: GARET STEFANOWSKI



LEGEND

	STORM SEWER
	SANITARY SEWER
	COMBINED SEWER
	WATER MAIN
	GAS MAIN
	UNDERGROUND TELEPHONE LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND CITY LINE
	OVERHEAD MEDIUM VOLTAGE LINE
	FIBER OPTIC LINE
	RAILROAD
	FENCE
	GUARDRAIL
	EDGE OF WATER
	WETLAND UNITS
	STREET MANHOLE
	STORM MANHOLE
	CATCH BASIN
	MANHOLE WITH FLARED END SECTION
	ELECTRIC MANHOLE
	TELEPHONE MANHOLE
	ELECTRIC UPRIGHT
	CABLE TV UPRIGHT
	FIRE HYDRANT
	VALVE AND VAULT
	WATER VALVE
	GAS BOX
	RAILWAY VALVE WELL
	GAS VALVE
	HAND HOLE
	STREET LIGHT
	UTILITY POLE
	TRAFFIC SIGNAL
	TRAFFIC SIGNAL BOX
	SPRINKLER HEAD
	BOLLARD
	WALL
	SIGN
	UNIDENTIFIED MANHOLE
	CENTER
	SPOT ELEVATION
	RIGHT-OF-WAY MONUMENT
	IRON / STEEL ROD
	IRON PIPE CROSS
	CAST IRON CROSS
	PIPE / WIRE RAIL
	RAILROAD CROSS
	SOIL BORING
	VAULT WITH SIZE
	FIRE HYDRANT WITH SIZE
	MANHOLE
	SIGNPOST
	CONCRETE
	GRAVEL

NOTE:
 UNDERGROUND UTILITIES ARE SHOWN BY USING PHYSICAL EVIDENCE FOUND ON THE SURFACE AND/OR FROM UTILITY COMPANY FIELD STAKES AND, THEREFORE, THEIR LOCATIONS ARE APPROXIMATE AND SUSPECTED AND MAY NOT BE COMPLETELY ACCURATE. FOR MORE ACCURATE LOCATION, FIELD EXCAVATE.
 PIPE FLOW DIRECTIONS, IF SHOWN, ARE BASED ON FIELD INVERT ELEVATIONS UNLESS EXISTING PLANS INDICATE OTHERWISE, IN WHICH CASE THE EXISTING PIPE FLOW DIRECTION IS SHOWN.
 LAST DATE OF FIELD WORK: 05/20/2015.

SOURCE BENCHMARK:
 ELEVATION AND BASED ON GPS OBSERVATIONS FROM NGS COOP COR SITE LATEST IS 855 976 4307 (NAD83)
 ELLIPSOIDAL HEIGHT = 176.385 METERS (578.76 FEET)
 DATUM NAD 83

SITE BENCHMARK #1:
 SOUTHEAST BOLT ON FIRE HYDRANT IN ISLAND APPROXIMATELY 120 FEET SOUTHEAST OF FRONT DOOR ENTRANCE.
 ELEVATION = 684.55

SITE BENCHMARK #2:
 CIVIL CROSS ON SOUTH SIDE OF CONCRETE LIGHT POLE BASE AT MOST WESTERN LIGHT POLE IN NORTHWESTERN PARKING LOT.
 ELEVATION = 684.34

EXISTING CONDITIONS LAKE BLUFF BUSINESS CENTER LAKE BLUFF, ILLINOIS	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">NO.</td> <td style="width: 70%;">DATE</td> <td style="width: 20%;">REMARKS</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	REMARKS						
NO.	DATE	REMARKS								
SPACECO INC. CONSULTING ENGINEERS SITE DEVELOPMENT ENGINEERS LAND SURVEYORS 9075 W. Higgins Road, Suite 700, Rosemont, Illinois 60018 Phone: (847) 696-4000 Fax: (847) 696-4005										
F11 FNAME: 730810PO-01 DATE: 03/25/2015 JOB NO. 7308 SHEET E1 1 OF 1										

CARRIAGE PARK AVENUE
HERETOFORE DEDICATED

L=410.60' CH=406.29'
R=816.76' N75°37'47"E

S89°58'06"E(M)
225.00'

PARKING COUNT
9'-0" x 18'-0" SPACES: 336
H.C. SPACES: 7
TOTAL: 343

EXISTING GREEN AREA: 39%
PROPOSED SITE PLAN GREEN AREA: 33%

Proposed Plan
Overlay on Existing Conditions

SITE PLAN- PARKING LAYOUT
Scale: 1/32" = 1'-0"

April 27, 2015



CARRIAGE POINT
101 WAUKEGAN ROAD
LAKE BLUFF, ILLINOIS

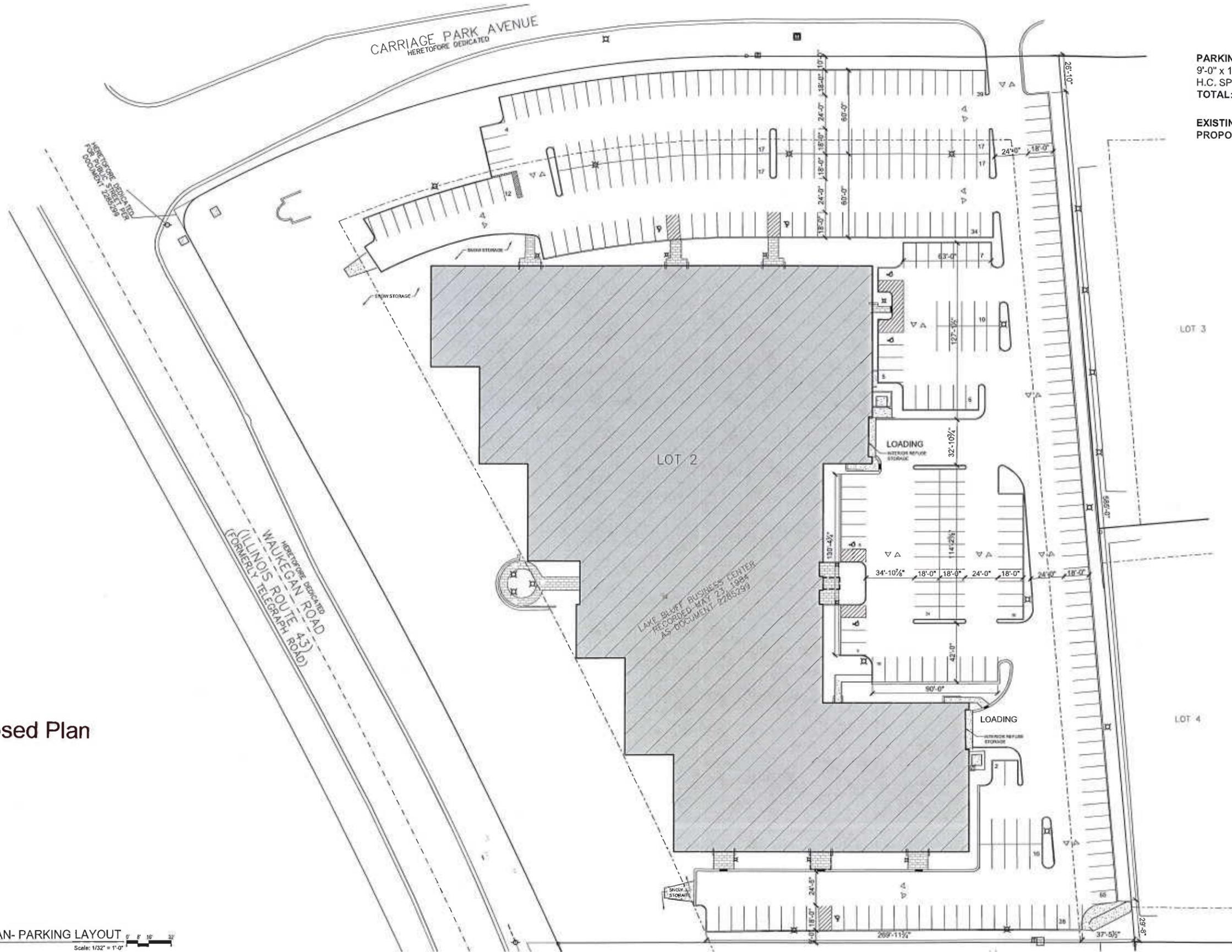
WRIGHT HEEREMA | ARCHITECTS

140 S Dearborn St Suite 200
Chicago, Illinois 60605
312.813.1010 Fax 312.813.1817

© 2015 Wright Heerema Architects. All Rights Reserved. Project: Carriage Point Development. DWG: 150415-01. 150415-01.dwg

Proposed Plan

SITE PLAN- PARKING LAYOUT
Scale: 1/32" = 1'-0"



PARKING COUNT
9'-0" x 18'-0" SPACES: 336
H.C. SPACES: 7
TOTAL: 343

EXISTING GREEN AREA: 39%
PROPOSED SITE PLAN GREEN AREA: 33%

April 27, 2015

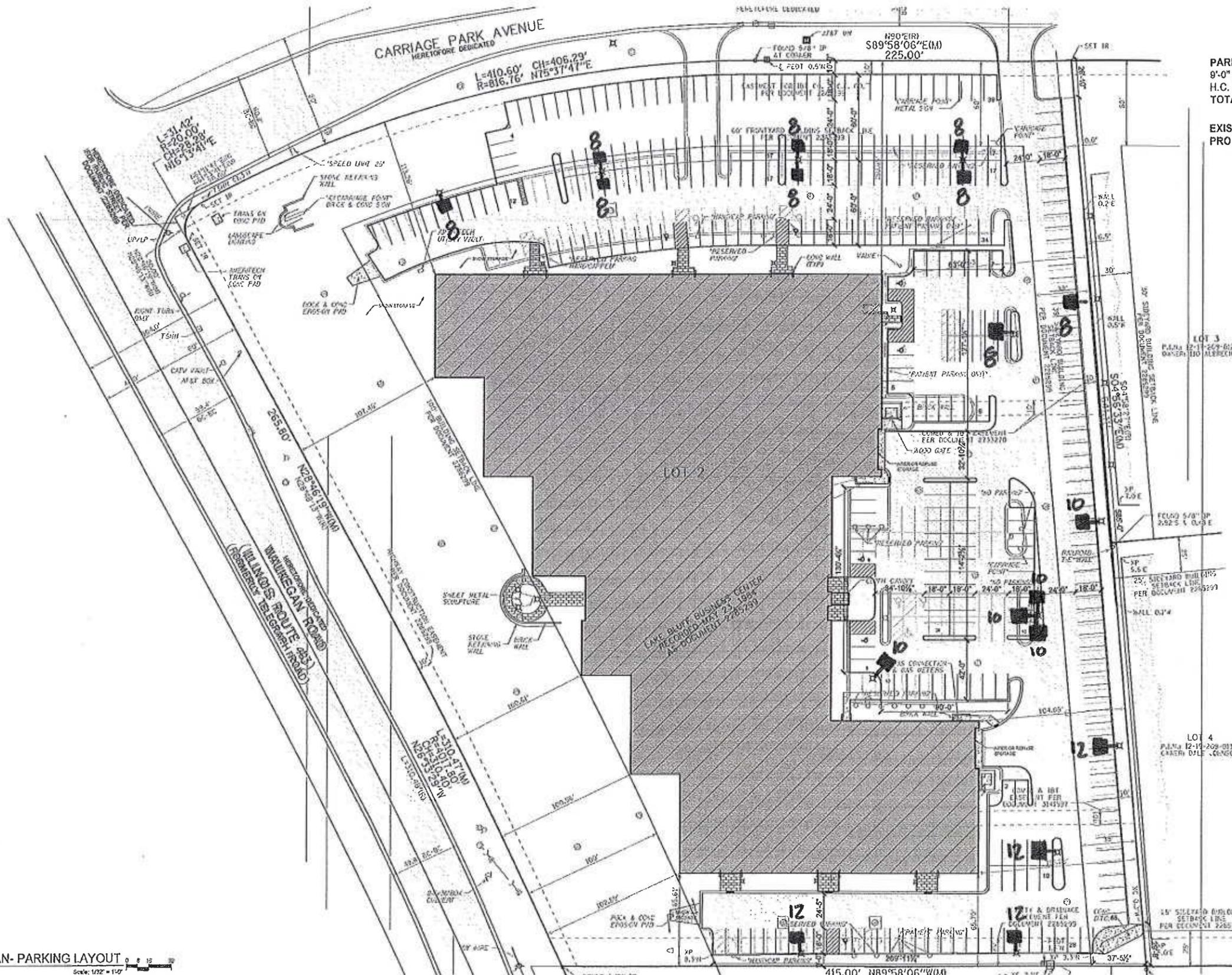


CARRIAGE POINT
101 WAUKEGAN ROAD
LAKE BLUFF, ILLINOIS

WRIGHT HEEREMA | ARCHITECTS

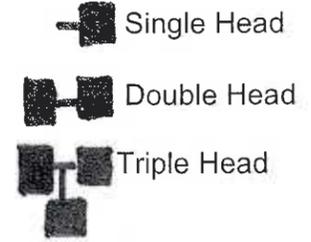
140 S. Dearborn St. Suite 200
Chicago, Illinois 60623
312.812.0100 Fax 312.812.1817

A:\2014\20140401\Carriage Point\DWG\01\WRTHEEREM_20140401.dwg



PARKING COUNT
 9'-0" x 18'-0" SPACES: 336
 H.C. SPACES: 7
TOTAL: 343

EXISTING GREEN AREA: 39%
PROPOSED SITE PLAN GREEN AREA: 33%



Fixture Schedule
 Current fixtures are 400w Metal Halide
 Alternate:
 Provide RAB #ALED Fixtures
 Qty: 18
 See attached cut sheet
 # indicates electrical circuit (existing)

SITE PLAN- PARKING LAYOUT
 Scale: 1/32" = 1'-0"

April 27, 2015



CARRIAGE POINT
 101 WAUKEGAN ROAD
 LAKE BLUFF, ILLINOIS

WRIGHT HBEREMA | ARCHITECTS

1138 B. BARTON RD. SUITE 200
 CHICAGO, ILLINOIS 60603
 312.513.7010 FAX 312.513.7017

ADDICTIONAL INFORMATION: 101 WAUKEGAN ROAD, LAKE BLUFF, ILLINOIS 60004

This drawing and any and all ideas and designs contained herein are the sole property of Brickman and are not to be used without written permission.

LOT 3

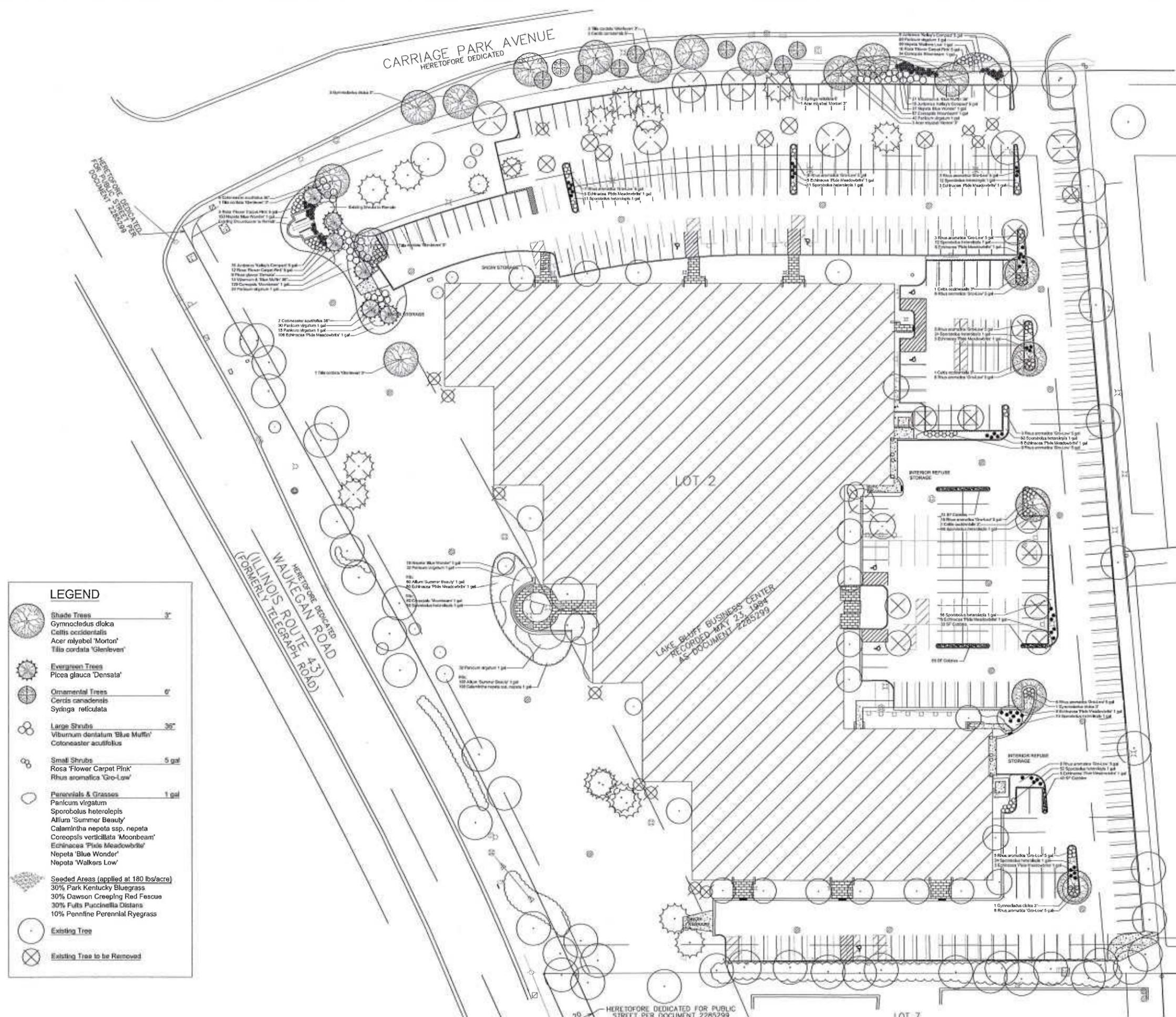
Franklin Properties
 101 Waukegan
 Lake Bluff, IL

DATE:
 April 30, 2015
 REVISIONS:
 February 24, 2015

LOT 4

SHEET TITLE:
**Tree Removal and
 Landscape Plan**

SCALE:
 1" = 30'-0"
 DESIGN:
 JAO
 DATE:
 PROJECT NUMBER:
 4-29-15



LEGEND

- Shade Trees** 3"
 Gymnocedrus dioica
 Celtis occidentalis
 Acer myriophyllum 'Morton'
 Tilia cordata 'Glenleven'
- Evergreen Trees**
 Picea glauca 'Densata'
- Ornamental Trees** 6"
 Cercis canadensis
 Syringa reticulata
- Large Shrubs** 36"
 Viburnum dentatum 'Blue Muffin'
 Cotoneaster acutifolius
- Small Shrubs** 5 gal
 Rosa 'Flower Carpet Pink'
 Rhus aromatica 'Gro-Low'
- Perennials & Grasses** 1 gal
 Panicum virgatum
 Sporobolus heterolepis
 Allium 'Summer Beauty'
 Calamintha nepeta ssp. nepeta
 Coreopsis verticillata 'Moonbeam'
 Echinacea 'Pike Meadowbowl'
 Nepeta 'Blue Wonder'
 Nepeta 'Walkers Low'
- Seeded Areas (applied at 180 lbs/acre)**
 30% Park Kentucky Bluegrass
 30% Dawson Creeping Red Fescue
 30% Fults Puccinellia Distans
 10% Pennine Perennial Ryegrass
- Existing Tree**
- Existing Tree to be Removed**

CARRIAGE PARK AVENUE
 HERETOFORE DEDICATED

HERETOFORE DEDICATED
 WAUKEGAN ROAD
 (ILLINOIS ROUTE 43)
 (FORMERLY TELEGRAPH ROAD)

LAKE BLUFF BUSINESS CENTER
 RECORDED MAY 23, 1984
 AS DOCUMENT 2285299

HERETOFORE DEDICATED FOR PUBLIC
 STREET PER DOCUMENT 2285298

LOT 7

TRUSTEE'S DEED

Reserved for Recorder's Office



Image# 053481400004 Type: DTR
Recorded: 12/09/2014 at 01:20:27 PM
Receipt#: 2014-00065981
Page 1 of 4
Fees: \$39.00
IL Rental Housing Fund: \$9.00
Lake County IL Recorder
Mary Ellen Vanderventer Recorder

File **7153717**

8961616-TMS (142)

This indenture made this 5th day of December, 2014, between **CHICAGO TITLE LAND TRUST COMPANY, AS SUCCESSOR TRUSTEE TO AMERICAN NATIONAL BANK & TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION** as Trustee under the provisions of a deed or deeds in trust, duly recorded and delivered to said company in pursuance of a trust agreement dated the 16th day of March, 1987, and known as Trust Number 102073-06, party of the first part, and Franklin 101 Waukegan, LLC, an Illinois limited liability company whose address is : 55 Shuman Blvd., Suite 178, Naperville, IL 60563 party of the second part.

WITNESSETH, That said party of the first part, in consideration of the sum of **TEN and no/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE** considerations in hand paid, does hereby **CONVEY AND QUITCLAIM** unto said party of the second part, the following described real estate, situated in **Lake County, Illinois**, to wit:

See Legal Description attached and made a part hereof

Property Address: 101 Waukegan Road, Lake Bluff, Illinois

Permanent Tax Number: 12-19-209-011

together with the tenements and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the same unto said party of the second part, and to the proper use, benefit and behoof forever of said party of the second part.

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in said trustee by the terms of said deed or deeds in trust delivered to said trustee in pursuance of the trust agreement above mentioned. This deed is made subject to the lien of every trust deed or mortgage (if any there be) of record in said county given to secure the payment of money, and remaining unreleased at the date of the delivery hereof.

(4) *on*

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its Trust Officer, the day and year first above written.



CHICAGO TITLE LAND TRUST COMPANY,
as Trustee as Aforesaid

By: Laura A. Hoyle
Assistant Vice President

State of Illinois
County of Cook

SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 5th day of December, 2014.



Karen M. Finn
NOTARY PUBLIC

PROPERTY ADDRESS:
101 Waukegan Road
Lake Bluff, Illinois

This instrument was prepared by:
CHICAGO TITLE LAND TRUST COMPANY
10 S. LaSalle St., Suite 2750
Suite 2750
Chicago, IL 60601-3294

AFTER RECORDING, PLEASE MAIL TO:

NAME FRANKLIN 101 WAUKEGAN, LLC
ADDRESS 55 SHUMAN BLVD, STE 178 OR BOX NO. _____
CITY, STATE NAPERVILLE, IL 60563
SEND TAX BILLS TO: FRANKLIN 101 WAUKEGAN, LLC
55 SHUMAN BLVD, STE 178
NAPERVILLE, IL 60563

LEGAL DESCRIPTION

LOT 2 IN LAKE BLUFF BUSINESS CENTER, BEING A RESUBDIVISION OF LOTS 1, 2 AND 6 AND PART OF LOT 3 IN NORTH SHORE AUTO SALES AND SERVICE CENTER SUBDIVISION AND A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 19, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED MAY 23, 1984 AS DOCUMENT 2285299, IN LAKE COUNTY, ILLINOIS.

Property Address: 101 Waukegan Road, Lake Bluff, Illinois

PIN: 12-19-209-011



OWNER'S POLICY OF TITLE INSURANCE

Issued by

CHICAGO TITLE INSURANCE COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason by:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection

if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.

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LAND TITLE
ASSOCIATION



OWNER'S POLICY (2006)

POLICY NUMBER: 1401 - 008961616 - D2

6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by it duly authorized officers.

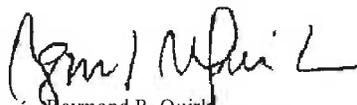
Issued By:

CHICAGO TITLE INSURANCE COMPANY
10 S. LASALLE ST. 3100
CHICAGO, IL 60603

CHICAGO TITLE INSURANCE COMPANY

Refer Inquiries To:
(312) 223-3005



By: 
Raymond R. Quirk
President

By: 
Michael Gravelle
Secretary

Counter signed


Authorized Signatory

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CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

SCHEDULE A

POLICY NUMBER: 1401 - 008961616 - D2

DATE OF POLICY: DECEMBER 5, 2014

AMOUNT OF INSURANCE: \$4,600,000.00

1. NAME OF INSURED:

FRANKLIN 101 WAUKEGAN, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY

**2. THE ESTATE OR INTEREST IN THE LAND THAT IS INSURED BY THIS POLICY IS:
FEE SIMPLE, UNLESS OTHERWISE NOTED.**

3. TITLE IS VESTED IN:

THE INSURED

**4. THE LAND HEREIN DESCRIBED IS ENCUMBERED BY THE FOLLOWING MORTGAGE OR TRUST DEED
AND ASSIGNMENTS:**

NONE

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

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CHICAGO TITLE INSURANCE COMPANY

**OWNER'S POLICY (2006)
SCHEDULE A (CONTINUED)**

POLICY NUMBER: 1401 - 008961616 - D2

5. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

LOT 2 IN LAKE BLUFF BUSINESS CENTER, BEING A RESUBDIVISION OF LOTS 1, 2 AND 6 AND PART OF LOT 3 IN NORTH SHORE AUTO SALES AND SERVICE CENTER SUBDIVISION AND A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 19, TOWNSHIP 44 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED MAY 23, 1984 AS DOCUMENT 2285299, IN LAKE COUNTY, ILLINOIS.

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

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CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

SCHEDULE B

POLICY NUMBER: 1401 - 008961616 - D2

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE, THE COMPANY WILL NOT PAY COSTS, ATTORNEY'S FEES OR EXPENSES THAT ARISE BY REASON OF:

GENERAL EXCEPTIONS:

- (1) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
- (2) ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
- (3) EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
- (4) ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- (5) TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.

AI 6. TAXES FOR THE YEAR 2014 AND SUBSEQUENT YEARS.

TAXES FOR THE YEAR 2014 ARE NOT YET DUE OR PAYABLE.

PERMANENT TAX NO. 12-19-209-011.

NOTE: TAXES FOR THE YEAR 2013 AMOUNTING TO \$136,054.74 ARE PAID.

AA 7. EXISTING UNRECORDED LEASES IN FAVOR OF THE FOLLOWING TENANTS LISTED ON THE ALTA STATEMENT DATED DECEMBER 5, 2014, AS TENANTS ONLY, WITHOUT ANY OPTIONS TO PURCHASE.

F 8. SIXTY FOOT FRONT YARD BUILDING SETBACK LINE SOUTH OF THE NORTH LINE OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.

G 9. ONE-HUNDRED FOOT BUILDING SETBACK LINE EASTERLY OF THE WESTERLY LINE OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.

H 10. UTILITY AND DRAINAGE EASEMENT OVER THE SOUTH 20 FEET OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.

I 11. EASEMENT FOR THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY OVER THE NORTHERLY 10 FEET OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.

CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

SCHEDULE B

POLICY NUMBER: 1401 - 008961616 - D2

EXCEPTIONS FROM COVERAGE (CONTINUED)

- J 12. SIDE YARD BUILDING SETBACK LINE 39 FEET WEST OF THE EAST LINE OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.
- K 13. HIGHWAY CONSTRUCTION EASEMENT OVER THE WEST 10 FEET OF SAID LOT AS SHOWN ON PLAT OF LAKE BLUFF BUSINESS CENTER, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 JOB NO. 7308.
- L 14. NOTATION CONTAINED ON THE PLAT OF LAKE BLUFF BUSINESS CENTER, RECORDED AS DOCUMENT 2285299: NO DRIVEWAY ACCESS TO SKOKIE HIGHWAY (U. S. ROUTE 41) OR WAUKEGAN ROAD (ILLINOIS ROUTE 43) OR ROCKLAND ROAD (ILLINOIS ROUTE 176) IS PERMITTED FROM ANY LOT IN THIS SUBDIVISION.
- M 15. NOTATION CONTAINED ON THE PLAT OF SAID LAKE BLUFF BUSINESS CENTER, RECORDED AS DOCUMENT 2285299: EASEMENT PROVISIONS:

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE ILLINOIS BELL TELEPHONE COMPANY, THE COMMONWEALTH EDISON COMPANY AND THE VILLAGE OF LAKE BLUFF AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS WITHIN ALL THE AREAS SHOWN BY DOTTED LINES ON THE PLAT AND MARKED "EASEMENT" TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN STORM AND SANITARY SEWERS, WATER AND CONDUITS, CABLES, POLES AND WIRES, UNDERGROUND, WITH ALL NECESSARY MANHOLES, VAULTS, PITS, CATCH BASINS, INLETS, BRACES, GUYS, ANCHORS AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THE SUBDIVISION AND OTHER PROPERTY WITH STORM AND SANITARY SEWER, WATER, ELECTRIC AND TELEPHONE SERVICE AND STORM DRAINAGE; ALSO IS HEREBY GRANTED THE RIGHT TO USE THE STREETS FOR SAID PURPOSES, THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN WITHIN SAID EASEMENT AREA SAID STORM AND SANITARY SEWERS, WATER AND MANHOLES AND VAULTS, PITS, CATCH BASINS, INLETS, BRACES, GUYS, ANCHORS, CONDUITS, CABLES, POLES, WIRES AND OTHER EQUIPMENT; AND FINALLY THE RIGHT IS HEREBY GRANTED TO CUT DOWN AND REMOVE OR TRIM AND KEEP TRIMMED ANY TREES, SHRUBS OR SAPLINGS THAT INTERFERE OR THREATEN TO INTERFERE WITH ANY OF THE SAID PUBLIC UTILITY EQUIPMENT. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR THE RIGHT HEREIN GRANTED.

- N 16. REQUIRED STORM WATER DETENTION AND RELEASE RATE, AS DENOTED ON THE PLAT OF SAID RESUBDIVISION.
- O 17. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY, AND THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE, FROM TIME TO TIME, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH THE RIGHT OF ACCESS TO THE SAME AND THE RIGHT FROM TIME TO TIME, TO TRIM OR REMOVE TREES, BUSHES AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED AS DOCUMENT NO. 2733270, AFFECTING THE EAST 10 FEET OF THE NORTH 250 FEET AND THE SOUTH 10 FEET OF THE THE NORTH 250 FEET OF THE EAST 160 FEET OF THE LAND, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED



CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

SCHEDULE B

POLICY NUMBER: 1401 - 008961616 - D2

EXCEPTIONS FROM COVERAGE (CONTINUED)

NOVEMBER 14, 2014 **JOB** NO. 7308.

- P 18. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY, AND THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE, FROM TIME TO TIME, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, TOGETHER WITH THE RIGHT OF ACCESS TO THE SAME AND THE RIGHT FROM TIME TO TIME, TO TRIM OR REMOVE TREES, BUSHES AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED AS DOCUMENT NO. 3141997, AFFECTING THE EAST 10 FEET OF THE SOUTH 280 FEET OF THE NORTH 530 FEET AND THE SOUTH 10 FEET OF THE NORTH 530 FEET OF THE EAST 145 FEET OF THE LAND, AND AS SHOWN ON THE SURVEY PREPARED BY SPACECO INC. DATED NOVEMBER 14, 2014 **JOB** NO. 7308.

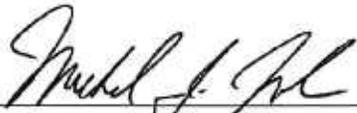
CHICAGO TITLE INSURANCE COMPANY

POLICY SIGNATURE PAGE

POLICY NUMBER: 1401 - 008961616 - D2

THIS POLICY SHALL NOT BE VALID OR BINDING UNTIL SIGNED BY AN AUTHORIZED SIGNATORY.

CHICAGO TITLE INSURANCE COMPANY

BY  _____
AUTHORIZED SIGNATORY



CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

POLICY NUMBER: 1401 - 008961616 - D2

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

I. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured.

- (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
- (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

- (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

**CHICAGO TITLE INSURANCE COMPANY
OWNER'S POLICY (2006)**

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3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an

action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to

secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this

policy

CHICAGO TITLE INSURANCE COMPANY

OWNER'S POLICY (2006)

POLICY NUMBER: 1401 - 008961616 - D2

- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
- (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.
- 9. LIMITATION OF LIABILITY**
- (a) If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
 - (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
 - (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.
- 10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY**
- All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.
- 11. LIABILITY NONCUMULATIVE**
- The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.
- 12. PAYMENT OF LOSS**
- When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.
- 13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT**
- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.
If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.
 - (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.
- 14. ARBITRATION**
- Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.
- 15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT**
- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
 - (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
 - (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.
 - (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.
- 16. SEVERABILITY**
- In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.
- 17. CHOICE OF LAW; FORUM**
- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefore in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located. Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.
 - (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.
- 18. NOTICES, WHERE SENT**
- Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at

CHICAGO TITLE INSURANCE COMPANY
National Claims Administration P.O. Box 45023
Jacksonville, FL 32232-5023

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

UTILITY FACILITY ENDORSEMENT

THE COMPANY HEREBY INSURES THE INSURED AGAINST LOSS OR DAMAGE WHICH SAID INSURED SHALL SUSTAIN BY REASON OF ANY INACCURACIES IN THE FOLLOWING ASSURANCE:

1. WATER, GAS, ELECTRIC, TELEPHONE, STORM SEWER AND SANITARY SEWER SERVICES ARE AVAILABLE TO THE LAND DESCRIBED IN SCHEDULE A EITHER OVER, UNDER OR UPON PUBLIC RIGHTS OF WAY DIRECTLY ADJACENT TO SAID LAND OR OVER, UNDER OR UPON AN EASEMENT (NOT TERMINABLE BY THE GRANTOR THEREOF OR BY HIS HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS OR ASSIGNS) FOR THE BENEFIT OF SAID LAND THAT CONNECTS TO PUBLIC RIGHTS OF WAY.

THIS ENDORSEMENT IS MADE A PART OF THE POLICY AND IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS THEREOF AND OF ANY PRIOR ENDORSEMENTS THERETO. EXCEPT TO THE EXTENT EXPRESSLY STATED, IT NEITHER MODIFIES ANY OF THE TERMS AND PROVISIONS OF THE POLICY AND ANY PRIOR ENDORSEMENTS, NOR DOES IT EXTEND THE EFFECTIVE DATE OF THE POLICY AND ANY PRIOR ENDORSEMENTS, NOR DOES IT INCREASE THE FACE AMOUNT THEREOF.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

ALTA ENDORSEMENT FORM 17-06

THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED IF, AT DATE OF POLICY (I) THE LAND DOES NOT ABUT AND HAVE BOTH ACTUAL VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM CARRIAGE PARK AVENUE (THE "STREET"), (II) THE STREET IS NOT PHYSICALLY OPEN AND PUBLICLY MAINTAINED, OR (III) THE INSURED HAS NO RIGHT TO USE EXISTING CURB CUTS OR ENTRIES ALONG THAT PORTION OF THE STREET ABUTTING THE LAND.

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS. OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

ALTA ENDORSEMENT FORM 18-06

THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED BY REASON OF THE LAND BEING TAXED AS PART OF A LARGER PARCEL OF LAND OR FAILING TO CONSTITUTE A SEPARATE TAX PARCEL FOR REAL ESTATE TAXES.
12-19-209-011

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS. OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

ALTA ENDORSEMENT FORM 22-06

THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED BY REASON OF THE FAILURE OF A COMMERCIAL BUILDING, KNOWN AS 101 WAUKEGAN ROAD, LAKE BLUFF, ILLINOIS, TO BE LOCATED ON THE LAND AT DATE OF POLICY.

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS. OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

ALTA ENDORSEMENT 9.2 - COVENANTS, CONDITIONS AND RESTRICTIONS - IMPROVED LAND - OWNER'S POLICY

1. THE INSURANCE PROVIDED BY THIS ENDORSEMENT IS SUBJECT TO THE EXCLUSIONS IN SECTION 4 OF THIS ENDORSEMENT; AND THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS IN THE POLICY.
2. FOR THE PURPOSES OF THIS ENDORSEMENT ONLY,
 - a. "COVENANT" MEANS A COVENANT, CONDITION, LIMITATION OR RESTRICTION IN A DOCUMENT OR INSTRUMENT IN EFFECT AT DATE OF POLICY.
 - b. "IMPROVEMENT" MEANS A BUILDING, STRUCTURE LOCATED ON THE SURFACE OF THE LAND, ROAD, WALKWAY, DRIVEWAY, OR CURB, AFFIXED TO THE LAND AT DATE OF POLICY AND THAT BY LAW CONSTITUTES REAL PROPERTY, BUT EXCLUDING ANY CROPS, LANDSCAPING, LAWN, SHRUBBERY OR TREES.
3. THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED BY REASON OF:
 - a. A VIOLATION ON THE LAND AT DATE OF POLICY OF AN ENFORCEABLE COVENANT, UNLESS AN EXCEPTION IN SCHEDULE B OF THE POLICY IDENTIFIES THE VIOLATION;
 - b. ENFORCED REMOVAL OF AN IMPROVEMENT AS A RESULT OF A VIOLATION, AT DATE OF POLICY, OF A BUILDING SETBACK LINE SHOWN ON A PLAT OF SUBDIVISION RECORDED OR FILED IN THE PUBLIC RECORDS, UNLESS AN EXCEPTION IN SCHEDULE B OF THE POLICY IDENTIFIES THE VIOLATION; OR
 - c. A NOTICE OF A VIOLATION, RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, OF AN ENFORCEABLE COVENANT RELATING TO ENVIRONMENTAL PROTECTION DESCRIBING ANY PART OF THE LAND AND REFERRING TO THAT COVENANT, BUT ONLY TO THE EXTENT OF THE VIOLATION OF THE COVENANT REFERRED TO IN THAT NOTICE, UNLESS AN EXCEPTION IN SCHEDULE B OF THE POLICY IDENTIFIES THE NOTICE OF THE VIOLATION.
4. THIS ENDORSEMENT DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES, OR EXPENSES) RESULTING FROM:
 - a. ANY COVENANT CONTAINED IN AN INSTRUMENT CREATING A LEASE;

CONTINUED

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

- b. ANY COVENANT RELATING TO OBLIGATIONS OF ANY TYPE TO PERFORM MAINTENANCE, REPAIR, OR REMEDIATION ON THE LAND; OR
- c. EXCEPT AS PROVIDED IN SECTION 3.c., ANY COVENANT RELATING TO ENVIRONMENTAL PROTECTION OF ANY KIND OR NATURE, INCLUDING HAZARDOUS OR TOXIC MATTERS, CONDITIONS, OR SUBSTANCES.

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS. OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

ALTA ENDORSEMENT FORM 3.1-06

1. THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED IN THE EVENT THAT, AT DATE OF POLICY,
 - A. ACCORDING TO APPLICABLE ZONING ORDINANCES AND AMENDMENTS, THE LAND IS NOT CLASSIFIED ZONE L1 LIGHT INDUSTRY DISTRICT;
 - B. THE FOLLOWING USE OR USES ARE NOT ALLOWED UNDER THAT CLASSIFICATION:
ASSEMBLY OF GOODS
BEAUTY SHOP
COMMERCIAL PRINTING NOT ELSEWHERE CLASSIFIED
COMPUTER AND DATA PROCESSING CENTER
FABRICATION OF GOODS
GENERAL OFFICES, NOT ELSEWHERE CLASSIFIED
HOLDING AND OTHER INVESTMENT OFFICES
INDIVIDUAL AND FAMILY SOCIAL SERVICES
INSURANCE AGENTS, BROKERS, AND SERVICE
INSURANCE CARRIERS
JOB TRAINING AND RELATED SERVICES
LEGAL SERVICES
LIGHT INDUSTRIAL MANUFACTURING
MANUFACTURING OF SMALL ELECTRIC GENERATORS
MANUFACTURING OF SMALL ELECTRIC MOTORS
MEDICAL AD DENTAL LABORATORIES
OFFICES
OFFICES AND CLINICS OF DENTRIST
OFFICES OF OSTEOPATHIC PHYSICIANS
OFFICES OF OTHER HEALTH PRACTITIONERS
PACKING OF GOODS
PROCESSING OF GOODS
RADIO AND TELEVISION REPAIR SHOPS
REAL ESTATE
RESEARCH LABORATORIES
BUILDING INTEGRATED
BUILDING MOUNTED
SELF-CONTAINED
TAX RETURN PREPARATION SERVICES
STOREAGE OF GOODS (WHOLLY ENCLOSED)
 - C. THERE SHALL BE NO LIABILITY UNDER THIS PARAGRAPH 1.B. IF THE USE OR USES ARE NOT ALLOWED AS THE RESULT OF ANY LACK OF COMPLIANCE WITH ANY

(CONTINUED)

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

CONDITIONS, RESTRICTIONS, OR REQUIREMENTS CONTAINED IN THE ZONING ORDINANCES AND AMENDMENTS, INCLUDING BUT NOT LIMITED TO THE FAILURE TO SECURE NECESSARY CONSENTS OR AUTHORIZATIONS AS A PREREQUISITE TO THE USE OR USES. THIS PARAGRAPH 1.C. DOES NOT MODIFY OR LIMIT THE COVERAGE PROVIDED IN COVERED RISK 5.

2. THE COMPANY FURTHER INSURES AGAINST LOSS OR DAMAGESUSTAINED BY THE INSURED BY REASON OF A FINAL DECREE OF A COURT OF COMPETENT JURISDICTION
 - A. PROHIBITING THE USE OF THE LAND, WITH ANY EXISTING STRUCTURE, AS INSURED IN PARAGRAPH 1.B.; OR
 - B. REQUIRING THE REMOVAL OR ALTERATION OF THE STRUCTURE ON THE BASIS THAT, AT DATE OF POLICY, THE ZONING ORDINANCES AND AMENDMENTS HAVE BEEN VIOLATED WITH RESPECT TO ANY OF THE FOLLOWING MATTERS:
 - I. AREA, WIDTH, OR DEPTH OF THE LAND AS A BUILDING SITE FOR THE STRUCTURE
 - II. FLOOR SPACE AREA OF THE STRUCTURE
 - III. SETBACK OF THE STRUCTURE FROM THE PROPERTY LINES OF THE LAND
 - IV. HEIGHT OF THE STRUCTURE, OR
 - V. NUMBER OF PARKING SPACES.
3. THERE SHALL BE NO LIABILITY UNDER THIS ENDORSEMENT BASED ON
 - A. THE INVALIDITY OF THE ZONING ORDINANCES AND AMENDMENTS UNTIL AFTER A FINAL DECREE OF A COURT OF COMPETENT JURISDICTION ADJUDICATING THE INVALIDITY, THE EFFECT OF WHICH IS TO PROHIBIT THE USE OR USES;
 - B. THE REFUSAL OF ANY PERSON TO PURCHASE, LEASE OR LEND MONEY ON THE ESTATE OR INTEREST COVERED BY THIS POLICY.

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS. OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

POLICY MODIFICATION ENDORSEMENT 4

GENERAL EXCEPTION NUMBERS 1, 2, 3, 4 AND 5 OF SCHEDULE B OF THIS POLICY ARE
HEREBY DELETED.

THIS ENDORSEMENT IS MADE A PART OF THE POLICY AND IS SUBJECT TO ALL OF THE TERMS
AND PROVISIONS THEREOF AND OF ANY PRIOR ENDORSEMENTS THERETO. EXCEPT TO THE
EXTENT EXPRESSLY STATED, IT NEITHER MODIFIES ANY OF THE TERMS AND PROVISIONS OF
THE POLICY AND ANY PRIOR ENDORSEMENTS, NOR DOES IT EXTEND THE EFFECTIVE DATE OF
THE POLICY AND ANY PRIOR ENDORSEMENTS, NOR DOES IT INCREASE THE FACE AMOUNT
THEREOF.

ENDORSEMENT

ATTACHED TO AND FORMING A PART OF
POLICY NUMBER: 1401 - 008961616 - D2

ISSUED BY

CHICAGO TITLE INSURANCE COMPANY

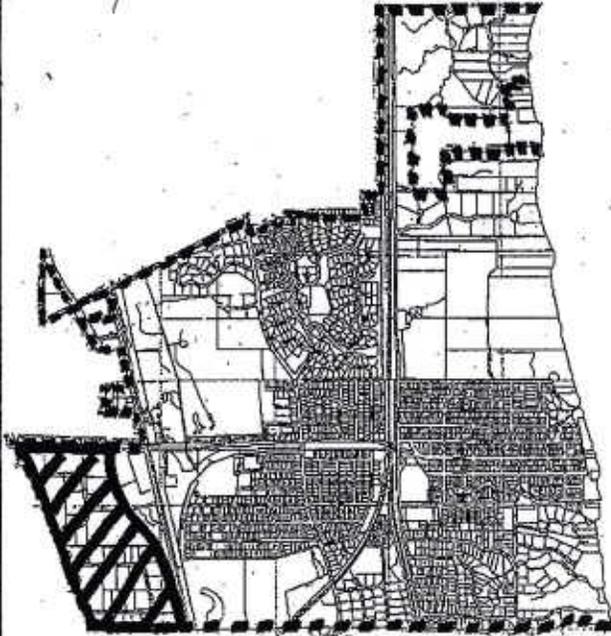
ALTA ENDORSEMENT FORM 25-06

THE COMPANY INSURES AGAINST LOSS OR DAMAGE SUSTAINED BY THE INSURED BY REASON OF THE FAILURE OF THE LAND AS DESCRIBED IN SCHEDULE A TO BE THE SAME AS THAT IDENTIFIED ON THE SURVEY MADE BY SPACECO INC. DATED NOVEMBER 14, 2014, AND DESIGNATED JOB NO. 7308.

THIS ENDORSEMENT IS ISSUED AS PART OF THE POLICY. EXCEPT AS IT EXPRESSLY STATES, IT DOES NOT (I) MODIFY ANY OF THE TERMS AND PROVISIONS OF THE POLICY, (II) MODIFY ANY PRIOR ENDORSEMENTS, (III) EXTEND THE DATE OF POLICY, OR (IV) INCREASE THE AMOUNT OF INSURANCE. TO THE EXTENT A PROVISION OF THE POLICY OR A PREVIOUS ENDORSEMENT IS INCONSISTENT WITH AN EXPRESS PROVISION OF THIS ENDORSEMENT, THIS ENDORSEMENT CONTROLS, OTHERWISE, THIS ENDORSEMENT IS SUBJECT TO ALL OF THE TERMS AND PROVISIONS OF THE POLICY AND OF ANY PRIOR ENDORSEMENTS.

Objective - Land Use Area 8

LU8. Enhance and maximize economic return to the Village in a manner compatible with existing uses.



West of Route 41, south of Route 176, east of Route 43.

Policies - Land Use Area 8

- LU8-1. Maintain existing zoning classifications for the area except with reference to the area south of Route 176 and north of Carriage Park Avenue and east of the Carriage Way Shopping Center, to be rezoned to promote an automobile district or other retail development. See policy ED2-2.
- LU8-2. Inventory and control existing uses that pose environmental hazards.
- LU8-3. Maintain the appearance, setback requirements and controls regulating development in the area.
- LU8-4. As a general policy, retain existing public rights-of-way throughout the Village. Inventory and categorize existing Village rights-of-way. Develop a process, standards and criteria for identifying rights-of-way which, if vacated, sold or otherwise disposed of, would not adversely impact the character of the Village.

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals

FROM: Brandon Stanick, Assistant to the Village Administrator

DATE: May 15, 2015

SUBJECT: **Agenda Item #6** - A Continued Discussion Regarding Updates to the Comprehensive Plan – Business Park

Summary and Background Information

The purpose of this memorandum is to transmit a summary of the discussion that have taken place over the course of the past year by the Plan Commission & Zoning Board of Appeals (PCZBA) regarding the Waukegan Road Business Park in relation to updating the Village's Comprehensive Plan. The following discussions include:

1. Allowing retail and revenue generating uses in Area 3 and Area 4 along Albrecht Drive;
2. Improving access to the business park using traffic lights, pedestrian paths and parking solutions;
3. Encouraging adaptive reuse of properties as economically feasible in Area 3 and Area 4;
4. Promoting the Village's support for retail uses in Area 3 and Area 4 along Albrecht Drive;
5. Maintaining existing compatible mixed-use development for the properties along Waukegan Road, including: retail, office, medical office and light manufacturing. Allowing compatible mixed-use redevelopment of the parcels along Waukegan Road consisting of multiple parcels and/or tenants of varying compatible uses in multi-tenant buildings;
6. Supporting appropriate redevelopment of the properties on the northern end along Waukegan Road as medical office and office uses;
7. Supporting appropriate redevelopment of the properties on the southern end of Waukegan Road as retail use, a section that is believed to be more susceptible to retail establishments;
8. Supporting retail uses along U.S. Rt. 41;
9. Considering a future land use plan that allows mixed uses consisting of: office, medical office, retail, service and light industrial the Waukegan Road Business Park and the businesses north of IL Rt. 176 and east of U.S. Rt. 41;
10. Considering renaming the Light Industry District (L-1) to Commercial District 1 (or C-1) and the Limited Light Industry District (L-2) to Commercial District 2 (or C-2) where C-2 is predominantly retail type uses; and
11. Pursuing annexation of parcels lying north of IL Rt. 176, east of U.S. Rt. 41 and west of the Union Pacific freight line tracks.
12. Maintaining the 100 ft. building setback from IL Rt. 43.
13. Exploring building setback (75 ft., 50 ft. & 30 ft.) reductions from interior roadways in the Business Park (Carriage Park Ave., Albrecht Dr., North Shore Dr., Sherwood Ter. & Sherwood Dr.).
14. Supporting building height reductions for portions closest to roadways. May include the establishment of a sliding scale allowing front elevations to be higher as a percentage of the building's front elevation.

15. Supporting the implementation of pedestrian and bicycle trail system (including way-finding signage) throughout the Business Park.
16. Supporting the establishment of landscape standards for parcels in the Business Park.
17. Supporting a comprehensive evaluation of the parking standards and requirements for the Business Park. May include reduction in parking lot setbacks from interior roadways and U.S. Rt. 41, IL Rt. 176 and IL Rt. 43 to promote an environment more attractive to retail development.

Business Park Zoning Regulations / Connectivity / Landscape Standards

At its meeting on April 15, 2015 the PCZBA received a presentation from Jodi Mariano, a representative of Teska and Associates, regarding the recommendations resulting from the Waukegan Road Corridor Study for changes in zoning to encourage more retail redevelopment, bicycle and pedestrian connectivity, and landscape standards. The PCZBA also heard from Bob Hunter, Chair of the Architectural Board of Review (ABR), regarding the ABR's review of the Study. A result of those discussions are included in the list above.

Zoning Use List

Over the past several meetings the PCZBA has reviewed the Village's Zoning Use List for non-residential uses that are either allowed as of right or by special use permit. The PCZBA finalized their discussion regarding the list at their meeting on April 15, 2015. A final copy of the Zoning Use List is attached.

Comp Plan Elements and Maps

At its last meeting the PCZBA also received information highlighting distinctions between strategic and comprehensive planning, as well as the Statement of Purpose and Vision, Introduction, and Plan Elements from the Village's existing Comprehensive Plan. More formal maps identifying the quadrants established by the former Plan Commission were also distributed.

Members of the PCZBA are highly encouraged to bring their copy of the Waukegan Road Corridor Study to the meeting, as well as previous materials that have been provided as part of the Business Park discussions. If there are any questions regarding this item, please feel free to contact me at 847-283-6889.

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K	
1	FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use ___: Requires decision											
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)	
4	Aboveground fuel storage tanks ^{1,2,7,8,9}			no Δ	no Δ	S	S		S	S	S	
5	Adult entertainment establishments ^{1,2,8}			no Δ	no Δ		S					
6	Advertising services	731	P	P or S	L-1: P L-2: P	P_	P_					
7	Airport ^{2,6,7,8,9}		S	no Δ	L-2: no P or S	S	S	S	S	S	S	
8	Apparel and accessory stores	56	P	P or S	L-1: P L-2: P	P_	P_					
9	Arrangement of passenger transportation	472	P	P or S	L-1: P L-2: P	P_	P_					
10	Assembly of goods ^{7,8}			no Δ	no Δ	P	P S					
11	Auto and home supply stores without service bays	553	P	P or S	L-1: P L-2: P	P_	P_					
12	Automotive, aircraft, and marine detail shops			P or S	no Δ	S_	S_		P			

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1	WHITE - unchanged GREEN - updated										
2	no Δ: no change P: Permitted Use S: Special Use : Requires decision										
3	Automotive, aircraft and marine upholstery shops			P or S	no Δ	_S_	_S_		P		
13	Automotive/aircraft/marine accessory stores			P or S	L-1:P L-2:P	_P_	_P_		P		
14	Automotive repair	753				S					
15	Barbershops	7241	P	P or S	L-1:P L-2:P	_P_	_P_				
16	Beauty shops	7231	P	P or S	L-1:P L-2:P	P	_P_				
17	Bookstores	5942	P	P or S	L-1:P L-2:P	_P_	_P_				
18	Bookstores	5942	P	P or S	L-1:P L-2:P	_P_	_P_				
19	Bowling center	7933	S	P or S	L-1:S L-2:S	_S_	_S_				
20	Breweries and brewpubs	2082	S	P or S	L-1:S L-2:S	_S_	_S_				
21	Building equipment ⁹			P or S	L-1:P L-2:P	NO S	_NO_			P	
22	Building material ⁹			P or S	L-1:P L-2:P	NO S	_NO_			P	
23	Building mounted wind energy systems ^{2,11}					S	S		S		

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1											
2	WHITE - unchanged GREEN - updated										
3											
24	Building/structure for public agency ⁹			P or S	L-1: P L-2: P	P_	S_			P	
25	Building/structure for public utility ^{2, 6, 7, 8, 9}		S	no Δ	L-2: no P or S	S	S	S	S	S	S
26	Building/structure for railroad uses ^{2, 6, 7, 8, 9}		S	no Δ	L-2: no P or S	S	S	S	S	S	P
27	Business and secretarial schools	8244	P	P or S	L-2: no P or S	P_	S_				
28	Camera and photographic supply stores	5946	P	P or S	L-1: P L-2: P	P_	P_				
29	Carpet and upholstery cleaning	7217		no Δ	no Δ	S	S_				
30	Cellular, digital, paging, or other antenna or dish installation or facility		S	P or S	no Δ	S_	S_				
31	Child daycare services	8351	S	P or S	L-1: S	S_	S_				

no Δ: no change P: Permitted Use S: Special Use —: Requires decision

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1	WHITE - unchanged GREEN - updated										
2	no Δ: no change P: Permitted Use S: Special Use : Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
32	Church ^{2, 7, 8, 9}		S	no Δ	L-1: no P or S L-2: no P or S	S	S	S	S	S	S
33	Club ^{2, 7, 8, 9}		S	no Δ	L-2: no P or S	S	S	S	S	S	S
34	Coal yards			no Δ	no Δ					P	
35	Commercial printing not elsewhere classified	2759				P	S				
36	Community residences ¹				no Δ						
37	Computer and data processing services	737	P	no Δ	no Δ	P	P	P			
38	Conference center ^{2, 6, 7, 8, 9}		S	no Δ	no Δ	S	S	S	S	S	S
39	Contracting equipment yards ⁹			P or S	L-1: no P or S L-2: no P or S	_NO_	_NO_			P	

	A	B	C	D	E	F	G	H	I	J	K
FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
1											
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use : Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
40	Convalescent home and home for the aged ^{2, 6, 7, 8, 9}		S	no Δ	L-2: no P or S	S	S	S	S	S	S
41	Credit reporting and collection	732	P	P or S	L-2: P	P_	S_				
42	Dance schools, studios, and halls	791	S	P or S	L-1: no P or S L-2: no P or S	S_	S_				
43	Data processing schools	8243	P	P or S	no Δ	S_	S_				
44	Depository institutions with drive-in facilities or drive-up auto teller machines		S	P or S	L-2: S	S_	S_				
45	Depository institutions without drive-in or drive-through facilities, or drive-up auto teller machines	60	P	P or S	L-2: P	P_	P_				

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1	WHITE - unchanged GREEN - updated										
2	no Δ: no change P: Permitted Use S: Special Use ____: Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
46						S	_S_				
46											
47		5813	S	P or S	L-2: S	_S_	_S_				
48											
48			S	P or S	L-2: S	_S_	_S_				
49											
49			S	P or S	no Δ	_S_	_S_				
50		591	P	P or S	L-2: P	_P_	_P_				

A B C D E F G H I J K

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1											
2	WHITE - unchanged GREEN - updated										
3											
51	Eating places without drive-in or drive-through facilities	5812	S	P or S	L-1: P	S_	S_				
52	Electrical repair shops	762	P	P or S	L-1: P	P_	S_				
53	Engineering and management services	87	P	P or S	L-1: P	P_	S_				
54	Fabrication of goods ^{7, 8}			no Δ	L-1: P	P	P S				
55	Farming operations ^{3, 4}			no Δ	no Δ						
56	First, second, third floor residential uses, including, without limitation, townhomes, apartments, and condominiums ⁵		P	no Δ	no Δ	S NO					
57	Floor covering stores	5713			L-1: P L-2: P	S P_	P				
58	Florists	5992	P	P or S	L-2: P	P	P				

no Δ: no change P: Permitted Use S: Special Use : Requires decision

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1	WHITE - unchanged GREEN - updated										
2	no Δ: no change P: Permitted Use S: Special Use ____: Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
59	Food stores	54	P	P or S	L-2: S	P	P				
60	Freestanding automatic teller machines		S	P or S	L-2: S	S	S				P
61	Furniture and home furnishings stores	57	P	P or S	L-2: P	P	P				
62	Garment pressing, and cleaners' agents	7212	P	P or S	L-2: P	P	P				
63	Gasoline service stations	5541	S	P or S	L-1: no P or S L-2: no P or S	S	S				
64	General merchandise stores	53	P	P or S	L-2: P	P	P				
65	General offices, not elsewhere classified ^{6,7,8}		P	no Δ	no Δ	P	P	P			
66	Gift, novelty, and souvenir shops	5947	P	P or S	L-2: P	P	P				
67	Golf course ^{2,3,6,7,8,9}		S	no Δ	L-1: S L-2: no	S	S	S	S	S	S
68	Hardware stores	525	P	P or S	L-2: P	P	P				

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K
1	FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015										
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use ____: Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
81	Luggage and leather goods stores	5948	P	P or S	L-1: no L-2: P	P	P				
82	Lumberyards ⁹			P or S	no Δ	NO	NO			P	
83	Mailing, reproduction, stenographic services	733	P	P or S	L-1: no L-2: P	P	S				
84	Maintenance yards or operating equipment yards for public agencies or utilities ⁹			no Δ	no Δ	NO				P	
85	Manufacturing of small electric generators ^{7,8}			no Δ	L-2: no	P	P S				
86	Manufacturing of small electric motors ^{7,8}			no Δ	L-2: no	P	P S				
87	Medical and dental laboratories ^{6,7,8}	807	P	no Δ	L-2: no	P	P	P			
88	Medical cannabis dispensary					S					

	A	B	C	D	E	F	G	H	I	J	K
FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
1											
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use : Requires decision										
	SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)	
89	7997	S	P or S	no Δ	S_	_NO_					
90	738	P	P or S	no Δ	P_S_	_S_					
91		S	P or S	no Δ	_NO_	_NO_					
92				L-2: no	S	\$ NO					
93	<u>Commercial Lodging Motel</u> ^{2, 6, 7, 8, 9}	S	no Δ	no Δ	S	S	S	S	S	S	
94	Motion picture distribution and services	P	P or S	L-1: no L-2: P	_P_	_S_					
95	Motion picture production and services	P	P or S	L-1: no L-2: P	_P_	_S_					
96	Motion picture theaters, excluding drive-ins	S	P or S	L-1: no L-2: S	_S_	_S_					
97	Municipal building or area ^{2, 6, 7, 8, 9}	S	no Δ	L-2: no	S	S	S	S	S	S	

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

	A	B	C	D	E	F	G	H	I	J	K	
1	FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
2	WHITE - unchanged GREEN - updated											
			no Δ: no change			P: Permitted Use			S: Special Use			___: Requires decision
	SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)		
3												
98	Museums and art galleries	P	P or S	no Δ	_P_	_P_						
99	New aircraft dealership ⁷		P or S	no Δ	_S_	S NO		P				
100	New automobiles dealership ^{2, 7, 8}			no Δ	S	S NO		P				
101	New boats and personal watercraft dealership ⁷		P or S	L-1: no L-2: S	_S_	_NO_		P				
102	New motorcycles dealership ⁷		P or S	L-1: no L-2: S	_S_	_NO_		P				
103	New recreational vehicles dealership ⁷		P or S	L-1: no L-2: S	_S_	_NO_		P				
104	New snowmobiles dealership ⁷		P or S	L-1: no L-2: S	_S_	_NO_		P				
105	New trucks and vans dealership ⁷		P or S	L-1: no L-2: S	_S_	_NO_		P				
106	Nondepository institutions	P	P or S	L-1: no L-2: S	_P_	_S_						
107	Offices ^{6, 7, 8}	P	no Δ	no Δ	P	P	P					

	A	B	C	D	E	F	G	H	I	J	K	
1	FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use —: Requires decision											
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)	
108	Offices and clinics of dentists ^{6, 7, 8}	802	P	no Δ	no Δ	P	P	P				
109	Offices and clinics of medical doctors ^{6, 7, 8}	801	P	no Δ	L-2: S	P	P	P				
110	Offices of osteopathic physicians ^{6, 7, 8}	803	P	no Δ	L-2: S	P	P	P				
111	Offices of other health practitioners ^{6, 7, 8}	804	P	no Δ	L-2: S	P	P	P				
112	Optical goods stores	5995	P	P or S	L-1: no L-2: P	P_	P_					
113	Packing of goods ^{7, 8}			no Δ	L-1: P L-2: no	P S	P S					
114	Paint, glass and wallpaper stores	523	P	P or S	L-1: no L-2: P	P_	P_					
115	Personal wireless service antenna facilities and equipment ^{1, 2, 6, 7, 8, 9}		S	no Δ	no Δ	S	S	S	S	S	S	
116	Personnel supply services	736	P	P or S	L-1: no L-2: P	P_	S_					

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

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1	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use ____: Requires decision										
2											
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
117	Photographic studios, portrait	7221	P	P or S	L-1: no L-2: P	_P_	_P_				
118	Physical fitness facility	7991	S	P or S	L-1: no L-2: S	_P_	_S_				
119	Planned commercial developments					S	S				
120	Private sales ¹⁰				no Δ	_NO_	_NO_				
121	Processing of goods ^{7,8}			no Δ	L-1: P L-2: no	P	P S				
122	Radio and television repair shops	7622			L-2: P	P	_P_				
123	Railroad passenger stations			no Δ	no Δ						P
124	Real estate	65	P	no Δ	no Δ	P	P	P			
125	Research laboratories ^{6,7,8}			no Δ	L-1: P L-2: no	P	P	P			
126	Residential—			no Δ	no Δ						
127	Retail commercial operations ^{2,8}			P or S	L-1: no L-2: no	_S_	S				

	A	B	C	D	E	F	G	H	I	J	K
FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
1											
2	WHITE - unchanged GREEN - updated no Δ: no change P: Permitted Use S: Special Use __: Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
128	Retail nurseries and garden stores with open yards	NEW USE			L-1: no L-2: S	S_	S_				
129	Retail nurseries and garden stores without open yards	526	P	P or S	L-1: no L-2: P	P_	P_				
130	Sand and gravel yards ⁹			no Δ	no Δ					P	
131	School ^{2, 6, 7, 8, 9}		S	no Δ	L-2: no	S	S	S	S	S	S
132	Second floor residential apartments or condominiums		P	no Δ	no Δ	S					
133	Security and commodity brokers	62	P	P or S	L-1: no L-2: P	P_	P_				
134	Services to buildings services	734	P	P or S	L-1: no L-2: no	P S	S_				
135	Sewing, needlework and piece goods	5949	P	P or S	L-2: P	P_	P_				
136	Shoe repair shops and shoeshine parlors	7251	P	P or S	L-2: P	P_	P_				
137	Single-family dwelling			no Δ	no Δ						

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

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3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
138	Solar energy systems:										
139	-Building integrated		P			P	P	P	P	P	P
140	-Building mounted ^{12,13}		S			P	P	S	P	S	S
141	-Ground mounted ¹³		S			S	S	S	S	S	S
142	-Self-contained		P			P S	P S	P	P	P	P
143	Sporting goods and bicycle shops	5941	P	no Δ	L-2: P	S P	P				
144	Stand alone and underground parking facilities or lots, public or private		S	P or S	L-1: no L-2: S	S	S				
145	Stationery stores	5943	P	P or S	L-1: no L-2: P	P	P				
146	Stone, marble and granite grinding and cutting ⁹			P or S	no Δ	NO S	NO			P	
147	Storage of goods (wholly enclosed) ^{7,8}			no Δ	L-2: no	P S	P NO				

no Δ: no change P: Permitted Use S: Special Use : Requires decision

	A	B	C	D	E	F	G	H	I	J	K
FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
1	WHITE - unchanged GREEN - updated										
2											
3											
148	Subterranean garages ^{1, 2, 6, 7, 8, 9}		S	no Δ	no Δ	S	S	S	S	S	S
149	Swimming pools for organizations, clubs, and multiple-family dwellings ^{2, 6, 7, 8, 9}		S	no Δ	L-2: no	S	S	S	S	S	S
150	Tax return preparation services	7291	P	no Δ	no Δ	P	P	P			
151	Temporary buildings and uses necessary for development and construction purposes for a period not to exceed one year ^{3, 4}										
152	Third floor residential apartments or condominiums		P	no Δ	no Δ	S_					
153	United States postal service	4311	S	P or S	L-1 no L-2 - S	S_	S_				
154	Used aircraft dealerships ⁷			P or S	L-1: no L-2: no	S_	NO_		P		

no Δ: no change P: Permitted Use S: Special Use : Requires decision

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

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1	WHITE - unchanged GREEN - updated										
2	no Δ: no change P: Permitted Use S: Special Use ____: Requires decision										
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)
155	Used automobiles dealerships ^{2, 7, 8}			P or S	L-1: no L-2: no	_S_	\$- NO		P		
156	Used boats and personal watercraft dealerships ⁷			P or S	L-1: no L-2: no	_S_	_NO_		P		
157	Used merchandise stores	593	P	P or S	L-1: no L-2: no	_S_	_S_				
158	Used motorcycles dealerships ⁷			P or S	L-1: no L-2: no	_S_	_NO_		P		
159	Used recreational vehicles dealerships ⁷			P or S	L-1: no L-2: no	_S_	_NO_		P		
160	Used snowmobiles dealerships ⁷			P or S	L-1: no L-2: no	_S_	_NO_		P		
161	Used trucks and vans dealerships ⁷			P or S	L-1: no L-2: no	_S_	_NO_		P		
162	Vehicle body shops ^{2, 7, 8}			P or S	L-1: no L-2: no	_S_	\$- NO		P		
163	Vehicle muffler shops ^{2, 7, 8}			P or S	L-1: no L-2: no	_S_	\$- NO		P		

	A	B	C	D	E	F	G	H	I	J	K
FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015											
1	WHITE - unchanged GREEN - updated										
2											
3											
164	Vehicle oil change facilities ^{2, 7, 8}			P or S	L-1: no L-2: no	S_	S-NO		P		
165	Vehicle painting facilities ^{2, 7, 8}			P or S	L-1: no L-2: no	S_	S-NO		P		
166	Vehicle radio/stereo, cellular telephone and communications stores ⁷			P or S	L-1: S L-2: S	P_	P_		P		
167	Vehicle service and repair centers ^{2, 7, 8}			P or S	L-1: no L-2: no	S_	S-NO		P		
168	Vehicle service stations, including fuel and minimart services ⁷			P or S	L-1: no L-2: no	S_	_NO_		P		
169	Vehicle tire, battery, accessory stores ⁷			P or S	L-1: no L-2: no	P_S_	S_		P		
170	Vehicle washing facilities ⁷			P or S	L-1: no L-2: no	S_	_NO_		P		
171	Veterinary services for animal specialties	742	S	P or S	L-1: no L-2: P	S_	_NO_				

no Δ: no change P: Permitted Use S: Special Use ____: Requires decision

FINAL PROPOSED NON-RESIDENTIAL ZONING USE LIST - 05.20.2015

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2	WHITE - unchanged GREEN - updated											
			no Δ: no change			P: Permitted Use			S: Special Use			___: Requires decision
3		SIC Code*	CBD (existing)	Corridor Study	Corridor Sub-Comm	Light Industrial-1 (existing)	Limited Light Industrial-2 (existing)	Office & Research (existing)	Auto Park-1 (existing)	Service (existing)	Railroad (existing)	
172	Videotape rental	784	P	P or S	L-1: no L-2: P	P	P					
173	Watch, clock, jewelry repair services	764	P	P or S	L-1: no L-2: P	P	P					
174												
175	* In interpreting the corresponding "SIC" numbers in this zoning use table, reference should be made to the "Standard Industrial Classification Manual (1987)", published by the office of management and budget, executive office of the president of the United States, available from the superintendent of documents, U.S. government printing office, Washington D.C. as amended, a copy of which is on file at the village hall.											
177												
178												
179	Notes:											
180	1. These special uses in all zoning districts are subject to the conditions in subsection 10-4-2E2 of this title.											
181	2. All special uses in the L-2 district are subject to the conditions in section 10-7B-3 of this title.											
182	3. These uses in the C-E district are subject to the conditions in subsection 10-5A-1B of this title.											
183	4. These uses in the E-1 district are subject to the conditions in subsection 10-5B-1B of this title.											
184	5. These uses in the CBD district are subject to the conditions in subsection 10-6A-1B of this title.											
185	6. These uses in the O&R district are subject to the restrictions in subsection 10-6B-2B of this title.											
186	7. These uses in the L-1 district and the AP-1 district are subject to the L-1 district performance standards in section 10-7A-7 of this title.											
187	8. These uses in the L-2 district are subject to the performance standards in section 10-7B-9 of this title.											

VILLAGE OF LAKE BLUFF

Memorandum

TO: Chair Kraus and Members of the Joint Plan Commission & Zoning Board of Appeals

FROM: Brandon Stanick, Assistant to the Village Administrator

DATE: May 15, 2015

SUBJECT: **Agenda Item #8** - A Report & Update on the Review of Regulations Concerning the Subdivision of Lots East of Sheridan Road and the Village's Bulk Requirements

Summary and Background Information

Following the recent demolition petitions for the properties located 400 E. Center Avenue and 925 N. Sheridan Road (925 Sheridan having now become a designated landmark), the Village Board expressed a desire to evaluate the following:

- if the Village's historic preservation regulations are truly achieving the purpose of promoting historic and architectural preservation in the Village;
- if the Village's bulk and massing regulations are effectively managing the massing of new single-family homes;
- if the Village's subdivision regulations are protecting the character of Lake Bluff; and
- if there is a desire to implement architectural review requirements for new single-family homes.

The Village Board initiated a discussion concerning the "4 Points" noted above on April 13, 2015 and referred the evaluation of the: historic preservation regulations to the Historic Preservation Commission, residential design review to the Architectural Board of Review, and the Village's bulk and massing regulations and subdivision regulations to the Plan Commission & Zoning Board of Appeals (PCZBA).

To kick-off a discussion concerning the points referred to the PCZBA, please find the following documents attached:

1. A chart summarizing the size (in floor area) of the five most recent building permits for single-family homes; and
2. A Request for Council Action (dated November 27, 2000) from the City of Highland Park concerning a zoning ordinance map and text amendment to create an overlay district to control for character and density in the Highland Park Lakefront R-4 Zoning District.

Please feel free to contact me at 847-283-6889 should you have any questions regarding this matter.

Attachments

A Survey of Recent New Single-Family Home Construction

Address	Zoning District	Floor Area Actual (sq. ft.)	Floor Area Allowed (sq. ft.)	Floor Area (Actual/Allowed)
216 E Center	R-4	2,487	2,500	99.50%
570 Lansdowne	E-1	8,146	11,950	68.20%
707 Rockland	R-3	3,704	3,869	95.70%
39 Sunset Pl	R-3	3,822	3,853	99.20%
114 E Woodland	R-4	3,066	3,066	100%

Request For Council Action

REFERRED TO COUNCIL: November 27, 2000

AGENDA ITEM NO: #.

ORIGINATED BY: Department of Community Development

SUBJECT: Consideration of a Zoning Ordinance Map and Text Amendment to Create the Density and Character Overlay Zone in the Lakefront R4 Zoning District

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

At the October 17, 2000 Plan Commission meeting, the Commission opened public hearing #REZ-005 to consider a proposed Lakefront Density and Character Overlay Zone in the Lakefront R4 zoning district (see Exhibit I). The overlay zone proposal is based on the lot density recommendation of the Lakefront District Neighborhood Strategic Plan adopted by City Council in 1999. The effect of the proposed overlay **zone** is consistent with the goals of the Lakefront Plan to preserve character and density, but will not cause existing lots to become undersized as to lot area or other zoning standards. The proposed overlay zone would include the entire Lakefront R4 zoning district and would require that lots in new subdivisions comply with greater lot area and width regulations, without disturbing the underlying R4 zoning.

Prior to the public hearing, all households in the Lakefront R4 zoning district were notified of the public hearing about the proposed overlay zone. This notification letter included the date, time, and location of the public hearing, an explanation of the overlay zone proposal, and a map of the affected area. The Neighborhood Planning Committee and other residents who had asked to be kept informed were sent a brief letter explaining the status of the Lakefront Plan rezoning recommendation, as well as the letter sent to all households in the Lakefront R4 zoning district. As required by ordinance, a legal notice was run in a local newspaper, the *Highland Park News*. The October issue of *The Highlander* also included an article on the proposal. The November issue of *The Highlander* and a letter sent to the Neighborhood Planning Committee and other interested parties informed residents of City Council's consideration of the matter on November 27, 2000.

The Plan Commission considered a staff presentation on the proposed overlay zone, took public testimony both for and against the proposal, and then deliberated on the matter. Written testimony submitted to the Plan Commission is attached as Exhibit II. The Plan Commission voted 4 to 2 in favor of recommending the Lakefront Density and Character Overlay Zone, and directed staff to prepare Findings of Fact.

Ayes: Licata, Schneider, Silberman, Swartz

Nays: Hendrickson, Levenfeld

Request For Council Action

Plan Commissioners voting in favor of the proposal found it to be consistent with the objectives of the Lakefront District Plan as conceived by the residents and property owners of the District during the Master Planning process. Notwithstanding testimony opposing the overlay zone at the public hearing, the Plan Commissioners favoring the concept cited the public support for density and character preservation at the neighborhood planning meetings and at the Plan Commission and City Council levels during the approval of the Plan. As a recommendation included in the Plan, the Plan Commissioners in favor of the overlay zone found the proposal to reflect the will of the people.

The Plan Commissioners voting against the proposal found the overlay zone to be burdensome to the affected property owners by diminishing property development rights. The proposal would, in effect, punish those property owners who had not previously subdivided while rewarding those who had. There was also the sentiment that the overlay zone may be over-reaching by exerting a disproportionate burden on a few property owners in the district. Finally, it was noted that notwithstanding inclusion in the Master Plan, each recommendation needs to be examined on its own merit during the implementation process.

On November 14, 2000, the Plan Commission adopted the findings of fact by a vote of 4 to 3.

Ayes: Kellough, Schneider, Silberman, Swartz

Nays: Fishbein, Levenfeld, Ross

Lakefront District Neighborhood Plan

The overlay zone proposal is based on the lot density recommendation of the Lakefront District Neighborhood Strategic Plan adopted by City Council in April of 1999. The Plan was the product of twelve neighborhood planning meetings attended by interested property owners and residents. Public participation was an important element of the planning process, and through articles in the Highlander, school newsletters, and the local paper all Highland Park residents were encouraged to attend and participate in the meetings. Community Development staff facilitated the meetings and drafted the Plan based on the group discussions and written comments from residents. The Neighborhood Planning Committee (NPC) made the final decisions about what to include in the Plan before it was submitted to the Plan Commission for the public hearing process and adopted as an amendment to the Master Plan by the City Council.

Lot Density Recommendation

The Lakefront Plan contains a section devoted to lot density issues in the District. The section states that,

Lot sizes along the lake are consistently larger than the minimum required for the next lower zoning district. These lots should be rezoned from R4 to R3 to preserve the existing density and character of the area. Because new development impacts steep slope areas, this will also help protect lake bluffs and ravines that are heavily concentrated on those lots.

Request For Council Action

The Plan recommends rezoning from R4 to R3 those areas along the lake where lots are consistently 40,000 square feet or greater.

Exhibit III is a map of current zoning in the Lakefront Planning District.

Chronology of Events

In the autumn of 1999, staff prepared an analysis of a potential R4 to R3 rezoning along the lakefront. Following is a timeline of the events leading up to Public Hearing REZ-005.

October 5, 1999: Pre-application discussion with Plan Commission at which time staff presented findings that rezoning a portion of the current R4 zoning district to R3 would not have a great impact on either neighborhood character or development. The Plan Commission concurred with staff that the current controls are sufficient to accomplish the goals of the Plan, and that rezoning a portion of the Lakefront R4 zoning district may not be appropriate.

October 25, 1999: The above findings were presented at a pre-session meeting of the City Council.

November 9, 1999: A meeting was held with interested residents and members of the Lakefront Neighborhood Planning Committee to communicate the conclusions of the analysis.

August 1, 2000: Staff presented the results of a feasibility analysis of the establishment of a new zoning district requiring a minimum of 30,000 square feet per lot. This alternative was found to be unworkable. Other alternatives were discussed, including a Lakefront Density and Character Overlay Zone requiring lots in new subdivisions to meet greater lot area and width requirements. The Plan Commission directed staff to provide a detailed analysis of the overlay zone.

September 19, 2000: Staff presented a comparison of the previous rezoning analysis and the overlay zone under discussion. The Plan Commission directed staff to prepare to hold a public hearing on the establishment of an overlay zone in the Lakefront R4 zoning district.

October 17, 2000: The Plan Commission opens Public Hearing REZ-005 for consideration of the establishment of a Lakefront Density and Character Overlay Zone.

Provisions Of The Proposed Overlay Zone

The effect of the proposed Lakefront Density and Character Overlay Zone is consistent with the goals of the Lakefront Plan to preserve character and density, but will not cause existing lots to become undersized as to lot area or other zoning standards. The proposed Lakefront Density and Character Overlay Zone would include the entire Lakefront R4 zoning district (please see Exhibit I). The overlay zone would require that lots in new subdivisions comply with greater lot area and width regulations, without disturbing the underlying R4

Request For Council Action

zoning. The following is a proposed definition of the Lakefront Density and Character Overlay Zone to be included in Section 150.202 Definitions:

Lakefront Density and Character Overlay Zone: *This overlay zone is intended to impose certain additional lot dimension and density regulations on properties within the R4 zoning district located along the lakefront for the purpose of preserving the density and character of the area. Many of the parcels along the lake are larger than the minimum required by the zoning district. The overlay zone is intended to preserve the spacious character and existing density of the area by requiring that any new subdivision of two lots or more in the overlay zone comply with greater lot width and lot area regulations than required by the underlying zoning district.*

The area, bulk, and density provisions of the proposed overlay zone to be amended to Section 150.703, Low Density Residential District Regulations, are included in the table below:

	ZONING DISTRICT	Lakefront Density and Character Overlay Zone
LOT DIMENSIONS	Minimum Area for Single-Family Residence	40,000 sq. ft.
	Average Width	100 ft.
DENSITY	Minimum Lot Area per Dwelling Unit, Single-Family	40,000 sq. ft.
YARDS	Minimum Front Yard	Existing R4 District Regulation
	Minimum Side Yard	Existing R4 District Regulation
	Minimum Rear Yard (Whichever is Less)	Existing R4 District Regulation
BULK	Maximum Height of Principal Structure	Existing R4 District Regulation
	Maximum Height of Accessory Structure	Existing R4 District Regulation
	Floor Area Ratio (F.A.R.)*	Existing R4 District Regulation

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*In the R2-R7 zoning districts, when the area of a lot in any given zoning district equals or exceeds the minimum lot area required in the next lower zoning district, then the F.A.R. shall be calculated as the F.A.R. of the next lower zoning district.

Exhibit IV compares the proposed overlay zone with the existing R3 and R4 zoning district regulations.

Impact of the Proposed Density and Character Overlay Zone¹

Under the existing R4 zoning district regulations, a minimum of 40,000 square feet is required to subdivide a parcel into two 20,000 square foot lots, the minimum required for the zoning district. Approximately 250 (exclusive of City- and Park District-owned properties) of the approximately 970 privately-owned parcels in the Lakefront R4 zoning district have at least 40,000 square feet of lot area either individually or when combined with contiguously owned parcels.

Approximately 183 privately-owned parcels in the Lakefront R4 zoning district have lot areas between 40,000 and 79,999 square feet. These parcels are potentially subdividable under existing regulations, meeting the minimum lot area requirement for the zoning district, but would have inadequate lot area for subdivision under the regulations of the overlay zone. Exhibit V shows the distribution of these parcels.

Approximately 67 privately-owned parcels in the Lakefront R4 zoning district contain at least 80,000 square feet and would have the minimum lot area required to subdivide under the overlay zone. Exhibit V shows the location of these parcels.

The approximate subdivision potential of the parcels large enough to subdivide under the overlay zone regulations is illustrated in Exhibit V. Using the results of a previous analysis that determined which parcels might have subdivision potential under existing regulations, parcels 80,000 square feet or greater with subdivision potential were analyzed to determine how many lots could result under the overlay zone minimum area requirement. *Please note that this analysis is based on gross lot area only, and does not account for minimum lot width or established lot width requirements, rights-of-way, or stormwater management.* The analysis indicates potential for 66 lots on 20 existing privately-owned parcels. The result of these subdivisions would be approximately 46 new lots under the overlay **zone** regulations. It could be concluded that many of the parcels that meet the overlay district minimum lot **area** requirement may not be able to meet other zoning or subdivision requirements, such as minimum lot width or established lot width average.

Previous analysis indicated potential for subdivision in the Lakefront R4 zoning district might create approximately 135 lots on 36 existing privately-owned

¹ The analysis included in this section is based on Lake County Geographic Information Systems (GIS) parcel data and on Lake County tax parcel maps. Because plats of survey were not readily available, the results of following analysis should be considered approximate.

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parcels under the current subdivision regulations, including the established lot width provision. The result of these subdivisions would be approximately 99 new lots in the Lakefront R4 zoning district.

DOCUMENTS ATTACHED:

- Exhibit I: Proposed Lakefront Density and Character Overlay Zone
- Exhibit II: Written testimony submitted to the Plan Commission
- Exhibit III: Existing Zoning in the Lakefront Planning District
- Exhibit IV: Comparison of zoning regulations in the proposed overlay zone and the R3 and R4 zoning districts
- Exhibit V: Lakefront R4 parcels 40,000 square feet and greater
- Exhibit VI: Findings of Fact for Public Hearing #REZ-005

RECOMMENDATION:

The Plan Commission recommends that City Council adopt the Findings of Fact in support of the following proposed Zoning Ordinance map and text amendments:

- 1) Adopt Findings of Fact in support of the proposed Lakefront Density and Character Overlay Zone, and;
- 2) Direct Corporation Counsel to prepare an Ordinance amending the Zoning Ordinance Text and Map of the City of Highland Park to establish the Lakefront Density and Character Overlay Zone as set forth herein.