MAYOR
Andrew Przybylo

TRUSTEES
George D. Alpogianis
John C. Jekot
Joe LoVerde
Danette O'Donovan Matyas
Denise M. McCreery
Dean Strzelecki

1000 Civic Center Drive, Niles, Illinois 60714

VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

Phone: (847) 588-8000
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AGENDA
NILES VILLAGE BOARD MEETING
COUNCIL CHAMBERS
June 28, 2016
7:00 PM

REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

None

PRESENTATIONS

None

ANNOUNCEMENTS

Fourth of July Parade and Celebration (Parade Coordinator Cathy Spadoni)

Niles Park District Summer Concerts at Oak Park (Park Board Commissioner Julie Genualdi)

May 2016 PEER (Promoting Employee Excellence through Recognition) Award to Beata Gora, I.T. Department

PRESIDENT'S REPORT President Przybylo

Hey and Associates Stormwater Tier 2 Update

Water Billing Update

Property Tax Appeal Seminar

COMMITTEE REPORTS

Stormwater Commission (Trustee LoVerde)

General Government/IT Committee (Trustee Alpogianis)

Human Services Committee (Trustee Jekot)

PUBLIC COMMENTS

The floor is open for public comments on Old Business and New Business agenda items only. Please step up to the microphone, state your name and city, and make your comment. You will be allotted three minutes.

Please make sure you sign in at the reception desk.

CONSENT AGENDA-NEW BUSINESS

Item 1	Approval of Minutes - May 24, 2016 Regular Meeting	
Item 2	Ordinance Adopting the Prevailing Wage Rates	
Item 3	Ordinance Amending Chapter 38 Emergency Services, Article III Emergency Telephone System Board	
Item 4	Authorization of Payment for a Workers' Compensation Settlement, Case #14 WC 12314, #14 WC 12315, #14 WC 12316, #14 WC 12317, in the Amount of $144,332	
Item 5	Authorization of Payment for a Workers' Compensation Settlement, Case #09 WC 46229, in the Amount of $127,958.60	

NEW BUSINESS

Item 1	2016-2017 Committee/Commission/Board and Police Auxiliary Appointments	President Przybylo
Item 2	Amendment to the Village of Niles 2030 Comprehensive Plan To Incorporate the Recommendations and Land Use Plans as Included in the May, 2016 "South Milwaukee Avenue Corridor Plan" (16-ZP-14)	Trustee McCreery
Item 3	Ordinance Amending the Niles Code of Ordinances Chapter 90 Subdivisions (16-ZP-15)	Trustee McCreery
Item 4	Ordinance Amending the Niles Code of Ordinances Appendix B Zoning Ordinance (16-ZP-15)	Trustee McCreery
Item 5	Ordinance Approving the Village of Niles Official Zoning Map (16-ZP-16)	Trustee McCreery
Item 6	Ordinance Approving a Plat of Resubdivision for the Property Located at 8447 Ozanam Avenue (16-ZP-17)	Trustee McCreery
Item 7	Ordinance Approving a Special Use to Allow an Addition to Encroach into the Allowed 10 Foot Side Yard for the Property Located at 8225 Newcastle Avenue (16-ZP-18)	Trustee McCreery
Item 8	Ordinance Approving a Special Use to Allow a Tavern and Cocktail Lounge Specifically Identified as a Micro-Brewery and Beer Tasting Room Located at 9082 W. Golf Road (16-ZP-19)	Trustee McCreery
Item 9	Ordinance Approving a Special Use to Allow a Pool Hall Located at 9090 W. Golf Road (16-ZP-23)	Trustee McCreery
Item 10	Ordinance Authorizing a Lease Termination Agreement with Seung Eun Baik, D.D.S., P.C. DBA Optima Dental Care, Tenant for Property Located at 9101 N. Greenwood Avenue	Trustee Alpogianis
Item 11	Resolution Authorizing a Contractual Agreement with Hey and Associates for Engineering Services Related to the Stormwater Master Plan Update	Trustee LoVerde
Item 12	Resolution Supporting a Class 6b Tax Classification for 7555 N. Caldwell LLC for the Property Located at 7555 N. Caldwell Avenue	Trustee LoVerde
Item 13	Resolution Authorizing a Class 6b Incentive Agreement with 7555 N. Caldwell	Trustee LoVerde

	LLC for the Property Located at 7555 N. Caldwell Avenue	
Item 14	Resolution Authorizing a Bid Award and Contract with Morton Salt Inc., to Provide Bulk Highway Deicing Road Salt for the 2016-2017 Winter Season for the Village of Niles	Trustee Matyas
Item 15	Resolution Authorizing a Bid Award and Contract with Arrow Road Construction for the 2016 Street Resurfacing Program	Trustee Matyas
Item 16	Resolution Authorizing the Use of Motor Fuel Tax Funds to Pay for the 2016 Street Improvement Program	Trustee Matyas
Item 17	Resolution Authorizing a Bid Award and Contract with A Lamp Concrete Contractors Inc., for the Touhy Avenue Watermain Improvement Project	Trustee Matyas
Item 18	Resolution Authorizing a Contractual Agreement with Ciorba Group for Resident Engineering Construction Services	Trustee Matyas
Item 19	Resolution Authorizing an Intergovernmental Agreement with the Metropolitan Water Reclamation District of Greater Chicago for Design, Construction, Operation and Maintenance of a Bioswale and Permeable Pavement Parking Lot Near Oak Park	Trustee LoVerde
Item 20	Resolution Authorizing a Contractual Agreement with Garland/DBS, Inc. for Phase 4 of 6 Roof Repairs, Proceeding with Work at the Public Services Building at 6859 W. Touhy Avenue	Trustee Matyas
Item 21	Authorization of Use of the MPI Contractual Pricing Pursuant to Government Joint Purchasing Act, 30 ILCS 525/0.01, et. seq. with Insituform Technologies for Sewer Lining	Trustee Matyas

FINANCIAL REPORTS

Treasurer's Report - May 2016

NEXT MEETINGS

July 26, 2016 - Regular Meeeting at 7:00 p.m.

PUBLIC COMMENTS

ADJOURNMENT

BOARD AGENDA ITEM EXPLANATION FORM

Fourth of July Parade and Celebration (Parade Coordinator Cathy Spadoni)

Meeting Date	6/28/2016	Item Number	
Requested by	Cathy Spadoni, Parade Coordinator	Action Requested	
Prepared by	Cathy Spadoni, Parade Coordinator	Assigned to:	

ATTACHMENTS:

	Type	Description
🗋	Backup Material	2016 Parade Flyer

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

4th of July Niles PARADE & CELEBRATION

Monday, July 4, 2016
9:00 a.m. - 2:00 p.m.

~Sponsored by the Village of Niles~

Parade Step-Off
9:00 a.m.

Parade will begin at
Notre Dame College Prep
and proceed to
Grennan Heights Park.

Parade Route
Ozark to Main; Main to Harlem;
Harlem to Monroe; Monroe to Oketo

See map on back.

THE VILLAGE OF NILES
It's possible here

NPD Niles Park District
Experience The Rewards!

~Sponsored by the Niles Park District~

Post-Parade Entertainment
10:00 a.m. - 2:00 p.m.

Follow the parade to
Grennan Heights Park
and enjoy the post-parade festivities!

Main Stage Entertainment

R-Gang Band 10:30 a.m.-1:30 p.m.

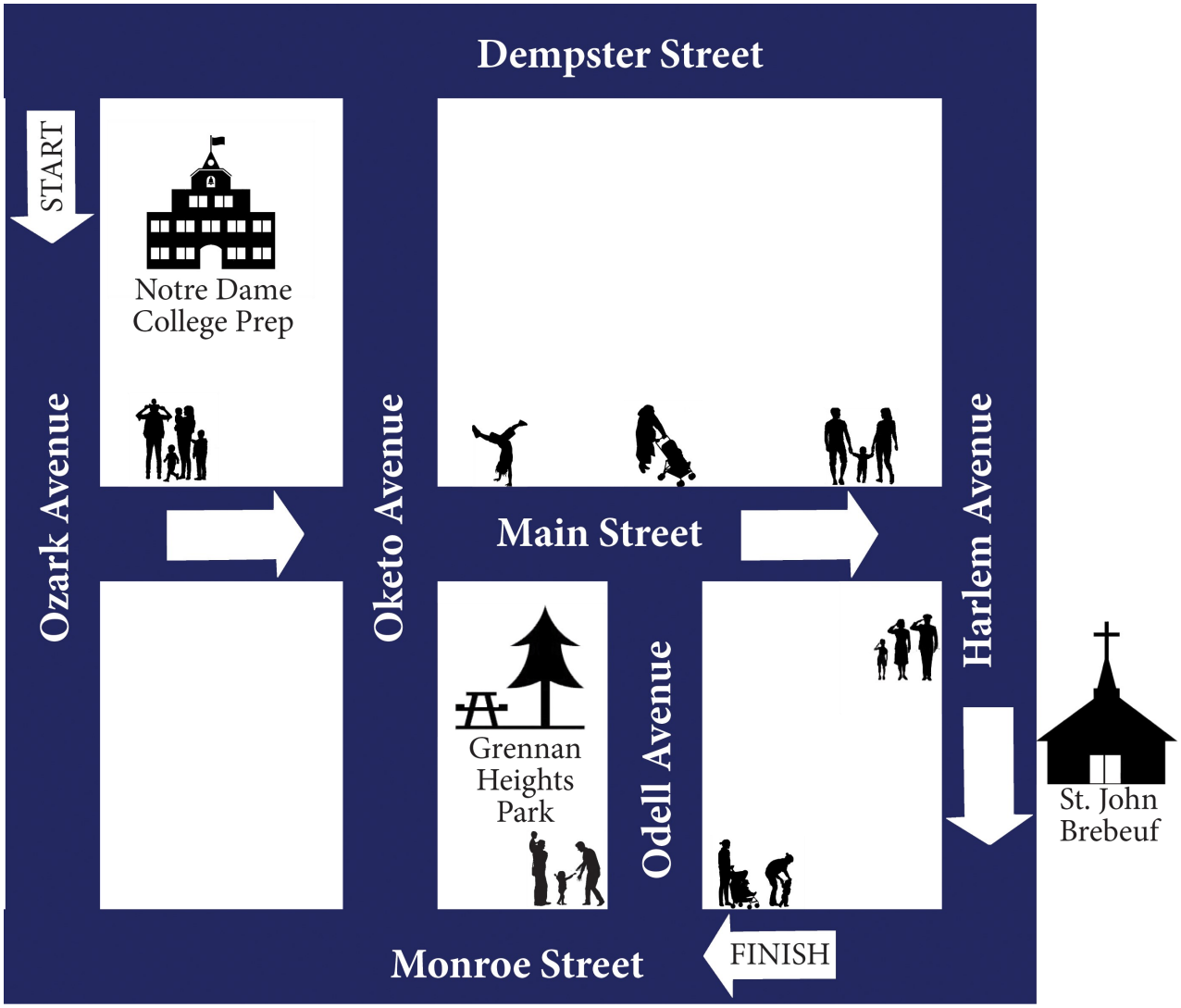
Family Fun

Children's Water Play Area
Children's Games
Inflatable Attractions
Pony Rides
Face Painting
Community Information Tent
Raffle

Parade Route

For information on the parade,
contact the Village of Niles at 847-588-8000.

For information on the post-parade festivities,
contact the Niles Park District at 847-967-6633.



Parade route is 1.5 miles. Map is not to scale.

BOARD AGENDA ITEM EXPLANATION FORM

Niles Park District Summer Concerts at Oak Park (Park Board Commissioner Julie Genualdi)

Meeting Date 6/28/2016

Item Number

Requested by

Action Requested

Prepared by

Assigned to:

ATTACHMENTS:

Type	Description
Backup Material	Summer Concerts 2016 Flyer

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

Concerts in the Park!

Friday's 6:30-8:30PM at Oak Park Main & Ottawa St.

JULY 08

WILD DAISY– Country Music with Pop & Rock

PENNY CARNIVAL NIGHT– Bring pennies to play!

JULY 15

THE ASSOCIATES– Motown & Variety Band

VEHICLE ADVENTURE– Explore Large Work Vehicles

JULY 22

STRUMMER BROTHERS BAND– 3 Piece Band

PETTING FARM & TRACTOR PULLED WAGON RIDES

JULY 29

LISA RENE BAND– Rockin' Variety for All

FACE PAINTING & BALLOON ARTIST

BOY SCOUT FAMILY CAMPOUT– 6:00pm

AUGUST 05

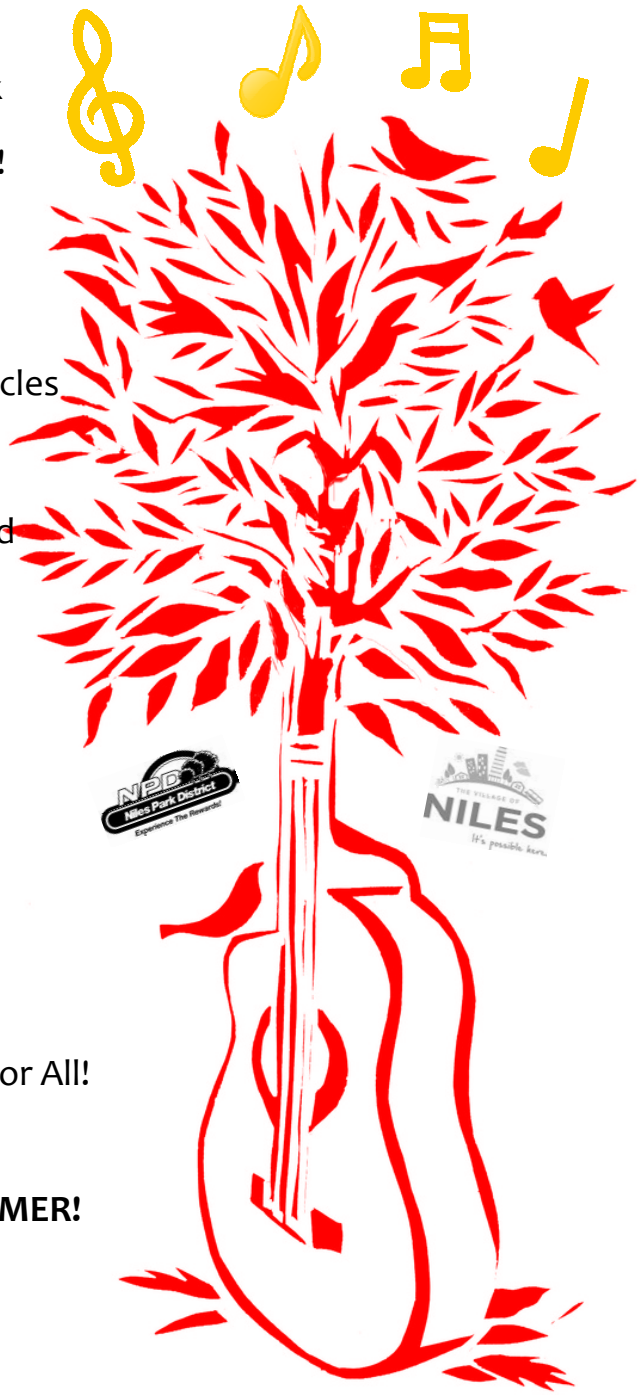
STING RAYS– 50's, 60's & 70's Music

GREAT CHICAGO KIDDIE EXPRESS– Train Rides for All!

AUGUST 12

JOIN US FOR OUR LAST CONCERT OF THE SUMMER!

BBI– They will take you back to the 70's & 80's



niles-parks.org • *Sponsored by Niles Park District & Village of Niles*

BOARD AGENDA ITEM EXPLANATION FORM

May 2016 PEER (Promoting Employee Excellence through Recognition) Award to Beata Gora, I.T. Department

Meeting Date 6/28/2016

Requested by Hadley Skeffington-Vos

Prepared by Hadley Skeffington-Vos, Assistant Village Manager

Item Number

Action Requested

Assigned to:

ATTACHMENTS:

Type	Description
Backup Material	PEER Winner

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

NILES PEER AWARD

May PEER Award Winner
Beata Gora

Beata Gora of the IT Department was voted as May 2016's PEER Award winner by the Niles Employee Recognition Committee. This committee, made up of employees from each department, reviewed three nominations.

Beata was nominated and awarded for her important role in saving the Village tens of thousands of dollars through oversight of communication vendors. Her coworker noted that "Whenever there is an issue, she will not rest until the issue is resolved. She goes wherever she needs to get the job done." Beata's creative and diligent methods have recovered improper charges, reorganized billing and discovered changes to save the Village money. The Village thanks Beata for her excellent service to the Village of Niles.

Hey and Associates, Inc.
Engineering, Ecology and Landscape Architecture

8755 W. Higgins Road, Suite 835
Chicago, Illinois 60631
Phone (773) 693-9200
Fax (773) 693-9202

MEMORANDUM

TO: Mary Anderson, PWLF
Tom Powers, PE

FROM: Jeff Wickenkamp, PE
Patrick Lach, PE

DATE: June 22, 2016

RE: Update to the Tier 2 / Greenwood Stormwater Plan Costs

PROJECT NO. 15-0223

Hey and Associates, Inc. (Hey) prepared the Village of Niles (Village) Stormwater Relief Program (SRP) in 2012 which identified Tier 2 projects with flood relief for the areas around Milwaukee Avenue and Maryland Street, Milwaukee and Davis, and Joey Drive. In addition, Hey was retained by the Village in 2015 to develop a conceptual stormwater plan for a block of property (Greenwood Property) bounded by Greenwood Avenue to the west, Church Street to the north, Cumberland Avenue to the east, and Davis Street to the south. The Village identified this property as a potential alternate location for the Tier 2 projects instead of having to purchase easements at the private property locations. In the Stormwater Relief Program (SRP), no flood relief projects were identified at the Greenwood Property, however, these Tier 2 projects were nearby, located east of this site and further upstream in the storm sewer system.

A conceptual plan for the Greenwood Property was developed to provide similar benefits as the Tier 2 projects. While the Tier 2 conceptual projects would provide approximately 10.5 acre-feet of underground storage on private property, the Greenwood stormwater concept plan could provide approximately 11-12 acre-feet on the acquired Village property. Both projects include various sewer, pavement removal/replacement, and restoration activities.

TIER 2 PROJECTS SUMMARY

The 2012 SRP Tier 2 cost for the two projects was approximately $7.18 million and did not include cost for property easements or acquisitions. It has been several years since this concept estimate was completed and new information is now available regarding project unit costs from the Tier 1 bid tabulations. Using this information, we have updated

the 2012 Tier 2 concept project costs. In addition, conceptual level cost contingencies (utility relocation, mobilization, maintenance of traffic, construction) were updated to be equivalent with the percentages used for the Greenwood stormwater project cost estimate. These updates increased the Tier 2 project costs by $3.25 million to $10.43 million not including property easements or acquisitions.

The Tier 2 concept projects included the construction of underground detention below existing commercial parking lots on private property. The parking lots would be restored to their pre-project conditions but would not available for future redevelopment because the underground storage could limit the use of the property and possibly diminish the overall value (i.e for resale). This work would likely require negotiations between the Village and the property owner and would possibly end up with an easement cost associated with the improvements. Potential easement costs were evaluated for the two properties which resulted in a total project cost of approximately $11.72 million which could vary depending on assessments and easement valuations.

GREENWOOD PROJECT SUMMARY

The 2015 Greenwood stormwater plan construction cost was estimated to be $6.43 million not including the property acquisition and future building demolition. These costs were based on the unit prices for construction activities for the recently bid and constructed stormwater relief projects in Niles and throughout the area. Including the property acquisition and demolition cost, total project cost is approximately $9.25 million.

OVERALL SUMMARY

The Tier 2 project costs were originally prepared in 2012 and did not include property acquisition or easements. These costs were updated based on recent construction and to use the same unit prices as the Greenwood costs. A summary table is provided below.

Excluding property easements or acquisitions, the Greenwood Property would provide similar stormwater and flooding benefits as the Tier 2 projects for $4 million less than the 2015 cost estimate for the Tier 2 projects.

Including property easements / acquisitions, the Greenwood Property would provide similar stormwater and flooding benefits as the Tier 2 projects for $2.5 million less than the 2015 cost estimate for the Tier 2 projects.

	2012	2015	
	Tier 2 Concept Projects	**Tier 2 Concept Projects**	**Greenwood Stormwater Project**
Project Cost (no easement / acquisition)	$7.18 million	$10.43 million	$6.43 million
Project Cost (including easement / acquisition)	$8.47 million	$11.72 million	$9.25 million

BOARD AGENDA ITEM EXPLANATION FORM

Property Tax Appeal Seminar

Meeting Date 6/28/2016

Requested by President Przybylo

Prepared by Village Clerk Victorine

Item Number

Action Requested

Assigned to:

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval $

Budget Amount $

Variance $

BOARD AGENDA ITEM EXPLANATION FORM

Stormwater Commission (Trustee LoVerde)

Meeting Date 6/28/2016

Requested by Trustee LoVerde

Prepared by Cammy Fortuna, Deputy Village Clerk

Item Number

Action Requested

Assigned to:

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

BOARD AGENDA ITEM EXPLANATION FORM

General Government/IT Committee (Trustee Alpogianis)

Meeting Date 6/28/2016

Requested by Trustee Alpogianis

Prepared by Cammy Fortuna, Deputy Village Clerk

Item Number

Action Requested

Assigned to:

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

BOARD AGENDA ITEM EXPLANATION FORM

Human Services Committee (Trustee Jekot)

Meeting Date 6/28/2016

Requested by Trustee Jekot

Prepared by Cammy Fortuna, Deputy Village Clerk

Item Number

Action Requested

Assigned to:

MOTION

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

BOARD AGENDA ITEM EXPLANATION FORM

Approval of Minutes - May 24, 2016 Regular Meeting

Meeting Date	6/28/2016	Item Number	**1**
Requested by	Village Clerk Marlene Victorine	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Village Clerk Marlene Victorine	Assigned to:	

MOTION

I move for Board approval of the minutes of the May 24, 2016 Board of Trustees Meeting.

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Adopting the Prevailing Wage Rates

Meeting Date	6/28/2016	Item Number	**2**
Requested by	Legal Department	Action Requested	ORDINANCE
Prepared by	Legal Department	Assigned to:	

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Prevailing Wages June 2015 (have not been updated by IL Dept of Labor due to budget impasse)

MOTION

I move for Board approval for an Ordinance adopting the current Cook County Prevailing Wage Rates pursuant to the Illinois Prevailing Wage Act. The Illinois Department of Labor has not updated rates for 2016 due to the budget impasse. 2015 Cook County Prevailing Wage Rates will be in effect until new rates are issued.

REASON FOR REQUEST / BACKGROUND

The State of Illinois requires public bodies to meet certain prerequisites in the issuing of bids and the letting of contracts for construction projects. The Illinois Prevailing Wage Act requires that the Village of Niles ascertain the prevailing rate of wages as defined in the Act. This Ordinance confirms that the general prevailing wage rates in this locality for laborers, mechanics, and other workers engaged in the construction of public works, is the same as determined by the Department of Labor of the State of Illinois.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item? No

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

PREVAILING WAGE RATES

WHEREAS, the State of Illinois has enacted "An Act regulating wages of laborers, mechanics and other workers employed in any public works by the State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended 10/3/05, 820 ILCS 130/1 et seq. as amended by Public Acts 86-799, 86-693 and 94-515, ("the Act") and

WHEREAS, the Act requires the Village of Niles ("Village") to ascertain the prevailing rate of wages as defined in the Act for laborers, mechanics and other workers in the locality of the Village of Niles employed in performing construction of public works for the Village.

NOW, THEREFORE, **BE IT ORDAINED** by the President and Board of Trustees of the Village of Niles, Cook County, Illinois as follows:

SECTION 1: To the extent and as required by "An Act regulating wages of laborers, mechanics and other workers employed in any public works by State, county, city or any public body or any political subdivision or by any one under contract for public works," approved June 26, 1941, as amended, the general prevailing rate of wages in this locality for laborers, mechanics and other workers engaged in construction of public works coming under the jurisdiction of the Village of Niles is hereby ascertained to be the same as the prevailing rate of wages for construction work in Cook County area as determined by the Department of Labor of the State of Illinois as of June of the current year, a copy of that determination being attached hereto and incorporated herein by reference. As required by said Act, any and all revisions of the prevailing rate of wages by the Department of Labor of the State of Illinois shall supersede the Department's June determination and apply to any and all public works construction undertaken by the Village of Niles. The definition of any terms appearing in this Ordinance which are also used in aforesaid Act shall be the same as in said Act.

SECTION 2: The Village of Niles Clerk shall publicly post or keep available for inspection by any interested party in the main office of the Village of Niles this determination or any revisions of such prevailing rate of wage. A copy of this determination or of the current revised determination of prevailing rate of wages then in effect shall be attached to all contract specifications.

SECTION 3: The Village of Niles Clerk shall mail a copy of this determination to any employer, and to any association of employers and to any person or association of employees who have filed their names and addresses, requesting copies of any determination stating the particular rates and the particular class of workers whose wages will be affected by such rates.

SECTION 4: The Village of Niles Clerk shall promptly file a certified copy of this Ordinance with both the Secretary of State Index Division and the Department of Labor of the State of Illinois.

SECTION 5: The Village of Niles Clerk shall publish in a newspaper of general circulation within the area a copy of this Ordinance, the publication shall constitute notice that the determination is effective and that this is the determination of this public body.

PASSED: This 28th day of June, 2016.
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

Cook County Prevailing Wage for June 2015

(See explanation of column headings at bottom of wages)

Trade Name	RG	TYP	C	Base	FRMAN	M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
ASBESTOS ABT-GEN		ALL		38.200	38.700	1.5	1.5	2.0	13.78	10.12	0.000	0.500
ASBESTOS ABT-MEC		BLD		35.100	37.600	1.5	1.5	2.0	11.17	10.76	0.000	0.720
BOILERMAKER		BLD		45.650	49.760	2.0	2.0	2.0	6.970	17.81	0.000	0.400
BRICK MASON		BLD		42.580	46.840	1.5	1.5	2.0	9.850	13.60	0.000	1.030
CARPENTER		ALL		43.350	45.350	1.5	1.5	2.0	13.29	13.75	0.000	0.630
CEMENT MASON		ALL		43.100	45.100	2.0	1.5	2.0	12.70	13.24	0.000	0.450
CERAMIC TILE FNSHER		BLD		35.810	0.000	1.5	1.5	2.0	10.55	8.440	0.000	0.710
COMM. ELECT.		BLD		39.000	41.800	1.5	1.5	2.0	8.420	11.98	1.100	0.700
ELECTRIC PWR EQMT OP		ALL		46.100	51.100	1.5	1.5	2.0	10.76	14.87	0.000	0.460
ELECTRIC PWR GRNDMAN		ALL		35.960	51.100	1.5	1.5	2.0	8.390	11.60	0.000	0.360
ELECTRIC PWR LINEMAN		ALL		46.100	51.100	1.5	1.5	2.0	10.76	14.87	0.000	0.460
ELECTRICIAN		ALL		44.000	47.000	1.5	1.5	2.0	13.33	14.77	0.000	0.750
ELEVATOR CONSTRUCTOR		BLD		50.800	57.150	2.0	2.0	2.0	13.57	14.21	4.060	0.600
FENCE ERECTOR		ALL		35.840	37.840	1.5	1.5	2.0	13.01	11.51	0.000	0.300
GLAZIER		BLD		40.000	41.500	1.5	2.0	2.0	12.49	15.99	0.000	0.940
HT/FROST INSULATOR		BLD		48.450	50.950	1.5	1.5	2.0	11.47	12.16	0.000	0.720
IRON WORKER		ALL		43.000	45.000	2.0	2.0	2.0	13.45	20.65	0.000	0.350
LABORER		ALL		38.000	38.750	1.5	1.5	2.0	13.78	10.12	0.000	0.500
LATHER		ALL		43.350	45.350	1.5	1.5	2.0	13.29	13.75	0.000	0.630
MACHINIST		BLD		44.350	46.850	1.5	1.5	2.0	6.760	8.950	1.850	0.000
MARBLE FINISHERS		ALL		31.400	32.970	1.5	1.5	2.0	9.850	13.10	0.000	0.600
MARBLE MASON		BLD		41.780	45.960	1.5	1.5	2.0	9.850	13.42	0.000	0.760
MATERIAL TESTER I		ALL		28.000	0.000	1.5	1.5	2.0	13.78	10.12	0.000	0.500
MATERIALS TESTER II		ALL		33.000	0.000	1.5	1.5	2.0	13.78	10.12	0.000	0.500
MILLWRIGHT		ALL		43.350	45.350	1.5	1.5	2.0	13.29	13.75	0.000	0.630
OPERATING ENGINEER		BLD	1	47.100	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	2	45.800	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	3	43.250	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	4	41.500	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	5	50.850	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	6	48.100	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		BLD	7	50.100	51.100	2.0	2.0	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		FLT	1	52.450	52.450	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		FLT	2	50.950	52.450	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		FLT	3	45.350	52.450	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		FLT	4	37.700	52.450	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		FLT	5	53.950	52.450	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		FLT	6	35.000	35.000	1.5	1.5	2.0	16.60	11.05	1.900	1.250
OPERATING ENGINEER		HWY	1	45.300	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	2	44.750	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	3	42.700	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	4	41.300	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	5	40.100	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	6	48.300	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
OPERATING ENGINEER		HWY	7	46.300	49.300	1.5	1.5	2.0	17.10	11.80	1.900	1.250
ORNAMNTL IRON WORKER		ALL		43.900	46.400	2.0	2.0	2.0	13.36	17.24	0.000	0.650
PAINTER		ALL		40.750	45.500	1.5	1.5	1.5	10.75	11.10	0.000	0.770
PAINTER SIGNS		BLD		33.920	38.090	1.5	1.5	1.5	2.600	2.710	0.000	0.000
PILEDRIVER		ALL		43.350	45.350	1.5	1.5	2.0	13.29	13.75	0.000	0.630
PIPEFITTER		BLD		46.000	49.000	1.5	1.5	2.0	9.000	15.85	0.000	1.780
PLASTERER		BLD		42.250	44.790	1.5	1.5	2.0	11.40	12.19	0.000	0.650
PLUMBER		BLD		46.650	48.650	1.5	1.5	2.0	13.18	11.46	0.000	0.880
ROOFER		BLD		40.100	43.100	1.5	1.5	2.0	8.280	10.54	0.000	0.530
SHEETMETAL WORKER		BLD		41.530	44.850	1.5	1.5	2.0	10.48	20.06	0.000	0.690
SIGN HANGER		BLD		31.310	33.810	1.5	1.5	2.0	4.850	3.280	0.000	0.000
SPRINKLER FITTER		BLD		49.200	51.200	1.5	1.5	2.0	11.75	9.650	0.000	0.550
STEEL ERECTOR		ALL		42.070	44.070	2.0	2.0	2.0	13.45	19.59	0.000	0.350
STONE MASON		BLD		42.580	46.840	1.5	1.5	2.0	9.850	13.60	0.000	1.030
~~SURVEY WORKER~~	->	NOT IN		EFFECT		ALL	37.000	37.750	1.5	1.5	2.0	12.97	9.930	0.000	0.500
TERRAZZO FINISHER		BLD		37.040	0.000	1.5	1.5	2.0	10.55	10.32	0.000	0.620
TERRAZZO MASON		BLD		40.880	43.880	1.5	1.5	2.0	10.55	11.63	0.000	0.820
TILE MASON		BLD		42.840	46.840	1.5	1.5	2.0	10.55	10.42	0.000	0.920
TRAFFIC SAFETY WRKR		HWY		32.750	34.350	1.5	1.5	2.0	6.550	6.450	0.000	0.500
TRUCK DRIVER	E	ALL	1	33.850	34.500	1.5	1.5	2.0	8.150	8.500	0.000	0.150
TRUCK DRIVER	E	ALL	2	34.100	34.500	1.5	1.5	2.0	8.150	8.500	0.000	0.150
TRUCK DRIVER	E	ALL	3	34.300	34.500	1.5	1.5	2.0	8.150	8.500	0.000	0.150
TRUCK DRIVER	E	ALL	4	34.500	34.500	1.5	1.5	2.0	8.150	8.500	0.000	0.150
TRUCK DRIVER	W	ALL	1	32.550	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.000

TRUCK DRIVER	W	ALL	2	32.700	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.000
TRUCK DRIVER	W	ALL	3	32.900	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.000
TRUCK DRIVER	W	ALL	4	33.100	33.100	1.5	1.5	2.0	6.500	4.350	0.000	0.000
TUCKPOINTER		BLD		42.800	43.800	1.5	1.5	2.0	8.180	12.66	0.000	0.650

Legend: RG (Region)
TYP (Trade Type - All,Highway,Building,Floating,Oil & Chip,Rivers)
C (Class)
Base (Base Wage Rate)
FRMAN (Foreman Rate)
M-F>8 (OT required for any hour greater than 8 worked each day, Mon through Fri.
OSA (Overtime (OT) is required for every hour worked on Saturday)
OSH (Overtime is required for every hour worked on Sunday and Holidays)
H/W (Health & Welfare Insurance)
Pensn (Pension)
Vac (Vacation)
Trng (Training)

Explanations

COOK COUNTY

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

TRUCK DRIVERS (WEST) - That part of the county West of Barrington Road.

EXPLANATION OF CLASSES

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.
ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

CERAMIC TILE FINISHER

The grouting, cleaning, and polishing of all classes of tile, whether for interior or exterior purposes, all burned, glazed or unglazed products; all composition materials, granite tiles, warning detectable tiles, cement tiles, epoxy composite materials, pavers, glass, mosaics, fiberglass, and all substitute materials, for tile made in tile-like units; all mixtures in tile like form of cement, metals, and other materials that are for and intended for use as a finished floor surface, stair treads, promenade roofs, walks, walls, ceilings, swimming pools, and all other places where tile is to form a finished interior or exterior. The mixing of all setting mortars including but not limited to thin-set mortars, epoxies, wall mud, and any other sand and cement mixtures or adhesives when used in the preparation, installation, repair, or maintenance of tile and/or similar materials. The handling and unloading of all sand, cement, lime, tile, fixtures, equipment, adhesives, or any other materials to be used in the preparation, installation, repair, or maintenance of tile and/or similar materials. Ceramic Tile Finishers shall fill all joints and voids regardless of method on all tile work, particularly and especially after installation of said tile work. Application of any and all protective coverings to all types of tile installations including, but not be limited to, all soap compounds, paper products, tapes, and all polyethylene coverings, plywood, masonite, cardboard, and any new type of products that may be used to protect tile installations, Blastrac equipment, and all floor scarifying equipment used in preparing floors to receive tile. The clean up and removal of all waste and materials. All demolition of existing tile floors and walls to be re-tiled.

COMMUNICATIONS ELECTRICIAN

Installation, operation, inspection, maintenance, repair and service of radio, television, recording, voice sound vision production and reproduction, telephone and telephone interconnect, facsimile, data apparatus, coaxial, fibre optic and wireless equipment, appliances and systems used for the transmission and reception of signals of any nature, business, domestic, commercial, education, entertainment, and residential purposes, including but not limited to, communication and telephone, electronic and sound equipment, fibre optic and data communication systems, and the performance of any task directly related to such installation or service whether at new or existing

sites, such tasks to include the placing of wire and cable and electrical power conduit or other raceway work within the equipment room and pulling wire and/or cable through conduit and the installation of any incidental conduit, such that the employees covered hereby can complete any job in full.

MARBLE FINISHER

Loading and unloading trucks, distribution of all materials (all stone, sand, etc.), stocking of floors with material, performing all rigging for heavy work, the handling of all material that may be needed for the installation of such materials, building of scaffolding, polishing if needed, patching, waxing of material if damaged, pointing up, caulking, grouting and cleaning of marble, holding water on diamond or Carborundum blade or saw for setters cutting, use of tub saw or any other saw needed for preparation of material, drilling of holes for wires that anchor material set by setters, mixing up of molding plaster for installation of material, mixing up thin set for the installation of material, mixing up of sand to cement for the installation of material and such other work as may be required in helping a Marble Setter in the handling of all material in the erection or installation of interior marble, slate, travertine, art marble, serpentine, alberene stone, blue stone, granite and other stones (meaning as to stone any foreign or domestic materials as are specified and used in building interiors and exteriors and customarily known as stone in the trade), carrara, sanionyx, vitrolite and similar opaque glass and the laying of all marble tile, terrazzo tile, slate tile and precast tile, steps, risers treads, base, or any other materials that may be used as substitutes for any of the aforementioned materials and which are used on interior and exterior which are installed in a similar manner.

MATERIAL TESTER I: Hand coring and drilling for testing of materials; field inspection of uncured concrete and asphalt.

MATERIAL TESTER II: Field inspection of welds, structural steel, fireproofing, masonry, soil, facade, reinforcing steel, formwork, cured concrete, and concrete and asphalt batch plants; adjusting proportions of bituminous mixtures.

OPERATING ENGINEER - BUILDING

Class 1. Asphalt Plant; Asphalt Spreader; Autograde; Backhoes with Caisson Attachment; Batch Plant; Benoto (requires Two Engineers); Boiler and Throttle Valve; Caisson Rigs; Central Redi-Mix Plant; Combination Back Hoe Front End-loader Machine; Compressor and Throttle Valve; Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Conveyor (Truck Mounted); Concrete Paver Over 27E cu. ft; Concrete Paver 27E cu. ft. and Under: Concrete Placer; Concrete Placing Boom; Concrete Pump (Truck Mounted); Concrete Tower; Cranes, All; Cranes, Hammerhead; Cranes, (GCI and similar Type); Creter Crane; Spider Crane; Crusher, Stone, etc.; Derricks, All; Derricks, Traveling; Formless Curb and Gutter Machine; Grader, Elevating; Grouting Machines; Heavy Duty Self-Propelled Transporter or Prime Mover; Highlift Shovels or Front Endloader 2-1/4 yd. and over; Hoists, Elevators, outside type rack and pinion and similar machines; Hoists, One, Two and Three Drum; Hoists, Two Tugger One Floor; Hydraulic Backhoes; Hydraulic Boom Trucks; Hydro Vac (and similar equipment); Locomotives, All; Motor Patrol; Lubrication Technician; Manipulators; Pile Drivers and Skid Rig; Post Hole Digger; Pre-Stress Machine; Pump Cretes Dual Ram; Pump Cretes: Squeeze Cretes-Screw Type Pumps; Gypsum Bulker and Pump; Raised and Blind Hole Drill; Roto Mill Grinder; Scoops - Tractor Drawn; Slip-Form Paver; Straddle Buggies; Operation of Tie Back Machine; Tournapull; Tractor with Boom and Side Boom; Trenching Machines.

Class 2. Boilers; Broom, All Power Propelled; Bulldozers; Concrete Mixer (Two Bag and Over); Conveyor, Portable; Forklift Trucks; Highlift Shovels or Front Endloaders under 2-1/4 yd.; Hoists, Automatic; Hoists, Inside Elevators; Hoists, Sewer Dragging Machine; Hoists, Tugger Single Drum; Laser Screed; Rock Drill (Self-Propelled); Rock Drill (Truck Mounted); Rollers, All; Steam Generators; Tractors, All; Tractor Drawn Vibratory Roller; Winch Trucks with "A" Frame.

Class 3. Air Compressor; Combination Small Equipment Operator; Generators; Heaters, Mechanical; Hoists, Inside Elevators (remodeling or renovation work); Hydraulic Power Units (Pile Driving, Extracting, and Drilling); Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Low Boys; Pumps, Well Points; Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches.

Class 4. Bobcats and/or other Skid Steer Loaders; Oilers; and Brick Forklift.

Class 5. Assistant Craft Foreman.

Class 6. Gradall.

Class 7. Mechanics; Welders.

OPERATING ENGINEERS - HIGHWAY CONSTRUCTION

Class 1. Asphalt Plant; Asphalt Heater and Planer Combination; Asphalt Heater Scarfire; Asphalt Spreader; Autograder/GOMACO or other similar type machines: ABG Paver; Backhoes with Caisson Attachment; Ballast Regulator; Belt Loader; Caisson Rigs; Car Dumper; Central Redi-Mix Plant; Combination Backhoe Front Endloader Machine, (1 cu. yd. Backhoe Bucket or over or with attachments); Concrete Breaker (Truck Mounted); Concrete Conveyor; Concrete Paver over 27E cu. ft.; Concrete Placer; Concrete Tube Float; Cranes, all attachments; Cranes, Tower Cranes of all types: Creter Crane: Spider Crane; Crusher, Stone, etc.; Derricks, All; Derrick Boats; Derricks, Traveling; Dredges; Elevators, Outside type Rack & Pinion and Similar Machines; Formless Curb and Gutter Machine; Grader, Elevating; Grader, Motor Grader, Motor Patrol, Auto Patrol, Form Grader, Pull Grader, Subgrader; Guard Rail Post Driver Truck Mounted; Hoists, One, Two and Three Drum; Heavy Duty Self-Propelled Transporter or Prime Mover; Hydraulic Backhoes; Backhoes with shear attachments up to 40' of boom reach; Lubrication Technician; Manipulators; Mucking Machine; Pile Drivers and Skid Rig; Pre-Stress Machine; Pump Cretes Dual Ram; Rock Drill - Crawler or Skid Rig; Rock Drill - Truck Mounted; Rock/Track Tamper; Roto Mill Grinder; Slip-Form Paver; Snow Melters; Soil Test Drill Rig (Truck Mounted); Straddle Buggies; Hydraulic Telescoping Form (Tunnel); Operation of Tieback Machine; Tractor Drawn Belt Loader; Tractor Drawn Belt Loader (with attached pusher - two engineers); Tractor with Boom; Tractaire with Attachments; Traffic Barrier Transfer Machine; Trenching; Truck Mounted Concrete Pump with Boom; Raised or Blind Hole Drills (Tunnel Shaft); Underground Boring and/or Mining Machines 5 ft. in diameter and over tunnel, etc; Underground Boring and/or Mining Machines under 5 ft. in diameter; Wheel Excavator; Widener (APSCO).

Class 2. Batch Plant; Bituminous Mixer; Boiler and Throttle Valve; Bulldozers; Car Loader Trailing Conveyors; Combination Backhoe Front Endloader Machine (Less than 1 cu. yd. Backhoe Bucket or over or with attachments); Compressor and Throttle Valve; Compressor, Common Receiver (3); Concrete Breaker or Hydro Hammer; Concrete Grinding Machine; Concrete Mixer or Paver 7S Series to and including 27 cu. ft.; Concrete Spreader; Concrete Curing Machine, Burlap Machine, Belting Machine and Sealing Machine; Concrete Wheel Saw; Conveyor Muck Cars (Haglund or Similar Type); Drills, All; Finishing Machine - Concrete; Highlift Shovels or Front Endloader; Hoist - Sewer Dragging Machine; Hydraulic Boom Trucks (All Attachments); Hydro-Blaster; Hydro Excavating (excluding hose work); Laser Screed; All Locomotives, Dinky; Off-Road Hauling Units (including articulating) Non Self-Loading Ejection Dump; Pump Cretes: Squeeze Cretes - Screw Type Pumps, Gypsum Bulker and Pump; Roller, Asphalt; Rotary Snow Plows; Rototiller, Seaman, etc., self-propelled; Self-Propelled Compactor; Spreader - Chip - Stone, etc.; Scraper - Single/Twin Engine/Push and Pull; Scraper - Prime Mover in Tandem (Regardless of Size); Tractors pulling attachments, Sheeps Foot, Disc, Compactor, etc.; Tug Boats.

Class 3. Boilers; Brooms, All Power Propelled; Cement Supply Tender; Compressor, Common Receiver (2); Concrete Mixer (Two Bag and Over); Conveyor, Portable; Farm-Type Tractors Used for Mowing, Seeding, etc.; Forklift Trucks; Grouting Machine; Hoists, Automatic; Hoists, All Elevators; Hoists, Tugger Single Drum; Jeep Diggers; Low Boys; Pipe Jacking Machines; Post-Hole Digger; Power Saw, Concrete Power Driven; Pug Mills; Rollers, other than Asphalt; Seed and Straw Blower; Steam Generators; Stump Machine; Winch Trucks with "A" Frame; Work Boats; Tamper-Form-Motor Driven.

Class 4. Air Compressor; Combination - Small Equipment Operator; Directional Boring Machine; Generators; Heaters, Mechanical; Hydraulic Power Unit (Pile Driving, Extracting, or Drilling); Light Plants, All (1 through 5); Pumps, over 3" (1 to 3 not to exceed a total of 300 ft.); Pumps, Well Points; Vacuum Trucks (excluding hose work); Welding Machines (2 through 5); Winches, 4 Small Electric Drill Winches.

Class 5. SkidSteer Loader (all); Brick Forklifts; Oilers.

Class 6. Field Mechanics and Field Welders

Class 7. Dowell Machine with Air Compressor; Gradall and machines of like nature.

OPERATING ENGINEER - FLOATING

Class 1. Craft Foreman; Master Mechanic; Diver/Wet Tender; Engineer; Engineer (Hydraulic Dredge).

Class 2. Crane/Backhoe Operator; Boat Operator with towing endorsement; Mechanic/Welder; Assistant Engineer (Hydraulic Dredge); Leverman (Hydraulic Dredge); Diver Tender.

Class 3. Deck Equipment Operator, Machineryman, Maintenance of Crane (over 50 ton capacity) or Backhoe (115,000 lbs. or more); Tug/Launch Operator; Loader/Dozer and like equipment on Barge, Breakwater Wall, Slip/Dock, or Scow, Deck Machinery, etc.

Class 4. Deck Equipment Operator, Machineryman/Fireman (4 Equipment

Units or More); Off Road Trucks; Deck Hand, Tug Engineer, Crane Maintenance (50 Ton Capacity and Under) or Backhoe Weighing (115,000 pounds or less); Assistant Tug Operator.

Class 5. Friction or Lattice Boom Cranes.

Class 6. ROV Pilot, ROV Tender

SURVEY WORKER - Operated survey equipment including data collectors, G.P.S. and robotic instruments, as well as conventional levels and transits.

TERRAZZO FINISHER

The handling of sand, cement, marble chips, and all other materials that may be used by the Mosaic Terrazzo Mechanic, and the mixing, grinding, grouting, cleaning and sealing of all Marble, Mosaic, and Terrazzo work, floors, base, stairs, and wainscoting by hand or machine, and in addition, assisting and aiding Marble, Masonic, and Terrazzo Mechanics.

TRAFFIC SAFETY

Work associated with barricades, horses and drums used to reduce lane usage on highway work, the installation and removal of temporary lane markings, and the installation and removal of temporary road signs.

TRUCK DRIVER - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION - EAST & WEST

Class 1. Two or three Axle Trucks. A-frame Truck when used for transportation purposes; Air Compressors and Welding Machines, including those pulled by cars, pick-up trucks and tractors; Ambulances; Batch Gate Lockers; Batch Hopperman; Car and Truck Washers; Carry-alls; Fork Lifts and Hoisters; Helpers; Mechanics Helpers and Greasers; Oil Distributors 2-man operation; Pavement Breakers; Pole Trailer, up to 40 feet; Power Mower Tractors; Self-propelled Chip Spreader; Skipman; Slurry Trucks, 2-man operation; Slurry Truck Conveyor Operation, 2 or 3 man; Teamsters; Unskilled Dumpman; and Truck Drivers hauling warning lights, barricades, and portable toilets on the job site.

Class 2. Four axle trucks; Dump Crets and Adgetors under 7 yards; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnapulls or Turnatrailers when pulling other than self-loading equipment or similar equipment under 16 cubic yards; Mixer Trucks under 7 yards; Ready-mix Plant Hopper Operator, and Winch Trucks, 2 Axles.

Class 3. Five axle trucks; Dump Crets and Adgetors 7 yards and over; Dumpsters, Track Trucks, Euclids, Hug Bottom Dump Turnatrailers or turnapulls when pulling other than self-loading equipment or similar equipment over 16 cubic yards; Explosives and/or Fission Material Trucks; Mixer Trucks 7 yards or over; Mobile Cranes while in transit; Oil Distributors, 1-man operation; Pole Trailer, over 40 feet; Pole and Expandable Trailers hauling material over 50 feet long; Slurry trucks, 1-man operation; Winch trucks, 3 axles or more; Mechanic--Truck Welder and Truck Painter.

Class 4. Six axle trucks; Dual-purpose vehicles, such as mounted crane trucks with hoist and accessories; Foreman; Master Mechanic; Self-loading equipment like P.B. and trucks with scoops on the front.

Other Classifications of Work:

For definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. If no neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination. If a project requires these, or any classification not listed, please contact IDOL at 217-782-1710 for wage rates or clarifications.

LANDSCAPING

Landscaping work falls under the existing classifications for laborer, operating engineer and truck driver. The work performed by landscape plantsman and landscape laborer is covered by the existing classification of laborer. The work performed by landscape operators (regardless of equipment used or its size) is covered by the classifications of operating engineer. The work performed by landscape truck drivers (regardless of size of truck driven) is covered by the classifications of truck driver.

MATERIAL TESTER & MATERIAL TESTER/INSPECTOR I AND II

Notwithstanding the difference in the classification title, the classification entitled "Material Tester I" involves the same job

duties as the classification entitled "Material Tester/Inspector I". Likewise, the classification entitled "Material Tester II" involves the same job duties as the classification entitled "Material Tester/Inspector II".

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Amending Chapter 38 Emergency Services, Article III Emergency Telephone System Board

Meeting Date	6/28/2016	Item Number	**3**
Requested by	Dennis McEnerney, Police Chief	Action Requested	ORDINANCE
Prepared by	Dennis McEnerney, Police Chief	Assigned to:	

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance

MOTION

I move for Board approval of an Ordinance amending Chapter 38 Emergency Services, Article III Emergency Telephone System Board (ETSB) to the Niles Code of Ordinances.

REASON FOR REQUEST / BACKGROUND

Article III. Emergency Telephone System Board remains in full force and effect upon the later of January 1, 2017 or when the State of Illinois approves the creation of the Joint Emergency Telephone System Board (JETSB).

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016 -

AMENDING CHAPTER 38 EMERGENCY SERVICES, ARTICLE III. EMERGENCY TELEPHONE SYSTEM BOARD TO THE NILES CODE OF ORDINANCES, VILLAGE OF NILES

WHEREAS, pursuant to the Intergovernmental Agreement ("IGA") and the Act, the Village must dissolve the Emergency Telephone System Board upon the Commencement Date of the Joint Emergency Telephone System Board, as defined in the IGA, which shall be January 1, 2017, subject to the State of Illinois' approval of the consolidation plan (the "Plan") to which the IGA pertains;

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: Chapter 38 Emergency Services, Article III. Emergency Telephone System Board of the Niles Code of Ordinances shall be amended as follows:

CHAPTER 38 EMERGENCY SERVICES

* * *

~~**ARTICLE III. EMERGENCY TELEPHONE SYSTEM BOARD**~~

~~**Sec. 38-50. Board established.**~~
~~An emergency telephone system board for the Village of Niles, Cook County, Illinois is hereby established and shall be known as the Niles Emergency Telephone System Board (ETSB).~~

~~**Sec. 38-51. Membership of the board.**~~
~~The Niles Emergency Telephone System Board shall consist of seven (7) members as follows:~~

~~(a) Two public members who shall be residents of Niles appointed by the Village President with a concurrence of the Village Trustees. The public members' term shall be for three years. Any person appointed to fill an unexpired term shall serve until the expiration of the original appointment.~~

~~(b) The Village President or his/her designee.~~

~~(c) The Chief of Police or his/her designee appointed on the basis of ability or experience.~~

~~(d) The Fire Chief or his/her designee appointed on the basis of ability or experience.~~

~~(e) The Village Administrator or his/her designee.~~

~~(f) A Village Trustee appointed annually by the Village President~~

~~**Sec. 38-52. Compensation.**~~
~~Members of the Board shall serve without compensation but shall be reimbursed for their actual and necessary expenses.~~

~~**Sec. 38-53. Powers and duties of board.**~~

~~The Niles Emergency Telephone System Board shall have the all powers set forth in the Emergency Telephone System Act (50 ILCS 750/0.01 et. seq.) as may be amended from time to time, including the following powers and duties:~~

~~(a) Planning a 9-1-1 system;~~

~~(b) Coordinating and supervising the implementation, upgrading, or maintenance of the system, including the establishment of equipment specifications and coding systems;~~

~~(c) Receiving monies from any surcharge imposed under Section 15.3 of the Emergency Telephone System Act and from any other source, for deposit into the Emergency Telephone System Fund;~~

~~(d) Authorizing all disbursements from the fund in compliance with state statute;~~

~~(e) Hiring any staff necessary for the implementation or upgrade of the system;~~

~~(f) Preparing an annual budget and submitting such annual budget to the Corporate authority in accordance with the Village's annual budget process;~~

~~(g) Participating in a Regional Pilot Project to implement next generation 9-1-1, as defined in and, subject to the conditions set forth in Emergency Telephone System Act.~~

~~(h) All moneys received by the ETSB pursuant to a surcharge imposed under Section 15.3 shall be deposited into a separate interest-bearing Emergency Telephone System Fund account. The Village's Treasurer/Finance Director, shall be custodian of the fund. All interest accruing on the fund shall remain in the fund. No expenditures may be made from such fund except upon the direction of the ETSB by resolution passed by a majority of all members of the ETSB. Expenditures may be made only to pay for the costs associated with the following:~~

~~(1) The design of the Emergency Telephone System.~~

~~(2) The coding of an initial Master Street Address Guide data base, and update and maintenance thereof.~~

~~(3) The repayment of any moneys advanced for the implementation of the system.~~

~~(4) The charges for Automatic Number Identification and Automatic Location Identification equipment, a computer aided dispatch system that records, maintains, and integrates information, mobile data transmitters equipped with automatic vehicle locators, and maintenance, replacement and update thereof to increase operational efficiency and improve the provision of emergency services.~~

~~(5) The non-recurring charges related to installation of the Emergency Telephone System and the ongoing network charges.~~

~~(6) The acquisition and installation, or the reimbursement of costs therefore to other governmental bodies that have incurred those costs, of road or street signs that are essential to the implementation of the emergency telephone system and~~

~~that are not duplicative of signs that are the responsibility of the jurisdiction charged with maintaining road and street signs.~~

~~(7) Other products and services necessary for the implementation, upgrade, and maintenance of the system and any other purpose related to the operation of the system, including costs attributable directly to the construction, leasing, or maintenance of any buildings or facilities or costs of personnel attributable directly to the operation of the system. Costs attributable directly to the operation of an emergency telephone system do not include the costs of public safety agency personnel who are and equipment that is dispatched in response to an emergency call.~~

~~(8) In event the Village imposes a surcharge under subsection (h) of Section 15.3 of the Emergency Telephone System Act, moneys may also be used for any anti-terrorism or emergency preparedness measures, including, but not limited to, preparedness planning, providing local matching funds for federal or State grants, personnel training, and specialized equipment, including surveillance cameras as needed to deal with natural and terrorist-inspired emergency situations or events.~~

~~(9) The defraying of expenses incurred in participation in a Regional Pilot Project to implement next generation 9-1-1, subject to the conditions set forth in this Act.~~

~~(10) The implementation of a computer aided dispatch system or hosted supplemental 9-1-1 services.~~

SECTION 2: This Ordinance shall be in full force and effect upon the later of January 1, 2017, or the State of Illinois' approval of the Plan.

SECTION 3: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Authorization of Payment for a Workers' Compensation Settlement, Case #14 WC 12314, #14 WC 12315, #14 WC 12316, #14 WC 12317, in the Amount of $144,332

Meeting Date 6/28/2016 Item Number **4**

Requested by Human Resource Director Action Requested REQUEST FOR BOARD APPROVAL

Prepared by Legal Department Assigned to:

ATTACHMENTS:

Type	Description
Agreement	Settlement Agreement

MOTION

I move for Board approval of payment for a Workers' Compensation Settlement, Case #14 WC 12314,14 WC 12315, #14 WC 12316, #14 WC 12317, in the amount of $144,332.

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? No

ORG#

ACCT#

Total Amount for Approval $144,332

Budget Amount

Variance

BOARD AGENDA ITEM EXPLANATION FORM

Authorization of Payment for a Workers' Compensation Settlement, Case #09 WC 46229, in the Amount of $127,958.60

Meeting Date	6/28/2016	Item Number	**5**
Requested by	Human Resource Director	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Legal Department	Assigned to:	

ATTACHMENTS:

	Type	Description
	Agreement	Settlement Agreement

MOTION

I move for Board approval of authorization of payment for a Workers' Compensation Settlement, Case #09 WC 46229, in the amount of $127,958.60.

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? No

ORG#		Total Amount for Approval	$127,958.60
ACCT#		Budget Amount	
		Variance	

BOARD AGENDA ITEM EXPLANATION FORM

2016-2017 Committee/Commission/Board and Police Auxiliary Appointments

Meeting Date	6/28/2016	Item Number	**1**
Requested by	President Przybylo	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Village Clerk Victorine	Assigned to:	President Przybylo

ATTACHMENTS:

	Type	Description
🗋	Backup Material	2016-2017 Committee Appointments

MOTION

Motion for approval of the 2016-2017 Committee, Commission, Board and Police Auxiliary appointments. (Each committee is voted on individually)

REASON FOR REQUEST / BACKGROUND

This is the annual appointment of Committee, Commission and Board members.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

MAYOR
Andrew Przybylo

TRUSTEES
George D. Alpogianis
John C. Jekot
Joe LoVerde
Danette O'Donovan Matyas
Denise M. McCreery
Dean Strzelecki

VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

Phone: (847) 588-8000
Fax: (847) 588-8051
www.vniles.com

1000 Civic Center Drive, Niles, Illinois 60714

2016-2017
COMMITTEES, COMMISSIONS, BOARDS AND POLICE AUXILIARY APOINTMENTS
One (1) Year Appointments (unless otherwise noted)

PLAN COMMISSION & ZONING BOARD OF APPEALS
Thomas Kanelos, Chair
Susan DeBartolo
Morgan Dubiel
Ted Karabatsos
Barbara Nakanishi
Robert Schulter
vacant
Angelo Troiani (secretary emeritus)

BOARD OF ETHICS
Anthony V. Gaudio, Chair
Carol Bagley
Matthew W. Lagodzinski
Steven Ostrega
vacant

COMMUNITY RELATIONS COMMISSION
Jenny Lee
Joe Kuffel
Daniel P. Ryan
Jason Trunco
Carolyn Drblik (new)
Ex-Officio Members
Trustee John Jekot
Village Manager
Director of Human Services (or designee)
Police Chief (or designee)
Cameron Fortuna, Secretary

BOARD OF FIRE & POLICE COMMISSIONERS
Michele F. Valle, Chair
Barry L. Mueller
Israel Pacheco

FIRE PENSION BOARD
James Callero
Marimel Lim

POLICE PENSION BOARD
James Callero *(year 1 of 2 year term)*
Marimel Lim *(year 1 of 2 year term)*

PUBLIC ARTS & CULTURE ADVISORY COUNCIL
Lindsay Brubaker, Chair (Niles Park District)
Janet Spector Bishop (School District 63)
Michael Crisci (Niles Historical and Cultural Center)
Dr. John Kosirog (School District 71)
James Kozak (Veterans of Foreign Wars)
Susan Lempke (Niles Public Library)
Rossana Macejak (Niles Sister Cities Association)
Katie Schneider (Niles Chamber of Commerce and Industry)
Mary Dowd Demas (Artist)
Debi Gajewski (Artist)
Carol Luc (Artist)
Ericka Stoor-Burning (Artist)
vacant

FINANCE COMMITTEE
Trustee Joe LoVerde
Robert Callero
John Johann
Paul Nielsen
Al Weel

HUMAN SERVICES COMMITTEE
Trustee John Jekot
Senior Center Director Kelly Mickle
Fitness Center Director Carl Maniscalco
Family Services Director Anthony Hollenback
Teen Center Director Mark Williams

GENERAL GOVERNMENT AND INFORMATION TECHNOLOGY COMMITTEE
Trustee George D. Alpogianis
Village Manager Steven C. Vinezeano
IT Director Bill Shaw
Cameron Fortuna

PUBLIC SAFETY COMMITTEE
Trustee Dean Strzelecki
Fire Chief Steve Borkowski (or designee)
Police Chief Dennis McEnerney (or designee)
Resident Anthony Fidanza

PUBLIC SERVICES COMMITTEE
Trustee Danette O'Donovan Matyas
Public Services Director Mary Anderson (or designee)
Streets Superintendent Fred Braun
Resident Dan Balzano

2016-2017 Police Auxiliary List

LAST	FIRST
ALIOTTA	Vincent
ANTKOWIAK	Gregory
BAHI	Edmond
BARAN	Anthony
BARAN	Thomas
CALOMINO	Sam
COLLINS	Kevin
CZARNIK	Raymond
FREDRICKSON	Dale
GALICIA	Mark
GANDIA	Leilani
GEBALA	Richard
GENDOLA	Phyllis
GIOVANNELLI	Gerald
GRAY	Silvio
GUDAS	Julio
KREILING	Robert
LANGLO	Scott
LISTERMANN	Nicholas
McCLOSKEY	Michael
MENSCH	Kathryn
RIGAS	Basil
SCHNEIDER	Thomas
SCHNIRER	Matthew
SMITH	Frank
SPRINGER	Jeffrey
STEFFEN	Carl
TOMIC	Milan
TSAGANOS	Thomas
WARZECHA	Robert
YI	Somang
ZIEGLER JR.	Eugene
ZIEGLER SR.	Eugene
ZIENTEK	Michael

BOARD AGENDA ITEM EXPLANATION FORM

Amendment to the Village of Niles 2030 Comprehensive Plan To Incorporate the Recommendations and Land Use Plans as Included in the May, 2016 "South Milwaukee Avenue Corridor Plan" (16-ZP-14)

Meeting Date	6/28/2016	Item Number	**2**
Requested by	Charles Ostman, Director of Community Development	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

Type	Description
Backup Material	May, 2016 South Milwaukee Avenue Corridor Plan
Minutes	Minutes 5-23-2016 Plan Commission

MOTION

I move to approve an amendment to the Village of Niles 2030 Comprehensive Plan to incorporate the recommendations and land-use plans as included in the May, 2016 "South Milwaukee Avenue Corridor Plan". (16-ZP-14)

REASON FOR REQUEST / BACKGROUND

The Plan Commission voted 6-0 on May 23, 2016 to recommend approval.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

SOUTH MILWAUKEE AVENUE CORRIDOR PLAN

VILLAGE OF NILES, IL

PUBLIC HEARING DRAFT - MAY 2016

camiros

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SOUTH MILWAUKEE AVENUE CORRIDOR PLAN

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I. EXISTING CONDITIONS

SOUTH MILWAUKEE
AVENUE CORRIDOR PLAN

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I. EXISTING CONDITIONS

CORRIDOR OVERVIEW

This Plan presents a program for the long term redevelopment of the Milwaukee Avenue corridor in Niles, focusing on land use and form recommendations for the area between Monroe Street and Albion Avenue. It outlines three redevelopment scenarios – referred to as "the Smoke," "the Spark," and "the Fire," which represent different intensities of investment and redevelopment throughout the corridor, and at specific nodes where Milwaukee Avenue intersects with other arterial roadways. These scenarios are all based upon the assertion that there is significant potential and a desire for the Milwaukee Avenue Corridor to become an "imageable" mixed-use heart of the Village – the "spine" or "backbone" of Niles.

Currently, the corridor lacks a discernible identity, a cohesive urban fabric, and a rational organization of land use and building form. Further, there are numerous physical design and traffic operations constraints that restrict transformative and comprehensive change along the corridor.

While the focus of this Plan is the southern portion of the Corridor, from Albion to Monroe – a suitable first phase – the plan suggests that expansion of the strategies and projects contained herein should be considered, to encompass the entire Milwaukee Avenue corridor within the Village of Niles.

THE CHALLENGE

The Milwaukee Avenue corridor in Niles has the potential to become the true mixed-use heart of the Village, but is currently constrained by numerous physical and operational impediments, as well as the lack of an overall vision for land use and building form. Our assessment of existing conditions along the southern section of the Milwaukee Avenue corridor has identified a number of strengths, weaknesses, opportunities, and threats (SWOT) to redevelopment, discussed below.

STRENGTHS:

- Numerous existing successful tenants and businesses draw significant traffic to the corridor.
- Milwaukee Avenue is a heavily trafficked corridor, with strong connections to Chicago and nearby suburbs. The addition of the upcoming Pace Arterial Rapid Transit (ART) service will help to bring more residents and commuters to Milwaukee Avenue each day. In short, there is a considerable amount of potential revenue flowing through this corridor, ready to be captured by the Village and its businesses.
- The southern section of the corridor has seen a number of recent redevelopment efforts, including new development at Hart's Road, Touhy Avenue, and various additional points along the corridor.
- The Milwaukee Avenue Beautification Plan has begun implementation along the corridor, helping to improve the pedestrian environment and create a more unified visual identity.
- The existing fountain at Touhy and Milwaukee is a strong public focal point.
- The corridor is within close proximity to stable, desirable and affordable residential neighborhoods, creating the potential for walkable environments and strong connections between residential and commercial uses.
- The Milwaukee Avenue Corridor is perceived to be the "heart" of the Village.

WEAKNESSES:

- Small, shallow and narrow parcels along the corridor create considerable encumbrances on redevelopment or reuse efforts, including lack of space for the siting of required off-street parking and loading areas, safe vehicular and pedestrian circulation, and modern residential and commercial floor plates.
- Milwaukee Avenue is a northwest radial arterial and creates oddly configured intersections with east-west streets along much of its length. This has created eccentric parcel geometries at potential key intersections along the Corridor where the potential exists to establish future mid-to-high density, mixed-use "nodes" or "centers." These irregular parcels, coupled with the complication of multiple ownership, make parcel assembly a considerable challenge.
- Many areas along the corridor do not provide adequate off street parking, and a number

of these areas contain unsafe parking configurations, with traffic backing out onto Milwaukee Avenue or blocking pedestrian circulation along side streets. A number of these areas currently contain required off-street parking that is located partially or entirely within the adjacent public right-of-way.

- Excessive curb cuts create an inconsistent and unsafe pedestrian environment along much of the Corridor.
- Current development patterns (land use and building form) do not create transit-supportive density at key intersections along the corridor, missing opportunities to capitalize on the planned ART service, and contributing to the perception that the corridor is heavily auto-oriented, wide, and unwalkable.
- High traffic volumes and narrow sidewalks along much of Milwaukee Avenue and key intersecting streets further the "pedestrian unfriendly" perception of the corridor. This becomes a considerable challenge when combined with a lack of accommodation for amenities such as bicycle lanes, a continuous buffered pedestrian environment, and on-street parking.
- Obsolescence and vacancy is common. This is especially problematic when combined with multiple ownership along much of the corridor, limiting or precluding site assembly opportunities.
- Recent "missed opportunities," and inconsistency in quality of development are problematic. Some newer buildings do not optimally address the corridor in terms of transparency, entrance orientation, parking location, etc. New development should begin to transition the corridor to a vision for the future, and should not reinforce suboptimal conditions.

KEY OPPORTUNITIES:

- Create a form-based district tailored to the Milwaukee Avenue corridor, containing standards for façade transparency, building height and massing, building location, landscape and parking, buffering of adjacent uses, and general design standards for new construction along the corridor.
- Prioritize and plan for assembly of significant redevelopment parcels, including existing residential lots where appropriate.
- Consider realignment of key intersections to create new developable land.
- Leverage development interest and use recent redevelopment momentum to implement new ideas.
- Create a consistent sidewalk network and building/street interface through key streetscape and right-of-way recommendations, such as cut-out parallel parking at strategic points along the corridor.
- Identify key sites for potential shared surface parking lots.
- Create a visual identity, and curate the experience along Milwaukee Avenue for both pedestrians and automobiles, cultivating a true sense of place though concerted land use and building form recommendations. This will help to create a sense of arrival for visitors as well as reduce a pedestrian's perception of the Corridor's length between potential future key mixed-use nodes. In combination, these visual improvements will encourage walking along the Corridor.
- Cluster retail development at key intersections and develop connective sections of the corridor as complementary uses, such as multi-family/commercial office/professional service.
- Capitalize on Future Arterial Rapid Transit: create opportunities for density at key transit service points, and major intersections along the corridor.
- Retrofit existing obsolete structures where appropriate -- create affordable, desirable commercial space along Milwaukee Avenue.
- Explore potential public financing opportunities, such as potential tax-increment financing (TIF) district expansion, a Milwaukee Avenue Business Improvement District (BID), a Milwaukee Avenue Special Service Area (SSA), etc.
- Continue key Milwaukee Avenue improvements down Harlem/Oakton/Howard/Waukegan/Touhy Corridors, creating a true community center for Niles.

POTENTIAL THREATS

- Policy limitations by IDOT may restrict opportunities to transform the pedestrian environment along Milwaukee Avenue. The Village should work with the Illinois Department of Transportation (IDOT) to ensure a coordinated, thoughtful approach to corridor redevelopment.
- The desire to protect residential neighborhoods near the corridor may present an obstacle to the long-term creation of density along Milwaukee Avenue.
- The Village's current zoning ordinance may hinder redevelopment along the corridor. Coordination of corridor plans with the revision of the Zoning Ordinance is critical.

II. FIVE GUIDING PRINCIPLES FOR REIMAGINING MILWAUKEE AVENUE

SOUTH MILWAUKEE
AVENUE CORRIDOR PLAN

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II. FIVE GUIDING PRINCIPLES FOR REIMAGINING MILWAUKEE AVENUE

Review of relevant documents, including the Village's Comprehensive Plan, the recently adopted Bicycle & Pedestrian Plan, and the 2006 Milwaukee Avenue Corridor Plan, as well as insights gained from staff and key person interviews suggest several guiding principles that should inform any concepts for re-envisioning and improving the corridor. These guiding principles factored heavily into the development of the three redevelopment scenarios found within the Plan. They are outlined below, along with accompanying policy and programmatic directions.

1. Create Destination Environments
2. Change the Image of the Corridor
3. Encourage Public and Private Investment
4. Connect and Protect Adjacent Neighborhoods
5. Reimagine Milwaukee Avenue as a Place to Live, Work, Shop, and Play

1. CREATE DESTINATION ENVIRONMENTS

In contrast to a high-speed, "drive-through" corridor, Milwaukee Avenue in Niles should be a dynamic and vibrant mixed use environment; a place to stop and linger rather than to pass through.

- A distinctive market and design orientation should be created, engaging the street and surrounds to make the Corridor an attractive place for shopping, entertainment, living, and working. This should be coordinated with any ongoing re-branding work in the Village.
- Prioritize "transit-friendly," higher density development to coordinate with planned ART stops and at key intersections along the corridor. Create destination "nodes" at these key intersections with increased building height, a coordinated pedestrian environment, and ample opportunities to shop, dine, and relax.
- Foster a pedestrian, bicycle, and transit-friendly environment along Milwaukee Avenue to attract visitors. Incorporate site design approaches that address the challenges of shallow lots with limited space for parking reservoirs.

2. CHANGE THE IMAGE OF THE CORRIDOR

In contrast to its current aged, nondescript image, future redevelopment along Milwaukee Avenue should cultivate an image that reflects a coordinated identity, a sense of place, and a quality of character befitting a destination location.

- Revitalize the mid-twentieth century strip commercial development along the corridor through targeted façade improvements and retrofitting. Improve the appearance and function of older building stock while maintaining a level of affordability for smaller businesses that may be unable to afford newly constructed space. Create design standards to ensure a coordinated, high quality character of development is maintained when parcels are redeveloped.
- Encourage increased building height at key intersections to punctuate the distinct radial geometry of intersecting streets and mitigate the visual and physical "gulf" between buildings (i.e., reduce the perception of the width of Milwaukee Avenue to create a more comfortable pedestrian realm).
- Redevelop or reconfigure larger shopping complexes and single purpose facilities with large parking footprints (such as banquet halls and funeral homes). Integrate "small box" retail buildings like Walgreens and Jerry's with future development in a coordinated manner.
- Screen, or improve image of exposed parking. Relocate parking to the rear of buildings as redevelopment occurs.
- Approach the design of the corridor as a kinetic experience for drivers, riders, pedestrians, and bicyclists, incorporating rhythm and scale, public art, color and planting. Coordinate with any on-going rebranding work in the Village.

3. ENCOURAGE PUBLIC AND PRIVATE INVESTMENT

The Village should commit to supporting and managing a coordinated public-private program to finance desired redevelopment within the corridor.

- Explore relationships with local lenders to encourage streamlined procedures for review and approval of loan requests made by interested businesses for improvement of Milwaukee Avenue properties. Develop feasible strategies to encourage special attention by local banks to Milwaukee Avenue lending.

- Explore proactive Village strategies such as establishment of a Milwaukee Corridor Investment Fund, open to investment by private investors as well as the Village. This fund may be used to facilitate new building construction, existing building rehab, and redevelopment or site improvements that may not qualify for other types of funding, such as TIF.
- Review and update/expand TIF if appropriate, to accommodate funds for building rehabilitation, interior renovation, building demolition and site preparation, or purchase of identified redevelopment sites, among others.
- Consider establishing or expanding a Milwaukee Avenue SSA to accommodate street and sidewalk management, parking maintenance, snow removal, sweeping, etc. An established SSA could also coordinate hours of operation, as well as a unified marketing/advertising strategy along the corridor as appropriate.

4. CONNECT AND PROTECT ADJACENT NEIGHBORHOODS

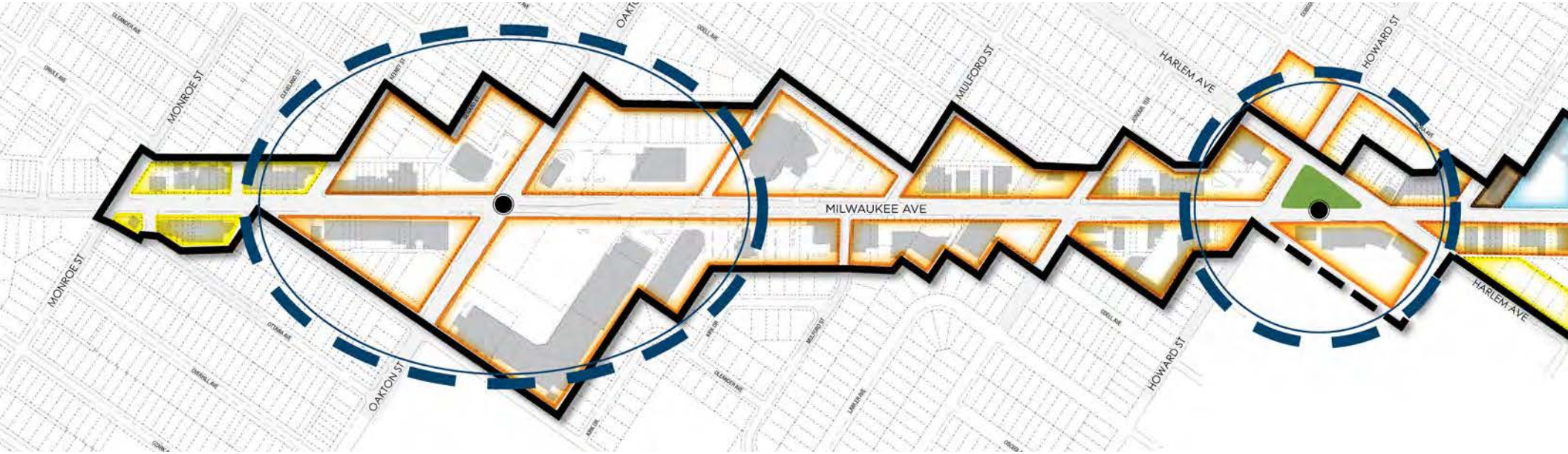
Redevelopment of the Milwaukee Avenue corridor should respect intact adjacent residential neighborhoods, allowing them to remain well buffered where desired. It should also facilitate connections between residential areas and new mixed-use development along the Corridor where appropriate, providing residents access to a variety of amenities within walking distance.

- Assess present alley system to determine if it can be expanded/extended in a continuous or easily accessible manner, to help buffer existing neighborhoods.
- Design a common type of buffer between neighborhoods and Milwaukee Avenue businesses – landscape/fence/building typology. Incorporate buffer requirements into revised Zoning Ordinance.
- Assess desire and potential to modify the present street system (through partial street closures and/or intersection realignment) and access points to better protect neighborhoods.
- Consider long-term replacement of some single family homes with multifamily or mixed-use in presently single family use blocks along the corridor. Look at opportunities to tie into residential areas at particular key intersections.
- Where appropriate, explore long-term opportunities to transition existing residential pockets that directly abut larger commercial sites along the corridor. Transitioning these areas to commercial uses may expand development potential on significant sites along the corridor, while improving the ability to provide an adequate buffer between the corridor and the larger neighborhood.

5. REIMAGINE MILWAUKEE AVENUE AS A PLACE TO LIVE, WORK, SHOP, AND PLAY

The Village's identity should be reinforced along the Milwaukee Avenue corridor, already perceived by many as the "heart" of the Village. Niles' "brand" should be embraced, strengthened, and marketed authentically throughout the corridor.

- Concentrate the commercial and mixed-use component of Milwaukee Avenue at key intersections, and provide strong connections to residential areas to create a desirable, convenient living environment both along the corridor and in well-connected adjacent neighborhoods.
- Consider the Milwaukee Avenue corridor as broader than the Milwaukee frontage. Expand the planning area to include areas along Oakton, Howard, Waukegan, Harlem and Touhy as they intersect with Milwaukee Avenue to create a discernible "center."
- Position the Milwaukee Avenue corridor as a unique combination of accessibility, amenity, and affordability to attract young professionals throughout the region. Niles has already been named the best place in the U.S. to raise a family – positioning the corridor as a place that offers a more urban experience in that same community may be appealing for young people who are looking to start a family, but still want to live in a walkable, vibrant, mixed-use environment.



III. MILWAUKEE AVENUE CORRIDOR REDEVELOPMENT SCENARIOS

Niles

SOUTH MILWAUKEE
AVENUE CORRIDOR PLAN

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III. MILWAUKEE AVENUE CORRIDOR REDEVELOPMENT SCENARIOS

OVERVIEW

Significant change along Milwaukee Avenue will take time. At the outset, however, it is important to agree upon how aggressive or cautious the Village wants to be in initiating and supporting improvement along the corridor. The Village could choose to pursue a course that would radically change its image; through public-private and municipal entrepreneurial actions (building or site improvement funds, tax increment financing, Village initiated redevelopment), the corridor could be significantly redeveloped to foster a new brand for Milwaukee Avenue and the Village. Alternatively, the Village could choose to adopt a more conservative posture, and act to set the stage for market-based reinvestment that improves but does not radically alter the present sense of the community.

These scenarios could also be linked into a sequential development plan, with each scenario considered as a phase of redevelopment. Thus, Scenario 1 “The Spark” could be considered the first phase of redevelopment, followed by Phase 2, “The Smoke” , and finally concluded with Phase 3, “The Fire” Further, as these scenarios only consider redevelopment approaches for the south portion of Milwaukee Avenue in Niles, a similar program could be developed for the northerly portion, thus establishing a full plan for the redevelopment of Milwaukee Avenue within Niles.

SCENARIO 1: ADAPTATION (THE "SMOKE")

Scenario 1 (Figure 1) presents a picture of incremental and modest redevelopment that builds upon the corridor’s existing strengths, seizes near-term opportunities, and implements strategies to mitigate specific weaknesses. This initial scenario identifies near term improvements and emphasizes pragmatic solutions to existing issues, while positioning the corridor for future growth. The scenario reflects the general land use pattern suggested by the Village of Niles Comprehensive Plan which is a continuation of the existing pattern of development. This scenario presents a challenging program of activities, suggesting substantial changes regarding the configuration of Milwaukee Avenue, the location of parking, access to existing development, siting of new development and support of existing building improvement.

Five work components are presented that target issues rooted in both physical design and regulation: parking configuration, building siting, site access, facade improvements, and new zoning with design standards. The proposals seek to improve the current image of Milwaukee Avenue, and to “set the table” for redevelopment in the longer-term scenarios. Measured improvements are proposed for the pedestrian realm, as well as rehabilitation of obsolete buildings along the corridor, with an eye toward near-term maintenance of the current building stock as a means to retain small, specialty businesses that are located along the corridor.

SCENARIO 1 MAP ▶▶▶

**See Following Pages for Component Descriptions & Illustrations

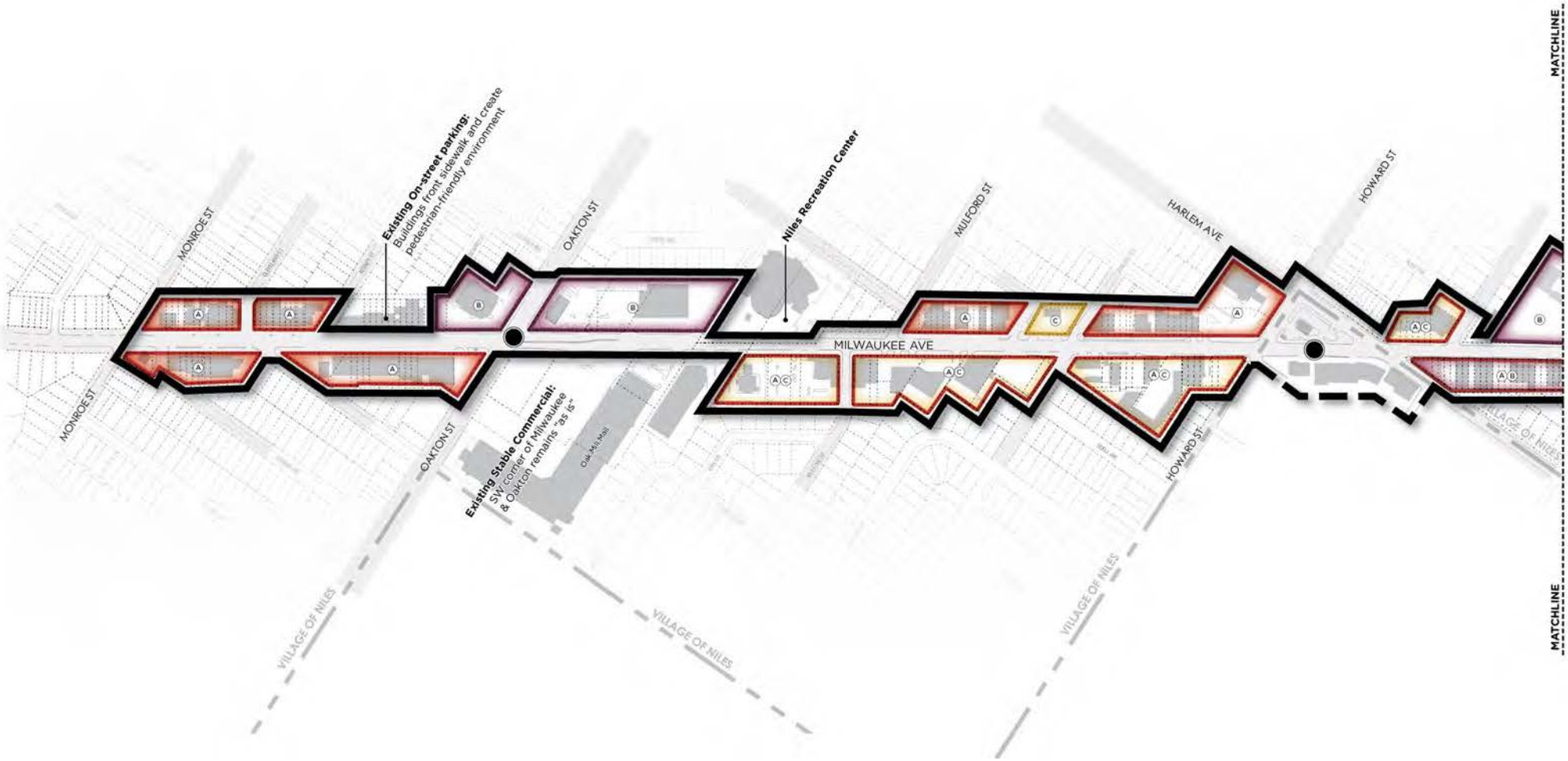
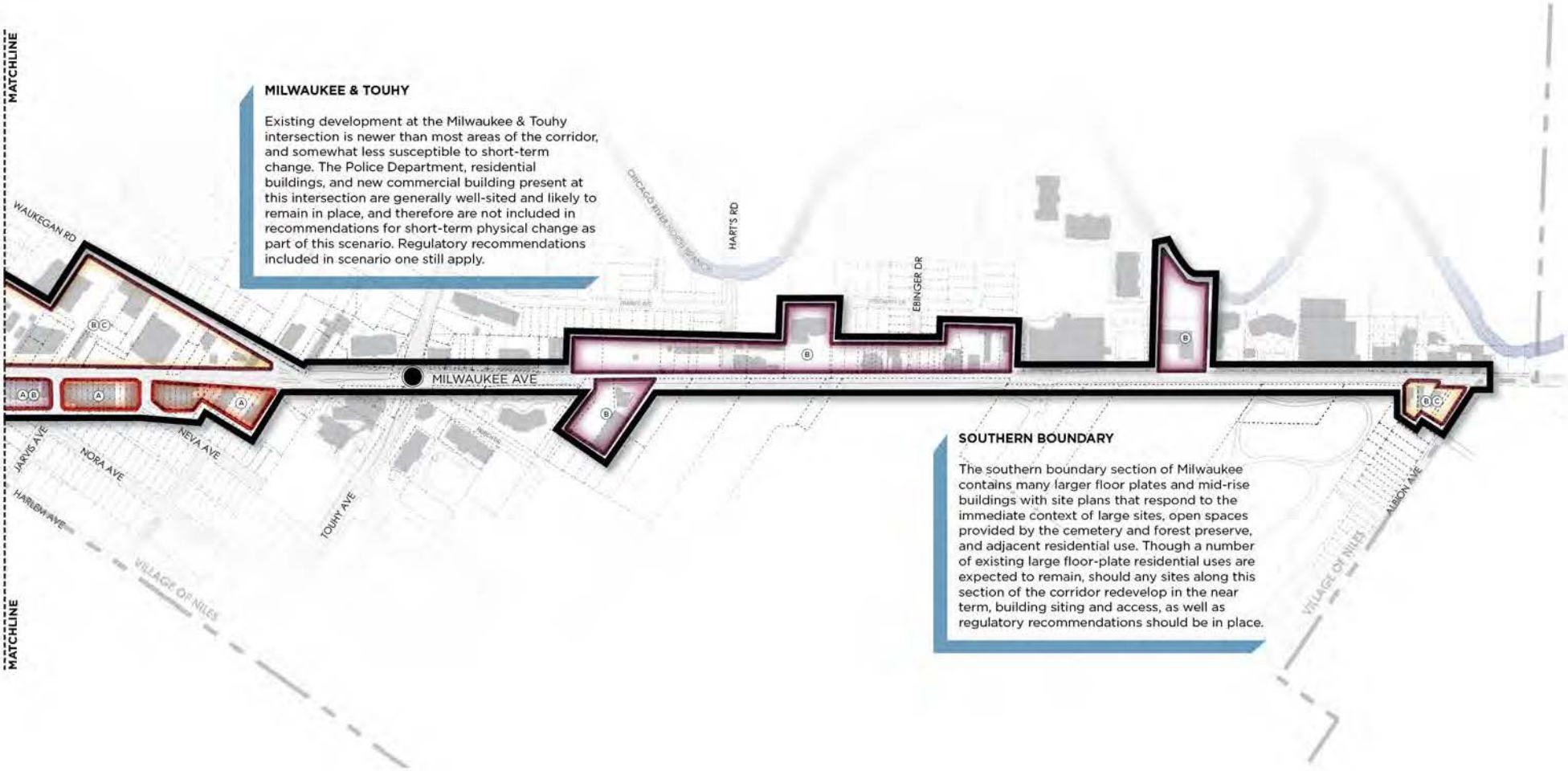


FIGURE 1

SCENARIO 1: ADAPTATION (THE "SMOKE")

SOUTH MILWAUKEE AVENUE CORRIDOR PLAN I VILLAGE OF NILES I JUNE 2014

**See Following Pages for Component Descriptions & Illustrations



LEGEND

5-MINUTE WALK

WORK COMPONENTS FOR CORRIDOR IMPROVEMENT

- COMPONENT A: PARKING CONFIGURATION
- COMPONENT B: BUILDING SITING
- COMPONENT C: SITE ACCESS

OTHER

- ARTERIAL RAPID TRANSIT STATION
- STUDY AREA BOUNDARY
- VILLAGE BOUNDARY
- EXISTING BUILDING

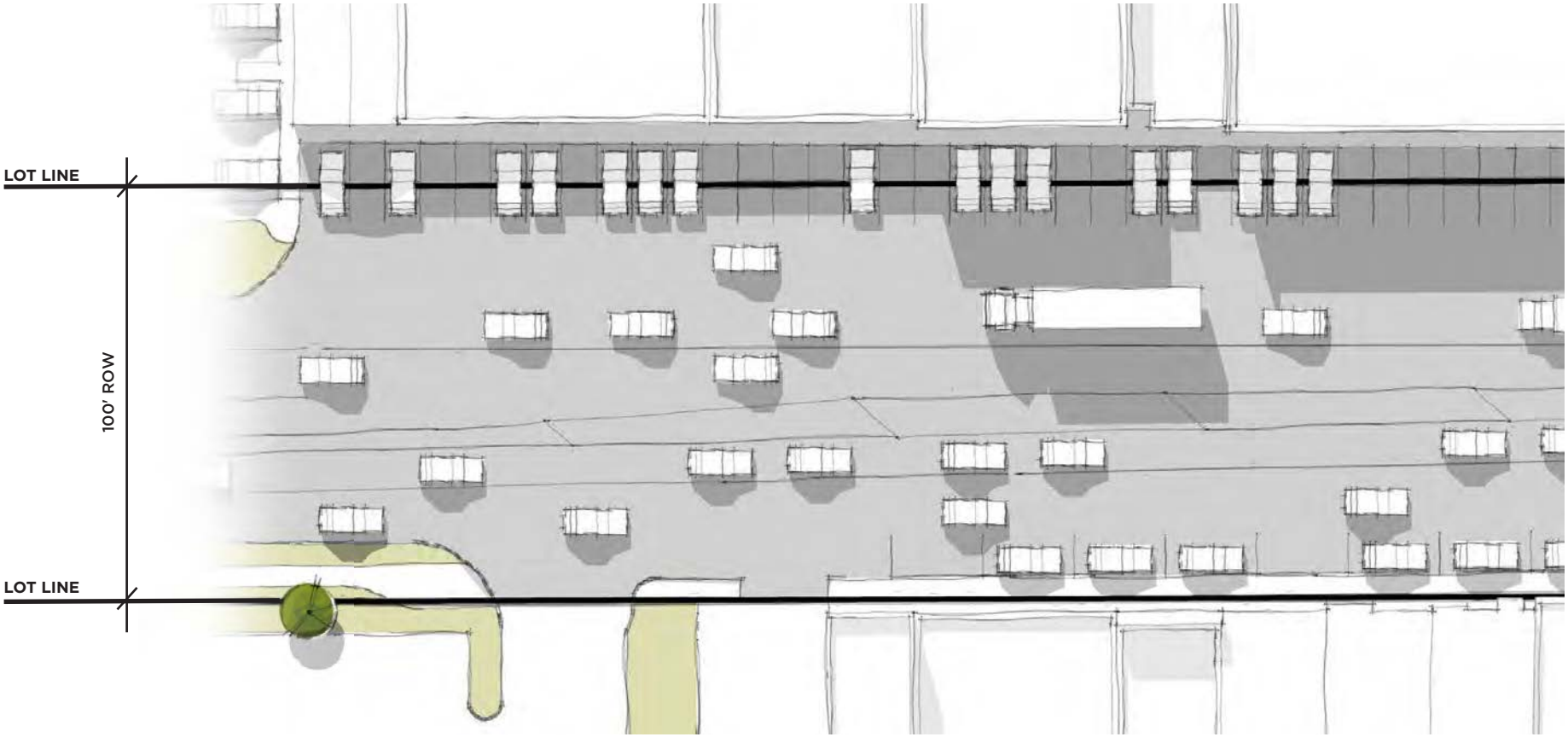


FIGURE 2: COMPONENT A: PARKING CONFIGURATION – EXISTING CONDITION

COMPONENT A: PARKING CONFIGURATION

Improved parking is probably the greatest challenge of the program. The head-in parking currently found along Milwaukee Avenue presents serious safety concerns for both pedestrians and automobiles. Further, much of the existing head-in parking straddles lot lines, and in some cases is located entirely within the existing right-of-way. This must be addressed. The east side of the Milwaukee Avenue corridor just south of Keeney Street provides a typical example of conditions along the corridor. This section of the corridor is currently accommodating on-street parking on the east side of the corridor, helping to create one of the more walkable, pedestrian friendly blocks along Milwaukee Avenue. The west side of the corridor at this point, however, is in need of improvement, currently featuring head-in parking with no separation from fast moving traffic along Milwaukee Avenue, as seen in Figure 2 above.

The Village is presently moving forward with improvements for this section of the corridor, as well as other sections north of Oakton Street, in accordance with the approved "ITEP-Phase IV" plans for the area. For the area between Oakton Street and Keeney Street, these improvements will create a raised, 7.5′ wide separation with planters and decorative paving, protecting 45° angled parking and an interior circulation lane on the west side of the corridor. The sidewalk on this side of the corridor will remain between

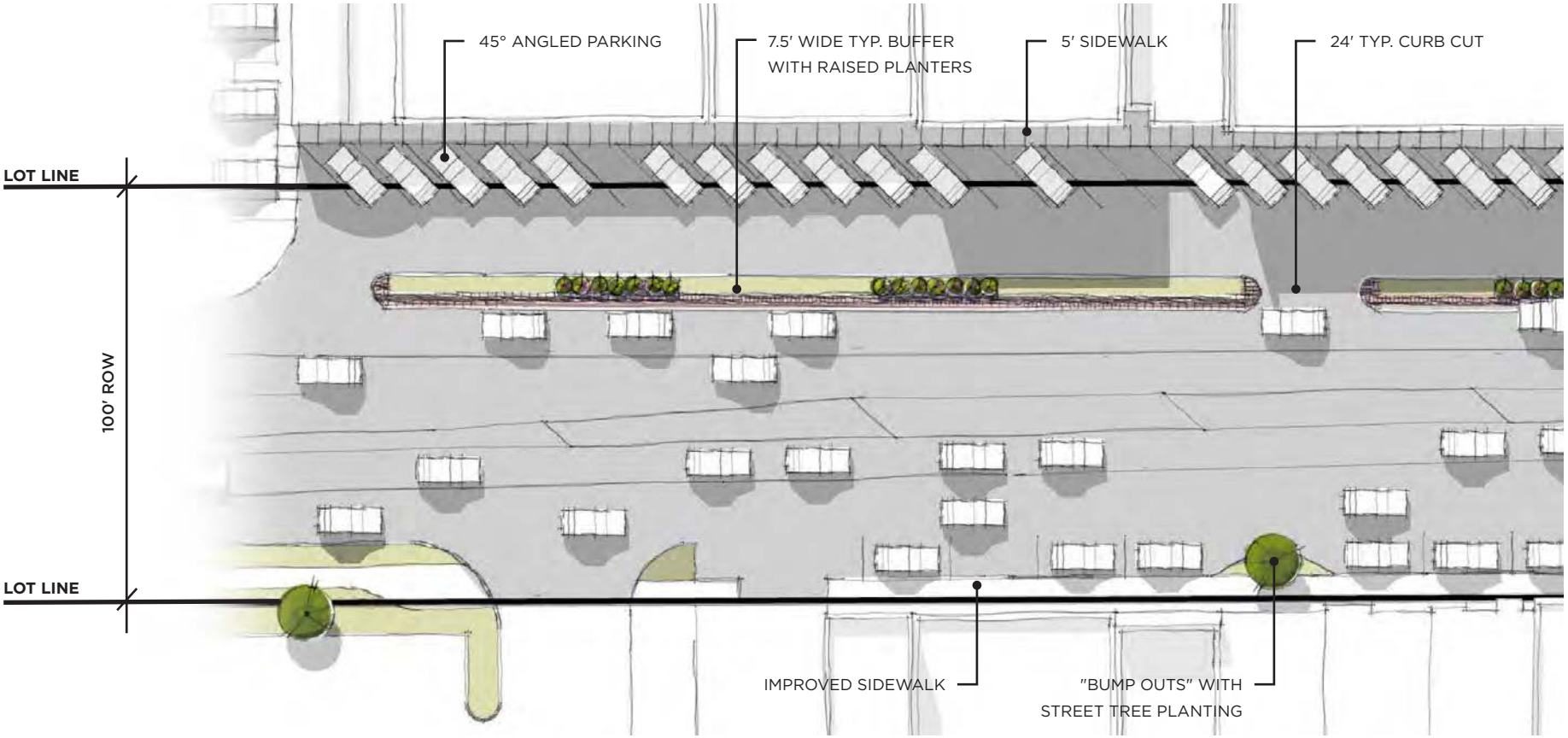


FIGURE 3: COMPONENT A: PARKING CONFIGURATION – ITEP PHASE IV IMPROVEMENTS

the parking lot and the existing buildings, transitioning to meet existing constructed sidewalks to the north and south. On the east side of Milwaukee Avenue, the plans provide new "bump out" curb extensions, a new sidewalk, and street trees in new beds. These improvements are shown in Figure 3, above.

Improvements to parking along Milwaukee Avenue are a clear priority for the Village, and the need to improve safety while maintaining enough parking to support existing successful businesses is undeniably challenging given existing building placement and shallow lot configurations. The "ITEP-Phase IV" improvements serve to continue the Village's beautification efforts along Milwaukee Avenue, unifying the corridor's appearance, and to mitigate a number of access and safety concerns while maintaining as much existing parking as possible. To fully support long term corridor transformation however, the Village may want to consider strategies in addition to the ITEP improvements to provide more flexibility as redevelopment occurs and buildings move up to the lot line, with parking to the side, rear, or along the street. In coordination with recommendations being made through the current zoning ordinance revision, it is recommended that the Village consider alternative strategies to solving the problem of parking along Milwaukee Avenue.

FIGURE 4: COMPONENT A: PARKING CONFIGURATION – ON-STREET PARKING CONCEPT

One strategy that should strongly be considered is the re-establishment of on street parking. As there is no consistent right-of-way width, and the corridor narrows from 100 feet to 66 feet in sections, incorporation of on-street parking will need to be evaluated for technical feasibility on a block-by-block basis. In some narrower areas, on-street parking can be accommodated with the incorporation of a sidewalk maintained on private property, directly abutting the storefronts and providing a unified streetscape along Milwaukee Avenue. Along those portions of the corridor with a 100' right-of-way, incorporation of on-street parallel parking is recommended as illustrated in Figure 4. The configuration illustrated in the bottom half of Figure 4 above fits within the current Milwaukee Avenue right-of-way, and allows for relocation of a sidewalk up to the existing set back building façades, moving valuable foot traffic closer to businesses. Further, on-street parking provides the flexibility needed as redevelopment occurs and buildings move closer to the street, allowing for a reconfiguration of the sidewalk and parkway to maintain a comfortable pedestrian environment, complete with wide sidewalks and street trees as illustrated in the top half of Figure 4 above.

Improvements such as these could work in tandem with strategies such as the establishment of Village-owned parking lots, and with the recalibration of parking

requirements as part of the zoning ordinance update, to accurately reflect existing conditions and alleviate many of the access, safety, and supply issues related to parking along Milwaukee Avenue. As a long-term approach to supporting corridor redevelopment, the Village should coordinate with IDOT to develop a comprehensive on-street parking strategy for the Milwaukee Avenue corridor.

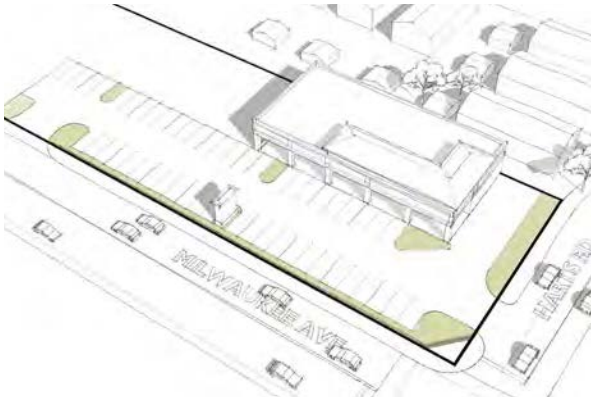
It is a given that eliminating head-in parking along sections of the corridor will result in a net loss of available spaces. This loss is mitigated in part through the improved walkability of the corridor. Currently, there is no consistent, legible arrangement of off-street and on-street parking supply along the corridor (for instance, if a customer wishes to visit a particular business, they must quickly discern the type of parking provided [head-in, parallel, 45° angled, or within a front lot with a curb cut], and locate a spot close to the business, as parking and walking is, in many cases, not a viable or safe option). With the incorporation of clearly delineated on-street parking, a customer can locate the first available spot near the business, park, and walk right to the front door. Further, as redevelopment occurs, the Village can begin to target specific sites for the creation of public surface parking lots, to provide additional capacity where needed.

COMPONENT B: BUILDING SITING IMPROVEMENTS

At present, there are very few buildings and blocks along the Milwaukee Avenue corridor that establish a consistent architectural street wall, which is critical to creating a comfortable, walkable, and pedestrian-oriented environment. Building siting improvements can help to create the type of walkable environment that gives the corridor a pleasing character, mitigates some of the perceived width of the corridor,

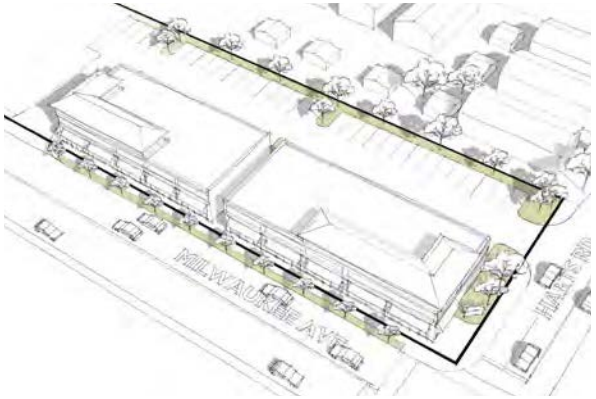
Existing Conditions

- Building is set back more than 60 feet from right-of-way
- Parking located in front of development (traditional strip configuration)
- Curb cut on hart's road is too close to the intersection
- The new building directly abuts existing residential development, no significant buffer can be established with this configuration
- Sidewalk directly abuts traffic on milwaukee avenue, no tree planting/lawn to provide separation or a comfortable pedestrian environment - no architecture to create a sense of space along the street edge



Recommended Configuration

- Buildings located at a build-to zone, established at a distance to maintain the street wall, while providing transitional space between pedestrian circulation and building entries
- Parking located behind development
- Curb cut relocated to safer location on hart's road
- Transitional buffer is established between commercial development and residential uses behind milwaukee ave.
- Pedestrian realm is created using architecture and streetscape/furnishings, as well as street tree planting and tree lawn



Future Development Phases Mitigate Existing Conditions

- New development phases establish a street edge and pedestrian environment, as well as a buffer along the existing residential to the rear
- Parking is moved to the rear of new development, and connected internally to existing lot, no new curb cuts needed

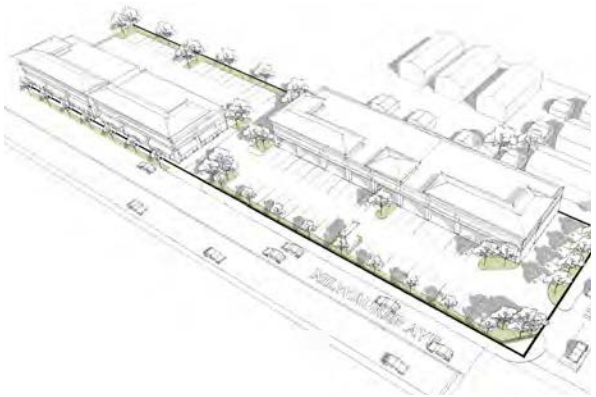


FIGURE 5: COMPONENT B: BUILDING SITING IMPROVEMENTS

Example 1: Two curb cuts separated by 4-inch curb

Example 2: Closely spaced curb cuts

Example 3: Absence of physical separation and sidewalk

FIGURE 6: COMPONENT C: SITE ACCESS IMPROVEMENTS

and discourages development that puts parking between buildings and pedestrians.

The Village's new zoning for Milwaukee Avenue should incorporate a "build-to zone" or "build-to line," to encourage development of a consistent street wall along critical sections of the corridor, while maintaining enough distance to create a transitional zone between pedestrian circulation and building entries that contains seating, landscaping, or other furnishings. This will create a more comfortable pedestrian environment without impacting available parking, as in certain cases, spaces can be accommodated to the rear of new development. Locating parking behind the building also offers greater opportunity to consolidate curb cuts – even providing access through existing alleys where possible -- and to create a transitional landscape buffer for adjacent residential uses.

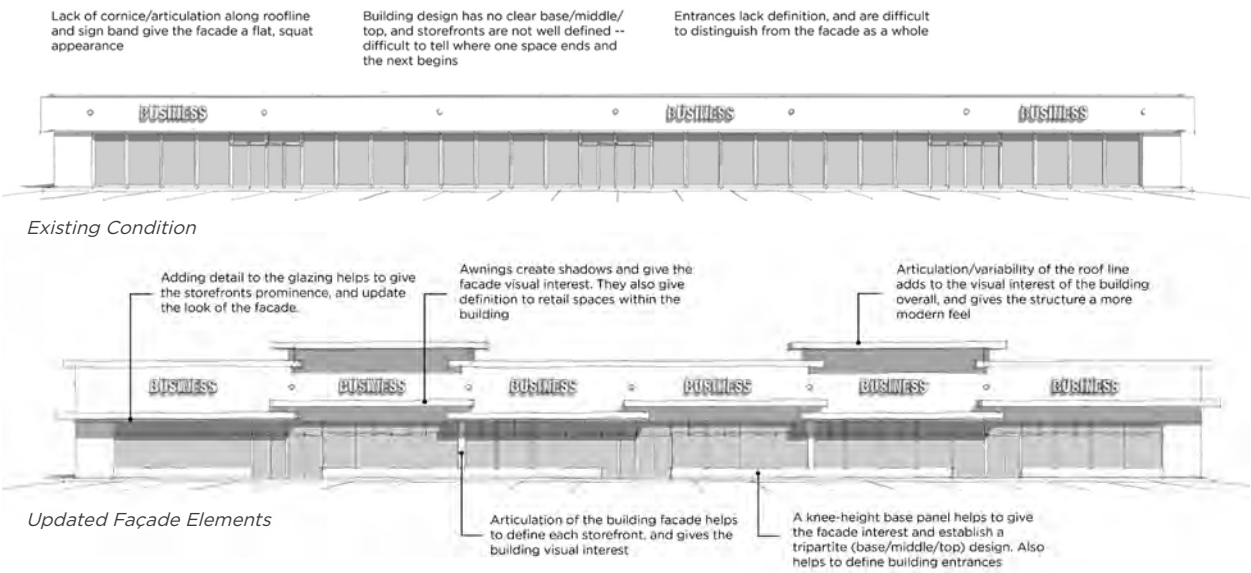


FIGURE 7: COMPONENT D: FAÇADE IMPROVEMENTS

COMPONENT C: SITE ACCESS IMPROVEMENTS

There are a number of prevalent site access problems along the Milwaukee Avenue corridor, from closely spaced curb cuts, to the absence of a sidewalk and physical separation from the travel lanes at certain points along Milwaukee Avenue. Site access management strategies, such as consolidating curb cuts, and encouraging cross-access easements and agreements between adjacent owners could greatly help to alleviate some of these issues.

COMPONENT D: FAÇADE IMPROVEMENTS

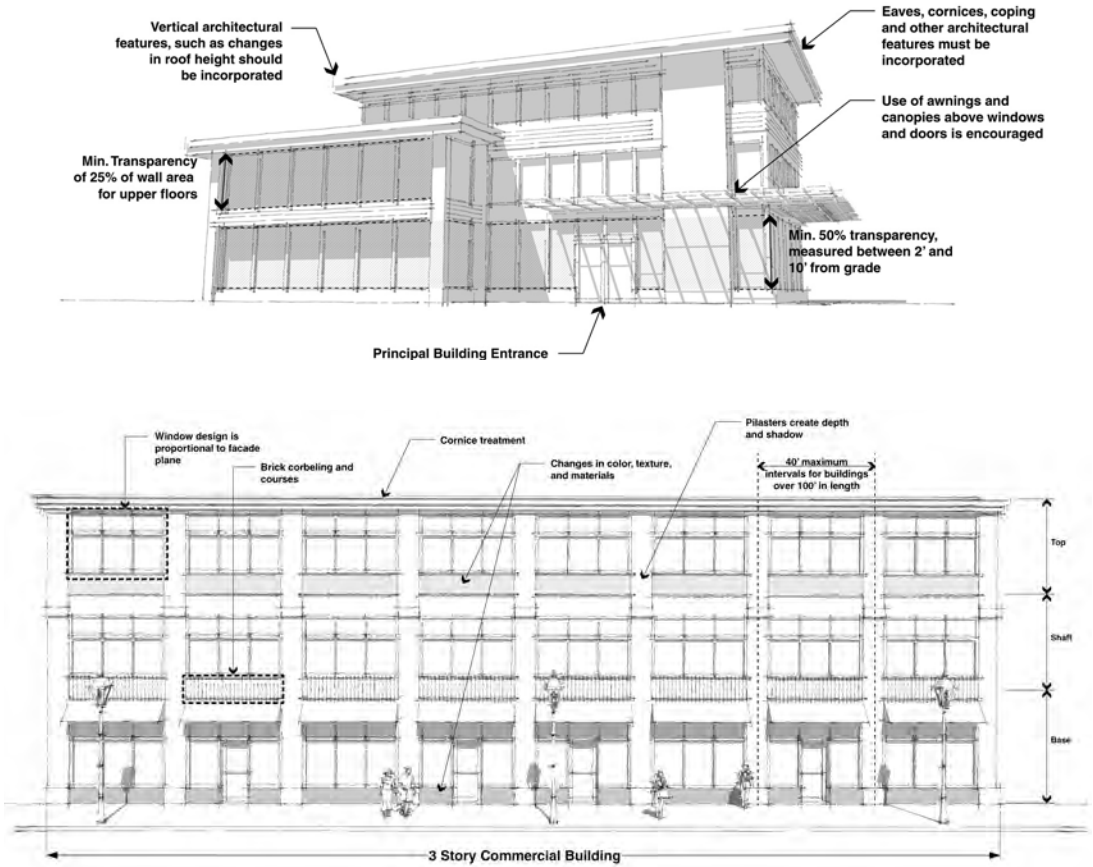
The Milwaukee Avenue corridor contains a number of older buildings that look outdated and are in need of aesthetic improvement. To resolve this, and to improve the overall image of the corridor, the Village could implement a targeted Façade Improvement program along Milwaukee Avenue, containing a set of standards or guidelines for façade renovation. Improving the outward appearance of the aging and obsolete building stock could make a great impact on the overall visual impact

of the corridor, while maintaining a level of affordability that teardowns and rebuilds may not.

COMPONENT E: NEW ZONING WITH DESIGN STANDARDS

The ongoing zoning revision work in the Village should incorporate a number of requirements for new development along the corridor. These include standards related to building height and massing, building location, façade transparency, landscape and parking, buffering of adjacent uses, and general design standards such as prohibited materials for new construction along Milwaukee Avenue. The adoption of a new Zoning Ordinance that contains specific districts targeted toward improving conditions along Milwaukee Avenue will be a great step toward transformative change.

Three of these components (A, B, and C) are illustrated in Figure 1, indicating areas where their application would benefit corridor redevelopment. It is important to note that the locations of these components represent one possible permutation of their application, as many sections of the corridor could benefit from one, two, or all three of them. Further, as some of the components are targeted toward specific problems, but not specific sites, the Village may choose to apply them along the corridor in a manner that is much broader, or more specific and focused toward key sites. Components D and E have not been mapped, as they are less spatial in nature, and may be more broadly applied to the length of the corridor.



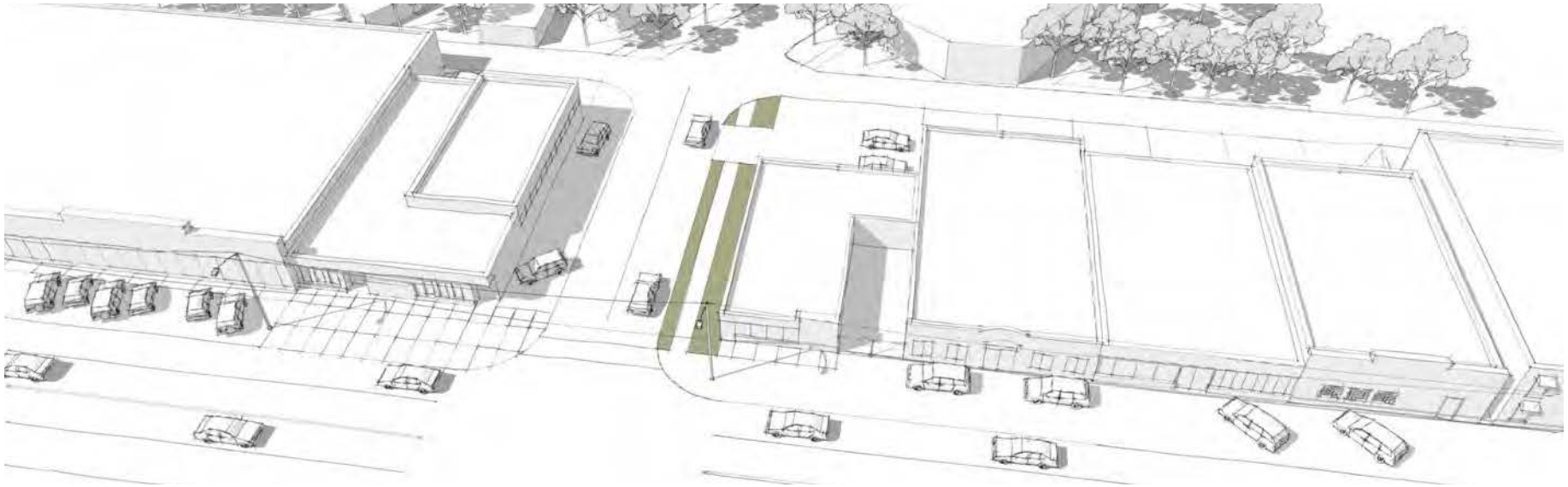
Example design standards. Similar standards will be included in new zoning for Milwaukee Avenue.

FIGURE 8: COMPONENT E: NEW ZONING WITH DESIGN STANDARDS

KEY ELEMENTS OF SCENARIO 1:

- Improves the image of the corridor and sets the stage for future redevelopment through a series of components that target issues rooted in both physical design and regulation
- Retrofit recommendations for existing structures, and design guidelines, building siting, parking location, and site access recommendations for new development
- Parking addressed through spatial recommendations and regulatory approaches (on-street parking, shared parking, cross-access easements and lot consolidation, etc.)
- Addresses recent development issues as well as issues rooted in historical/previous development patterns.
- Improved walkability through pedestrian environment and safety enhancements along Milwaukee Avenue.

Implementation Timeline: Near-term.



Existing condition at example site, intersection of Jarvis Avenue and Milwaukee Avenue

Public parking installed in concert with redevelopment. Provides ample parking, as well as public gathering space, food truck parking, and a gradual green buffer into the residential neighborhood to the rear.

FIGURE 9: SURFACE PARKING STRATEGY – EXISTING CONDITIONS AND PROPOSED CONFIGURATION

SCENARIO 2: REORGANIZATION (THE "SPARK")

Scenario 2 builds on the concepts and components in Scenario 1, and continues to address opportunities identified in the SWOT analysis, while expressing an overall greater degree of transformation – moving toward a longer-term vision for the future of the corridor. Land use proposals, while in line with the general land use pattern of the comprehensive plan tend to become more specific, suggesting certain redevelopment ideas. Thus, larger scale improvements and more visionary solutions to the corridor's current limitations/weaknesses are proposed, as the concept begins to build a concentration of retail development around a "Village Center" at the intersection of Milwaukee Avenue and Oakton Street, with recommendations for complementary land use and particular sites along the remainder of the corridor.

Scenario 2 also includes a concept for the development of future surface parking areas along the Milwaukee Avenue corridor, illustrated in Figure 9 on the previous page. In short, the Village could pursue a strategy of acquiring and assembling land to develop public parking lots at key points along the corridor in concert with ongoing redevelopment efforts. The design and buffering of these lots would be controlled through specific zoning requirements, creating public lots that create a pleasant interface with adjacent uses and provide critical space not only for parking, but for public gatherings, festivals, and food trucks or vendors. Identification of suitable sites would need to be conducted, and sites should be re-evaluated as corridor growth progresses; as the corridor continues to redevelop, the lots could remain or be sold and redeveloped as the Village sees fit.

SCENARIO 2 MAP ▶▶▶

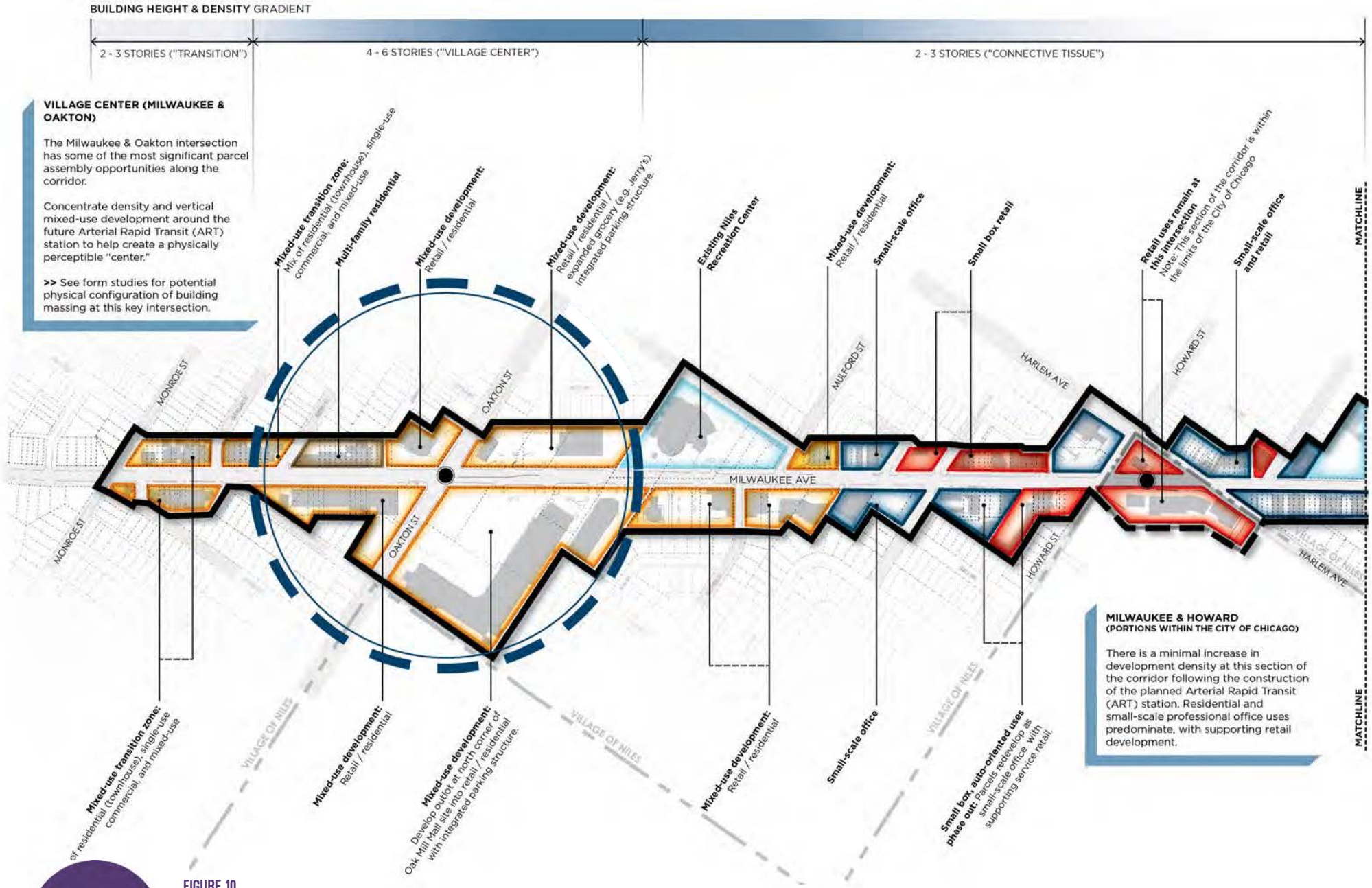
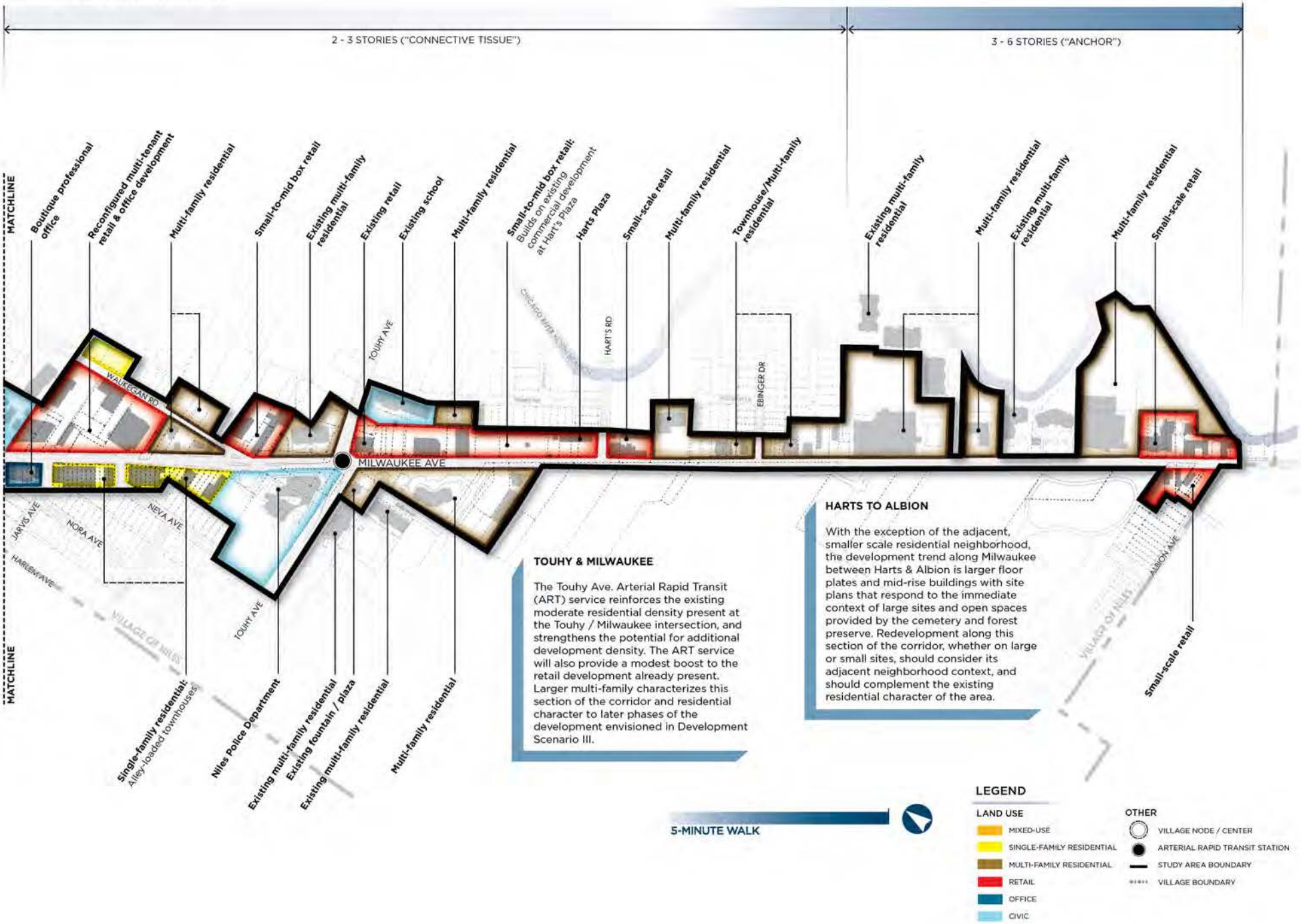


FIGURE 10

SCENARIO 2: REORGANIZATION (THE "SPARK")

SOUTH MILWAUKEE AVENUE CORRIDOR PLAN I VILLAGE OF NILES I JUNE 2014

BUILDING HEIGHT & DENSITY GRADIENT



KEY ELEMENTS OF SCENARIO 2:

- Focuses on the development of a discernible "Village Center" at the intersection of Milwaukee Avenue and Oakton Street.
- Carries the momentum to be achieved through implementation of components present in Scenario 1.
- Many current sites along Milwaukee Avenue are too small and shallow to accommodate contemporary development. Success hinges on the consolidation of these sites to create larger development parcels capable of accommodating contemporary development. This consolidation can either be carried out by the Village or a private development entity.
- As identified in Scenario 1, new buildings on these assembled sites should be set near the lot line, with parking located to the side or rear, and should address the street, maintain a high level of ground floor transparency, etc.

Implementation Timeline: Intermediate-term

Column Above: Photographic examples of the proposed height/orientation/built form of new development along the corridor outside of the "Village Center" node under Scenario 2.

Column Right: Photographic examples of the proposed height/orientation/built form of new mixed-use development within the "Village Center" node proposed under Scenario 2.

FIGURE 12: PROPOSED HEIGHT/ORIENTATION/BUILT FORM EXAMPLES - SCENARIO 2

SCENARIO 3: TRANSFORMATION ("THE FIRE")

Scenario 3 envisions redevelopment at three major intersections along the corridor, Milwaukee and Oakton, Milwaukee and Harlem/Howard and Milwaukee and Touhy/Waukegan. Significant redevelopment sites exist at these locations, and they also coincide with planned Pace ART service, increasing the potential for successful, vertical mixed-use development at these nodes.

In Scenario 3, Milwaukee and Oakton transforms into a mixed-use node, referred to as the "heavy commercial core" of the corridor. Commercial density and vertical mixed-use development are organized around the future ART station, and serve to create a physically perceptible "center," through the use of architecture, streetscape improvements and public spaces. The Village envisions buildings that are 4 to 6 stories tall along Milwaukee Avenue, with any buildings proposed to be taller than 6 stories requiring additional design considerations, such as 'stepped-back' upper stories to move building bulk away from the street, and the incorporation of additional public amenities such as plazas at the street level/ground floor. Connective sections (between nodes) of the corridor are still guided by design recommendations and standards present in the first two scenarios, and their uses are adjusted to respond to the increase in density at the key nodes – transitioning to a more residential/professional use mix, at a recommended height of 2-3 stories.

A second development node occurs at the intersection of Milwaukee and Harlem/Howard. This concept would require cooperation and coordination with the City of Chicago, as the municipal boundary crosses Milwaukee Avenue at this intersection. The scenario envisions a moderate increase in density at this future node, referred to as "City-Village Plaza." A mixture of uses, including neighborhood-scale retail and professional office front upon and activate a new plaza and transit hub, bounded by Milwaukee, Harlem and Howard. The plaza serves as a hub to connect the Harlem Avenue and Milwaukee Avenue ART lines, and provides a valuable new amenity for, enhancing the pedestrian environment, improving the image of the corridor, calming traffic along the busy corridor. A "scatter signal" approach could be used here, temporarily stopping traffic at each intersecting point, and allowing pedestrians to move from each frontage to the central plaza space, or vice versa. City-Village Plaza could be a valuable new public amenity along the corridor that serves to enhance transit service, celebrate the unique geometry created by Milwaukee Avenue as a northwest radial arterial, and acknowledge the Village's cooperative interface with the City of Chicago.

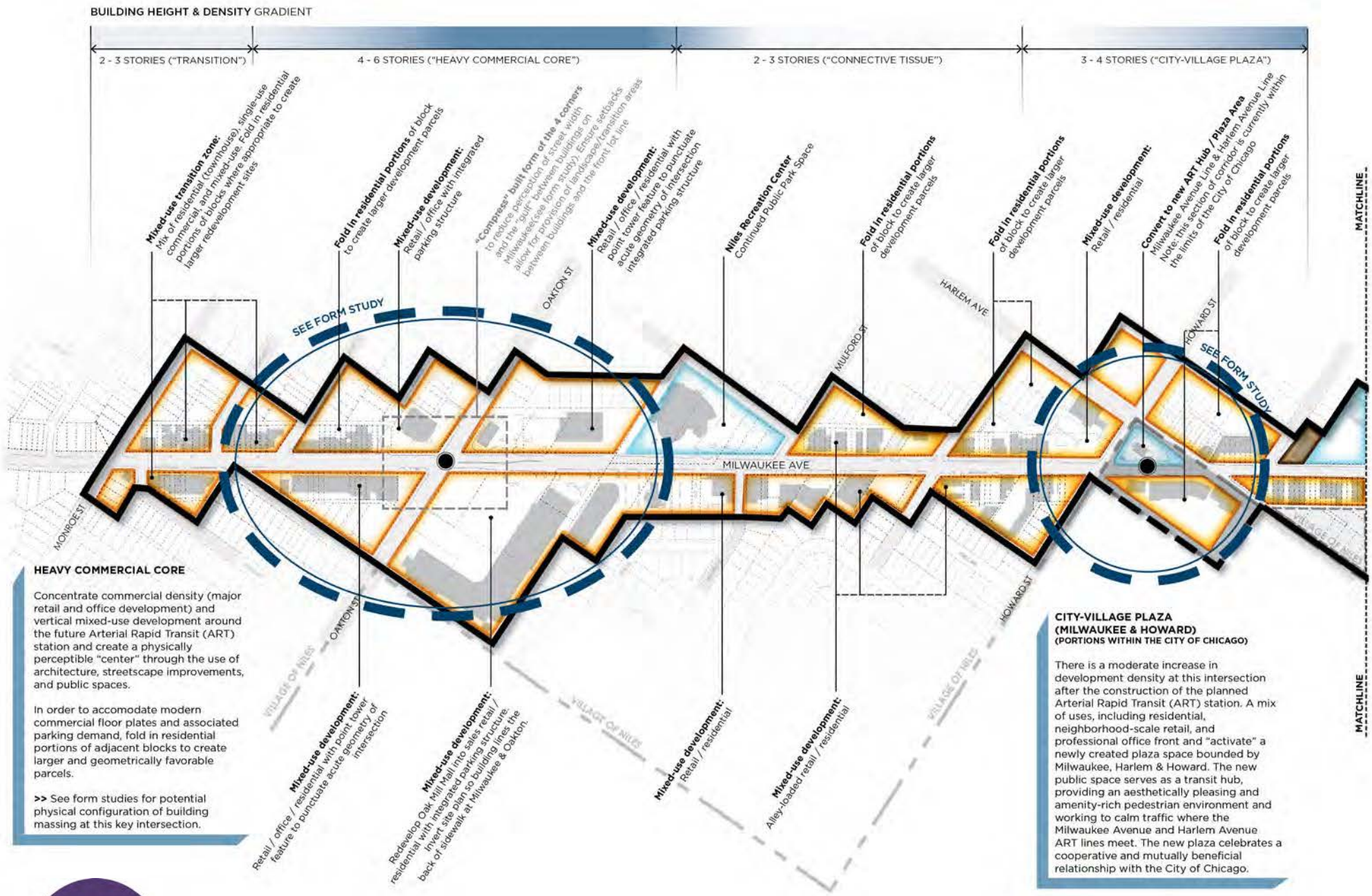
The intersection of Touhy and Milwaukee becomes a dense concentration of mixed-use development in this scenario, with a focus on civic, retail, and residential uses. New development should be built at or near the street edge to create a strong architectural edge and a comfortable pedestrian environment, with a recommended building height of 3-6 stories mitigating the current wide, "gulf-like" condition perceived at this intersection. Additionally, it is proposed that the intersection of Waukegan Road and Milwaukee Avenue be realigned with Neva Avenue to the south, resulting in more regular geometry at the intersection, and creating a larger redevelopment area between Touhy and Waukegan. Should the Village pursue this realignment, utilities that exist within the current Waukegan Road right-of-way will need to be protected through easements. Alternatively, if the realignment is undesirable, this scenario recommends a bold architectural statement at this intersection, perhaps a "flat iron" or "bull nose" building form, to celebrate the radial geometry, and serve as a visual gateway and landmark.

Finally, the far southern end of the corridor becomes a strong residential anchor, nestled between the protected open spaces of St. Adalbert Cemetery and the Chicago River. New townhouse and multi-family development coordinates with existing multi-family development in the area, and provides connections to and from the adjacent residential neighborhood. New development of 3-6 stories fronts on the street, and creates a walkable environment that allows comfortable and convenient access to nearby commercial and mixed-use development.

Again, Connective sections of the corridor will be guided by design recommendations and standards present in the first two scenarios, their form and use mix adjusted to respond to the increases in density at the key nodes – transitioning to a more residential/professional use mix, at a recommended height of 2-3 stories.

Scenario 3 is visionary in its approach to opportunities identified in the SWOT analysis, as well as solutions to challenges such as parking and site design, with the inclusion of road realignments, structured parking, and the inclusion of limited residential parcels into large redevelopment sites. Current constraints are less of a factor in this visionary concept, and corridor transformation is emphasized. Recommendations reach into the surrounding neighborhoods, and seek to create a large, walkable, mixed-use center and sense of place along Milwaukee Avenue, impacting the overall image of the Village as a place to live, work, shop and play.

SCENARIO 3 MAP ▶▶▶



HEAVY COMMERCIAL CORE

Concentrate commercial density (major retail and office development) and vertical mixed-use development around the future Arterial Rapid Transit (ART) station and create a physically perceptible "center" through the use of architecture, streetscape improvements, and public spaces.

In order to accomodate modern commercial floor plates and associated parking demand, fold in residential portions of adjacent blocks to create larger and geometrically favorable parcels.

>> See form studies for potential physical configuration of building massing at this key intersection.

CITY-VILLAGE PLAZA (MILWAUKEE & HOWARD)
(PORTIONS WITHIN THE CITY OF CHICAGO)

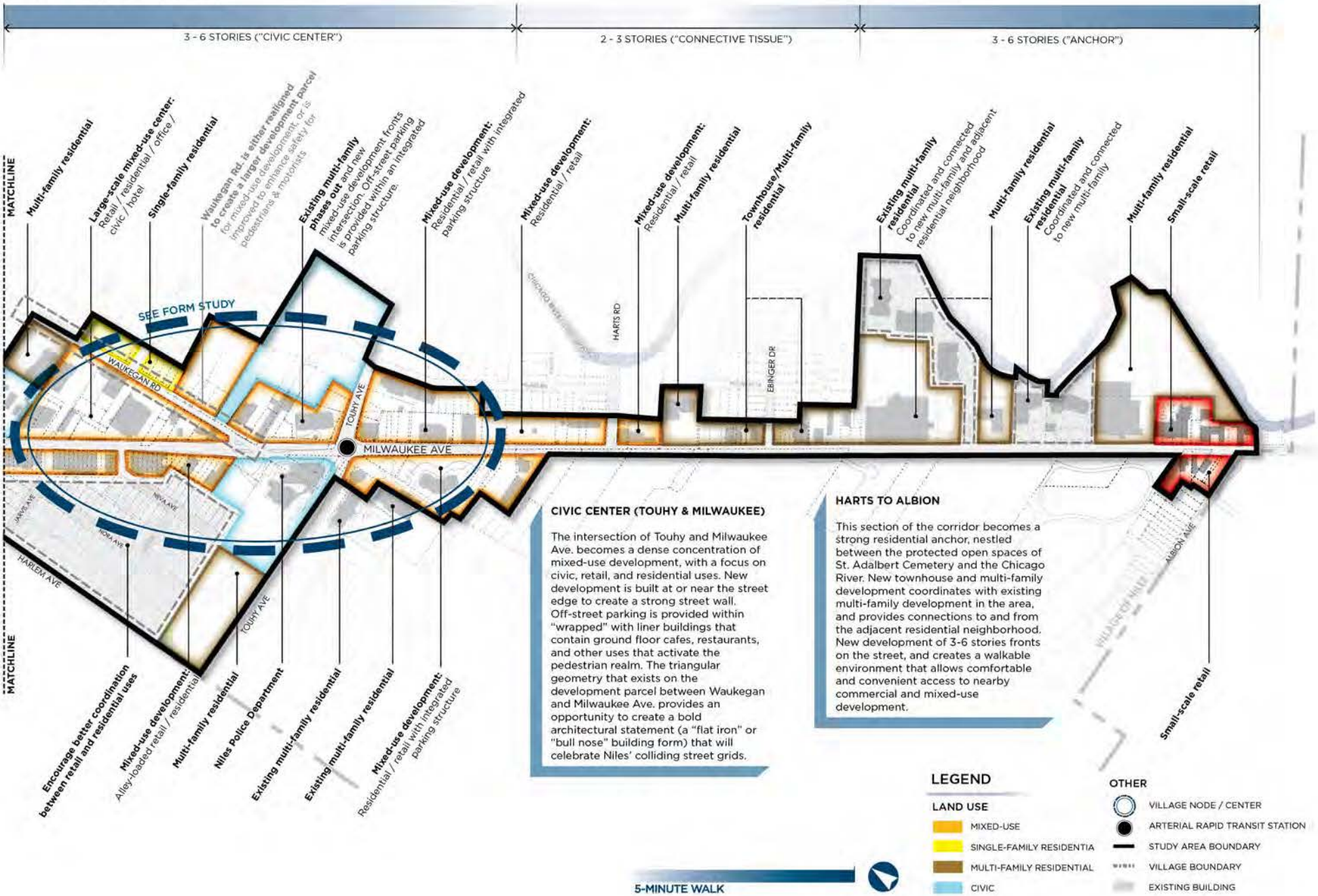
There is a moderate increase in development density at this intersection after the construction of the planned Arterial Rapid Transit (ART) station. A mix of uses, including residential, neighborhood-scale retail, and professional office front and "activate" a newly created plaza space bounded by Milwaukee, Harlem & Howard. The new public space serves as a transit hub, providing an aesthetically pleasing and amenity-rich pedestrian environment and working to calm traffic where the Milwaukee Avenue and Harlem Avenue ART lines meet. The new plaza celebrates a cooperative and mutually beneficial relationship with the City of Chicago.

FIGURE 11

SCENARIO 3: TRANSFORMATION

SOUTH MILWAUKEE AVENUE CORRIDOR PLAN I VILLAGE OF NILES

BUILDING HEIGHT & DENSITY GRADIENT

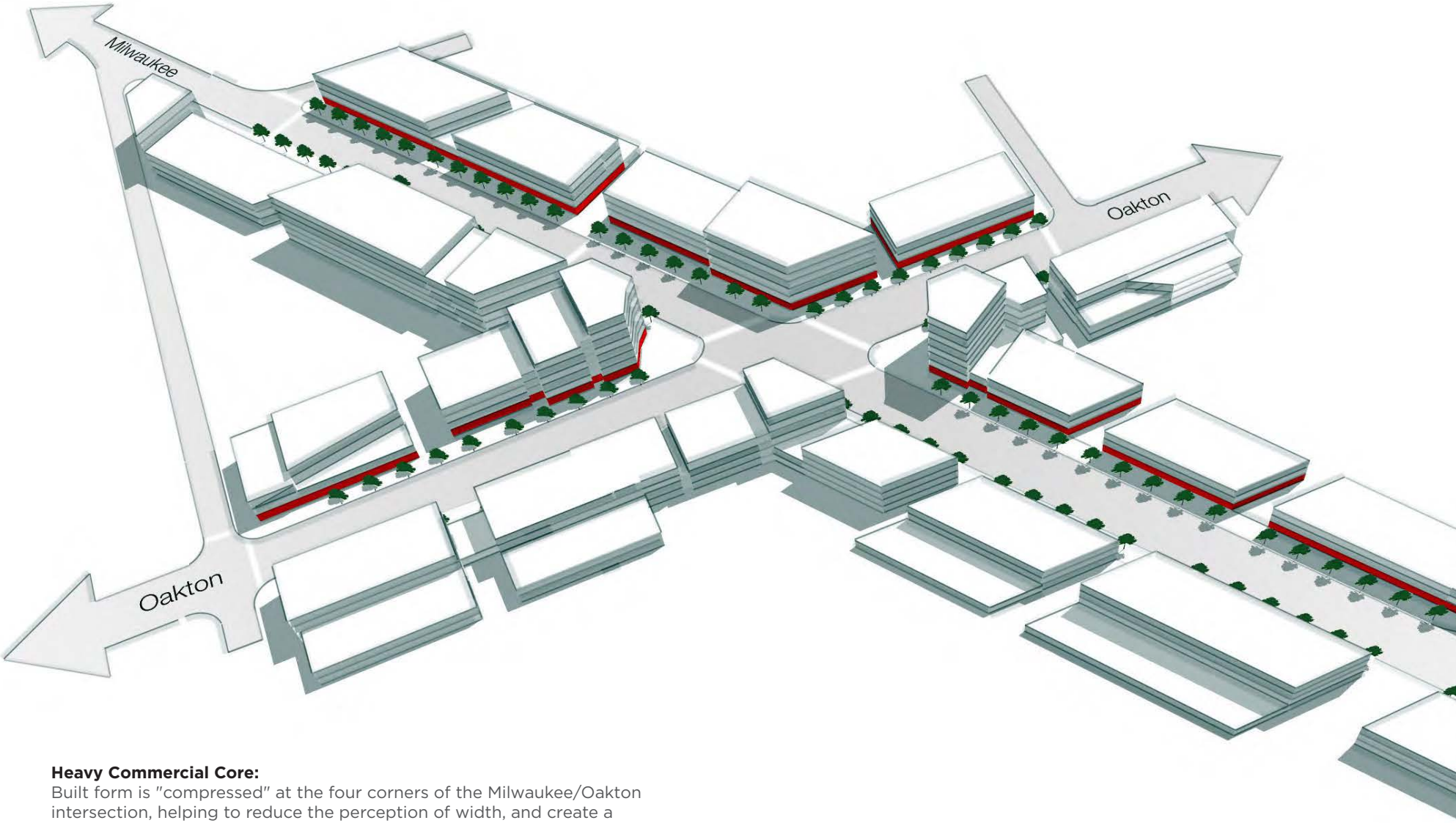


CIVIC CENTER (TOUHY & MILWAUKEE)

The intersection of Touhy and Milwaukee Ave. becomes a dense concentration of mixed-use development, with a focus on civic, retail, and residential uses. New development is built at or near the street edge to create a strong street wall. Off-street parking is provided within "wrapped" with liner buildings that contain ground floor cafes, restaurants, and other uses that activate the pedestrian realm. The triangular geometry that exists on the development parcel between Waukegan and Milwaukee Ave. provides an opportunity to create a bold architectural statement (a "flat iron" or "bull nose" building form) that will celebrate Niles' colliding street grids.

HARTS TO ALBION

This section of the corridor becomes a strong residential anchor, nestled between the protected open spaces of St. Adalbert Cemetery and the Chicago River. New townhouse and multi-family development coordinates with existing multi-family development in the area, and provides connections to and from the adjacent residential neighborhood. New development of 3-6 stories fronts on the street, and creates a walkable environment that allows comfortable and convenient access to nearby commercial and mixed-use development.



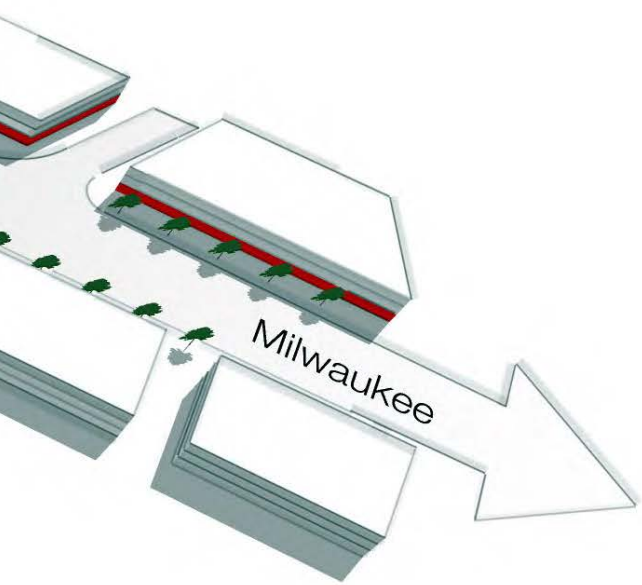
Heavy Commercial Core:
Built form is "compressed" at the four corners of the Milwaukee/Oakton intersection, helping to reduce the perception of width, and create a perceptible center, punctuated with 4-6 story buildings at the back-of-sidewalk, and a distinct mixed-use retail/residential orientation. To the North and South, development holds the street edge as it begins to ramp down in height to 2-3 stories.

FIGURE 13: OAKTON / MILWAUKEE "HEAVY COMMERCIAL CORE" URBAN FORM STUDY

KEY ELEMENTS OF SCENARIO 3:

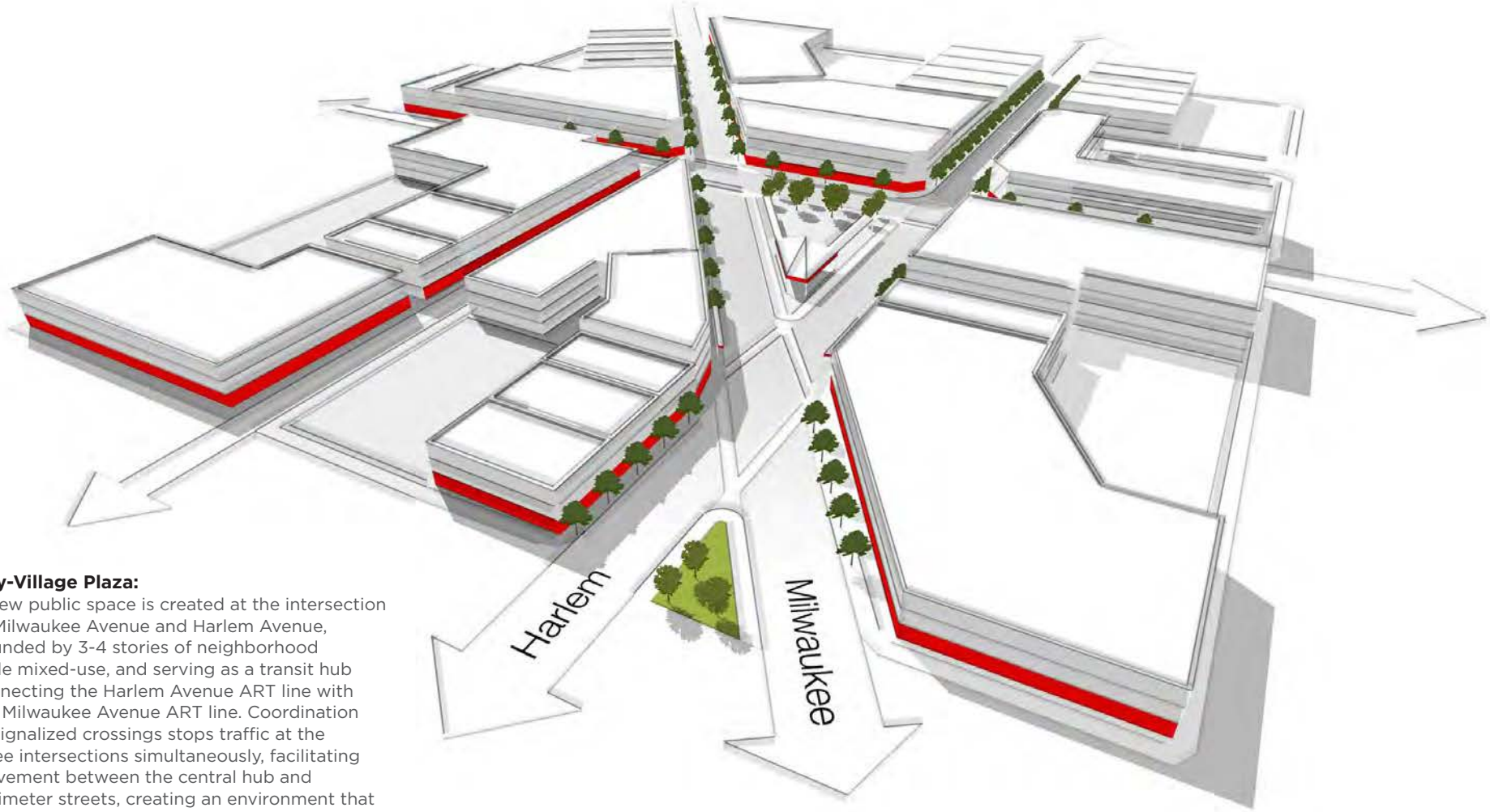
- Builds upon implementation of Scenario 2, and focuses on the development of two additional key centers along Milwaukee Avenue that serve as anchors for the Village Center envisioned in Scenario 2. In addition to serving as gathering places for the community, these "nodes" of development intensity lend a unique rhythm and pattern to development along the corridor, creating a unique experience for pedestrians, bicyclists, and drivers alike, and giving the corridor a sense of identity. Viewed together, the three distinct "centers" will be assembled to accommodate large-scale redevelopment at the intersections: tying the corridor together through a series of "peaks and valleys" reflected in intensity of use, built form, and variable building height.
- Complementing the three "centers," the far southern end of the corridor becomes a strong residential anchor, with new townhouse and multi-family development integrated into the existing fabric of the corridor and the residential neighborhood off of West Ebinger Drive.
- Represents a visionary, transformative plan for the future.
- May require the Village to commit to expending resources for the acquisition, clearing and reassembly of sites into viable redevelopment parcels at key nodes. Further, may require a Village commitment to allow for selected residential parcels to be cleared and folded into redevelopment parcels where appropriate.
- Taller and denser building form at key intersections along the corridor.
- Allows and promotes structured as well as surface parking.
- Incorporates street reconfiguration at key redevelopment intersections.
- Allows for selected residential clearance to create substantial parcels.

Implementation Timeline: Long-term.



Above and Right: Photographic examples of height/ orientation/built form proposed for the "Heavy Commercial Core" node in Scenario 3.

FIGURE 14: PROPOSED HEIGHT/ORIENTATION/BUILT FORM EXAMPLES – "HEAVY COMMERCIAL CORE"

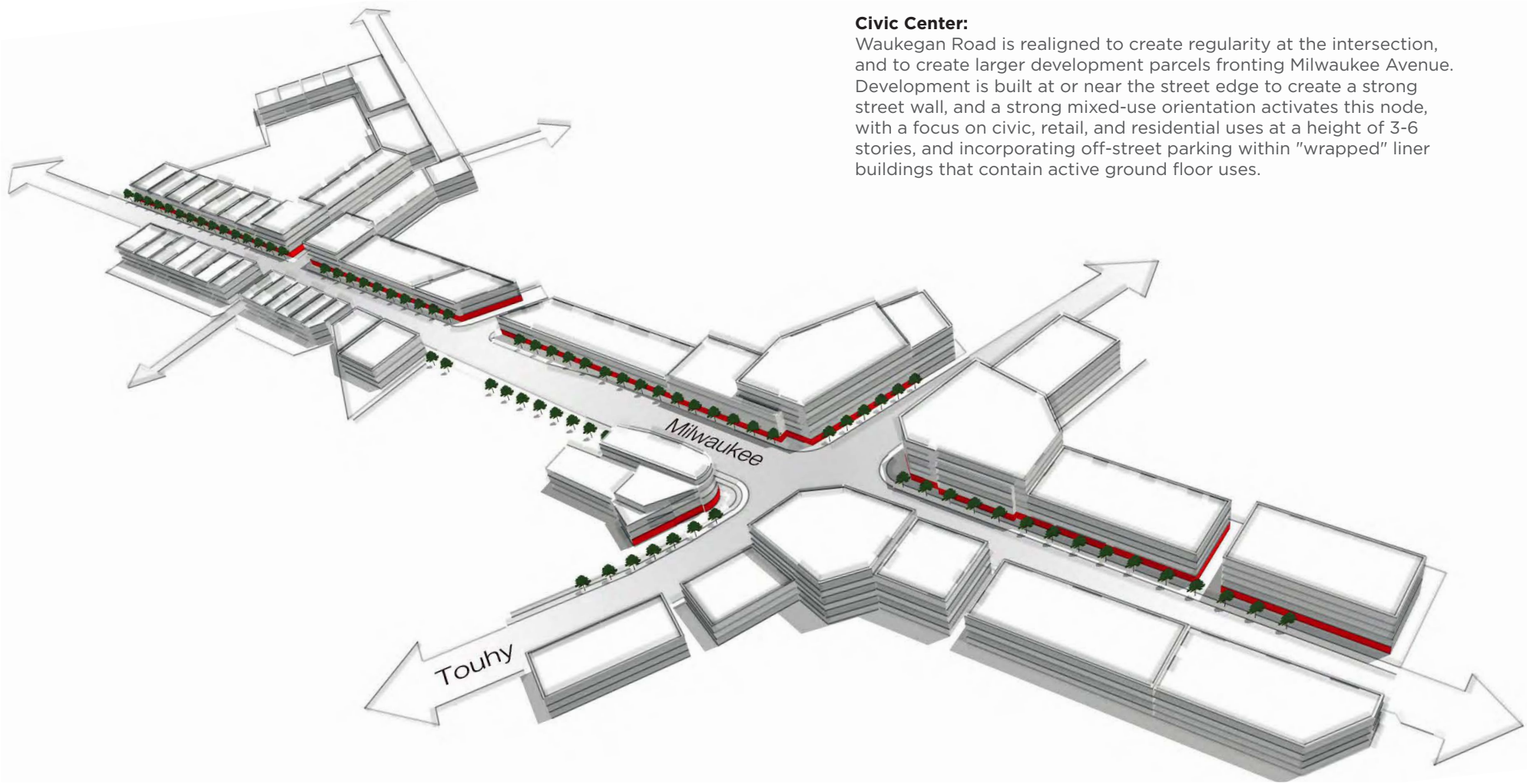


City-Village Plaza:
A new public space is created at the intersection of Milwaukee Avenue and Harlem Avenue, bounded by 3-4 stories of neighborhood scale mixed-use, and serving as a transit hub connecting the Harlem Avenue ART line with the Milwaukee Avenue ART line. Coordination of signalized crossings stops traffic at the three intersections simultaneously, facilitating movement between the central hub and perimeter streets, creating an environment that prioritizes pedestrian safety and mobility. The new transit hub and public space activates the surrounding frontages, and creates an amenity-rich pedestrian and commuter environment at the interface of the Village and the City of Chicago.

Right: Photographic examples of the height/orientation/built environment envisioned for the "City-Village Plaza" node proposed in Scenario 3. Photographs are two views of Davis Square in Somerville, Massachusetts.

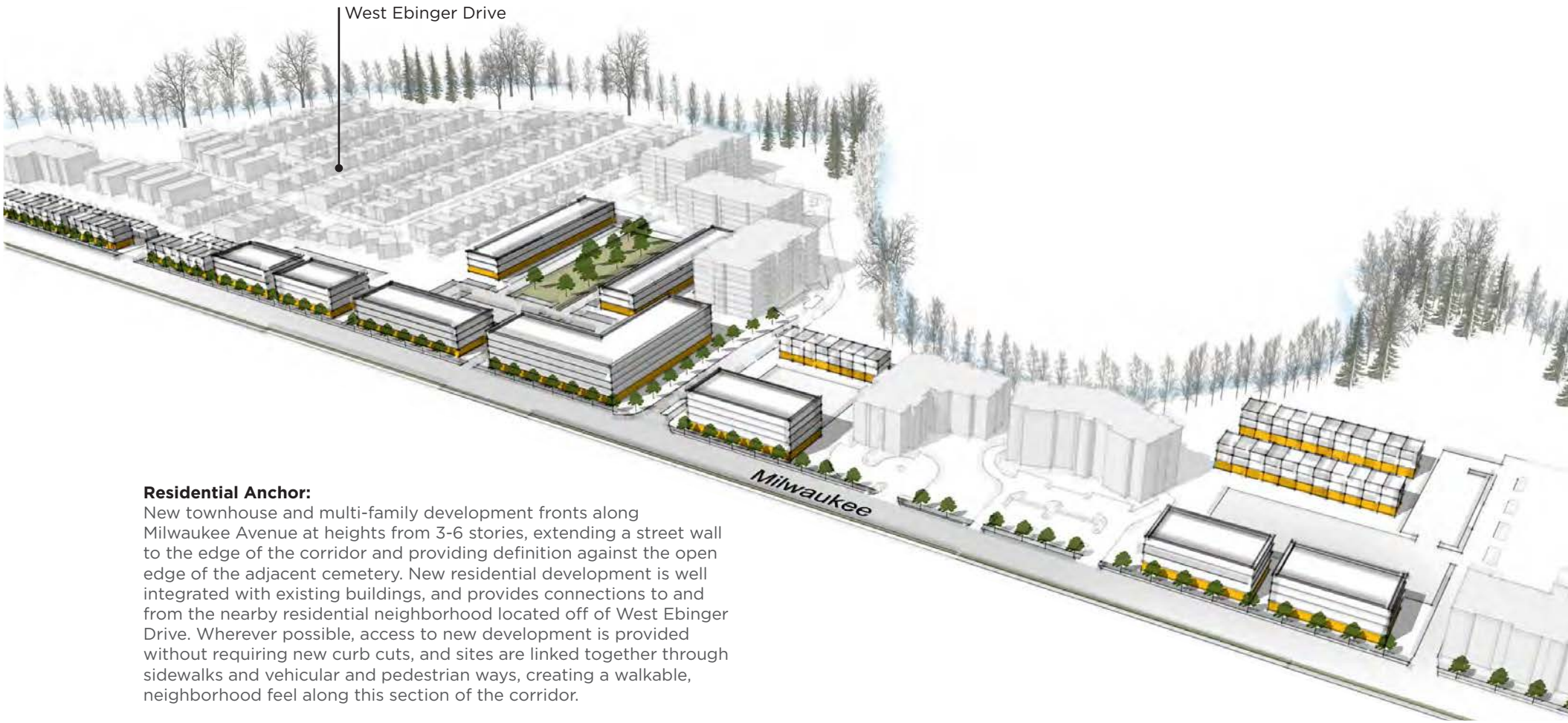
FIGURE 15: "CITY-VILLAGE PLAZA" URBAN FORM STUDY AND PROPOSED BUILT FORM/HEIGHT/CHARACTER EXAMPLES

Civic Center:
Waukegan Road is realigned to create regularity at the intersection, and to create larger development parcels fronting Milwaukee Avenue. Development is built at or near the street edge to create a strong street wall, and a strong mixed-use orientation activates this node, with a focus on civic, retail, and residential uses at a height of 3-6 stories, and incorporating off-street parking within "wrapped" liner buildings that contain active ground floor uses.



Right: Photographic examples of the height/orientation/ built environment envisioned for the "Civic Center" node proposed in Scenario 3. Photographs are Park Ridge, IL (L), and Kenmore Square, Boston MA (R).

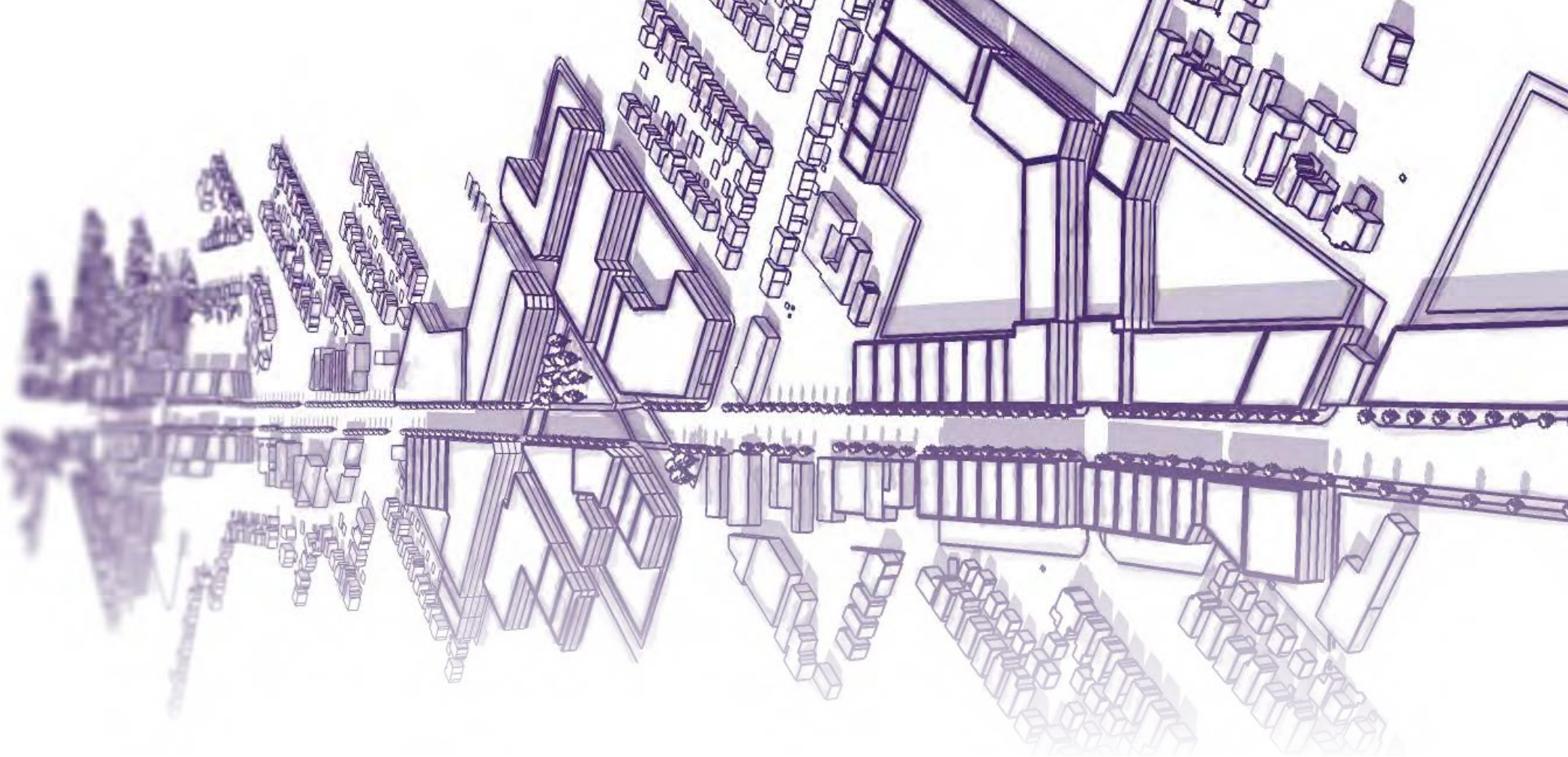
FIGURE 16: "CIVIC CENTER" URBAN FORM STUDY AND PROPOSED BUILT FORM/HEIGHT/CHARACTER EXAMPLES



Residential Anchor:
New townhouse and multi-family development fronts along Milwaukee Avenue at heights from 3-6 stories, extending a street wall to the edge of the corridor and providing definition against the open edge of the adjacent cemetery. New residential development is well integrated with existing buildings, and provides connections to and from the nearby residential neighborhood located off of West Ebinger Drive. Wherever possible, access to new development is provided without requiring new curb cuts, and sites are linked together through sidewalks and vehicular and pedestrian ways, creating a walkable, neighborhood feel along this section of the corridor.

Right: Photographic examples of the height/ orientation/built environment envisioned for the Residential Anchor area proposed in Scenario 3. Photographs are Fairfax, VA (L), and Denver, CO (R)

FIGURE 17: RESIDENTIAL ANCHOR CONCEPT



IV. SUMMARY & SELECTION OF PREFERRED SCENARIO

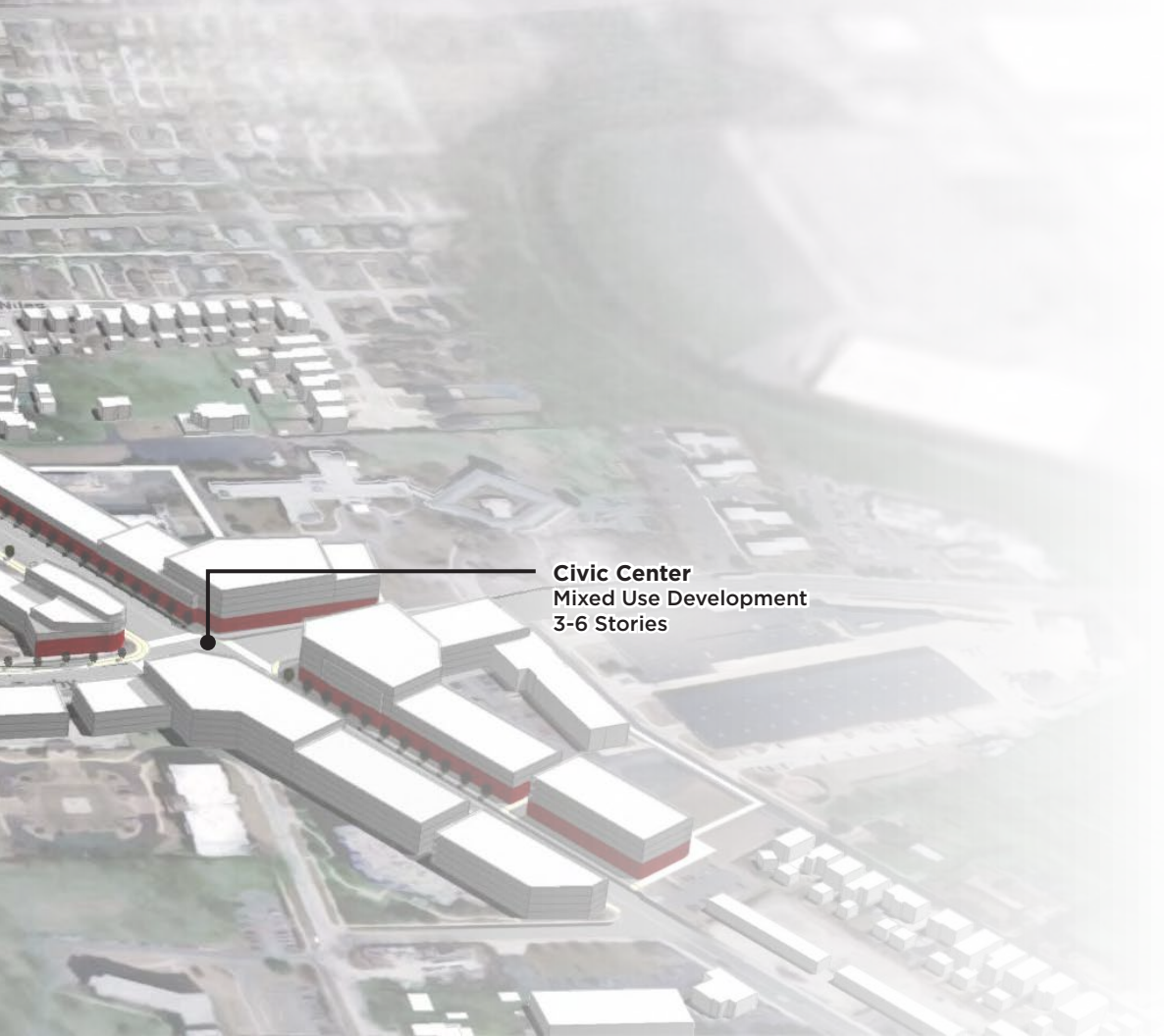
SOUTH MILWAUKEE
AVENUE CORRIDOR PLAN

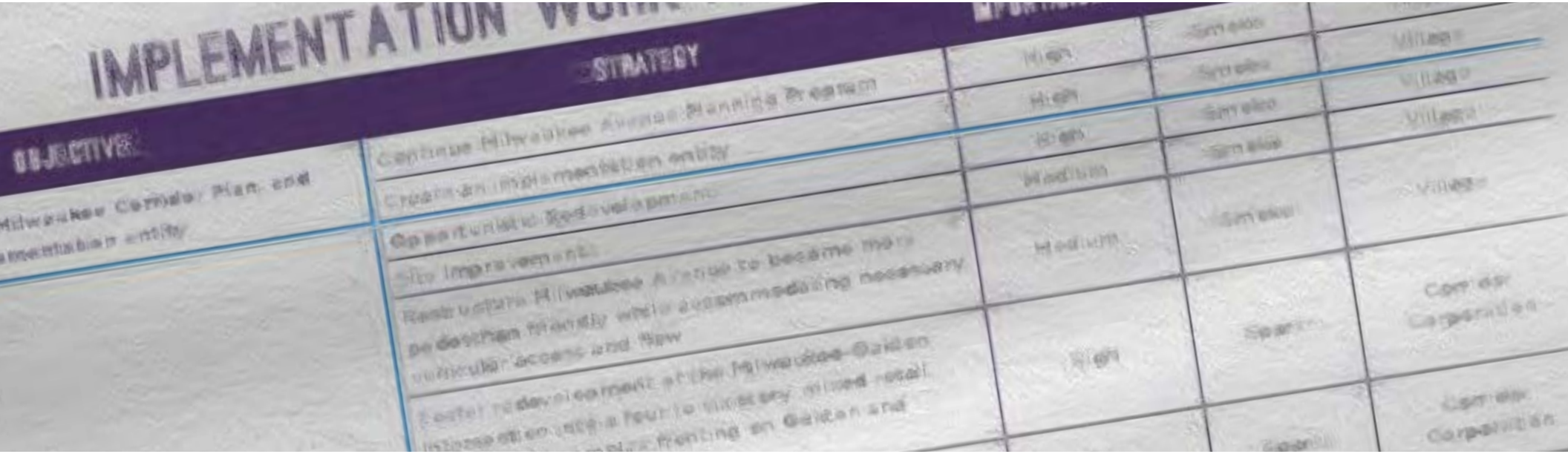
FIGURE 18: SCENARIO 3 CORRIDOR PERSPECTIVE

SUMMARY & SELECTION OF PREFERRED SCENARIO

In combination, these three Scenarios establish a rational sequence of potential redevelopment, identifying potential site assembly and redevelopment opportunities along the corridor that could occur within a 20-year time frame. Each of the three Scenarios could serve as a stand-alone option for Niles to consider as a vision for the future, however the three-phased Scenario approach represents a continuum of development potential, with the most aggressive Scenario being the product of the implementation of the first two. Upon review with Village staff, and presentation to the Village's Commission for Economic Development and Neighborhood Renewal, Scenario 3 was identified as the preferred scenario.

As the preferred scenario, the transformative thinking embodied within Scenario 3, combined with feedback from the Village, has informed the creation of the redevelopment work program outlined in this plan. Additionally, the recommendations in terms of built form, height, development character, and use present in Scenario 3 are being incorporated into the creation of a form-based zoning district to be mapped to the Milwaukee Avenue corridor as part of the ongoing Zoning Ordinance Revision. These recommendations will inform the regulatory approaches of the new Milwaukee Avenue form-based zoning district, a powerful tool for moving the corridor into the future.





V. SOUTH MILWAUKEE CORRIDOR PLAN IMPLEMENTATION WORK PROGRAM

SOUTH MILWAUKEE
AVENUE CORRIDOR PLAN

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V. SOUTH MILWAUKEE CORRIDOR PLAN IMPLEMENTATION WORK PROGRAM

OVERVIEW

Realization of the preferred Milwaukee Corridor Concept requires moving beyond "the plan," to implementation. This work program suggests the adoption and implementation of a series of projects tied to the three scenarios for Milwaukee Corridor improvement given in the previous section, each of which is progressively more aggressive and change oriented:

Adaptation (The "Smoke"): Incremental and modest redevelopment begins to build on strengths, seize opportunities and mitigate weaknesses and threats to redevelopment.

Reorganization (The "Spark"): Redevelopment is organized around a primary "Village Center" node at Milwaukee and Oakton, with dense built form at 4-6 stories and a focus on vertical mixed-use.

Transformation (The "Fire"): Redevelopment occurs at the three major intersections along the corridor, Milwaukee and Oakton, Milwaukee and Harlem/Howard and Milwaukee and Touhy/Waukegan. The three "nodes" offer different development character and intensity, and establish a rhythm and identity along the corridor.

Six redevelopment objectives are outlined herein, with the goal of moving the corridor through the first two phases of redevelopment, and toward the transformative vision established in Scenario 3. Each redevelopment objective contains specific strategies and projects applicable to their relevant phases of redevelopment, as listed below. These objectives, strategies and projects are also highlighted in the implementation work matrix at the end of this section.

Finally, work to date contained in this plan has addressed the portion of Milwaukee Avenue between Albion Avenue and Monroe Street. It is recommended that the Village consider further study to assess a possible extension of the policies of this plan northward along Milwaukee Avenue, to include the entirety of the corridor north to the Village limits.

OBJECTIVE A: ADOPT SOUTH MILWAUKEE CORRIDOR PLAN AND FACILITATE ITS IMPLEMENTATION

Implementation of the desired South Milwaukee Corridor scenario cannot move forward without a policy commitment from the Village of Niles to take a leadership role and organize for the development, funding and initiation of a range of projects. To achieve this, and assure that the impetus towards corridor improvement is expanded to the entire length of the corridor within Niles, the Village should do the following:

STRATEGY 1: Continue the Milwaukee Corridor Planning Program

The Village should move forward with actions to implement projects related to South Milwaukee Avenue, and it should expand its Milwaukee Corridor Program of redevelopment and land regulation to address the entire corridor as follows:

Action:

a. Adopt the South Milwaukee Corridor Plan, between Albion of Monroe, as Phase 1 of an overall Milwaukee Corridor Plan. The Phase 1 plan should emphasize the program proposals reflected in the Smoke and Spark scenarios, with support of the "Fire" component as enabled by private initiative or opportunities presented by other local governments such as the Park District and by superregional entities such as IDOT, Pace and Cook County.

b. Rezone the Milwaukee Corridor to reflect the applicable zoning districts of the pending Niles Zoning Revision. This would include application of form based regulations as appropriate to achieve the development concepts contained in the South Milwaukee Plan.

c. Expand the scope of the Milwaukee Corridor plan to encompass all of the corridor within the Village. Establish a series of project recommendations within the entire corridor and prioritize by extending the improvement strategies related to the Smoke and Spark outlined in this plan. Accommodate or help to direct private redevelopment initiatives that might occur within the additional area should the opportunity arise.

STRATEGY 2. Champion and Lead in Plan Implementation

Action: Plan implementation will only occur if there is leadership, and this responsibility should be taken up by the Village. The Village should become the "steward" of the plan, charging a commission, board or staff with the responsibility of bringing a series of implementation actions before the Board of Trustees for adoption and implementation. These actions should address ways to advocate, fund, and manage redevelopment of the Milwaukee Avenue Corridor. Among such actions might be the establishment of new or expanded TIF Districts, Special Service Areas or other programs to implement the specific elements of the Milwaukee Avenue Corridor Plan. The Board of Trustees should also schedule timely sessions, perhaps annually, to review the status of plan implementation over time, and suggest alterations in the implementation program as appropriate.

OBJECTIVE B: REDEVELOP THE MILWAUKEE AVENUE CORRIDOR TO ACCOMMODATE A MIX OF REGIONAL AND COMMUNITY SHOPPING AND EMPLOYMENT DESTINATIONS SCALED TO THE CHARACTER OF THE STREET AND THE ADJACENT NEIGHBORHOODS.

The key to the Milwaukee Avenue Corridor plan for the Village is to actively attract and facilitate redevelopment. Left to its own devices and unguided by Village action, the vision of this plan will not be realized. Successful redevelopment requires a clear understanding regarding the level of effort and proactivity that the Village is willing to take on, and a clear understanding of the related actions and support necessary to realize the vision of the plan.

Key redevelopment strategies related to plan implementation include the following:

Achieve the "Smoke" Scenario

STRATEGY 1: Opportunistic Redevelopment.

Action: Undertake incremental, modest redevelopment focused on vacant property, small infill development sites, and leveraging private reinvestment along the corridor. To facilitate the program, the Village might purchase available redevelopable properties using TIF or other funds, prepare Requests for Proposals for redevelopment from local developers to carry out specific aspects of the Corridor Plan applicable to those properties, secure a selected developer who will carry out the RFP actions, and potentially assist that developer through providing appropriate zoning and appropriate financial assistance to facilitate the implementation of the project. Indeed, there may also be an opportunity for the Village to take an entrepreneurial role by undertaking the redevelopment on its own, becoming a local property owner and therefore plowing any financial gain from the investment into a potential Milwaukee Corridor Investment Fund.

STRATEGY 2: Site Improvements.

Action: Initiate or support site design recommendations addressing new building siting, site retrofitting and or parking recommendations as identified in Redevelopment Scenario 1. Implement these recommendations as appropriate upon change of site ownership, new development or major rehabilitation proposals. The Village could illustrate the application of these guidelines by preparing example site development plans to provide guidelines and information to prospective developers and facilitate a desirable, unified pattern of redevelopment.

STRATEGY 3: Restructure Milwaukee Avenue to become more pedestrian friendly, while accommodating necessary vehicular access and flow.

Action: Initiate parking and pedestrian infrastructure changes tied to restructuring the parking and access conditions along Milwaukee Avenue, to address Improved parking, pedestrian environment, and safety along Milwaukee Avenue. Where possible, coordinate actions with structural recommendations in the Village's recently adopted Bicycle and Pedestrian Plan. The implementation of these actions would require a more aggressive approach to Milwaukee Avenue pedestrian improvement than reflected in the current IDOT improvement program. It would include:

a. Secure IDOT on street parking permissions to reinstate parking along designated portions of Milwaukee Avenue.

b. Work with IDOT to prepare plans for improvement of Milwaukee Avenue in accord with the vision and proposals of the South Milwaukee Plan, and agree upon that sequence of reconstruction most appropriate to the needs and capabilities of the Village and IDOT. Redesign curb and curb cut locations as appropriate along Milwaukee Avenue from Albion to Monroe to remove pull in parking from the street

ROW. Coordinate between the Village's Milwaukee Avenue Beautification goals, the recommendations of this plan, and the recently adopted Pedestrian and Bicycle Plan to facilitate pedestrian access and a walkable orientation along the roadway.

c. Establish pedestrian crossing location guidelines and design principles in accordance with the Village's recently adopted Pedestrian and Bicycle Plan.

d. Revise the current Milwaukee Avenue Streetscape program to reflect the recommendations of this Plan, and the Village's recently adopted Pedestrian and Bicycle Plan.

e. Install improved sidewalks, paving, and street furniture as funds permit. Establish cost sharing program with property owners who agree to redevelop their frontage as per established recommendations.

f. Establish a five year Milwaukee Avenue Capital budget in cooperation with IDOT, to facilitate related public infrastructure changes utilizing funding approaches discussed under Objective D, below.

Achieve the "Spark" Scenario

STRATEGY 1: Foster redevelopment of the Milwaukee-Oakton Intersection into a four to six story, mixed retail commercial Node of buildings fronting on Oakton and Milwaukee.

Action: Work with consortium of present ownership or new owners to facilitate assembly of property within identified redevelopment areas into a unified redevelopment project. This might be the result of a redevelopment plan formulated through new or expanded TIF districts as discussed in the following steps below:

a. Prepare a market study to identify the mix and feasibility of redevelopment.

b. Prepare an illustrative plan of site redevelopment to help establish the scale and character of development.

c. Explore the potential to establish a TIF for the Milwaukee/Oakton node. Assess conditions within potential TIF areas to determine if the area meets requirement as either a conservation or redevelopment TIF.

d. Prepare a new or expanded TIF district to reflect the redevelopment intent program suggested by the Corridor Plan.

e. Secure a developer through working with ownership or, if desired, through a redevelopment RFP process.

STRATEGY 2: Assist local owner with intensification of Oak-Mill mall property to include "outlot" development and site improvement.

Action:

a. Determine degree of redevelopment interest by current owner, and assist through preparation of a market study, to reposition the existing mall building towards greater retail orientation, or other orientation if borne out by market study.

b. Work with the owner to develop an illustrative plan of site redevelopment, including redevelopment of the northeast corner outlot portion of the site with a retail facility, and test for feasibility of a parking structure to link entire site into a development complex.

c. Assist in identifying and attracting preferred outlot developers most appropriate for the determined location and plan of development.

d. Provide an appropriate level of Village assistance through infrastructure improvements, TIF based gap financing, and marketing assistance to achieve the desired level of development at the Oak-Mill site.

STRATEGY 3: Support expansion of Jerry's Fruit and Garden, and construction of integrated parking structure.

Action: The Village should seek to support the expansion of Jerry's Fruit and Garden, as well as the construction of an integrated parking structure if feasible, through assistance with possible land assembly and financing support. The Village might take a leadership role by exploring different types of development options for this site that could utilize the proposed parking structure and would meet long term expectations of the property owner. This would help them better visualize redevelopment opportunities that could optimize both their goals and the intent of the Corridor Plan.

STRATEGY 4: Facilitate further site-based redevelopment activities as shown in scenario 2.

Action: The Village should support additional site-based redevelopment activities as illustrated in Scenario 2. Actions to support these activities should include updated zoning,

coordination with superregional entities when necessary, and possible assistance in land assembly and redevelopment. Again, a new of expanded TIF may be of use here as a tool to facilitate redevelopment.

Achieve the "Fire" Scenario

STRATEGY 1: Assist local owner with redevelopment of Oak-Mill mall site to accommodate mixed-use with integrated parking structure, fronting prominently on the corner of Oakton Street and Milwaukee Avenue.

Action:

a. Consider clearing and redeveloping the site as a public-private project wherein the Village would use its powers and tools for land assembly, redevelopment finance, zoning and capital improvements to work in tandem with the property owner to build a project reflecting the Corridor Plan

b. Apply the approach outlined above to clear entire site, and promote a dense, compact redevelopment plan to fulfill the vision of the "Heavy Commercial Core" node, with vertical mixed-use at a height of 4-6 stories, with any proposed taller development requiring additional design considerations, such as upper-story building setbacks.

c. Consider potential expansion of the project through Village-facilitated acquisition of adjacent properties.

STRATEGY 2: Facilitate redevelopment of the Northeast and northwest corners of the Oakton-Milwaukee Intersection to accommodate mixed-use projects at a scale suggested by redevelopment on the current Oak-Mill mall Site.

Action:

a. Consider a public-private project structure for redevelopment of the site/sites on the northeast and northwest corners of Milwaukee and Oakton. This would involve discussions with Walgreens as to how they might redevelop their property joining those interests involved in sites immediately adjacent to the north and the east to meet the ideas of development intensification contained in the Corridor Plan. This might include incorporation of adjacent residential uses if acceptable to all parties. The Village should act as a redevelopment facilitator and be prepared to assist via zoning, capital improvements, land assembly and financing as appropriate.

b. Similarly, the Village should enter into discussions with the property owners in the "triangle" of land at the northwest intersection of Milwaukee and Oakton to clear and fully redevelop this area into a mixed use development.

c. Accommodate site clearance, and promote mixed-use redevelopment that will ramp up in height, from 2-3 stories properties on both sides of Milwaukee closer to Monroe, to a greater height at the "Village Center." Focused at Milwaukee and Oakton.

Strategy 3: Consider expansion and redevelopment of the Jerry's fruit and garden site to accommodate mixed-use projects, perhaps anchored by an expanded Jerry's, at a scale suggested by redevelopment on the current Oak-Mill mall Site.

Action:

a. Consider a public-private project structure to facilitate redevelopment of the site.

b. Accommodate site clearance, and work to promote vertical mixed-use redevelopment that will ramp up to achieve four stories or greater closer to the commercial core.

c. Consider potential expansion of the site through Village facilitated acquisition of adjacent properties which may suggest expansion into adjacent residential areas if acceptable to the ownership.

STRATEGY 4: Redevelop the "Waukegan/Milwaukee Triangle" as a large scale mixed-use project and northern "anchor" of the Touhy/Milwaukee Node.

Action:

a. Assess the merit of a realignment and restructuring of the Waukegan/Milwaukee intersection, and incorporate this decision into redesign of the site, based upon guidance provided in Scenario 3.

b. Accommodate clearance of the site, and promote coordinated redevelopment with higher buildings of 4 to 6 stories located in the southern portion of the triangle, fronting on Milwaukee Avenue. If Waukegan retains its current alignment, consider a 5-6 story "flat iron" or "bull nose" building at the triangular southern tip of the site.

c. Coordinate redevelopment on the south side of Milwaukee Avenue, across from the "Waukegan/Milwaukee Triangle" to achieve compatible scale and height at 3-6 stories of vertical mixed-use development.

d. Consider redevelopment of these sites as a public/private project, with the planning and development initiated and managed by the Village through a redevelopment RFP and a public-private financing process.

STRATEGY 5: Redevelop sites fronting the Milwaukee/Touhy intersection into large scale mixed-use redevelopment, moving toward the "Civic Center" node advocated in Scenario 3 (The "Fire").

Action:

a. Consider a public-private project structure for redevelopment of the site/sites on the southeast and southwest corners of the Touhy/Milwaukee intersection.

b. Accommodate site clearance, and promote mixed-use redevelopment that will ramp up in height, from 2-3 stories closer to Harts Road, to a greater height of up to 6 stories approaching the "Civic Center."

c. Consider potential expansion of redevelopment sites through Village facilitated acquisition of adjacent properties.

STRATEGY 6: Redevelop the northeast corner of the Milwaukee/Touhy intersection into new vertical mixed-use per recommendation of Scenario 3. Consider expanded development on the northeast corner of the Touhy/Milwaukee intersection, if the Touhy frontage of the adjacent Resurrection Nursing and Rehabilitation Center can be integrated into the project.

Action:

a. Consider a public-private project structure for redevelopment of the site/sites on the northeast corner of the Milwaukee/Touhy intersection.

b. Consider expanding redevelopment further to the east on Touhy Avenue, if interest is shown by Resurrection Health Care, to incorporate frontage development with new mixed-use or multi-family located at the Milwaukee-Touhy intersection.

c. If interest is shown, consider augmenting use mix at this corner to integrate possible housing or assisted living above retail at the street level.

STRATEGY 7: Facilitate redevelopment of east side of Milwaukee at Albion into a mixed-density residential neighborhood with appropriate service businesses.

Action: Consider a public/private project structure to facilitate redevelopment.

STRATEGY 8: Milwaukee/Harlem/Howard, "City-Village Plaza" Redevelopment.

Action:

a. The Village should pursue long-term negotiations with the City of Chicago for modification of the municipal boundaries at this intersection, to add the block west of Milwaukee, as well as the triangular site bounded by Milwaukee, Howard, and Harlem to the Village of Niles. Explore the potentials of reconfiguring the boundary between Chicago and Niles to enable Niles to secure the White Castle Triangle as well as Chicago properties fronting on Milwaukee Avenue. This might include notions of a "land swap" or outright purchase of such properties by Niles and subsequent modification of corporate boundaries.

b. Purchase the current White Castle property, for the creation of new public plaza and transit hub as recommended in Scenario 3.

c. The Village or Park District should work to develop and improve the public plaza and transit hub, and to scale development as recommended along Milwaukee, Harlem and Howard Streets to create pedestrian environment.

d. Support specific streetscape and building frontage improvements to create a distinctive identity for the location surrounding the City-Village plaza and transit hub.

OBJECTIVE C: SECURE REDEVELOPMENT FINANCING

Support a coordinated public-private program to finance desired redevelopment within the corridor. Project activities could involve a variety of actions to identify and establish those public and public-private financing structures needed to encourage reinvestment in the Milwaukee Corridor.

STRATEGY 1: Facilitate business financing.

Action: Work with local banks to encourage streamlined procedures for reviewing and approving business and development loan requests made by interested businesses for improvement of Milwaukee Avenue properties.

The Village might investigate the potential for offering limited loan guarantees for qualifying businesses to encourage lending for Milwaukee Avenue projects. Further, the Village might link maintenance of Village deposits in local banks to encourage special attention by local banks to Milwaukee Avenue lending.

STRATEGY 2: Proactive Village.

Action: The Village might become more proactive by establishing a Milwaukee Corridor Investment Fund to facilitate new building construction, existing building rehab and redevelopment assistance or public-private site improvements that may not be TIF fundable. This fund could be used to subsidize local banks to make low cost loans for new development. Further, this fund could be open to investment by private parties as well as Village resources.

STRATEGY 3: Establish redevelopment land bank.

Action: The Village could secure selected sites along Milwaukee Avenue for redevelopment, establish a land bank, and lease the land to private entities to develop sites according to Village policy (commercial, mixed use, residential). Continued ownership of the land by the Village could assure that over time, these properties would be maintained at highly competitive or even below market rates to accommodate the continued location of more modest business enterprises if desired by the Village.

STRATEGY 4: Tax Increment Financing (TIF) Program.

Action: Review and update Milwaukee Avenue TIF, if appropriate, to accommodate funds for building rehabilitation, interior renovation, purchase of identified redevelopment sites, street right-of-way and streetscape improvements, redevelopment and improvement loans, corridor planning, and interest on project-based loans.

STRATEGY 5: Establish a Milwaukee Avenue Special Service Area (SSA).

Action: Accommodate street management, including sidewalk and parking sweeping and maintenance, coordinated marketing and advertising, coordinated hours of operation, and funding of Milwaukee Avenue business and owners association.

OBJECTIVE D: TRANSPORTATION IMPROVEMENT

Coordinate Milwaukee Corridor redevelopment effort with IDOT, Pace and other entities having jurisdiction and operations within the roadway. Further, the Village should review its recently completed Pedestrian and Bicycle Plan to coordinate viable recommendations with redevelopment actions and the overall plan contained herein. Among the elements of a transportation support program are the following:

STRATEGY 1: Coordinate and Support transit service within the corridor.

Action:

a. Establish locations and reserve ROW for proposed ART stops within the corridor. Work with Pace to designate ART and local bus stops and design required shelters and pull outs to facilitate operation.

b. Coordinate location of Niles Free Bus and Pace stops with planned ART service, reserve necessary right of way to accommodate coordinated bus operations. Integrate Niles Free Bus and Pace routes, and schedules with each other and with proposed ART service.

STRATEGY 2: Improve and upgrade key intersections.

Action: Make improvements at key intersections to facilitate necessary vehicular movement, and reflect a scale and form of design geared toward achieving good walkability and pedestrian scale. Key intersections include:

a. Touhy

b. Waukegan

c. Harlem/Howard

d. Oakton

STRATEGY 3: Parking Improvements to accommodate restructured Milwaukee Avenue and site-based parking and parking access.

Action:

a. Revise/calibrate parking standards through

the zoning update to reduce unnecessary parking requirements, facilitate shared parking, and if needed accommodate small development sites that lack necessary room for parking. As part of the calibration of parking standards in the zoning revision, consider adjustment of parking requirements to reflect shared use of parking spaces based upon hours of operation and varying levels of demand. Facilitate cross-access easement parking to allow uses to utilize parking on adjacent sites where feasible. Establish curb cut location and spacing standards, and coordinate with cross-access easement design.

b. Establish an off-street parking lot program. Identify and purchase off-street parking locations in the vicinity where the size and/or configuration of existing and proposed commercial uses cannot accommodate parking on individual sites. Formulate a parking program, perhaps as part of an SSA, using available TIF funding or another form of public/private cost sharing to facilitate construction. One potential approach is development of an "in lieu" fund, where businesses that cannot provide required parking pay a fee, put into a fund that the Village can use to construct and maintain proximate off-street parking, either surface or structured.

c. Explore the creation of a "Parking Relocation Program." The Village could establish a fund or other form of assistance to accommodate existing sites that wish to relocate parking from the front of buildings to the side, rear, or off-site lots. This fund could draw from TIF sources, be funded through parking "in-lieu" fees, an SSA or a program of parking accommodation loans instituted by the Village. Interested property owners could apply for such funds based upon demonstrating how they would meet established funding criteria.

d. Unify and bring legibility to parking along Milwaukee Avenue. Consider the creation of a parking lot lighting, landscape, and furnishings program: identify common standard and luminaire, fencing, and landscape materials to be used for public and private parking lots along the corridor, and establish a Village-based buying program to bring the cheapest price to private sites. Coordinate with parking lot landscape and screening requirements in the zoning revision.

e. Establish and fund parking lot repaving and striping program for small businesses.

- **i.** Develop criteria for eligible small businesses based upon site size, assessed value and other factors.
- **ii.** Formulate a financing program through TIF, SSA, Milwaukee Corridor Investment Fund or other approach to provide grants and loans to secure repaving of small existing or relocated parking lots for small businesses.

OBJECTIVE E: MILWAUKEE AVENUE IMAGE IMPROVEMENT

Establish a program that encourages development along the Milwaukee Corridor to achieve a level of urban design that reflects an identity for the Village generally, and for the corridor specifically. This program should address overall land use, building massing and scale, façade design, signage, and the linkage of private sites to public infrastructure. This image improvement could be coordinated with any ongoing re-branding work, to create specialized character within specific districts or nodes as identified in the three redevelopment scenarios contained herein. Further, the overall image of the corridor should be compatible with adjacent residential areas, and recognizable throughout the entirety of its length.

STRATEGY 1: Establish an overall urban design theme for entire corridor.

Action: Establish an overall urban design theme emphasizing general massing and land use characteristics, key corridor gateway locations and identity components. Reinforce this theme through coordination with Milwaukee Avenue form-based district, pedestrian and bicycle plan, streetscape/beautification program, and any ongoing village re-branding work. Components that should be included:

- Common Streetscape Elements
- Street furniture and Street tree palate and spacing
- Banner design and location
- Corridor Public Art program
- Overall massing program to indicate
- Minimum building heights
- Key intersections and related building heights
- Desired building lines
- Gateway design program
- Gateway locations
- Gateway design and identity features

STRATEGY 2: Expand the current Milwaukee Avenue Beautification/Streetscape program through TIF, SSA or other means.

Action: Utilize TIF, SSA and other funding mechanisms to facilitate public and private investment in streetscape and private property landscape improvements, reflecting the overall corridor urban design plan and any special character defined within the established urban design districts. Contract yearly with a nursery to supply landscape materials in designated public and private locations for streetscape and buffering purposes.

STRATEGY 3: Establish corridor districts and related urban design characteristics.

Action: Review Milwaukee Corridor Plan, 2006, and adjust or modify suggested districts to reflect current planning and development policies as reflected in this plan, where appropriate. Consider adjustment or modification of the 2006 Plan's suggested districts when expanding recommendations of this plan to the Northerly portion of the corridor.

Identify district-based character components to integrate into overall corridor urban design program

STRATEGY 4: Façade improvement program.

Action: Expand, fund, and manage a façade improvement program meeting the requirements of the Village's emerging form based zoning regulations to be supported by a mix of public and private funding.

OBJECTIVE F: MILWAUKEE CORRIDOR ADVOCACY AND ASSISTANCE PROGRAM

Establish and support a program to market, advocate, and manage the improvement of the Milwaukee Corridor. This program should address public relations, coordinated advertising, business attraction and assistance, and the overall operation of the corridor as a branded, unified development entity.

STRATEGY 1: Redevelopment advocacy.

Action:

a. Assign the aforementioned a Village Commission or Board and designate a particular staff person or office market, and guide the everyday actions needed to redevelop particular properties to implement the Milwaukee corridor plan.

b. Secure Milwaukee avenue marketing manager to manage the program.

STRATEGY 2: Marketing and Business Advocacy Program

Action: The Village should organize and implement a marketing and advocacy program directed to the following:

a. Establish a coordinated program of development marketing and management in a manner that reinforces the desired image and brand of the Milwaukee Avenue Corridor.

b. Integrate the ongoing Milwaukee Avenue branding program into the Corridor Plan. Assign a specific Village Commission or Board and support staff the responsibility to manage this program.

c. Establish Milwaukee avenue joint marketing and advertising program, and encourage local businesses to coordinate business advertising "buys," hours of operation, coupon programs and the like in order to encourage shoppers to think about supporting Milwaukee Avenue shopping generally as well as certain shops specifically.

d. Establish a Milwaukee Avenue Banner program to design banners and banner format for private use, provide access to reduced costs for village selected banner mounts to be used onsite and offsite.

e. Support reestablishment of a façade improvement program: The Village should provide funds to assist private owners with improvement of storefronts to meet village guidelines.

f. Undertake a signage replacement program: provide funds to assist private owners with improvement of site signage to meet village guidelines.

g. Assist in Business counseling: provide subsidized business counseling related to marketing, advertising, business operations, labor relations, signage, and interior design for small businesses.

h. Business recruitment. Seek to interest existing successful business of the scale and type desired to located within the corridor, help underwrite relocation costs.

i. Village to partner with owners of key redevelopment sites to facilitate redevelopment.

j. Encourage building repurposing by suggesting viable and corridor related adaptive reuse for existing viable buildings

IMPLEMENTATION WORK PROGRAM – MATRIX

OBJECTIVE	STRATEGY	IMPORTANCE	TIMING
Adopt the South Milwaukee Corridor Plan, and establish an implementation entity	Continue Milwaukee Avenue Planning Program	High	Smoke
	Champion and Lead in Plan Implementation	High	Smoke
Redevelop Milwaukee Avenue corridor to accommodate a mix of regional and community shopping and employment destinations scaled to the character of the street and the adjacent neighborhood	Opportunistic Redevelopment	High	Smoke
	Site Improvements	Medium	Smoke
	Restructure Milwaukee Avenue to become more pedestrian friendly while accommodating necessary vehicular access and flow	Medium	Smoke
	Foster redevelopment of the Milwaukee-Oakton Intersection into a four to six story, mixed retail commercial complex fronting on Oakton and Milwaukee	High	Spark
	Assist local owner with intensification of Oak Mill Mall property to include “outlot” development and site improvement	High	Spark
	Support Expansion of Jerry’s Fruit and Garden, and construction of integrated parking structure	Medium	Spark
	Facilitate further site-based redevelopment activities as shown in Scenario 2 (The “Spark”)	Medium	Spark
	Assist local owner with redevelopment of Oak Mill Mall site to accommodate mixed use with integrated parking structure, fronting prominently on Oakton Street and Milwaukee Avenue	High	Fire
	Facilitate redevelopment of the northeast and northwest corners of the Oakton-Milwaukee Intersection to accommodate mixed-use projects at a scale suggested by redevelopment on the current Oak-Mill Mall Site	Medium	Fire
	Consider expansion and redevelopment of the Jerry’s fruit and garden site to accommodate mixed-use projects, perhaps anchored by an expanded Jerry’s, at a scale suggested by redevelopment on the current Oak-Mill Mall Site	Medium	Fire
	Redevelop the “Waukegan/Milwaukee Triangle” as a large scale mixed-use project and northern “anchor” of the Touhy/Milwaukee Node	High	Fire

OBJECTIVE	STRATEGY	IMPORTANCE	TIMING
	Redevelop sites fronting the Milwaukee/Touhy node into large-scale mixed-use redevelopment, phasing out existing multi family where appropriate, and moving toward the “civic center” node advocated in Scenario 3 (The "Fire")	Low	Fire
	Redevelop the northeast corner of the Milwaukee/Touhy intersection into new vertical mixed-use per recommendation of Scenario 3. Consider expanded development on the northeast corner of the Touhy/Milwaukee intersection, if the Touhy frontage of the adjacent Resurrection Nursing and Rehabilitation Center can be integrated into the project	Low	Fire
	Facilitate redevelopment of the east side of Milwaukee at Albion into a mixed-density residential neighborhood with appropriate service businesses	Low	Fire
	Milwaukee/Harlem/Howard “City-Village Plaza” redevelopment	High	Fire
Secure redevelopment financing	Facilitate business financing	High	Smoke
	Proactive Village	High	Smoke
	Establish Redevelopment Land Bank	High	Smoke
	Tax-Increment Financing (TIF) Program	High	Smoke
	Establish a Milwaukee Avenue Special Service Area (SSA)	High	Smoke
Transportation Improvements	Coordinate and support transit service within the corridor	High	Smoke
	Improve and upgrade key intersections	High	Smoke
	Parking improvements to accommodate restructured Milwaukee Avenue and site-based parking and parking access	High	Smoke
Milwaukee Avenue Image Improvements	Establish an overall urban design theme for entire corridor	High	Smoke
	Expand the Milwaukee Avenue Beautification/Streetscape Program through TIF, SSA or other means	Medium	Smoke
	Establish corridor districts and related urban design characteristics	Medium	Smoke
	Expand Façade Improvement Program	High	Smoke
Milwaukee Corridor Advocacy and Assistance Program	Redevelopment Advocacy	Medium	Smoke
	Marketing and Business Advocacy Program	Medium	Smoke

SOUTH MILWAUKEE AVENUE CORRIDOR PLAN

VILLAGE OF NILES, IL

PUBLIC HEARING DRAFT - MAY 2016

camiros

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Amending the Niles Code of Ordinances Chapter 90 Subdivisions (16-ZP-15)

Meeting Date	6/28/2016	Item Number	**3**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Exhibit	Exhibit 1 - Chapter 90
	Backup Material	Memo With Community Development Staff Concerns For 3 Items In Proposed New Zoning Ordinance
	Backup Material	Camiros Memo Explaining Bulk Regulation Concerns
	Minutes	Minutes 2016-05-23

MOTION

I move for Board approval of an Ordinance amending the Niles Code of Ordinances Chapter 90 Subdivisions.

REASON FOR REQUEST / BACKGROUND

This Ordinance is to repeal in its entirety the current Village of Niles Code of Ordinances Chapter 90 Subdivisions and to replace it with the newly proposed ordinance.

The Plan Commission voted 6-0 to recommend approval at their public hearing on May 23, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

ORDINANCE TO AMEND CHAPTER 90 SUBDIVISIONS, TO THE NILES CODE OF ORDINANCES, VILLAGE OF NILES

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: Upon the effective date of this Ordinance, Chapter 90 Subdivisions, of the Niles Code of Ordinances, is deleted in its entirety and replaced with the newly proposed ordinance Chapter 90 Subdivision Ordinance.

SECTION 2: Chapter 90 Subdivision Ordinance shall be added as found in Exhibit 1 which is made a part of this ordinance and is incorporated by reference.

SECTION 3: The provisions of this Ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 4: That all ordinances or parts of ordinances in conflict are hereby repealed to the extent of any such conflict.

PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

CHAPTER 90. SUBDIVISION

90.1 TITLE
90.2 PURPOSE AND INTENT
90.3 DEFINITIONS
90.4 SCOPE
90.5 GENERAL REQUIREMENTS
90.6 REQUIRED PUBLIC IMPROVEMENTS
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90.9 EXCEPTIONS
90.10 PLAT REQUIREMENTS
90.11 ILLEGAL SALES AND/OR RECORDING

90.1 TITLE

These regulations are known and referred to as the "Subdivision Regulations of the Village of Niles." A subdivision is the division of a lot into two or more lots, the consolidation of two or more lots, or a change in the boundary of one or more lots. The term subdivision includes resubdivision and lot consolidation.

90.2 PURPOSE AND INTENT

The purpose and intent of these regulations is to control the division and development of land within the Village of Niles in order to promote public health, safety, and welfare. The intent of this Chapter is to accomplish the following:

A. Assure that development sites are suitable for building purposes.

B. Provide for the harmonious development of the Village of Niles.

C. Provide for the orderly and appropriate development of land.

D. Provide facilities for the orderly movement of traffic on streets.

E. Provide for the construction of adequate and safe transportation, water, sanitary sewerage, storm drainage and other public facilities.

F. Provide for the orderly arrangement of streets, public facilities, and public services.

G. Provide for the equitable distribution of the costs and benefits of public works and facilities by requiring that the initial cost of constructing public improvements and facilities in new developments be borne by the developer and not by the taxpayer.

90.3 DEFINITIONS

In the interpretation of these subdivision regulations, the following definitions apply:

Aggregate. Materials such as earth, sand, gravel, crushed stone, slag, or recycled crushed concrete.

Applicant. The owner or owners of land proposed to be subdivided, or a person or agent who has obtained consent to file a subdivision application on behalf of the owner or owners.

Block. A tract of land bounded by streets, or a combination of streets and railroad rights-of-way, or municipal boundary lines.

Bond. Any form of security, including a cash escrow deposit, surety bond, collateral, property or instrument of credit, in an amount and form satisfactory to the Village.

Building. Any structure built for the enclosure, protection, shelter, or support of persons, animals, or property of any kind and which is permanently affixed to the ground. The definition of building does not include fences.

Comprehensive Plan. Village of Niles Comprehensive Plan, as adopted by the Village.

Covenant. A condition in a contract such as a deed or lease, nonperformance or violation of which gives rise to a cause of action for breach

Cul-de-Sac. A dead-end street, typically ending in a circular turnaround.

Discharge Rate. The volume amount of water passing through a given cross-sectional area.

Drainageway. A route or course along which water moves or may move to drain an area.

Easement. A grant by a property owner for the use of a strip or area of land by the Village, a public utility, a corporation, or a person for specified purposes.

Impervious. Any manmade area that does not readily absorb water, retain water, or allow for the penetration of rain into the ground, including but not limited to: building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

Lot of Record. A parcel of land that was lawfully recorded per the requirements of this Ordinance. A tax parcel does not establish a lot of record.

One-Hundred Year Storm Event. A storm event that has a 1% probability of occurring in any given year.

Parcel. A part or portion of land.

Plat. A map, chart, and drawings that are appropriate for recording, and indicate the subdivision, consolidation, or resubdivision of land. Preliminary plats are reviewed and approved by the Village Board. Final plats are plats suitable for recording with the Cook County Recorder of Deeds.

Public Improvements. All improvements for which the Village may ultimately assume the responsibility for maintenance or operation, or which may affect an improvement for which Village responsibility is established. This includes, but is not necessarily limited to, storm drainage, sanitary sewerage and water supply facilities, streets, curbs, gutters, sidewalks, parkways, trees, street lights, street signs, and other accessory works and appurtenances.

Owner. Any person, firm, corporation, or any other legal entity having legal or beneficial title to the land sought to be subdivided under these regulations.

Rational Method. A procedure for calculating peak flows from small drainages less than 300 acres.

Restrictor. A devise installed inside a manhole that limits the amount of storm water runoff entering a storm sewer.

Resubdivision. The division of an existing subdivision into additional lots

Right-of-Way. A strip of land dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities.

Storm water management facilities. Basins, over land flow routes, volume control facilities, cisterns, vaults, compensatory storage areas, and other components as determined by the Village Engineer.

Structure. Anything constructed or erected on the ground or attached to something having a permanent location on the ground including but not limited to buildings, fences, signs, sheds, or similar uses.

Subdivision. The division of a lot into two or more lots, the consolidation of two or more lots, or a change in the boundary of one or more lots.

Utility. All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication, and telephone cable, and includes facilities for the generation of electricity.

Utility, Private. Utilities that are not subject to Village acceptance for operation or maintenance.

Utility, Public. Any person, firm, corporation, municipal department, or board duly authorized to furnish, and furnishing under state or municipal regulations to the public, electricity, gas, steam, communication, telegraph, transportation, or water.

Zoning Ordinance: The officially adopted and amended Zoning Ordinance of the Village of Niles, including the official Zoning Map, and any subsequent amendments.

90.4 SCOPE

A. Jurisdiction

1. These regulations have been enacted by the Village of Niles pursuant to the power and authority granted them by the State of Illinois. These regulations apply to all subdivisions of land located within the Village.

2. This Chapter does not repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this Chapter imposes greater restrictions, the provisions of this Chapter govern.

3. If any provision of this Chapter is deemed invalid or unconstitutional, or if the application of this Chapter to any person or circumstances is deemed invalid or unconstitutional, such invalidity or unconstitutionality does not affect the other provisions or applications of this Chapter which can be given effect without the invalid or unconstitutional provision or application.

B. Applicability

No person may divide, consolidate, or otherwise alter the boundaries of any lot within the Village of Niles except in compliance with these regulations. No permits will be issued by the Village of Niles authorizing the building on, occupancy of, or improvement of any parcel not on record as of the effective date of this Chapter until the requirements of this Chapter have been fully met and an approval of the subdivision issued.

C. Interpretation

In their interpretation and application, the provisions of these regulations are held to be minimum requirements to meet the purpose and intent of these regulations. Where these regulations impose greater restrictions than those of any federal, state, or local statute, regulation, or ordinance, these regulations control. Where the provisions of any federal, state, or local statute, regulation, or ordinance impose greater restrictions, those regulations control.

90.5 GENERAL REQUIREMENTS

A. All lots created by subdivision must conform to the requirements of the Village of Niles Zoning Ordinance including lot dimensions. All lots created by subdivision must also conform to all applicable requirements of the Village Code. An irregularly shaped lot which does not meet dimensional requirements of the zoning district in which it is located shall be prohibited.

B. Every single family home lot created by subdivision must front on a public street and must be substantially similar in shape to those lots on the same block, unless the existing contours of an adjacent street or previously established lot render such shape impractical.

C. Every lot or parcel of land that is subdivided into two or more lots must be so divided that each separate lot contains a relatively straight boundary line between each lot as much as practical.

D. No person may fill, store, or dispose of earth materials, alter an existing land grade, contour, or drainage pattern, or perform any other land disturbing activity without first obtaining a storm water Management Permit.

E. All subdivisions must comply with the applicable provisions of Section 102 of the Village Code and the Cook County Watershed Management Ordinance.

F. Reserved.

G. For residential lots created by subdivision, homes must have downspouts that drain towards the front and/or the rear of the yard in accordance with Chapter 102-Utilities, Division 2-Connections and constructions, Section 102-59 Connecting Downspouts to Sewers of the Village Code.

H. All fences must meet the requirements of Chapter 18, Article IX-Fences of the Village Code.

I. A grading plan and soil erosion control plan meeting the requirements of Chapter 18, Article XI is required for subdivisions.

J. Vacant lots must comply with Chapter 18 Building and Building Regulations, Article XVI-Vacant Lots of the Village Code.

K. A subdivision located in a designated floodplain area must comply with all the requirements of Chapter 50-Floods, Article II-Flood Damage Prevention of the Village Code.

L. Trench excavation for construction of wet and dry utilities must comply with all the requirements of Chapter 86, Article II-Excavations of the Village Code.

M. Commercial or residential driveways in a subdivision must comply with all the requirements of Chapter 86, Article III-Driveways of the Village Code.

N. During subdivision, every effort must be made to protect and retain all existing trees, especially trees with a trunk diameter of six inches or more. Such trees must be protected and preserved during construction in accordance with best management practices. Exceptions must be received in written form from the Director of Public Services or their designee.

90.6 REQUIRED PUBLIC IMPROVEMENTS

A. Rights-of-Way

1. Where lots within a proposed subdivision do not front on an existing public street, the subdivider, at his/her own expense, must provide such streets and sidewalks as required to serve the subdivision and the needs of the area in which it is located. All rights-of-way must comply with the requirements of Chapters 86 and 102 of the Village Code.

2a. Streetlights are required at the corners of all intersecting streets. Installation and maintenance of required streetlights will be the responsibility of ComEd. The subdivider is responsible for coordination with ComEd to insure the installation of required streetlights. Any costs associated with the installation of required streetlights will be the responsibility of the subdivider.

2.b Street signs are required per the Illinois MUTCD. Installation of required street signs will be the responsibility of the subdivider.

3. Sidewalks must comply with the requirements of Chapter 86-Streets, Article V—Sidewalk and Curbing.

Type of Development/Street Classification	Minimum Right-of-Way Width for Public Streets *	Minimum Pavement Width Back-to-Back of Curb *	Intersection Curb Radius
Single- Family Residential Development Local Road	66'	31'	25'
Single- Family Residential / Cul-de-sac Turn Around	100'	73'	
Multi-Family Residential Development / Local Road	66' **	31' **	25'
Multi-Family Residential / Cul-de-sac Turn Around	100' **	73' **	
Business and Industrial Development/Industrial Road.	100'	40'	35'
Business and Industrial Cul-de-sac Turn Around	110'	93'	
Collectors Streets	100'	As determined by the Village of Niles	35'
Arterial Streets	As Determined by IDOT	As determined by IDOT	
Alleys	20'	18'	25'

Notes:

* Variances can be granted by the Director of Public Services.
** Multi-family residential developments shall have off-street parking.

Please see Public Services Engineering Standards for additional information.

B. Utilities

1. The developer must provide underground electric and telecommunication utilities unless specific site conditions make the installation of underground utilities impractical.

2. The water system must be extended or reconstructed for and throughout the entire subdivision in such a manner that each lot within a subdivision is serviced by means of a reliable connection to the Village water system within its own frontage in accordance with Chapter 102 of the Village Code.

3. A complete system of sanitary sewers must be extended or reconstructed for and throughout the entire subdivision in such a manner that each lot within a subdivision may be serviced by means of a reliable connection within its own frontage in accordance with Chapter 102 of the Village Code.

4. A complete system of storm sewers must be extended or reconstructed for and throughout the entire subdivision in such a manner that each lot within a subdivision is properly drained of storm water runoff in accordance with Chapter 102, Article II-Sewer Use of the Village Code.

5. Existing drain tiles that are found on the subdivision during design or construction must be replaced and incorporated into the new site drainage plan or removed and incorporated into the new site drainage system, based upon their existing capacity and capability to properly convey low flow groundwater and upstream flows.

C. Easements

1. Easements must be provided for utility services and drainage including, but not limited to, sanitary sewer, storm sewer, water, gas, telecommunication, cable television, and electric. The location of a utility easement is determined by the appropriate utility company. These easements must be marked "easement for utilities and drainage" on the plat. The applicant must notify the utilities of the

proposed development. Utility company approval of proposed easements is required prior to submittal of a preliminary plat.

2. Easements are reserved for the Village of Niles for the performance of municipal and other governmental services, including water, storm, and sanitary sewer service and maintenance, and to those public utility companies that operate under franchises from the Village of Niles including, but not limited to, Commonwealth Edison Company, Nicor Gas, Comcast, and their successors and assigns.

3. The Village of Niles and public utility companies have the perpetual right, privilege, and authority to construct, reconstruct, repair, inspect, maintain, and operate the variety of utility transmission and distribution systems within such easement, together with right of access across the property for necessary personnel and equipment to do work.

4. Within these easements, the right is also granted to cut down and trim or remove any fences, temporary structures, trees, shrubs, or other plants, without compensation, that interfere with operation of the utilities.

5. No permanent buildings are permitted within the easement, but the easement may be used for gardens, shrubs, landscape, and other purposes that do not interfere with the utility and its maintenance.

6. Easements may be subject to the other regulations of the Village Code.

7. Subdivisions adjacent to another subdivision, parcel, or lot sharing an access road, lane, or driveway must have an ingress/egress easement. This provision does not apply to single-family residential subdivisions.

8. Easements must be laid out to ensure proper continuity for utilities and/or surface water flow. Easements must be designed as follows:

a. Public utility easements must be a minimum of 10 feet wide unless additional width is deemed necessary. In no case can the outside wall of an underground public utility be less than four feet from the easement line. Utility easements may be split across property/lot lines. Wider easements may be required by the Director of Public Services.

b. Pedestrian easements must be a minimum of 10 feet wide.

c. Storm water management facilities (See note below…) must be placed within an easement for storm water management purposes. This easement, as measured from the design high water level, must be a minimum of five feet wider than said level. No other easement can coincide with this storm water management easement.

d. An ingress and egress easement must be granted to the Village for the purpose of inspection and/or maintenance of the detention/retention system, including the control structure . This access must be a minimum of 12 feet wide, and clear of all obstructions.

e. Drainage easements must be provided for any development or improvement which conveys storm water from upstream areas.

f. Any additional easements as directed to be established by the Village. This includes, but is not limited to, easements for existing utilities, overland flow routes, detention/retention facilities, vehicle or pedestrian ingress/egress routes, etc.

g. Sideyard drainage easements shall be required when overland storm water draining multiple lots flows along the lot line between two or more lots. The sideyard easement shall be a minimum of ten feet wide total and may be split across lot lines. No surface improvements shall be allowed in sideyard drainage easements that would impede the overland flow of water.

D. Installation and Bond for Improvements

1. As part of final plat approval, the applicant must enter into an agreement with the Village to install the required improvements at his/her own expense in accordance with the approved plans and specifications and within the time prescribed by the Director of Public Services. The agreement is a condition of final plat approval.

2. The applicant must also furnish a bond, with good and sufficient sureties thereon, in the amount of the cost, as estimated by the Director of Public Services, of the installation of the required improvements. The bond is a condition of final plat approval and is further conditioned upon the installation of such required improvements within two years from the date that the final plat is approved by the Village Board.

3. Prior to the submission of the final plat, the applicant must deposit in escrow with the Village cash in the amount of 15% of the cost of all improvements to be made in accordance with the plans and specifications for required improvements approved by the Village Board. The cost of improvements will be estimated by the Director of Public Services. The applicant must agree that such deposit in escrow may be held by the Village for a period of 18 months after the final completion of such work for the purpose of:

a. Guaranteeing and securing the correction of any defect in material or workmanship of such improvements, latent in character and not discernible at the time of final inspection or acceptance by the Village.

b. Guaranteeing against any damage to such improvements by reason of the settling of the ground, base, or foundation.

4. The escrow agreement must also provide that, if such defects have occurred, then the cash deposit may be applied by the Village for any amounts incurred in correcting such defects, and that the balance of the deposit, if any, still held at the end of the 18 month period will be returned.

E. Design Standards.

1. Site Grading
A. See Chapter 18, Article XI

2. Soil Erosion Control
A. See Chapter 18, Article XI and NPDES ILR10

3. Water System Improvements
A. See Chapter 102

4. Sanitary Sewer Improvements
A. See Chapter 102

5. Storm Sewer Improvements
A. See Chapter 102

6. Storm Water Management Requirements
A. See Chapter 102, Division 4
B. See Metropolitan Water Reclamation District W.M.O.

7. Street Improvements
A. See Chapter 86 and Section 90.6(A) above.

90.7 APPLICATION AND FEES

A. Application

All subdivision applications must be submitted on forms provided by the Village, along with all required fees, plats, and supporting documents to the Director of Community Development.

B. Fees

Fees, as required by the Village's fee schedule, must be paid at the time of submittal of a subdivision application

90.8 APPROVAL PROCEDURE

A. Minor Subdivision

Approval of a minor subdivision requires only a preliminary plat approval by the Director of Community Development. The plat must contain all information required by Section 90.10, unless submittal items are exempted by the Director during the pre-application staff consultation.

1. A pre-application staff consultation with the Director of Community Development is required. The purpose of such staff consultation is to make advice and assistance available to the applicant before formal submittal of the preliminary plat. A sketch plan of the proposed subdivision is required. The sketch plan may show in simple sketch form the proposed layout of lots and other features in relation to existing conditions. During the staff consultation, the Director of Community Development will determine if the proposed subdivision is exempt from any items required in the preliminary plat submittal of Section 90.10.

2. A preliminary plat for a minor subdivision must be submitted to the Director of Community Development. The Director of Community Development may consult with the Department of Public Services to review the preliminary plat.

3. The Director of Community Development must review of the preliminary plat within 30 days of the date the submittal is deemed complete. The Director of Community Development will review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the site plan.

4. When a preliminary plat is approved without conditions, the preliminary plat is appropriate for preparation as a final plat. When a preliminary plat is approved with conditions, the applicant must revise the plat, including all revisions based on such conditions, and present such revised plat to the Director of Community Development for approval. Following approval of all revisions, the plat is considered the final plat.

5. If the Director of Community Development denies preliminary plat, the applicant may appeal the decision to the Planning and Zoning Board within 30 days of the date of the final decision.

B. Major Subdivision

Approval of a major subdivision includes a staff consultation, preliminary plat approval, and final plat approval. The plat must contain all information required by Section 90.10.

1. Staff Consultation

a. The applicant must submit a copy of the preliminary plat to the Director of Community Development, who will consult with the Department of Public Services, for review to determine if the proposed plat meets all subdivision requirements.

b. The purpose of such staff consultation is to make advice and assistance available to the applicant before formal submittal of the preliminary plat to the Planning and Zoning Board.

c. The Director of Community Development will prepare a written letter after review that details any deficiencies, and will forward to the applicant so that he/she may prepare a revised plat for submission. Upon receipt of the review comments, it is the responsibility of the applicant to ensure that all technical deficiencies are corrected.

d. The staff conference requires submittal of five copies of the proposed preliminary plat, but does not require a formal application, fee, or filing of an application.

2. Preliminary Plat Recommendation by Planning and Zoning Board

a. The Planning and Zoning Board will consider the preliminary plat at a public meeting within 60 days of receipt of a complete subdivision application. A complete subdivision application requires the following:

i. 15 hardcopies and one digital copy of the preliminary plat, with information as required in Section 90.10

ii. Subdivision application

iii. Fee

b. The Planning and Zoning Board will forward its recommendation of approval or denial of the subdivision application to the Village Board.

3. Preliminary Plat Approval by Village Board

a. The Village Board, within 60 days of receipt of the Planning and Zoning Board recommendation, and without further public hearing, may approve, approve with modifications, or deny the subdivision application.

b. When a preliminary plat is approved without conditions, such plat is appropriate for preparation as a final plat. When a preliminary plat is approved with conditions by the Village Board, the applicant must revise the plat, including all revisions based on such conditions, and present such revised plat to the Village Board for approval. Following approval of all revisions, such plat is considered the final plat.

c. Before the plat is approved as a final plat by the Village Board, the owner must make all payments of any and all taxes and special assessments levied against the property being platted. In vacating subdivisions previously platted, the petitioner must submit evidence of the payment of all taxes and special assessments levied against the property in the same manner as is required for subdividing.

4. Recording of Final Plat

a. Following approval of the plat by the Village Board and/or approval of revisions to the plat based on conditions imposed by the Village Board, the final plat may be recorded. The Department of Public Services will record the final plat with the Cook County Recorder of Deeds. One copy of the recorded document must be deposited with the Village, and will become the property of the Village, with all fees of such copies being the responsibility of the applicant.

b. The final plat must be recorded within 60 days of Village Board approval of the final plat, unless the applicant requests an extension of time in writing and such extension is agreed to by the Village Board. The plat approval will expire if the final plat is not recorded in such timeframe, including any agreed upon extensions of time,

c. No building permits will be issued until the final plat has been recorded with the Cook County Recorder of Deeds and a copy of the recorded document deposited with the Village. However, in cases where the plat requires consolidation of lots, a permit may be issued prior to the Village Board approval described in item C above.

90.9 EXCEPTIONS

A. The Planning and Zoning Board may recommend and the Village Board may grant exceptions to the standards and requirements of this Chapter, including applicable referenced sections of the Village Code, where there are particular difficulties or unnecessary hardships in the way of carrying out the strict letter of said standards and requirements.

B. However, in no case may an exception to any requirement of the Zoning Ordinance be granted as part of subdivision approval; exceptions to the Zoning Ordinance must be granted as administrative exceptions or variations as per the Zoning Ordinance.

C. In considering requests for exceptions, the Planning and Zoning Board may recommend and the Village Board may impose additional conditions as deemed necessary to protect the public health, safety, and welfare.

90.10 PLAT REQUIREMENTS

A. Every preliminary and final plat must be prepared by and under the seal of a registered Illinois land surveyor. In addition to any additional information and plans required by Sections 90.5 and 90.6 of this Chapter, every subdivision plat, preliminary and final, requires the following:

1. The plat must be drawn at a scale of one inch equals 100 feet or larger, unless the Director of Community Development requires a different scale.

2. The name of the subdivision and the legal description thereof including the section, township, and range where the subdivision is located. The name cannot duplicate or resemble the name of any existing subdivision within the Village.

3. The name of the owners of all lots comprising the subdivision, including the name and address of the individual(s) or financial institution to whom the tax bill is mailed. Proof of ownership of the parcel and applicant's interest is also required. The names of all parties with beneficial interest in trusts and options to purchase must be included.

4. The name of the registered land surveyor who prepared the plat. The surveyor preparing the plat must certify on the face of the plat that it is a correct representation of all existing land divisions and features and that he/she has fully complied with the requirements of this Chapter.

5. The date of preparation and the northpoint.

6. An identification clearly stating that the plat is a preliminary or final plat.

7. All lot numbers and lot lines with accurate dimensions and bearings (recorded and measured) in feet and hundredths, and all permanent index numbers.

8. The total area in square feet of each lot.

9. The boundary of the plat, and all necessary dimensions and bearings (recorded and measured), both linear and angular. Linear dimensions in feet and hundredths and all deflection angles, radii, arcs, and interior angles of all corners along the property line of each street. Dimensions and traverse points to establish point of beginning must be shown.

10. The exact location, name, and right-of-way widths of all existing streets and alleys, and the exact location of all existing crosswalks. Subdivisions with new rights-of-way must also include the width of all streets and crosswalks to be constructed, and the proposed name of streets, which cannot duplicate or resemble the name of any existing street within the Village and any area that is serviced by the Niles Fire Department.

11. The exact location and width of permanent easements, and any railroad, public service, and utility areas, including the exact location and structure footprint of any existing and proposed utility poles or structures.

12. The exact location of all existing and proposed parkway trees.

13. A statement of dedication properly conveying all lands dedicated for such public uses as streets, roadways, alleys, parks, or any other public use.

14. The exact location of all monuments, boundary markers, and fences. Property corners shall be marked by iron pipes and/or concrete monuments.

15. Identification of any existing structures and a narrative describing what will be removed and what will remain.

16. Topographic data, including existing contours at vertical intervals of not more than one foot, and all watercourses, marshes, or other significant drainage features and the direction of drainage flow.

17. Floodplain boundary, zone, and based flood elevation.

18. All restrictions which will run with the land and covenants, or references to covenants where declared separately.

19. The following additional requirements must appear on the final plat:

a. Tax bill information

b. After recording contact

c. Permanent index number

20. Any other information or data the Director of Community Development, Planning and Zoning Board, or Village Board, upon review, may require.

B. The following certifications must appear on the final plat. Required language for such certificates is available from the Village's Public Services Department.

1. Owner's certificate and notary certificate

2. Certificate indicating approval by the Planning and Zoning Board

3. Surveyor's certificate

4. Certificate regarding flood hazard

5. County Clerk's certificate

6. Village Engineer's certificate

7. Village Board's certificate

8. Recorder's certificate

9. Village Treasurer's certificate

10. Road certificate(s), if/when applicable

11. State of Illinois certificate, if/when applicable

12. Surface water statement, if/when applicable

13. Mortgage holder certificate, if/when applicable

14. Utilities certificate, if/when applicable

15. Village of Niles Health Department certificate, if/when applicable

90.11 ILLEGAL SALES AND/OR RECORDING

A. Illegal Sale

Any person who sells, offers for sale, or leases any lot within the Village before all of the requirements of these regulations are met, before the lot or the subdivision containing such lots has been approved by the Village Board, and/or before the lot has been properly recorded as a lot of record within a legal subdivision with the Cook County Recorder of Deeds, is in violation of these regulations and the Village and/or any interested persons are authorized to prosecute such person and institute proceedings to have the conveyance of the illegal lot declared to be a nullity and stricken from the records of the Recorder of Deeds or the Cook County Registrar of Titles. The developer and entity that sells a lot in violation of these regulations is jointly and severally liable together with the current owner of the lot.

B. Illegal Recording

No subdivision within the Village is entitled to record the final plat with the Cook County Recorder of Deeds or the Cook County Registrar of Titles until it has been approved in accordance with these regulations. In the event that an unapproved subdivision is recorded, it is invalid and the Village and/or any interested person is authorized to institute proceedings to have the plat stricken from the records of the Cook County Recorder of Deeds or Cook County Registrar of Titles.

C. Permits

1. No permits of any kind shall be issued until a subdivision is in full compliance with all Village codes.
2. No permits of any kind shall be issued until payment of all fees owed to the Village, including legal fees incurred by the Village, have been paid.

THE VILLAGE OF
NILES
It's possible here

COMMUNITY DEVELOPMENT

MAYOR
Andrew Przybylo

VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

TRUSTEES
George D. Alpogianis
John C. Jekot
Joe LoVerde
Danette O'Donovan Matyas
Denise McCreery
Dean Strzelecki

To: Mayor Andrew Przybylo and Village Board
Copy: Village Manager Steve Vinezeano
From: Charles Ostman, Director of Community Development
Date: May 5, 2016
Re: 3 items for your attention regarding the proposed new zoning and subdivision ordinances, as recommended by the Plan Commission and Zoning Board of Appeals.

Throughout the process to draft the proposed new zoning and subdivision ordinances, the relationship between the Plan Commission and Zoning Board of Appeals has been excellent. We have had many discussions about what these updated rules should be to best serve the interests of the Village. On almost every topic included in the draft rules that will be presented to you in June there is complete agreement between the members of the Plan Commission and the professional staff in the Community Development Department. In short—both the Plan Commission and our staff recommend that you approve the documents as presented to you, with one small caveat, as explained below.

As might be expected, in draft documents as lengthy and detailed as the proposed new ordinances—and in documents which cover such a wide and important range of topics—a few differences of opinion regarding what are the 'best rules' should be expected. And in fact on a very small number of items, there are some disagreements between what the Plan Commission is recommending (…as is shown in the draft documents that are being presented to you…) and what Community Development Department staff believes should be included.

This memo is intended to briefly outline for you this small number of issues where there is disagreement between Community Development Department staff and the Plan Commission. These items are shown in your draft ordinances in red-line so you can easily see them. A brief description of each item—and the concerns that staff have—is provided below. Please feel free to contact me or the members of the Plan Commission to discuss any of these items in further detail.

Item One: Bulk Regulations to Control the Size of Buildings

At the recommendation of the Plan Commission, the draft rules that are being presented to you eliminate some regulations that would control the size—or bulk—of new buildings in residential areas. Currently, the Village uses 'Floor-Area Ratio' in addition to height and set-back requirements to insure that new homes are not 'overly-large' or out-of-character with the surrounding community. We have found that these rules have worked well since we adopted

them over a decade ago—they have allowed larger new homes while preventing homes that dwarf their neighbors.

The consultants at Camiros recommended new regulations to control the size of new buildings in the community. Specifically, Camiros recommend eliminating the Floor-Area Ratio method to control the size of new homes and replacing it with a 'maximum building coverage' requirement. (Note: Yard requirements and height limits are proposed to continue to be used to control building 'bulk'…) The use of 'building coverage' limits to regulate the 'bulk' of new homes is typical in other communities in the area and has been proven to work well. (It is also considered to be a more appropriate method to regulate single-family residential development…since Floor-Area Ratio is more typically used to regulate office or apartment buildings…). Community Development Department staff were—and are—comfortable with the proposed new regulations as recommended by Camiros.

The Plan Commission, however, discussed this topic and voted 7-0 to eliminate the Floor-Area Ratio regulation—as recommended by the consultants at Camiros—but to *not* add a replacement regulation—building coverage. In effect, the Plan Commission is recommending the elimination of Floor-Area Ratio to control the bulk of new single-family homes but is not recommending the addition of 'building coverage' rules as a replacement limit. Instead—the Plan Commission is recommending that only two controls be kept in place in the new zoning ordinance to control the size of new single-family homes: yard requirements and building height.

Community Development staff fear that using only those two regulations—building height and yard requirements—may allow overly-large homes that could dominate their surroundings in a way that we believe should be avoided. We respect the opinion of the Plan Commission that the two regulations are sufficient, but we respectfully bring this issue to your attention so that you are aware of it. Community Development Department staff continue to believe that a third regulation to control the size of new single-family homes should be included in the new zoning ordinance—either 'building coverage' as recommended by the consultants at Camiros or 'Floor-Area Ratio as we have been using successfully for over a decade.

The regulation in question can be found in red-line on page 4-2 in Table 4-1, where you will see "Maximum Building Coverage' shown in redline as being eliminated as recommended by the Plan Commission.

Item Two: Accessory Dwelling Units

Currently, the Village of Niles does not allow residents to construct a 'granny-flat' or an 'accessory dwelling unit' in their garage. The Plan Commission is recommending that such dwelling units be 'special uses' (…requiring a special use permit…) in the R-1 and R-2 zoning districts. The language recommended by the Plan Commission states that such units could be located within a detached structure—such as a garage—or be constructed within the house itself, such as in the basement, the attic, or perhaps within an addition. Community Development Department staff respect the recommendation of the Plan Commission to allow such 'accessory dwelling units' within the community as 'special uses', but we have serious concerns about such dwelling units increasing the density of housing within established single-family neighborhoods, and about the potential for parking, noise and other impacts that such housing—and the residents of such housing—could have on the adjacent neighbors. For these reasons, we bring to your attention the language that can be found in redline on page 9-11.

Item Three: Roof-top Decks on Accessory Structures.
Currently, the Village of Niles does not allow roof-top decks. The Plan Commission has recommended that roof-top decks be allowed in the single-family and duplex zoning districts if they are located on the side or rear of the house and only on top of one-story portions of the home—such as on top of a one-story addition. They would not be allowed on top of a second-story. Community Development Department staff is comfortable with and in agreement with these proposed rules, as proposed by the Plan Commission.

However, the proposed rules for roof-top decks *also* would allow roof-top decks to be located on detached accessory buildings—such as a detached garage—in one of the 'small lot' single-family residential zoning districts—the R-2-35 zoning district. (Note: This R-2-35 zoning district is a new zoning district that is being created for those smaller lots on the Village's southern end—such as for lots along Albion and for lots in the Ebinger/Forest View/Rosemary/Riverview area.) As such, residents on lots that are zoned 'R-2-35' (…which are the smaller lots within the Village…), would be able to have a deck on top of their detached garage.

Community Development Department staff respect that this is the recommendation of the Plan Commission, but we have concerns about the impacts such roof-top decks on detached garages could have on adjacent neighbors. For this reason, staff believes that such roof-top decks on detached accessory structures should not be allowed.

The language in question can be found on in redline on Page 9-5 under Item E-3(6).

Other items for the Village Boards Information:

1. Special Uses
   Please note that we have been advised by legal counsel that land-uses that are designated as 'special uses' in a zoning ordinance—in Niles and anywhere in Illinois—are *more similar to* 'permitted uses' than we previously thought. In the past, the Village has categorized some undesirable land-uses as 'special' uses under the belief that the Village could easily deny proposals for such uses. We have learned that legislation and court cases have clarified that special uses—while they may be scrutinized more than a 'permitted use'—are more like 'permitted uses' that require a public hearing and neighbor notifications—but they cannot easily be denied without a substantial finding. For this reason, the proposed new 'Use Table' shows that some land-uses—such as pawn brokers—are prohibited rather than, as the Village might have done in the past, listing such uses as 'special'.

2. Non-Retail Uses Prohibited Near Commercial Corners
   Please note one additional important change that is included in the proposed new zoning ordinance: Section 5.2(A)(3)—located on page 5-1 of the draft new ordinance—specifically *prohibits* non-retail uses on the ground floor of building located within 250 feet of a commercial corner. This important new rule will help the Village keep non-sales-tax businesses from locating in highly visible and valuable 'corner' locations so that such locations are reserved for sales-tax generating uses.

camiros

consultants in planning, zoning, economic development, urban design & landscape architecture

To: Village of Niles
From: Camiros
Date: March 29, 2016
Re: Buiding Coverage

Village of Niles | Building Coverage Analysis

Maximum building coverage percentages regulate the size of principal buildings and accessory structures on a lot. Working together with impervious surface maximums, building coverage maximums are intended to encourage a context and balance in the size of structures and the amount of impervious surface on a lot, based upon the existing character of a residential district. In considering the removal of building coverage regulations, it is important to consider both the potential impacts on neighborhood character, and the impacts of larger structures in the context of existing residential dwellings, particularly as they relate to light, air, and open space.

To demonstrate the impacts of removing building coverage maximums in Niles' residential districts, two scenarios were modeled:

- Redevelopment occurring on a single lot in an established R-2 District neighborhood, subject to bulk and height standards except a building coverage maximum.
- Redevelopment occurring on an assembled double lot in an established R-2 District neighborhood, subject to all bulk and height standards except a building coverage maximum.

Process

Village GIS information and aerial photography were used to draw existing lots and building footprints to scale, using the eastern blockface of the block located to the northwest corner of the intersection of Oleander Avenue and Jonquil Terrace in the Village. Slight irregularities in the sample lots were adjusted to reflect a standard size of 6,750 square feet – 50 feet wide and 135 feet deep. Heights of existing buildings were estimated based on photographs of the blockface.

Proposed new residential development was built to the maximum height allowable, using the established building height setback plane regulations. Principal building footprints were established as the maximum allowable based upon impervious surface maximums, after providing necessary access to detached garage structures typical to the block. Basic articulation was assigned based upon the features of existing structures, and to give the proposed development a suggestion of form related to its size.

Findings

The impacts of removing a building coverage maximum can be seen in the analysis graphics on the following pages. In short, the potential for new residential development to disrupt established neighborhood character is a concern when maximum percentages for building coverage are removed. Building coverage maximum and impervious surface maximum regulations are designed to work together, and allowing building footprints to enlarge to the maximum allowed under the impervious surface controls creates possible building forms that may be out of scale with the neighborhoods they occupy. This is more evident in the case of redevelopment on a double lot, but nonetheless can also be seen in the case of new residential development on an existing single-lot in a residential neighborhood.
In our analysis, based upon existing development in Niles, the four lots representing existing development contain principal buildings that are a minimum of 1,100 square feet in size, and a maximum of 1,385 square feet. The detached garage and shed structures on these lots were also measured, and building coverage was calculated for each. The highest percentage of building coverage measured on one of these existing lots was 32%. With no building coverage maximum, the proposed single lot development was able to achieve a principal building footprint of 2,120 square feet, nearly 1,000 square feet larger than the biggest existing structure in our sample of lots. Combined with a detached garage, this proposed development sits at 39% building coverage and 60% impervious surface coverage.

A couple of important notes:

- The 4% by which the building coverage in our proposed development exceeds the recommended 35% maximum represents 270 square feet on a lot that is 6,750 square feet in size.
- 35% building coverage is, in fact, generous in comparison to the existing development evaluated in our analysis.
- Assuming an attached garage of 500 square feet (typical for the block we measured), a new home would be able to occupy a footprint of approximately 1,860 square feet – significantly larger than the largest existing structure in our sample at 1,385 square feet.

In evaluating potential redevelopment on a double lot, the implication of removing the building coverage maximum becomes more evident. Meeting the setback and height requirements, and providing a generous detached garage, a principal residential building is able to achieve a footprint of over 5,000 square feet, significantly out of scale with the existing residential character of the R-2 District neighborhood. With a building coverage maximum of 35% in place, such a structure would be required to be over 1,000 square feet smaller. The visual impact of these potential redevelopment types can be seen in the graphics included on the following pages.

Similar Communities

For reference purposes, the following table shows how building bulk is controlled in other suburban communities. The districts sampled were similar in size to the Niles R-2 District. In some cases, this is controlled through FAR, which does work to control overall volume though is not as contextually effective for single-family neighborhoods but nonetheless serves to control building coverage. Many of the communities sampled used FAR combined with building coverage maximums, which is a more complicated and restrictive approach than that proposed in the Niles Zoning Ordinance draft.

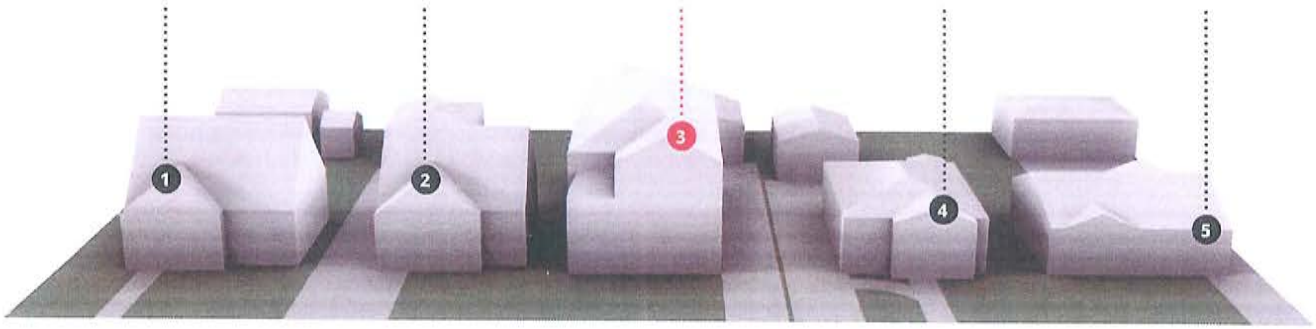
Community	Building Coverage Maximum	FAR
Arlington Heights	6,000 SF or greater: 35% Less than 6,000 SF: 40%	8,750 SF or less: 0.45 Greater than 8,750 SF: 3,938 + [(Lot Area – 8750) x 0.4]
Barrington	35%	0.5
Carpentersville	30%	0.4
Des Plaines	Interior: 30% Corner: 35%	--
Fox Lake	30%	--
Gurnee	35%	--
Hoffman Estates	--	0.2 or less
La Grange Park	Interior Lot: 30% Corner Lot: 35%	--
Lincolnwood	35%	SF detached, lot size greater than or equal to 6,000 SF: 0.6 SF detached, lot size < 6,000 SF or total floor area < 3,600 SF: 0.66
Mount Prospect	--	0.5
Mundelein	Interior Lot: 35% Corner Lot: 45%	--
Park Ridge	35%	0.45
Schaumburg	--	0.32
Skokie	40%	0.6
Streamwood	35%	0.4
Wilmette	(((0.5-(Lot Area/80,000))/1.38)) x Lot Area, not to be less than 20%	((0.5-(Lot Area/80,000))) x Lot Area, not to be less than 30%
Morton Grove	--	0.6

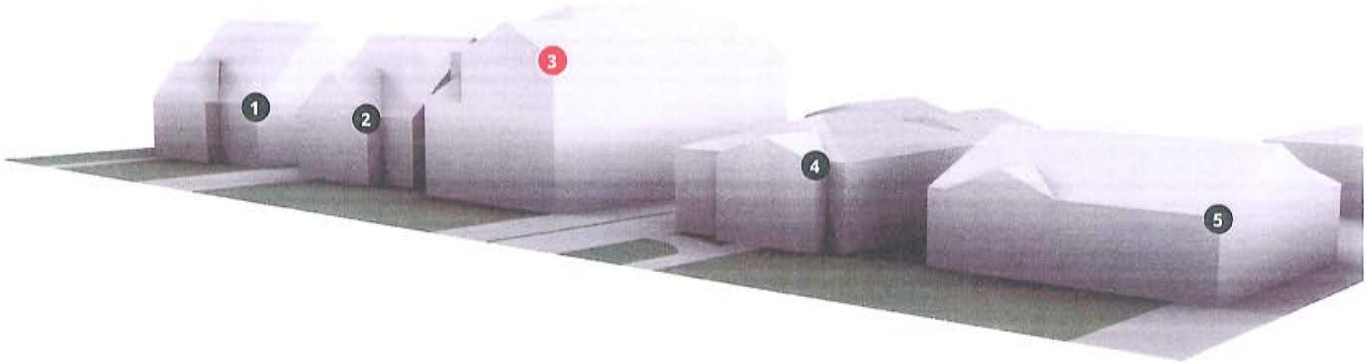
Building Coverage Analysis: Single Lot in R-2 Residential Neighborhood

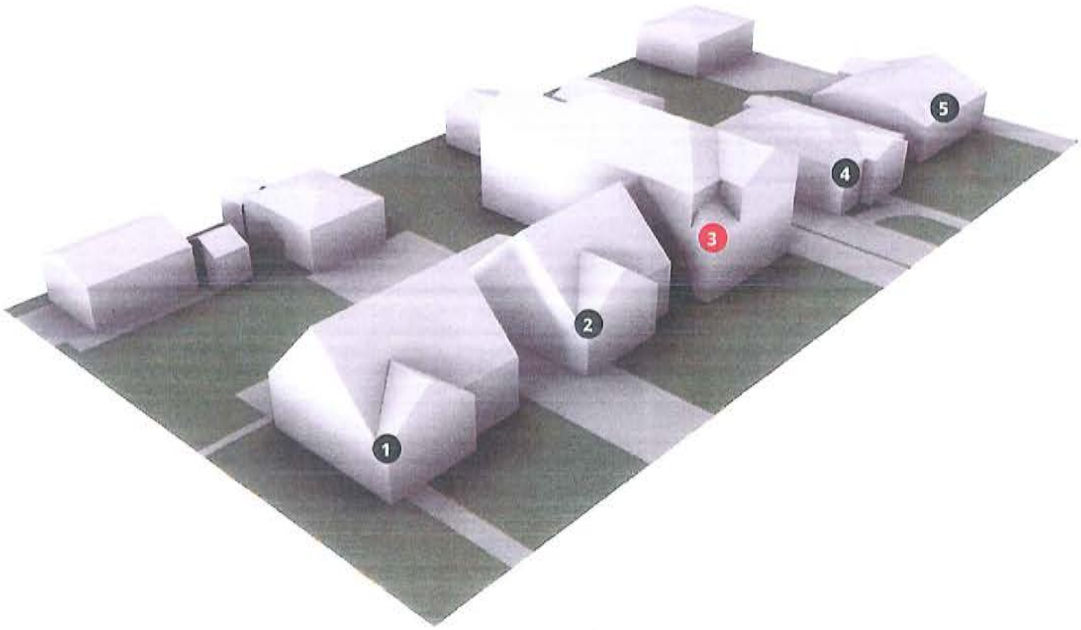
What it is: Analysis was conducted using a portion of an existing R-2 Blockface in the Village of Niles, to visually communicate the potential impact of removing maximum building coverage standards on residential development/redevelopment. Existing development was interpreted from aerial photographs and drawn to scale. Lots 1, 2, 4, and 5 represent existing development. Lot 3 (red) represents potential development with no building coverage maximum, governed by required setbacks, maximum height, and impervious surface controls (60% Maximum).

What it looks like:

Lot 1	Lot 2	Lot 3	Lot 4	Lot 5
Building Coverage: 25%	Building Coverage: 27%	Building Coverage: 39%	Building Coverage: 26%	Building Coverage: 32%
Impervious Surface: 36%	Impervious Surface: 59%	Impervious Surface: 60%	Impervious Surface: 54%	Impervious Surface: 59%
Princ. Bld. Footprint: 1,100sf	Princ. Bld. Footprint: 1,150sf	Princ. Bld. Footprint: 2,120sf	Princ. Bld. Footprint: 1,245sf	Princ. Bld. Footprint: 1,385sf

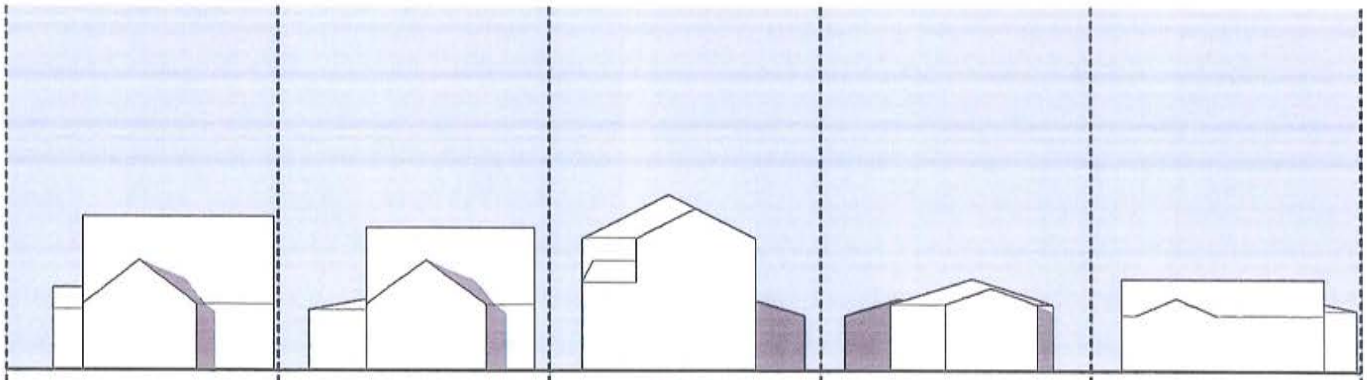




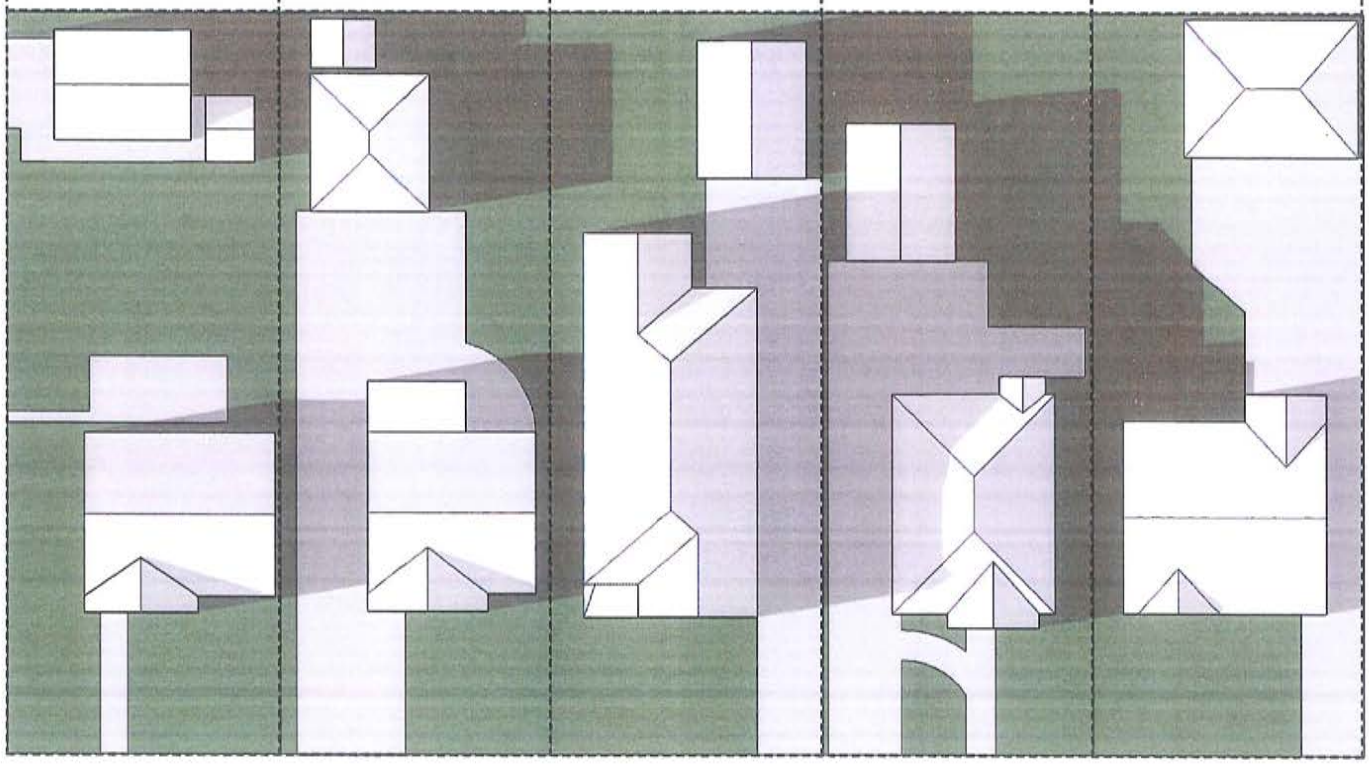


Building Coverage Analysis: Single Lot in R-2 Residential Neighborhood

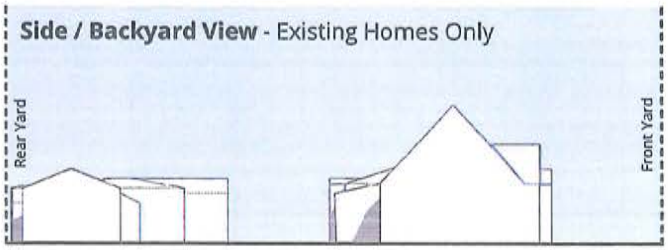
Demonstrating impact of removing building coverage maximum on new development occuring in existing residential neighborhoods on single lots. Modeled based upon existing R-2 development pattern as seen on the eastern blockface of block located NW corner of Oleander Avenue/Jonquil Terrace. Lots are standardized to 50' x 135' (6,750sf) based on survey of block. "New" (example) development is designed to meet required setbacks, height, and impervious surface maximum.



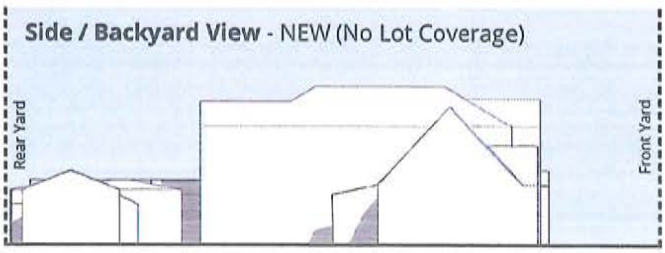
Lot 1 - Existing	Lot 2 - Existing	Lot 3 - NEW	Lot 4 - Existing	Lot 5 - Existing
Building Coverage: 25%	Building Coverage: 27%	Building Coverage: 39%	Building Coverage: 26%	Building Coverage: 32%
Impervious Surface Coverage: 36%	Impervious Surface Coverage: 59%	Impervious Surface Coverage: 60%	Impervious Surface Coverage: 54%	Impervious Surface Coverage: 59%
Principal Building Footprint: 1,100sf	Principal Building Footprint: 1,150sf	Principal Building Footprint: 2,120sf	Principal Building Footprint: 1,245sf	Principal Building Footprint: 1,385sf



Side / Backyard View - Existing Homes Only



Side / Backyard View - NEW (No Lot Coverage)



Building Coverage Analysis: Double Lot Redevelopment in R-2 Neighborhood

What it is: Analysis was conducted using a portion of an existing R-2 Blockface in the Village of Niles, to visually communicate the potential impact of removing maximum building coverage standards on residential development/redevelopment on an assembled double lot. Existing development was interpreted from aerial photographs and drawn to scale. Lots 1, 2, and 4 5 represent existing development. Lot 3 (red) represents potential redevelopment on a double lot with no building coverage maximum, governed by required setbacks, maximum height, and impervious surface controls (60% Maximum).

What it looks like:

Lot 1

Building Coverage: 25%
Impervious Surface: 36%
Princ. Bld. Footprint: 1,100sf

Lot 2

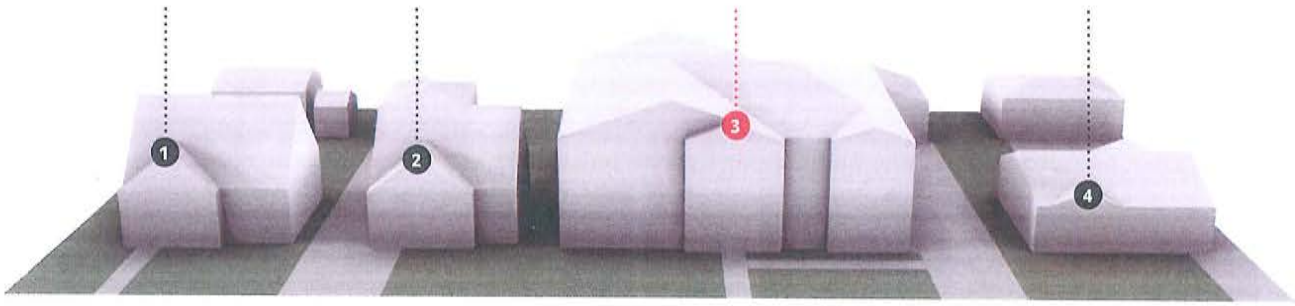
Building Coverage: 27%
Impervious Surface: 59%
Princ. Bld. Footprint: 1,150sf

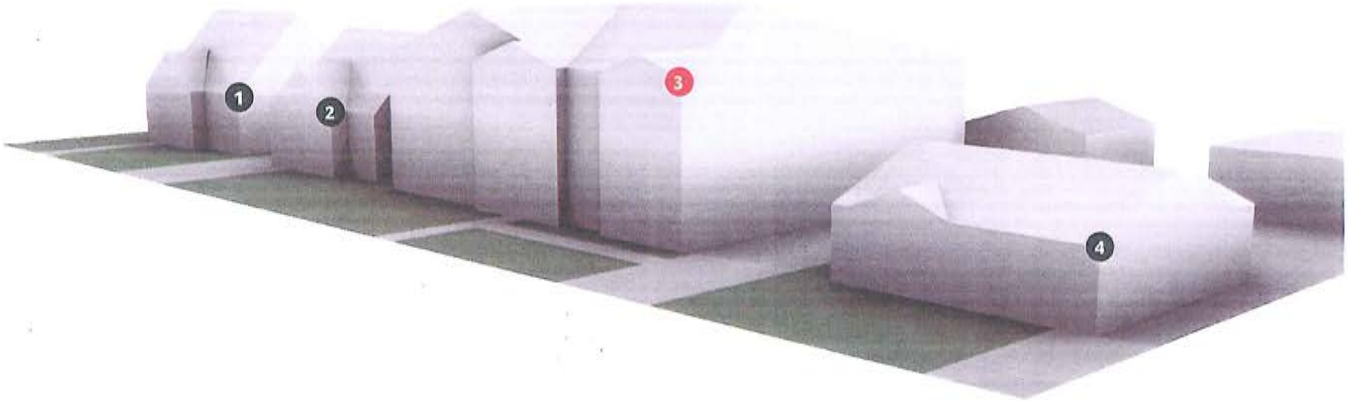
Lot 3

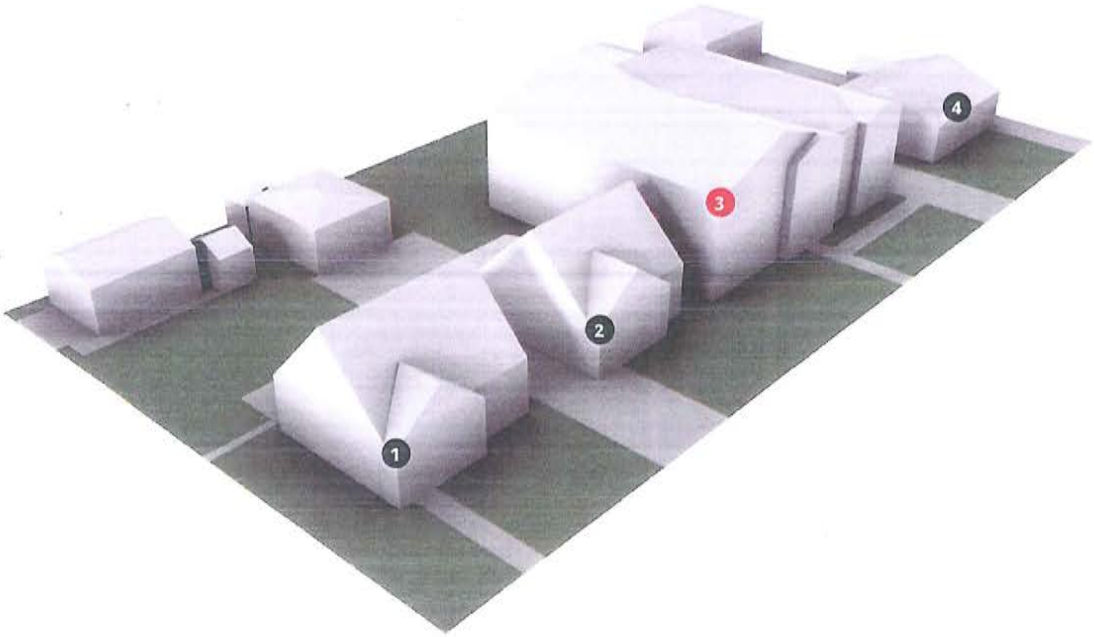
Building Coverage: 43%
Impervious Surface: 60%
Princ. Bld. Footprint: 5,145sf

Lot 4

Building Coverage: 32%
Impervious Surface: 59%
Princ. Bld. Footprint: 1,385sf

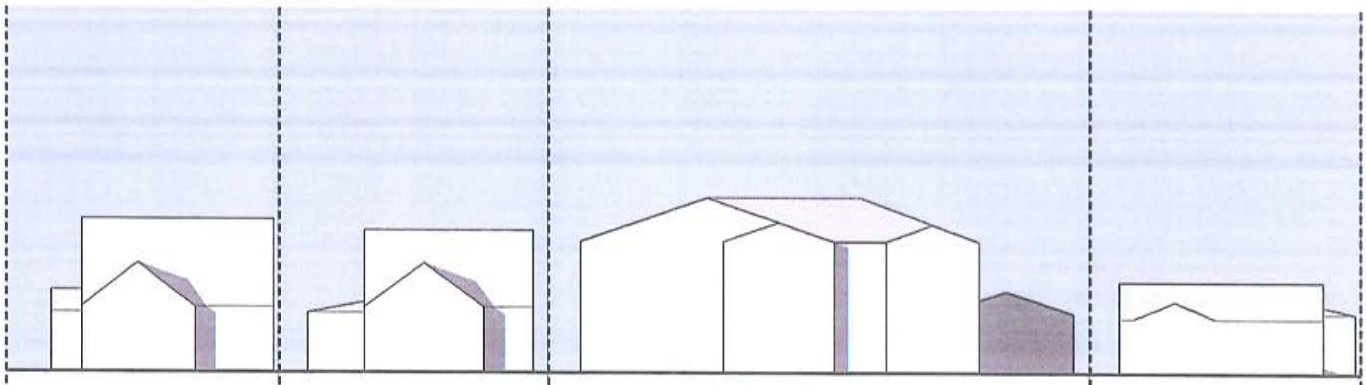






Building Coverage Analysis: Double Lot Redevelopment in R-2 Neighborhood

Demonstrating impact of removing building coverage maximum on new development occuring in existing residential neighborhoods on an assembled double lot. Modeled based upon existing R-2 development pattern as seen on the eastern blockface of block located NW corner of Oleander Avenue/Jonquil Terrace. Lots are standardized to 50' x 135' (6,750sf) based on survey of block. Double lot established at 100' x 135' (13,500sf). "New" (example) development is designed to meet required setbacks, height, and impervious surface maximum.



Lot 1 - Existing

Building Coverage: 25%

Impervious Surface Coverage: 36%

Principal Building Footprint: 1,100sf

Lot 2 - Existing

Building Coverage: 27%

Impervious Surface Coverage: 59%

Principal Building Footprint: 1,150sf

Lot 3 - NEW - Double Lot

Building Coverage: 43%

Impervious Surface Coverage: 60%

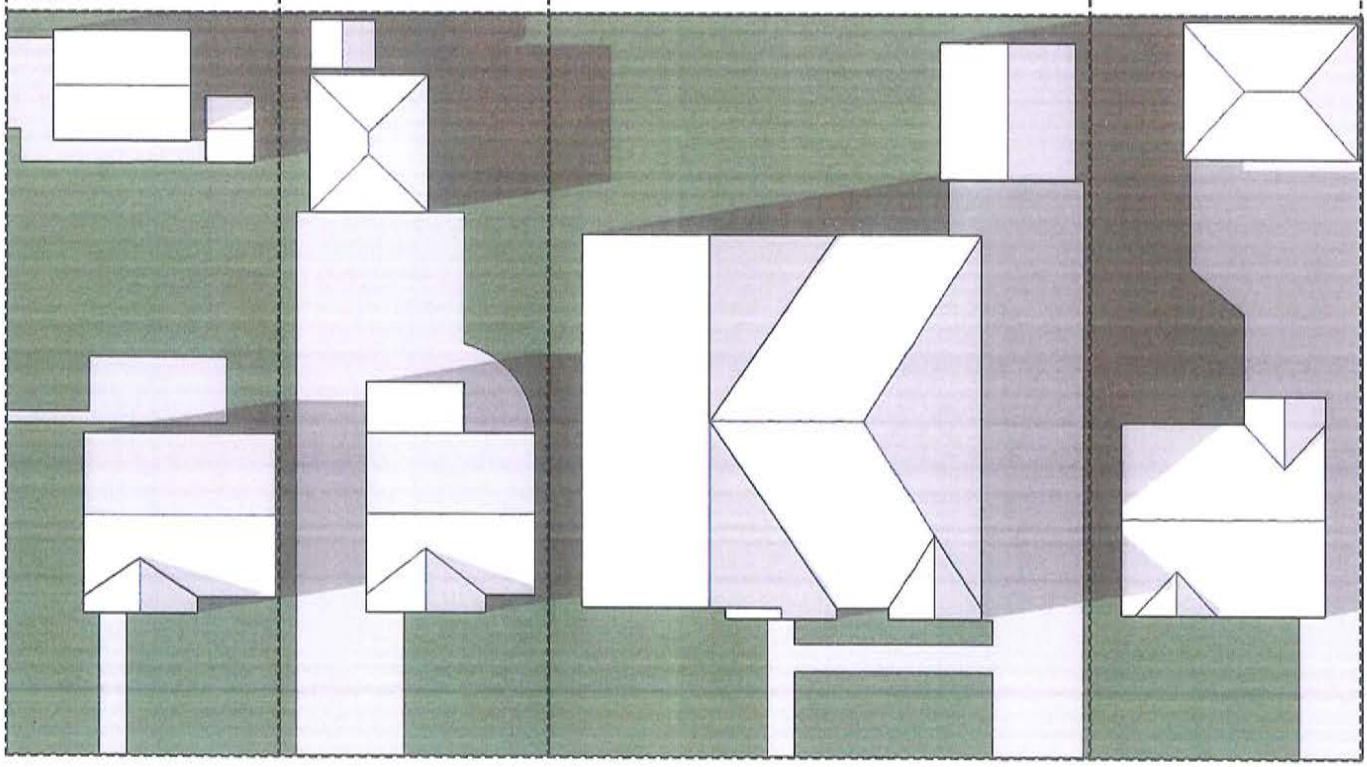
Principal Building Footprint: 5,145sf

Lot 4 - Existing

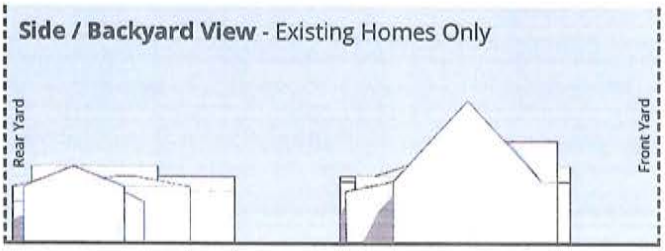
Building Coverage: 32%

Impervious Surface Coverage: 59%

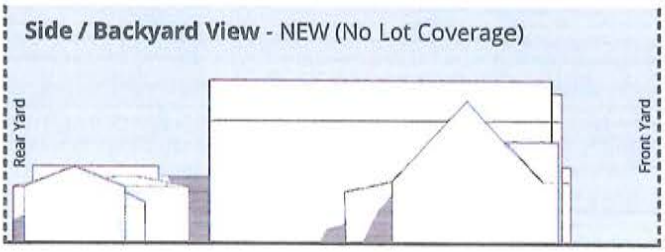
Principal Building Footprint: 1,385sf



Side / Backyard View - Existing Homes Only



Side / Backyard View - NEW (No Lot Coverage)



BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Amending the Niles Code of Ordinances Appendix B Zoning Ordinance (16-ZP-15)

Meeting Date	6/28/2016	Item Number	**4**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Exhibit	Exhibit 1 - Zoning Code
	Backup Material	Memo With Community Development Staff Concerns For 3 Items In Proposed New Zoning Ordinance
	Backup Material	Camiros Memo Explaining Bulk Regulation Concerns
	Minutes	Minutes 2016-05-23

MOTION

I move for Board approval of an Ordinance amending the Niles Code of Ordinances Appendix B Zoning Ordinance.

REASON FOR REQUEST / BACKGROUND

This Ordinance is to repeal in its entirety the current Village of Niles Code of Ordinances Appendix B Zoning Ordinance and to replace it with the newly proposed ordinance.

The Plan Commission voted 6-0 to recommend approval at their public hearing on May 23, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#

ACCT#

Total Amount for Approval

Budget Amount

Variance

ORDINANCE 2016-

ORDINANCE TO AMEND APPENDIX B ZONING ORDINANCE, TO THE NILES CODE OF ORDINANCES, VILLAGE OF NILES

NOW, THEREFORE, BE IT ORDAINED, by the President and the Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: Upon the effective date of this Ordinance, Appendix B Zoning Ordinance, of the Niles Code of Ordinances, is deleted in its entirety and replaced with the newly proposed ordinance Appendix B Zoning Ordinance.

SECTION 2: Appendix B Zoning Ordinance shall be added as found in Exhibit 1 which is made a part of this ordinance and is incorporated by reference.

SECTION 3: The provisions of this Ordinance are hereby declared to be severable. If any of these sections, provisions, sentences, clauses, phrases, or parts are held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 4: That all ordinances or parts of ordinances in conflict are hereby repealed to the extent of any such conflict.

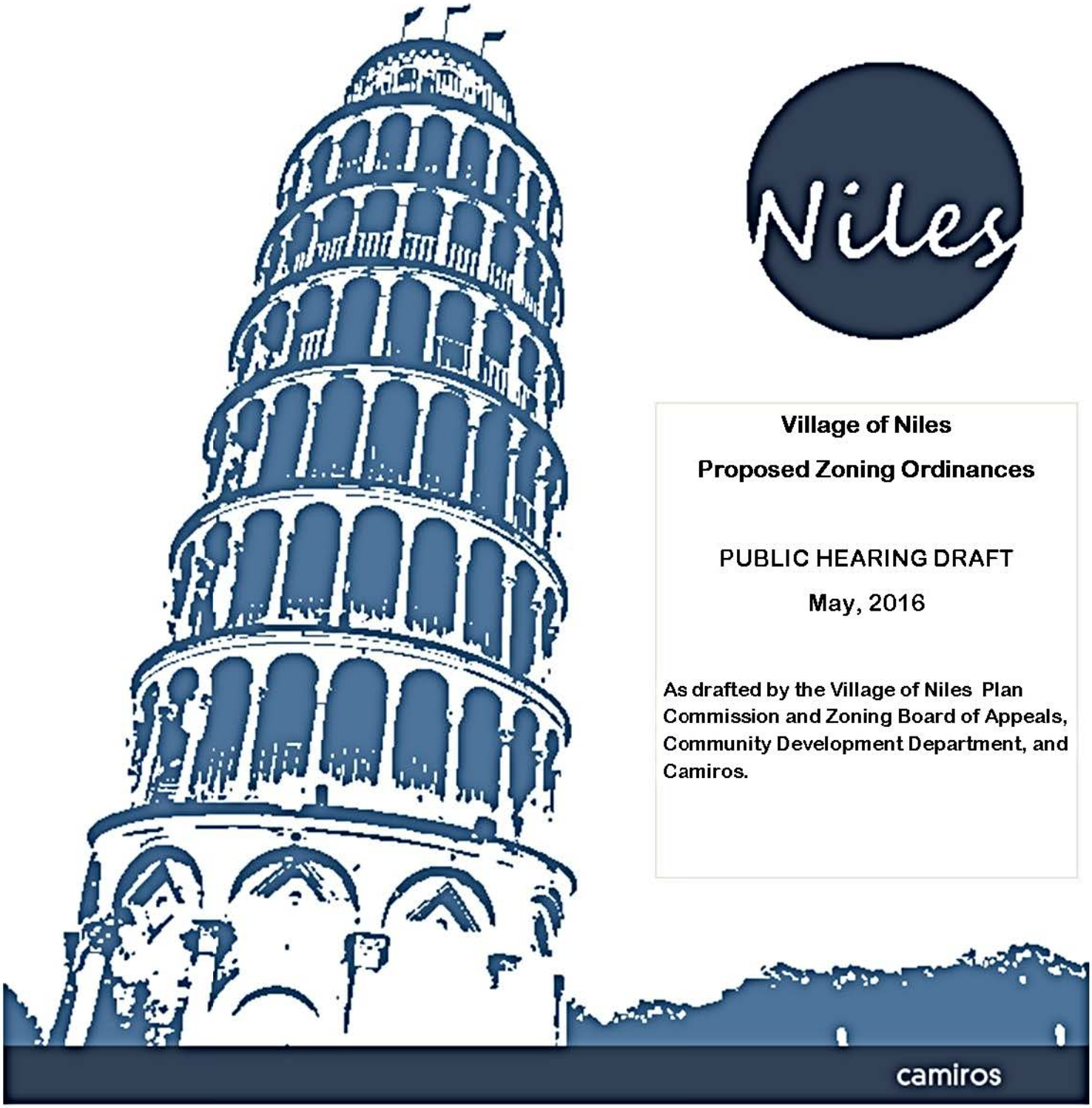
PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk



Niles

Village of Niles

Proposed Zoning Ordinances

PUBLIC HEARING DRAFT

May, 2016

As drafted by the Village of Niles Plan Commission and Zoning Board of Appeals, Community Development Department, and Camiros.

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SECTION 1. TITLE, PURPOSE, & APPLICABILITY

1.1 TITLE
1.2 PURPOSE
1.3 APPLICABILITY
1.4 TRANSITION RULES
1.5 SEVERABILITY
1.6 EFFECTIVE DATE

1.1 TITLE

This Ordinance incorporates the Village of Niles Zoning Map and is known, cited, and referred to as the "Village of Niles Zoning Ordinance," "Zoning Ordinance," or "Ordinance."

1.2 PURPOSE

The intent of this document is to establish land use regulations to serve the Village of Niles. This ordinance is adopted pursuant to the Village of Nile's Home Rule authority. The purpose of this Ordinance is to:

A. Promote and protect the public health, safety, and welfare.

B. Secure adequate light, air, privacy, and convenience of access to property.

C. Promote the orderly development of the Village in general accordance with the Comprehensive Plan and adopted land use policies.

D. Conserve the taxable value of land and structures throughout the Village.

E. Divide the Village into zoning districts, according to use of land and structures, height and bulk of structures, intensity of the use of the lot, or other classification, as deemed best suited to carry out the purposes of this Ordinance.

F. Fix reasonable standards to which structures must conform.

G. Prevent the overcrowding of land by regulating and limiting the use and bulk of structures in relation to the surrounding land.

H. Regulate the intensity of the use of land.

I. Prohibit uses or structures incompatible with the character of development or intended uses within zoning districts.

J. Provide for the gradual elimination of nonconformities.

K. Define the powers and duties of the administrative officers and bodies as provided in this Ordinance.

L. Prescribe penalties for the violation of this Ordinance or any amendment to this Ordinance.

M. Avoid or lessen congestion in the public streets.

N. Preventing additions to and alterations or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder.

O. Provide for the gradual elimination of those uses, buildings, and structures which are incompatible with the character of the districts in which they are made or located, including, without being limited thereto:

i) Elimination of such uses of unimproved lands or lot areas when existing rights of the persons in possession thereof are terminated or when the uses to which they are devoted are discontinued;
ii) Elimination of uses to which such buildings and structures are devoted if they are adaptable for permitted uses; and

iii) Elimination of such buildings and structures when they are destroyed or damaged in major part.

1.3 APPLICABILITY

A. Territorial Application

This Ordinance applies to all land, uses, and structures within the corporate limits of the Village.

B. General Application

In their interpretation and application, the provisions of this Ordinance are held to be the minimum requirements for the promotion and protection of the public health, safety, and welfare.

C. Required Conformance

1. Any portion or whole of a structure must be erected, constructed, reconstructed, moved, and enlarged in conformance with the requirements of this Ordinance.

2. Any structure or land must be used and occupied in conformance with the requirements of this Ordinance.

D. Relation to Private Agreements

This Ordinance does not nullify any private agreement or covenant. However, where this Ordinance is more restrictive than a private agreement or covenant, this Ordinance controls. The Village will not enforce any private agreement or covenant.

E. Relation to Other Laws and Regulations

Unless otherwise specifically provided, this Ordinance controls over less restrictive Village statutes, ordinances, or regulations, and more Village restrictive statutes, ordinances, or regulations control over the provisions of this Ordinance.

F. Rules of Construction

This Ordinance contains numerous illustrations and graphics in order to assist the Ordinance user in understanding and applying the Ordinance. However, to the extent that there is any inconsistency between the text of the Ordinance and any such illustrations and graphics, the text controls unless otherwise specifically stated.

1.4 TRANSITION RULES

A. Existing Illegal Structures and Uses

Any structure or use that is illegal at the time of the effective date of this ordinance, but is made legal by the provisions of this Ordinance, is deemed legal as of the effective date of this Ordinance. However, if that structure or use does not meet every requirement of this Ordinance, then that structure or use remains illegal.

B. Existing Uses

1. If a structure or land is used in a manner that was classified as a permitted use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and now that use is classified as a special use as of the effective date of this Ordinance or any subsequent amendment to this Ordinance, that use is deemed a special use. Any subsequent addition, enlargement, or expansion of that use must conform to the procedural and substantive requirements of this Ordinance for special uses.

2. If a structure or land is used in a manner that was classified as a special use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, and that use is now classified as a permitted use as of the effective date of this Ordinance or any subsequent

amendment to this Ordinance, that use is deemed a lawful permitted use. Any subsequent addition, enlargement, or expansion of that use must conform to any Ordinance requirements for such permitted use and is no longer subject to the special use ordinance under which it was originally approved.

3. If a structure or land is used in a manner that was classified as permitted or special use prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance, but this Ordinance no longer classifies that use as either a permitted or special use in the zoning district in which it is located, that use is deemed a nonconforming use and is controlled by the provisions of Section 16 (Nonconformities).

C. Existing Structures

If a structure existing on the effective date of this Ordinance or any subsequent amendment to this Ordinance does not meet all standards set forth in this Ordinance in the zoning district in which it is located, that structure is deemed a nonconforming structure and is controlled by the provisions of Section 16 (Nonconformities).

D. Existing Lots

If a lot of record existing on the effective date of this Ordinance or any subsequent amendment to this Ordinance does not meet all standards set forth in this Ordinance in the zoning district in which it is located, that lot is deemed a nonconforming lot of record and is controlled by the provisions of Section 16 (Nonconformities). A tax parcel does not establish a lot of record.

E. Previously Issued Building Permits

If a building permit for a structure was lawfully issued prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance,, and if construction has begun within 180 days of the issuance of that permit and diligently pursued to completion, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and may, upon completion, be occupied for the use originally intended.

F. Previously Granted Special Uses and Variations

All special uses and variations granted prior to the effective date of this Ordinance or any subsequent amendment to this Ordinance remain in full force and effect. The recipient of the special use or variation may proceed to develop the property in accordance with the approved plans and all applicable conditions. However, if the recipient has failed to act on the special use or variation before the approval expires, including any periods of extension granted, the provisions of this Ordinance will govern.

G. Pending Applications

An application that has been deemed complete and scheduled for a public hearing or meeting, as applicable, is subject to the Ordinance requirements in effect on the date the application was deemed complete.

1.5 SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of this Ordinance. The effect of the judgment is confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which judgment or decree was rendered.

1.6 EFFECTIVE DATE

The effective date of this Ordinance is July 1, 2016.

SECTION 2. RULES OF MEASUREMENT & DEFINITIONS

2.1 INTERPRETATION OF DEFINITIONS
2.2 DEFINITION OF USES
2.3 DEFINITION OF GENERAL TERMS
2.4 RULES OF MEASUREMENT

2.1 INTERPRETATION OF DEFINITIONS

The terms in the text of this Ordinance will be interpreted in accordance with the following rules of construction:

A. The singular includes the plural, and the plural the singular.

B. The present tense includes the past and future tenses, and the future tense includes the present.

C. The word “must” or “shall” is mandatory, while the word “may” is permissive.

D. The terms “must not,” “shall not,” and “may not” are prohibiting.

E. The masculine gender includes the feminine and neuter.

F. Whenever a defined word or term appears in the text of this Ordinance, its meaning will be construed as set forth in the definition. Words not defined must be interpreted in accordance with the definitions considered to be normal dictionary usage, as determined by the Director of Community Development.

G. The following abbreviations are used within this Ordinance:

1. “GFA” is an abbreviation for “gross floor area.”

2. “MAX” is an abbreviation for “maximum.”

3. “MIN” in an abbreviation for “minimum.”

4. “N/A” is an abbreviation for “not applicable.”

5. “SF” is an abbreviation for “square feet.”

2.2 DEFINITION OF USES

The principal and temporary uses of the use matrix in Article 8 of this Ordinance are defined in Section 8.5.

2.3 DEFINITION OF GENERAL TERMS

Abut. To share a common wall or lot line without being separated by a street or alley.

Access. The provision for ingress and egress of vehicles and/or pedestrians from a property to an adjacent right-of-way.

Accessibility Ramp. A ramp or similar structure that provides wheelchair or similar access to a structure.

Accessory Structure. A structure located on the same lot as the principal building, which may be detached or attached, and is incidental to the principal building

Accessory Use. A use located on the same lot as the principal use and is incidental to the principal use of the structure or lot.

Addition or Enlargement. Construction that increases the size of a structure in terms of building footprint, height, or floor area.

Alley. A public right-of-way that normally affords a secondary means of access to abutting property. An alley is not considered a street.

Amateur (HAM) Radio Equipment. An amateur (HAM) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or building-mounted structure supporting a radiating antenna platform and other equipment.

Arbor. A freestanding structure of latticework comprised of two sides and a roof, which may serve as an entry feature and/or support vines or trained climbing plants.

Architectural Feature. A part or projection that contributes to the aesthetics of a structure, excluding signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Awning. A roof like structure typically made of cloth, metal, or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway, or building front, and some designs may be raised or retracted to a position adjacent to the building.

Balcony. A roofed or unroofed platform that projects from the exterior wall of a structure above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

Base Flood Elevation (BFE). The computed elevation to which floodwater is anticipated to rise during the base flood. BFEs are shown on Flood Insurance Rate Maps (FIRM) and on the flood profiles. The BFE is the regulatory requirement for the elevation or floodproofing of structures.

Basement. That portion of a structure at or having one-half or more of its height below grade. The definition of basement includes cellars.

Bay Window. A window that projects outward from the structure, and does not rest on the building foundation or on the ground.

Bedroom. Any room or rooms intended to be used for sleeping purposes that has a permanent closet of sufficient size to hold clothes.

Berm. An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill similar purposes.

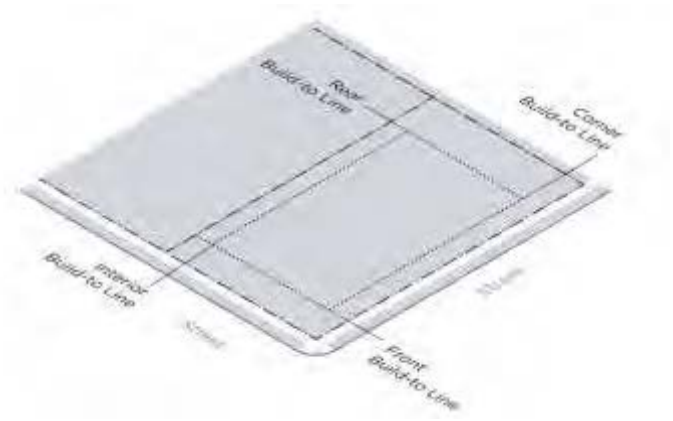
Block. Defined in Section 2.4.

Blockface. Defined in Section 2.4.

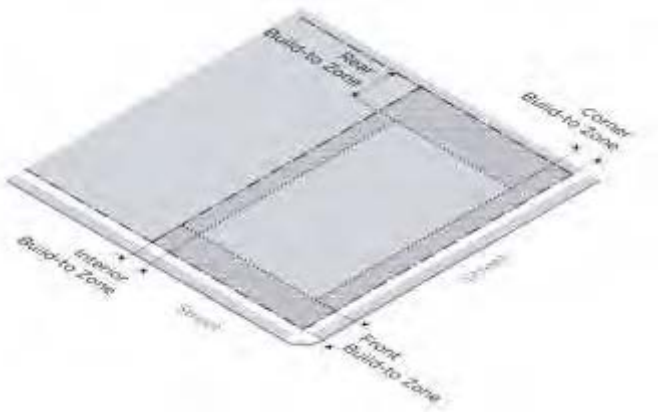
Blue Roof. A roof designed to store water and discharge rainfall.

Buffer. Land area with landscape plantings and other components used to visibly separate one use from another and/or to shield or block noise, lights, or other impacts.

Build-To Line (BTL). A setback line where a certain percentage of building frontage must be located, measured from the applicable lot line. A build-to line of zero means a certain percentage of building frontage must be located at the lot line.



Build-To Zone (BTZ). A required setback where a certain percentage of building frontage must be located, measured as a minimum and maximum range from the applicable lot line.



Buildable Area. The space remaining on a lot after the minimum setback requirements of this Ordinance are met.

Building. Any structure built for the enclosure, protection, shelter, or support of persons, animals, or property of any kind and which is permanently affixed to the ground. The definition of building does not include fences.

Building, accessory. See “Accessory Structure” above.

Building, detached. A principal building surrounded by open space on the same lot.

Building, principal. See “Principal Building” below.

Building, residential. A building arranged, designed, used, or intended to be used for a residential occupancy by one or more families.

Building Coverage. Defined in Section 2.4.

Building Height. Defined in Section 2.4.

Bulk. A term used to describe the size and relationships of structures as to area, height, coverage, and shape, location of exterior walls in relation to lot lines, the centerline of streets, other walls of the same structure and to other structures, and to all open spaces relating to the structure.

Business. An occupation, employment, or enterprise that occupies time, attention, labor, and materials, where merchandise is exhibited or sold, or where services are offered.

Comprehensive Plan. The Village of Niles 2030 Comprehensive Plan or its successor.

Canopy - Non-Structural. A roof-like non-structural cover that projects from the wall of a structure with support posts extending to the ground.

Canopy - Structural. A roof-like permanent structure that projects from the wall of a structure with support posts extending to the ground, which serves as an overhanging shelter or shade and is constructed in such a manner as to allow pedestrians or vehicles to pass underneath. The definition of structural canopy includes porte-cocheres.

Caliper. Defined in Section 2.4.

Carport. An open-sided roofed vehicle shelter, usually formed by extension of the roof from the side of a building, but may be freestanding.

Chimney. A vertical shaft of reinforced concrete, masonry, or other approved material enclosing one or more flues, for the purpose of removing products of combustion from solid, liquid, or gaseous fuel.

Cold-frame Structure. A roofed enclosure, typically transparent, used to protect plants from excessively cold or wet weather. A cold-frame structure functions similar to a greenhouse to help extend the growing season.

Co-Location. Placement of wireless telecommunications equipment from more than one service or service provider on a single tower or site.

Commercial Vehicle. Large vehicles used for commercial and/or transportation purposes including, but not limited to, semi-truck tractor units, with or without attached trailers, commercial trailers, buses, tow trucks, construction vehicles, livery vehicles that exceed standard passenger vehicle size, such as limousines, and any truck as defined by 625 ILCS 5/1-211, section 1-211 of the Illinois Motor Vehicle Code.

Construction, New. See Chapter 18 of the Village of Niles Code of Ordinances.

Contiguous. See “abut.”

Cutoff. The point at which all light rays emitted by a lamp, light source or luminaire are generally eliminated (cutoff) at a specific angle above the ground, acknowledging that some light trespass may occur.

Deck. A roofless outdoor space built as an aboveground platform projecting from the wall of a structure and connected by structural supports and supported by posts or columns extending to the ground. See also Section 9.3(E).

Diameter Breast Height (DBH). Defined in Section 2.4.

District. Land area of the Village where certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

Driveway. An approved vehicle access point leading from public right-of-way to the subject property.

Dwelling. A structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings, two-family dwellings, townhouse dwellings, and multi-family dwellings.

Dwelling Unit. One or more rooms, including individualized bathroom and kitchen facilities, which are arranged, designed, and/or used as living quarters for a household.

Easement. Land designed by lawful agreement between the owner(s) of the land and a person(s) for a specified use only by such person(s).

Eave. The projecting lower edges of a roof overhanging the wall of a structure.

Electrical Generator (Private). An accessory device for generating electrical energy for the owner or resident of a lot. Electrical generator does not include accessory solar panels or wind turbines, or any power generating principal use as defined in Article 8.

Encroachment. The extension or placement of any structure, or a component of such, into a required setback.

Erect. To build, construct, attach, hang, place, suspend, or affix.

Exterior Lighting. The illumination of an outside area or object by any man-made device that produces light by any means.

Exterior Stairwell. One or more flights of stairs, and the necessary landings and platforms connecting them, to form a continuous passage from the entryway of one floor or level to another in a structure, located on the exterior of a principle building.

Family. A "family" consists of one (1) or more persons each related to the other by blood, marriage, or adoption (including foster children), together with such relatives of the respective spouses who are living with the family in a single dwelling and maintaining a common household. A family may also be composed of no more than three (3) unrelated persons, provided that such unrelated persons live in a single dwelling and maintain a common household and a single housekeeping unit. A family includes any domestic servants and not more than one (1) gratuitous guest residing with said family; such servants or guest shall be included in the unrelated persons attained by this definition and shall not be in addition thereto.

Fence. A structure used as a boundary, screen, separation, means of privacy, protection, or confinement, and is constructed of wood, metal, wire mesh, masonry, or similar material and is used as a barrier.

Fenestration. The design and placement of windows in a structure.

Floodplain. The area near a river or a stream that floods when water levels reach flood stage.

Garage. A structure, either attached or detached, used for the parking and storage of motor vehicles by a resident of a dwelling unit.

Gazebo. A freestanding outdoor structure constructed of a raised platform and a roof, designed for recreational use and not for habitation.

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewers' ability to see and cause discomfort.

Grade. Defined in Section 2.4.

Grading. The reshaping of natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making minor changes in land elevation.

Green Roof. A building roof partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Greenhouse (Accessory). A structure constructed chiefly of glass, glass-like, or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

Gross Floor Area (GFA). Defined in Section 2.4.

Hedge. A row of closely planted shrubs, bushes, or other plants forming a boundary.

Home Occupation. Any occupation or profession conducted within a dwelling unit and/or permitted accessory structures that is incidental and secondary to the principal residential use.

Impervious Surface Coverage (ISR). Defined in Section 2.4.

Intensity of Use. Square feet of gross floor area, number of dwelling units, number of employees, or other factor used as a basis for requiring off-street parking or loading facilities.

Lighting. Defined in Section 2.4.

Loading Berth. A space within a loading facility exclusive of driveways, aisles, maneuvering areas, ramps, columns, landscape, and structures for the temporary parking of a commercial delivery vehicle while loading and/or unloading goods or materials.

Lot Area. Defined in Section 2.4.

Lot Line. Defined in Section 2.4.

Lot Line, Corner. Defined in Section 2.4.

Lot Line, Front. Defined in Section 2.4.

Lot Line, Interior. Defined in Section 2.4.

Lot Line, Rear. Defined in Section 2.4.

Lot of Record. A parcel of land that was lawfully recorded prior to the adoption and enactment of this Ordinance. A tax parcel does not establish a lot of record.

Lot Width. Defined in Section 2.4.

Luminaire. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

Luminaire, Cutoff Type. A luminaire containing elements such as shields, reflectors, or refractor panels that direct and cutoff a direct view of the light source at a cutoff angle.

Motor Vehicle. Any passenger vehicle, motorcycle, or truck propelled or drawn by mechanical power.

Multi-Tenant Retail Center. A group of three or more commercial establishments that is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant retail centers are large shopping centers or malls and retail strip centers.

Off-Street Parking. The storage space for a motor vehicle on-site and not a street or other right-of-way.

Outdoor Display and Sales Area. Part of a lot used for outdoor sales and/or display of goods accessory to the principal use.

Outlot. A parcel of land, generally located on the perimeter of a larger parcel of land that is subordinate to the larger parcel for access, parking and drainage purposes.

Owner. A titleholder of record, or if title is held in trust, the trustee of the trust or the person or persons who have acquired any interest in the property by contract or purchase or otherwise.

Parapet. The extension of a false front or wall above a roof-line.

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof, which separates one building from another, but is in joint use by each building.

Patio. A hard surface designed and intended for recreational use by residents or visitors and not used as a parking space.

Pergola. A freestanding, open structure that forms a partially shaded pedestrian walkway, passageway, or sitting area, and is constructed of a semi-open roof and vertical posts that support cross-beams and an open lattice.

Person. For the purposes of this Ordinance, any individual, corporation, association, firm, partnership, or joint venture.

Pool. A structure, which may be built above-ground or in-ground, that is filled with water and used for swimming.

Porch. An architectural feature that projects from the exterior wall of a structure, has direct access to the street level of the building, and is covered by a roof or eaves.

Porch – Unenclosed. A porch that is not enclosed by walls, screens, lattice, or other material.

Porch – Enclosed. A porch enclosed by walls, screens, lattice, or other material. A screened-in porch is an enclosed porch.

Property Line. The lines bounding a lot of record.

Principal Building. A non-accessory structure which the principal use of the lot on which it is located occupies.

Principal Use. The main use of a structure or lot as distinguished from an accessory use.

Recreational Vehicle. Any vehicle or boat designed for temporary living quarters, recreation, or temporary human habitation and not used as a commercial vehicle, including, but not limited to, the following: boat/watercraft, camper trailer, conversion vans, motorized trailer, off-the-road vehicle, racing car or cycle, travel trailer, and truck camper.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

Satellite Dish Antenna. A dish antenna designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication or other signals from other antennas, satellites or other services.

Setback. Defined in Section 2.4.

Setback, Front. Defined in Section 2.4.

Setback, Interior Side. Defined in Section 2.4.

Setback, Corner Side. Defined in Section 2.4.

Setback, Rear. Defined in Section 2.4.

Setback, Reverse Corner Side. Defined in Section 2.4.

Shed. An accessory structure, often purchased pre-built or as a kit in pre-fabricated sections, that is not designed to be served by heat or plumbing and does not need to be placed on a permanent foundation. A shed is typically intended to store lawn, garden, or recreational equipment.

Single-room occupancy building. Any dwelling or part thereof designed or used primarily for single-room occupancy, containing five or more single-room living units, and which is occupied by the same tenants for an uninterrupted period of not less than 32 days.

Single-room occupancy unit. A room used or intended to be used as a residential housekeeping unit by not more than two occupants for living and sleeping, with or without cooking facilities, that contains not more than one habitable room consisting of not more than 250 square feet of floor area excluding from the calculation of floor area any kitchen having less than 70 square feet of floor area.

Solar Panels. Equipment used for solar energy production system that utilizes solar collectors to convert solar energy from the sun into thermal, mechanical, or electrical energy.

Stacking Space. A space specifically designed and designated as a waiting area for vehicles patronizing a drive-through facility or service bay.

Stoop. An exterior floor, typically constructed of stone, concrete, and/or masonry, with a finished floor elevation higher than the adjacent ground level, often with steps leading up to it, and utilized primarily as an access platform to a structure. A stoop may be roofed and designed with railings, but cannot be enclosed. A stoop is also referred to as a portico.

Story. Defined in Section 2.4.

Story, Half. Defined in Section 2.4.

Street. A public or private right-of-way that affords a primary means of vehicular access to abutting property, but does not include alleys or driveways.

Street Frontage. A lot line or the length of a lot line that is also the line of any public or private right-of-way, excluding alleys.

Structural Alteration. Any change, other than incidental repairs, which would prolong the life of supporting members of a structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders, or foundations.

Structure. Anything constructed or erected on the ground or attached to something having a permanent location on the ground including but not limited to buildings, fences, signs, sheds, or similar uses.

Temporary Structure. Any structure that is not permanently located, placed, or affixed in the place where it is or where it is intended to be placed.

Trellis. A frame made of bars of wood or metal crossed over each other, fixed to a wall, to support vines or climbing plants.

Unified Control. The combination of two or more tracts of land wherein each owner has agreed that his tract of land will be developed under the same development approvals.

Use. The purpose or activity for which the land or structure is designed, arranged, or intended, or for which it is occupied or maintained.

Use, accessory. See “Accessory Use” above.

Use, nonconforming. Any use of a building or premises which, on the effective date of this ordinance, does not, even though lawfully established, comply with all of the applicable use regulations as set forth herein for the zoning district in which such building or premises is located.

Use, permitted. Any building, structure, or use which on the effective date of this ordinance complies with the applicable regulations governing permitted uses of the zoning district in which such building, structure, and use is located.

Use, principal. The main use of land or building as distinguished from an incidental or accessory use.

Use, special. Any building, structure, or use which on the effective date of this ordinance complies with the applicable regulations governing special uses of the zoning district in which such building, structure and use is located.

White Roof. A roof designed to deliver high solar reflectance, reducing heat transfer to the building and the ability to radiate absorbed, or non-reflected solar energy.

Wind Turbine. Equipment used for wind energy production, conversion, and distribution system generally consisting of a tower designed with horizontal or vertical axis blades and associated equipment.

Yard. Defined in Section 2.4.

Yard, Front. Defined in Section 2.4.

Yard, Interior Side. Defined in Section 2.4.

Yard, Corner Side. Defined in Section 2.4.

Yard, Rear. Defined in Section 2.4.

Yard, Reverse Corner Side. Defined in Section 2.4.

Zoning Lot. A lot or combination of lots that is designated by its owner or developer to be used or developed. A zoning lot may or may not coincide with a lot of record. A tax parcel does not establish a zoning lot.

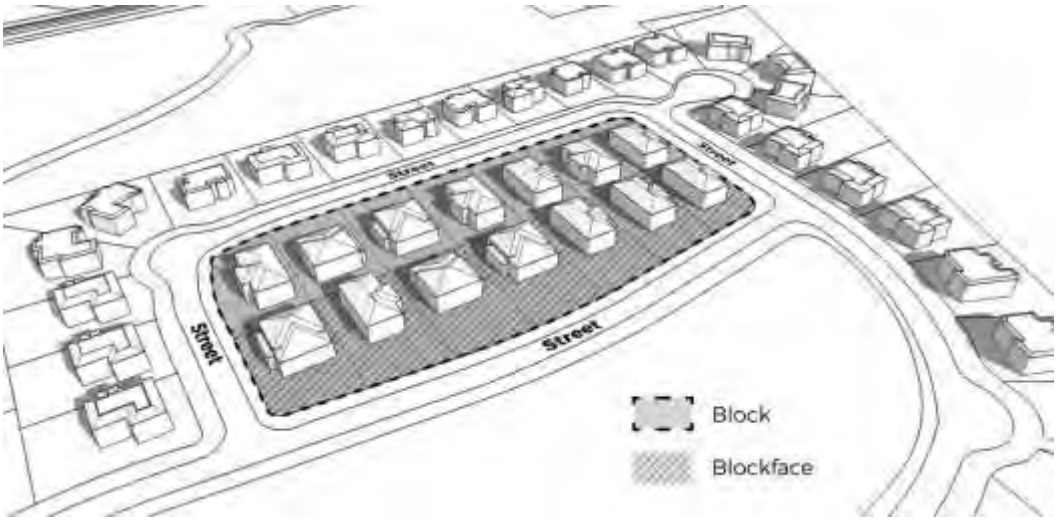
2.4 RULES OF MEASUREMENT

This section provides the rules of measurement for the dimensional standards and locational characteristics within the Ordinance.

A. Block and Blockface

1. A block is a tract of land bounded by streets, or a combination of streets and railroad rights-of-way, or municipal boundary lines.

2. Blockface is measured as that portion of a block or tract of land facing the same side of a street and lying between the closest intersecting streets, or between an intersecting street and a railroad right-of-way or municipal boundary line.



B. Building Coverage

Building coverage of a lot is the area of a lot occupied by the principal and accessory buildings. Building coverage is calculated as the percentage of principal and accessory building footprint area to the total area of the lot.

C. Building Height and Story

1. Building height is measured as the vertical distance from the adjacent grade of the front of a structure to the peak of the roof.

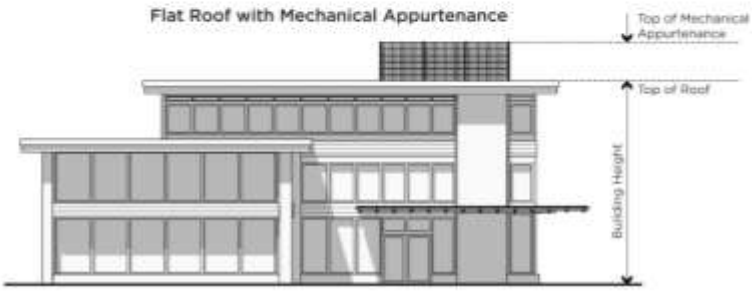
2. The following structures or parts thereof are exempt from the height limitations of the districts or any individual height restrictions of the use, unless otherwise limited by any federal or state height restriction.

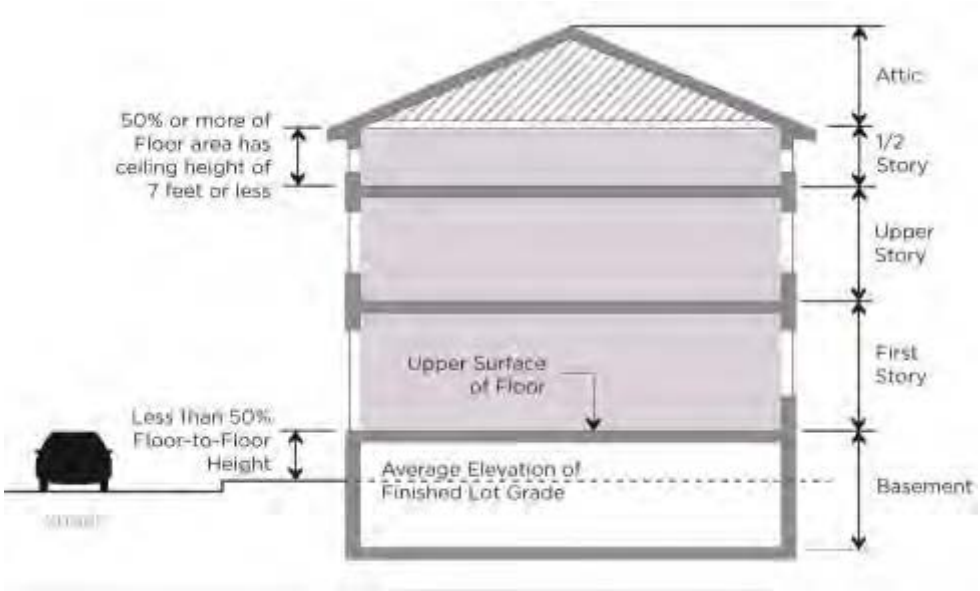
a. Public utility poles, towers, and wires.

b. Water tanks and standpipes.

c. Building appurtenances such as chimneys, parapet walls, skylights, steeples, flag poles, smokestacks, cooling towers, elevator bulkheads, fire towers, monuments, water towers, stacks, stage towers, or scenery lofts, tanks, ornamental towers and spires, roof gardens, recreational facilities, necessary mechanical appurtenances, or penthouses to house mechanical appurtenances. However, if such appurtenances occupy more than 25% of the total roof area, they are counted toward building height.

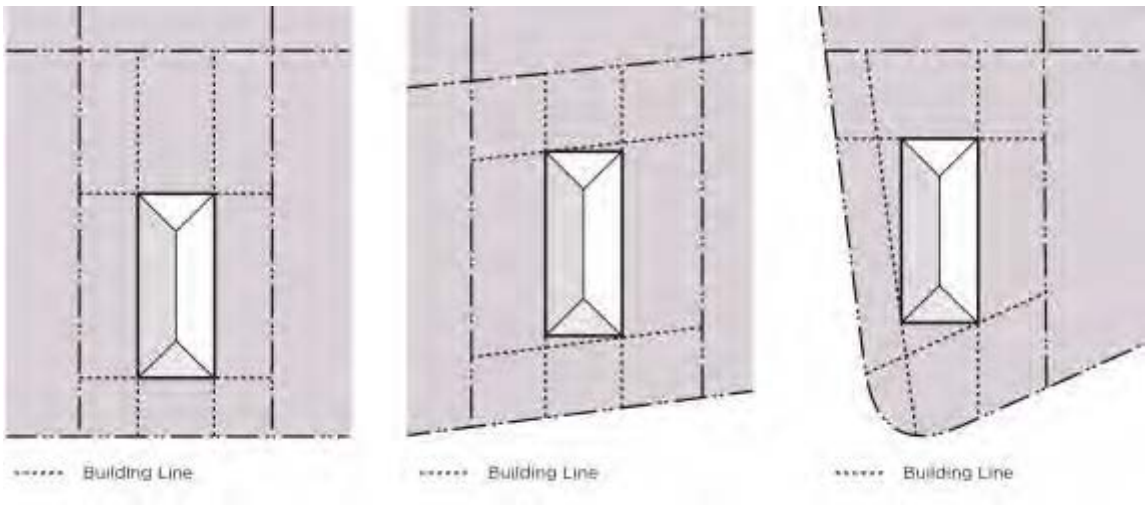
3. A story is each level of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it. A half-story is the uppermost story or partial story of a structure where 50% or more of the floor area has a ceiling height of seven feet or less.





D. Building Line

A line established at the building wall of a structure between lot lines. For the purposes of establishing a building line, the building wall does not include permitted encroachments or architectural features, such as bay windows, eaves, and steps and stoops. For irregular lots where the lot lines are not parallel, the building line is established as a line from the point of the structure closest to the lot line, drawn parallel to the applicable lot line.



E. Caliper

The diameter of the trunk of a tree measured in inches at a point measured 12 inches above the ground.

F. Diameter at Breast Height (DBH)

The diameter of the trunk of a mature and established tree measured in inches at a point four feet above ground level.

G. Grade

Grade is measured as the average level of the finished surface of the ground adjacent to the exterior walls of the structure.

H. Gross Floor Area (GFA)

The gross floor area (GFA) of a structure is the sum of the gross horizontal areas of all floors of the structure as measured from the exterior faces of the exterior walls or from the centerline of party walls separating two buildings.

I. Impervious Surface Coverage (ISR)

Impervious surface coverage is a measure of that portion of a site that is occupied by structures, pavement, and other impervious surfaces that do not allow for the absorption of water. Impervious surface coverage is calculated as the percentage of all impervious surface area against the total area of the lot. Impervious surface areas include gravel and open water surface areas, such as water features and swimming pools. Credit may be granted for pervious pavers and other alternative pavement systems subject to the standards established by the Village's Engineering Division.

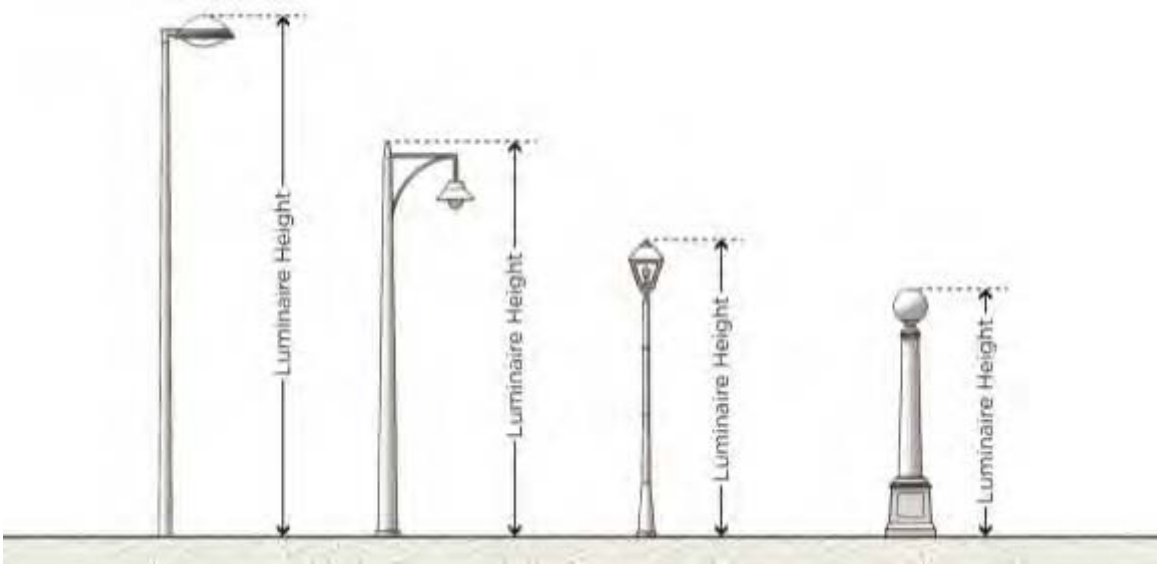
J. Lighting

1. Luminaire Height

The height of a luminaire is measured as the vertical distance from the ground directly below the centerline of the luminaire to the top of the pole or luminaire, whichever the case may be.

2. Footcandle

A footcandle (FC) is a unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle. Footcandle is measured utilizing a direct reading, portable light meter mounted in a horizontal position.



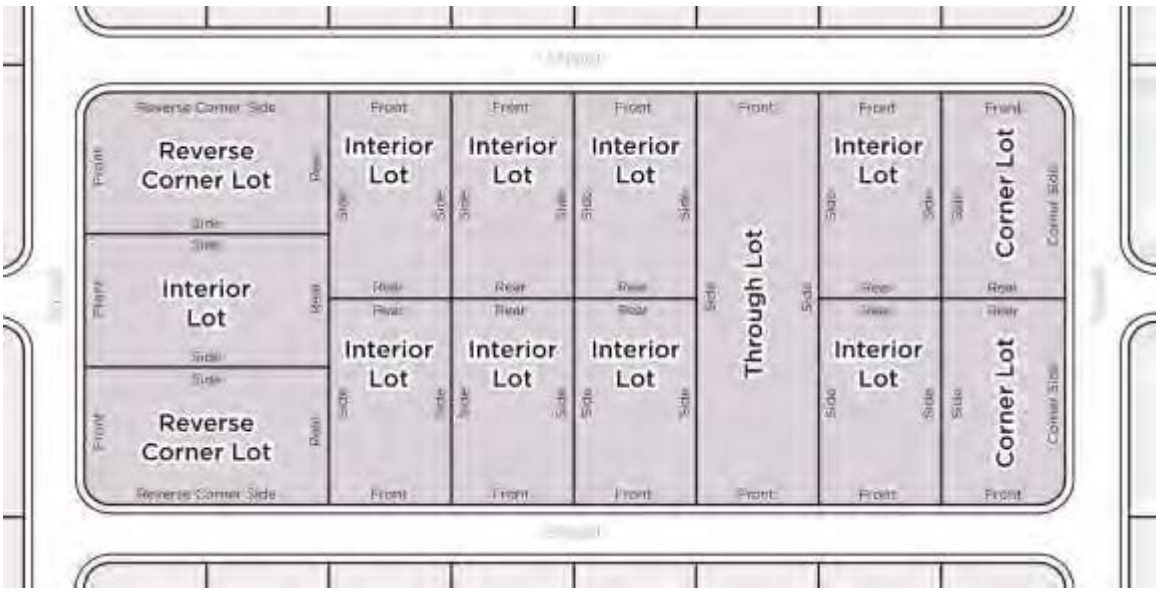
K. Lot

1. An interior lot is a lot other than a corner, reverse corner, or through lot, typically bounded by two interior side lot lines.

2. A corner lot is a lot situated at the junction of, and abutting on, two or more intersecting streets.

3. A reverse corner lot is a corner lot where the side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear.

4. A through lot is a lot that has frontage on two non-intersecting streets creating two front lot lines.



L. Lot Area

The total area of a lot calculated as the total area bounded by all lot lines.

M. Lot Line

A lot line is the property line of any lot. Lot lines are located as follows.

1. Front Lot Line

a. The front lot line of an interior lot is the lot line that abuts a street.

b. The front lot line of a corner lot is the shortest lot line that abuts a street.

c. The front lot line of a through lot is established as follows:

i. For through lots where a front lot line has been previously established on one or more lots located on the same blockface, the street designated as the front lot line of the through lots in such blockface is the front lot line. Previously established means one or more structures along the blockface have established front entrances along that lot line.

ii. For through lots where a front line has not been previously established on one or more lots on the same blockface or where all lots have not established front lot lines along the same street, the front lot line will be designated by the Director of Community Development.

2. Interior Side Lot Line

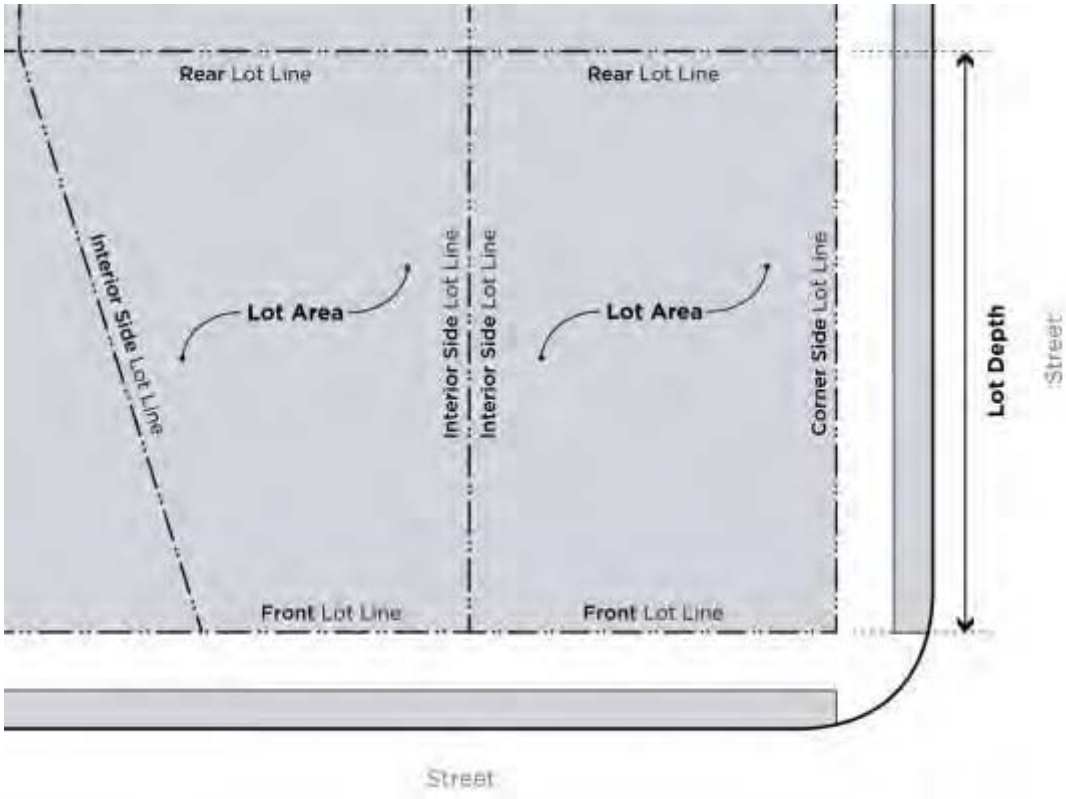
The interior side lot line is a lot line not abutting a street that is not a rear lot line.

3. Corner Side Lot Line

The lot line that is perpendicular or approximately perpendicular to the front lot line, which is the longer abutting street lot line of a corner lot.

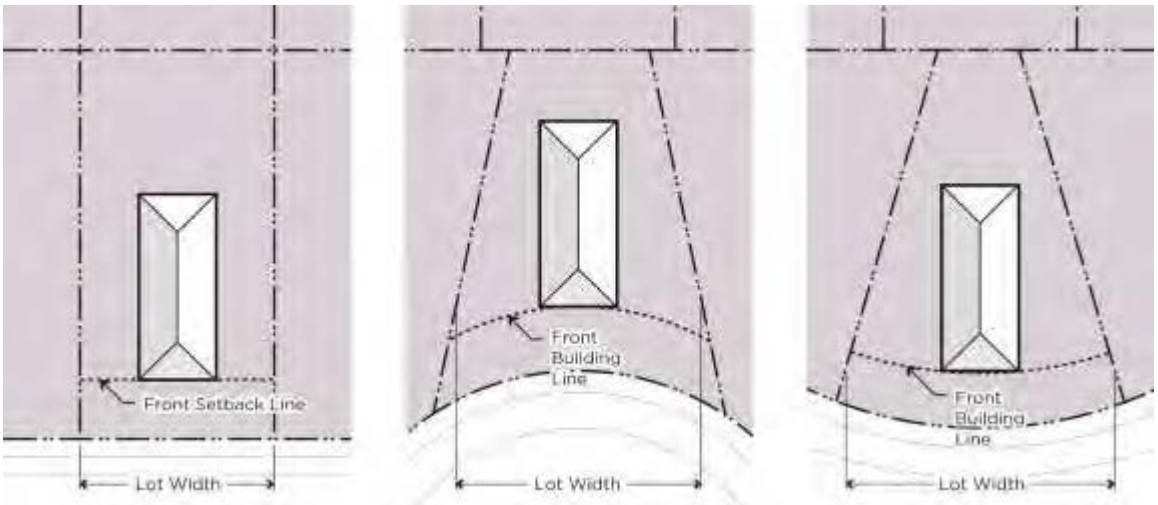
4. Rear Lot Line

The rear lot line is that lot line which is opposite and most distant from and is, or most nearly is, parallel to the front lot line.



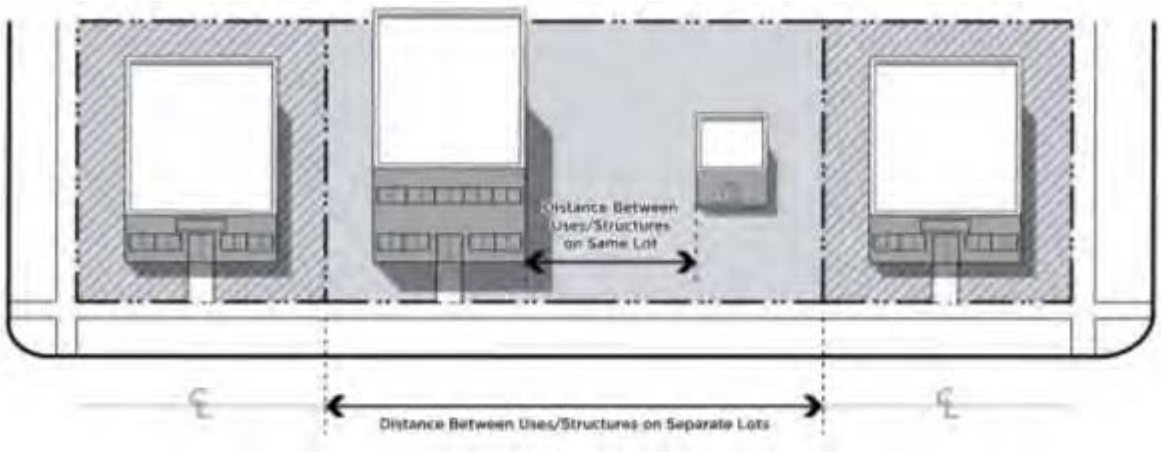
N. Lot Width

Lot width is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the front lot line at the minimum front setback line. For irregular lots, such as cul-de-sac lots or pie-shaped lots, lot width is measured at the front building line of the structure between side lot lines.



O. Separation/Required Distance Between

When the Ordinance requires separation between structures or uses located on separate lots, such separation is measured between the closest lot lines of the two lots. When the Ordinance requires separation between structures or uses located on the same lot, such separation is measured between building walls.

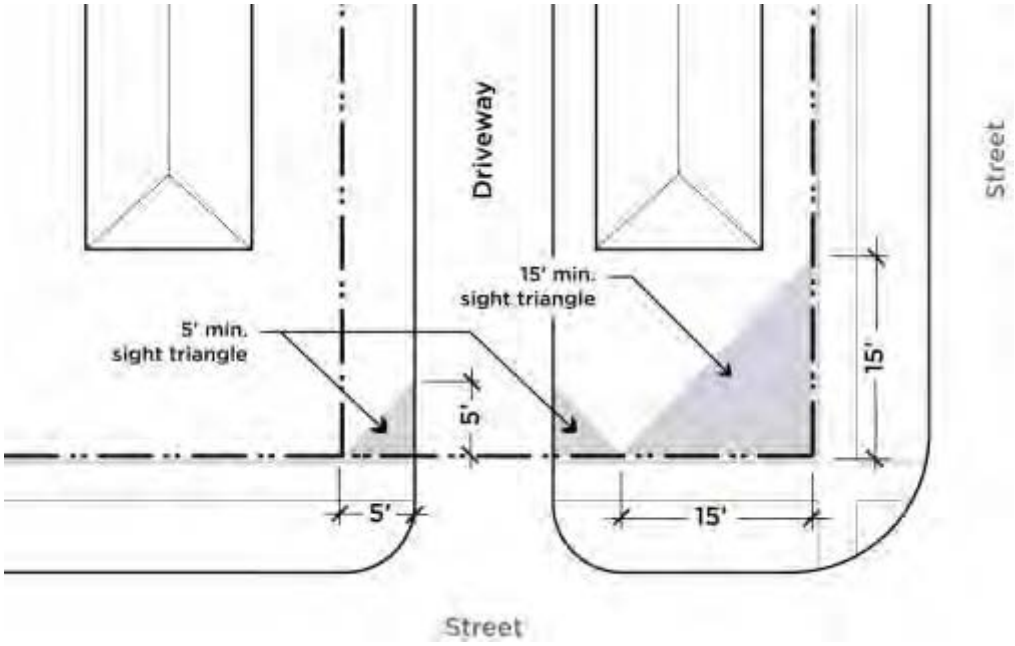


P. Sight Triangle

A sight triangle is located at the intersection of the street or alley right-of-way, access easement, and/or driveway pavement, is measured at a line joining the points at a distance as follows:

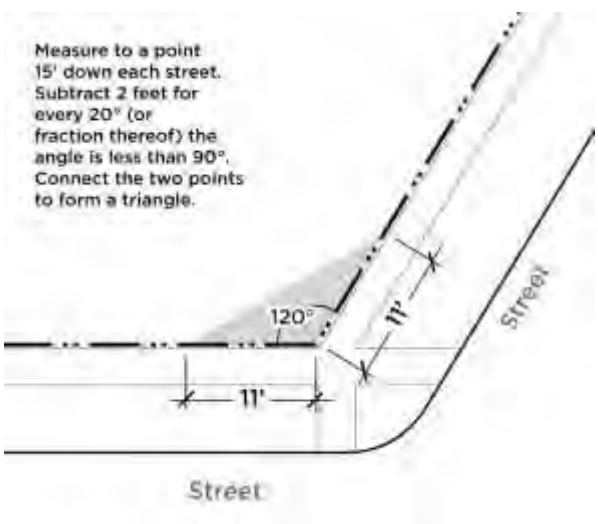
a. 5 feet from the point of the intersection of driveways and the lot line, as measured along the lot line and edge of driveway pavement.

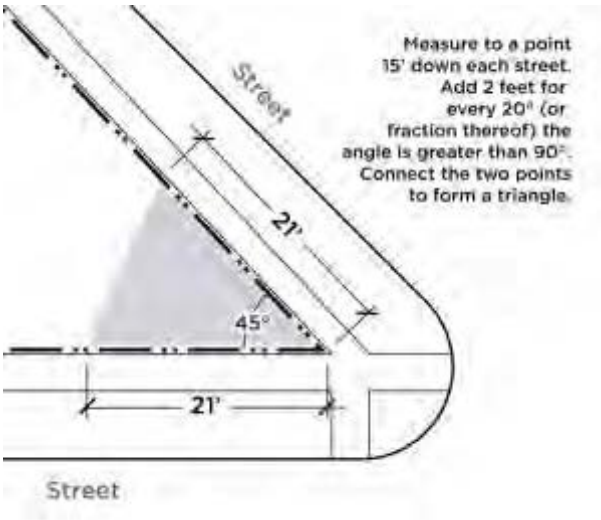
b. For intersections forming a 90-degree angle, 15 feet down each street measured along the right-of-way.



c. For intersections forming an angle greater than 90 degrees, 15 feet down each street measured along the right-of-way, minus two feet for each 20 degrees or fraction thereof the angle exceeds 90 degrees.

d. For intersections forming an angle less than 90 degrees, 15 feet down each street measured along the right-of-way, plus 2 feet for each 20 degrees or fraction thereof the angle is less than 90 degrees.





Q. Yards and Setbacks

A yard is the open space area between a principal building and the adjoining lot line. A required setback may be equal to or lesser than a yard and is the required minimum distance a principal building must be located from a lot line, which is unoccupied and unobstructed by any portion of a principal building or accessory structure, unless permitted by this Ordinance. A setback extends along a lot line for the minimum depth specified by the zoning district in which such lot is located.

The minimum yard space required for one structure shall not again be considered as yard space for another adjoining structure.

No lot shall be reduced in area so that the yards or other open space become less than required by this ordinance.

a. Front Yard and Setback

A front yard is located between a principal building and the front lot line. A front setback is the required minimum distance per the zoning district that a principal building must be located from the front lot line. The front yard and setback extends the full width of the lot between side lot lines measured perpendicular to the front lot line.

b. Interior Side Yard and Setback

An interior side yard is located between a principal building and the interior side lot line. An interior side setback is the required minimum distance per the zoning district that a principal building must be located from the interior side lot line. The interior side yard and setback extends along the interior side lot line between the front and rear setback lines, measured perpendicular to the interior side lot line.

c. Corner Side Yard and Setback

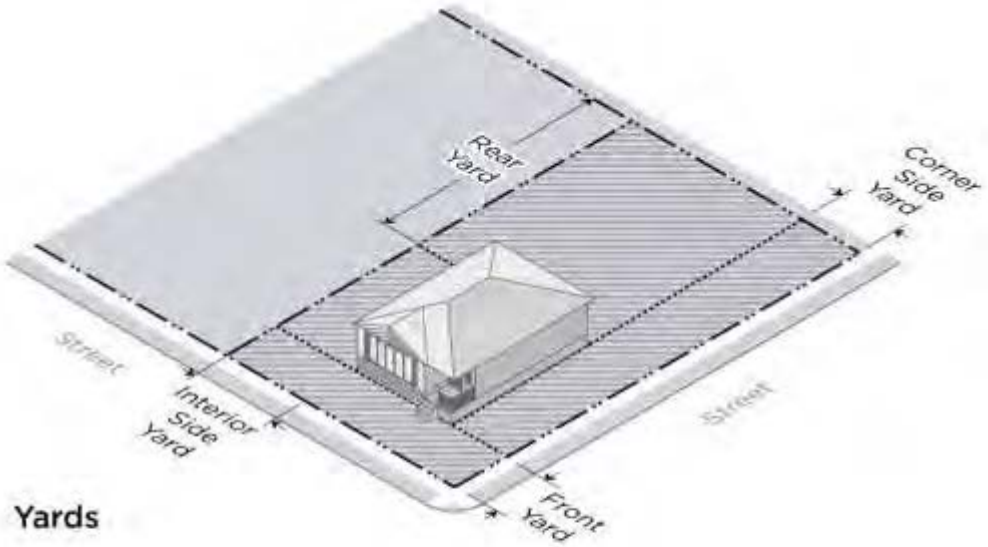
A corner side yard is located between a principal building and the corner side lot line. A corner side setback is the required minimum distance per the zoning district that a principal building must be located from the corner side lot line. The corner side yard and setback extends along the corner side lot line between the front setback line and the rear lot line, measured perpendicular to the corner side lot line.

d. Rear Yard and Setback

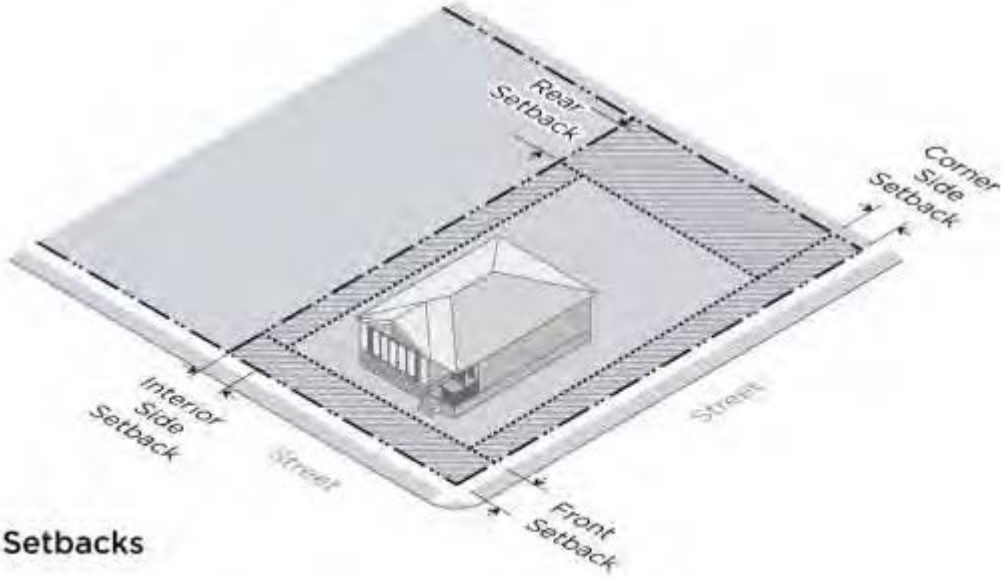
A rear yard is located between a principal building and the rear lot line. A rear setback is the required minimum distance per the zoning district that a principal building must be located from the rear lot line. In the case of an interior lot, the rear yard and setback extends between interior side lot lines, measured perpendicular to the rear lot line. In the case of a corner lot, the rear yard and setback extends between the interior side lot line to the required corner side setback, measured perpendicular to the rear lot line.

e. Reverse Corner Side Yard and Setback

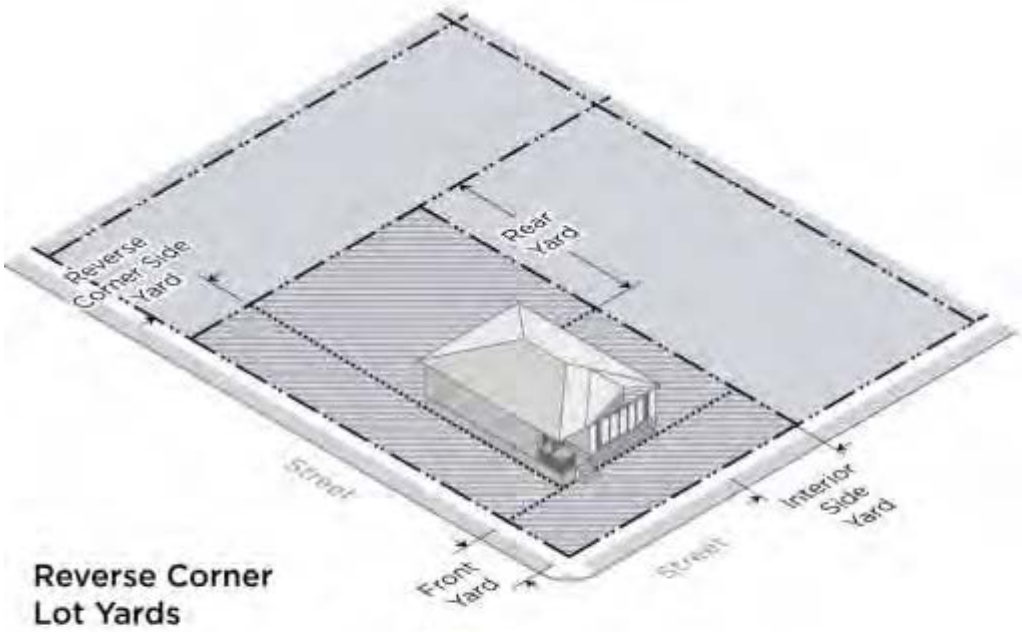
A reverse corner side yard is located between a principal building and the corner side lot line, where the corner side lot line adjoining a street is substantially a continuation of the front lot line of the first lot to its rear. A reverse corner side setback is the required minimum distance per the zoning district that a principal building must be located from corner side lot line. The reverse corner side yard and setback extends along the corner side lot line between the front setback line and the rear lot line, measured perpendicular to the corner side lot line. For reverse corner lots, the lot width dimension used to determine the reverse corner side setback is measured at the shorter of the two street abutting lot lines; the “corner side setback” dimensional requirement in the district applies to the reverse corner side setback.



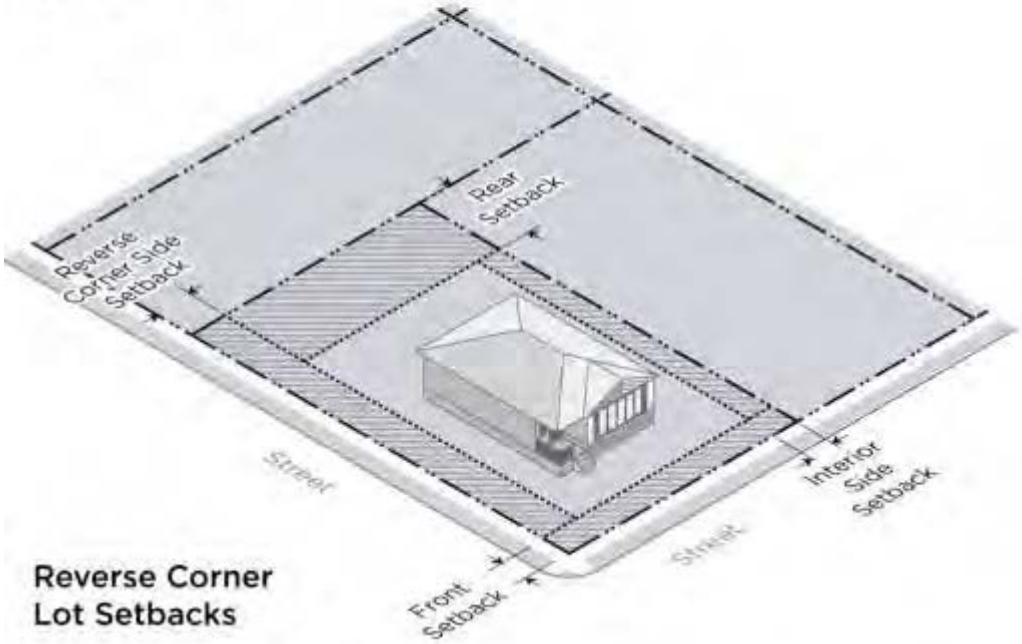
Yards



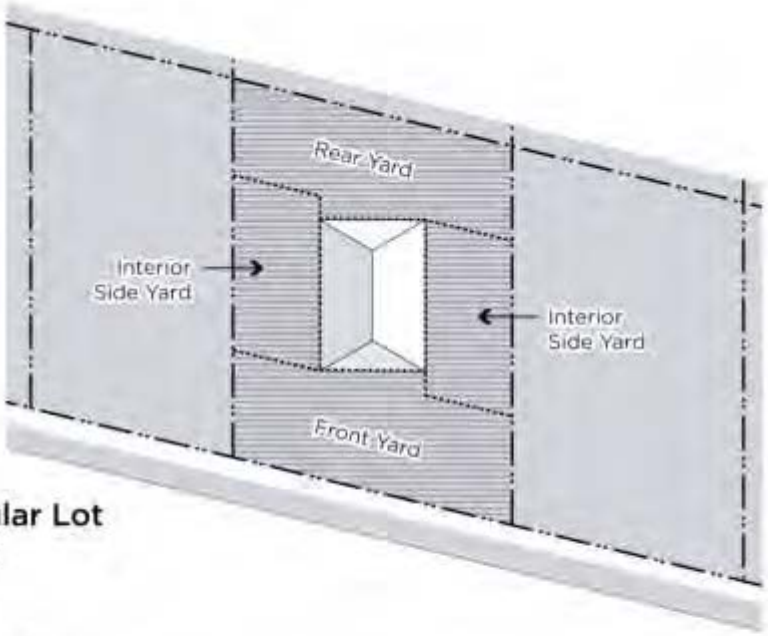
Setbacks



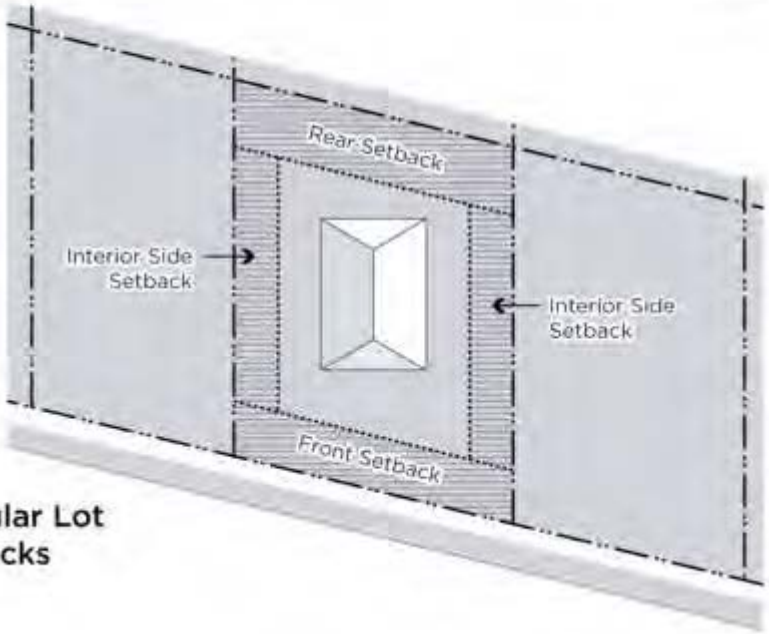
Reverse Corner Lot Yards



Reverse Corner Lot Setbacks



Irregular Lot Yards



Irregular Lot Setbacks

SECTION 3. ZONING DISTRICTS

3.1 DISTRICTS
3.2 ZONING MAP
3.3 ANNEXED LAND
3.4 EXEMPTIONS FOR RIGHTS-OF-WAY AND PUBLIC UTILITIES

3.1 DISTRICTS

In order to carry out the purpose and intent of this Ordinance, the Village of Niles is divided into the following zoning districts:

A. Residential Districts

R-1 Single-Family Residential District
R-2 Single-Family Residential District
R-2-35 Single-Family Residential District
R-3 Two-Family and Townhouse Residential District
R-4 Multi-Family Residential District

B. Commercial Districts

C-1 Corridor Commercial District
C-2 General Commercial District
C-3 Milwaukee Avenue Form-Based District
C-4 Milwaukee Avenue Mixed-Use District
C-5 Urban Village District

C. Industrial Districts

M Limited Industrial District
ENT-MU Office, Industrial, and Cultural/Entertainment Mixed-Use District
OR Office/Research District

D. Special Purpose Districts

P-I Public/Institutional Lands District

3.2 ZONING MAP

A. Location of Districts

1. The location and boundaries of the zoning districts established by this Ordinance are set forth in the Official Zoning Map, as periodically amended. The Official Zoning Map is incorporated into, and made part of, this Ordinance.

2. It is the intent of this Ordinance that the entire area of the Village, including all land and water areas, are included in the zoning districts established by this Ordinance. Any land lying within the Village, but not shown on the Official Zoning Map as being included within a district, is classified as the R-1 Single-Family Residential District.

B. Interpretation of Boundary Lines

1. Right-of-Way Lines

Where zoning district boundary lines coincide with rights-of-way, the boundary line is construed to be the centerline of the right-of-way.

2. Property Lines

Where zoning district boundary lines coincide with a recorded property line, the property line is construed to be the boundary line of the district.

3. Scaled Lines

Where the district boundary lines do not coincide with a right-of-way line or recorded property line, the district boundary is determined by measuring such boundary line(s) using the map scale as provided on the Official Zoning Map.

4. Clarification of Boundary Lines

Where the application of Paragraphs 1 through 3 above leaves doubt as to the boundary between two zoning districts, the Director of Community Development will decide any interpretations of zoning district boundary lines. Decisions of the Director of Community Development may be appealed to the Planning and Zoning Board.

3.3 ANNEXED LAND

Any territory annexed into the Village is automatically, upon annexation, zoned as the R-1 Single-Family Residential District, unless otherwise provided for in the annexation agreement or until the territory is rezoned.

3.4 EXEMPTIONS FOR RIGHTS-OF-WAY AND PUBLIC UTILITIES

1. The provisions of this Ordinance do not apply to land located within rights-of-way.

2. The following utility uses are exempt from the provisions of this Ordinance and permitted in any district: wires, cables, conduits, vaults, laterals, pipes, mains, hydrants, valves and water supply wells.

3. This exemption does not include utilities, as defined in Article 8, wireless telecommunications, amateur HAM radio towers, solar farms, or wind energy systems. All such structures must comply with this Ordinance and any other applicable Village ordinances.

SECTION 4. RESIDENTIAL DISTRICTS

4.1 PURPOSE STATEMENTS
4.2 USES
4.3 DIMENSIONAL STANDARDS
4.4 BUILDING HEIGHT SETBACK PLANE
4.5 CONVERSIONS OF APARTMENTS INTO CONDOMINIUMS
4.6 GENERAL STANDARDS OF APPLICABILITY

4.1 PURPOSE STATEMENTS

A. R-1 Single-Family Residential District

The R-1 Single-Family Residential Zoning District is intended to provide for a neighborhood environment of single-family detached dwellings located on larger lots of 60 feet or more in width than the predominant pattern of single-family residential development within the Village. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

B. R-2 Single-Family Residential District

The R-2 Single-Family Residential Zoning District is intended to provide for a neighborhood environment of single-family detached dwellings located on lots of 50 feet or more in width that reflect the predominant pattern of single-family residential development within the Village. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

C. R-2-35 Single-Family Residential District

The R-2-35 Single-Family Residential Zoning District is intended to provide for a neighborhood environment of single-family detached dwellings located on lots that have been established with a relatively smaller lot size of 35 feet in width than the predominant pattern of single-family residential development within the Village. The R-2-35 district is divided into two subdistricts (R-2-35A and R-2-35B) based upon established front setbacks. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

D. R-3 Two-Family Residential District

The R-3 Two-Family Residential Zoning District is intended to provide for a moderate density neighborhood environment of single-family, two-family, and townhouse dwellings. This district may function as a transitional zone between lower density single-family neighborhoods and adjacent higher density multi-family neighborhoods or nonresidential areas. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

E. R-4 Multi-Family Residential District

The R-4 Multi-Family Residential Zoning District is intended to provide for a high density environment of varied building and housing types, including single-family, two-family, townhouse, and multi-family dwellings. This district may function as a transitional zone between lower density residential neighborhoods and adjacent higher intensity nonresidential areas. Limited non-residential uses that are compatible with surrounding residential neighborhoods may be permitted.

4.2 USES

Section 8 lists permitted and special principal uses and temporary uses for the residential districts.

4.3 DIMENSIONAL STANDARDS

A. Table 4-1: Residential Districts Dimensional Standards establishes the dimensional standards for the residential districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 4-1: Residential Districts Dimensional Standards

	R-1	R-2	R-2-35	R-3	R-4
Bulk Standards					
Minimum Lot Area	7,500sf	6,250sf	3,500sf	SF: 6,250sf 2F: 7,000sf	
Minimum Lot Width	60’	50’	35’	SF: 50’ 2F: 60’ Townhouse: 70’	SF: 50’ 2F: 60’ Townhouse & MF: 60’
Maximum Building Height—Residential Buildings	32’ & 2.5 stories	32’ & 2.5 stories	32’ & 2.5 stories	32’ & 2.5 stories	SF, 2F, Townhouse: 32’ & 2.5 stories MF: 40’ & 3 stories
Maximum Building Height—Other Buildings—(permitted or special uses)	Up to 40 feet See 4.3(C)	Up to 40 feet See 4.3(C)	Up to 40 feet See 4.3(C)	Up to 50 feet See 4.3(C)	Up to 50 feet See 4.3(C)
Building Height Setback Plane	See Section 4.3	See Section 4.3	See Section 4.3	N/A	N/A
~~**Maximum Building Coverage**~~	~~40%~~	~~35%~~	~~35%~~	~~SF, 2F: 35%~~ ~~Townhouse: 50%~~	~~SF, 2F: 35%~~ ~~Townhouse: 50%~~ ~~MF: 60%~~
Maximum Impervious Surface Coverage	60%	60%	60%	SF, 2F: 60% Townhouse: 70%	SF, 2F, Townhouse: 70% MF: 80%
Minimum Setback Requirements					
Front Setback	25’	25’	R-2-35A: 25’ R-2-35B: 10’	SF, 2F: 25’ Townhouse: 15’	SF, 2F: 25’ Townhouse, MF: 15’
Interior Side Setback	Lot with attached garage, or detached garage accessed by alley: 7’ Lot with detached garage not accessed by alley: 16’ combined side yard minimum, with one side not less than 10’	Lot with attached garage, or detached garage accessed by alley: 6’ Lot with detached garage not accessed by alley: 16’ combined side yard minimum, with one side not less than 10’	Lot with attached garage, or detached garage accessed by alley: 6’ Lot with detached garage not accessed by alley: 16’ combined side yard minimum, with one side not less than 10’	Lot with attached garage, or detached garage accessed by alley: 6’ Lot with detached garage not accessed by alley: 16’ combined side yard minimum, with one side not less than 10’	SF, 2F, Townhouse: Lot with attached garage, or detached garage accessed by alley: 6’ SF, 2F, Townhouse: Lot with detached garage not accessed by alley: 16’ combined side yard minimum, with one side not less than 10’ MF: 15’ combined side yard minimum, neither side less than 5’

Table 4-1: Residential Districts Dimensional Standards					
	R-1	**R-2**	**R-2-35**	**R-3**	**R-4**
Corner Side Setback	25', except if the corner lot has insufficient width to provide such yard of 25' and still maintain a buildable width of 32 feet, including required side yard along the opposite side lot line, then the required yard abutting the street may be reduced in width by the distance necessary to maintain a buildable width of 32 feet, provided the side yard abutting a street is not reduced to less than 30 percent fo the width of the lot.			SF, 2F: 25' or 30% of lot width, whichever is less Townhouse: 15' or 30% of lot width, whichever is less	SF, 2F: 25' or 30% of lot width, whichever is less Townhouse, MF: 15' or 30% of lot width, whichever is less
Rear Setback	40'	40'	40'	SF, 2F: 40' Townhouse: 30'	SF, 2F: 40' Townhouse, MF: 30'
Minimum Building Separation for lots with multiple multi-family buildings	N/A	N/A	N/A	50 between any building and a front entrance of any other building on the lot. 30 feet between buildings in all other instances.	

B. Special Height Regulation for R-1 and R-2 Lots with Non-Conforming Rear Yards

For existing single-family homes on existing foundations in the R-1 or R-2 districts with non-conforming rear yards, additions may be constructed onto these homes under the following circumstances:

i) The addition may extend no higher than a line drawn toward the house at a 35 degree angle starting at one-foot above grade at the rear proprety line. In cases where the rear property line is lower than the top of the existing foundation, the drawn line may start at the elevation of the foundation extended to the rear property line.

ii) Eaves and chimneys are exempt from this limit and may extend higher than the line described in (i) above.

iii) Up to 30 percent of the room area used exclusively for dormers may be exempt from this limit and may extend higher than the line described in (i) above

C. Additional yard requirements for non-residential buildings in the R-3 and R-4 Districts.

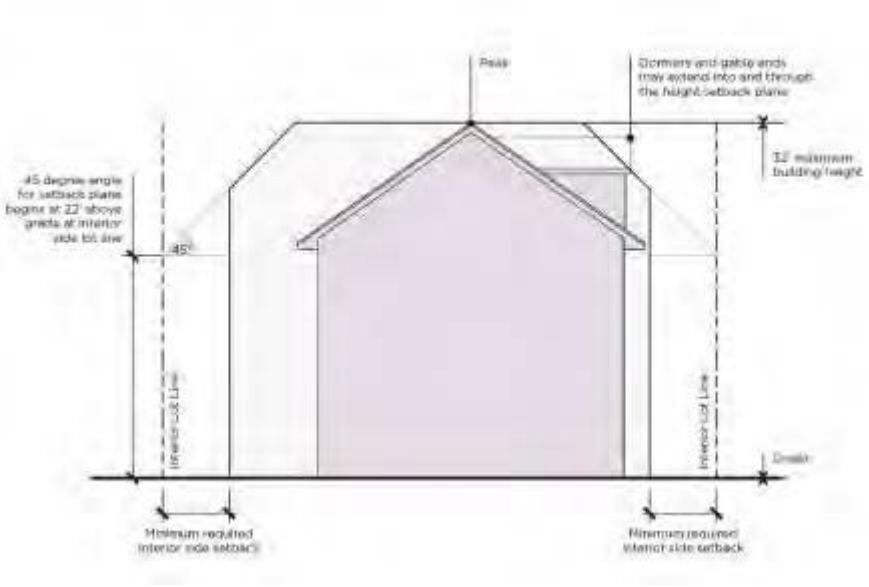
For buildings—either permitted or special—in the R-3 and R-4 zoning districts, side, front, and rear yards shall be increased in depth beyond the minimum required by one foot for each additional foot of building over 32 feet in height.

4.4 BUILDING HEIGHT SETBACK PLANE

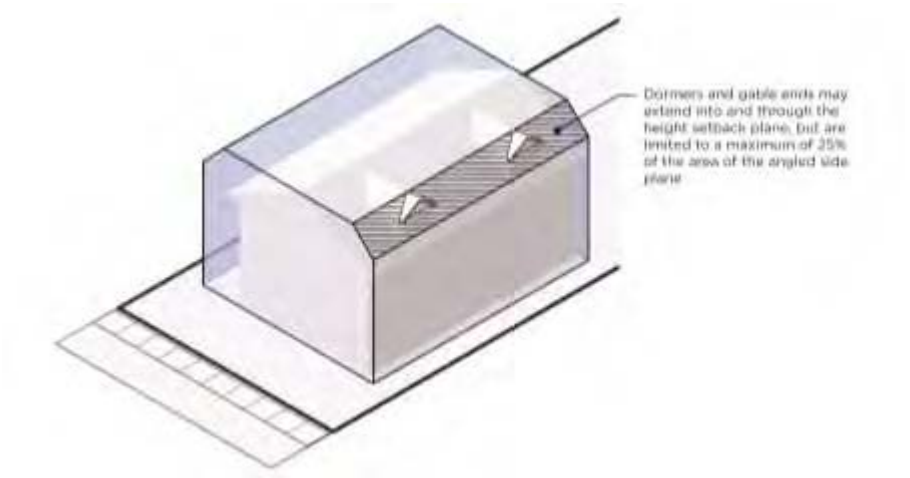
In addition to the general height and interior side setback restrictions in Table 4-1 of this Ordinance, all buildings on any lot within the R-1, R-2, and R-2-35 Districts are subject to, and must comply with, the following building height setback plane restrictions.

A. No portion of a structure may intersect the planes that begin at a point 22 feet above grade at the interior side lot line and run at a 45° angle toward the interior of the lot until they reach the maximum building height permitted.

B. Dormers and gable ends may extend into and through the height setback plane, but are limited to a maximum of 25% of the area of the angled side plane. Dormers and gable ends must comply with the building height restrictions of this Ordinance.



BUILDING HEIGHT SETBACK PLANE



BUILDING HEIGHT SETBACK PLANE – LIMIT OF INTRUSION

4.5 CONVERSION OF APARTMENTS INTO CONDOMINIUMS

Any proposed conversion of an apartment building into condominiums shall be done in accordance with the requirements provided in Chapter 34, Article 3 of the Village of Niles Code of Ordinances.

4.6 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Section 9 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Section 10 for off-street parking and loading standards and requirements.

C. Landscape

See Section 11 for landscape, buffering and screening standards and requirements.

D. Signs

See Chapter 78 of the Village Code for sign standards.

SECTION 5. COMMERCIAL DISTRICTS

5.1 PURPOSE STATEMENTS
5.2 USES
5.3 DIMENSIONAL STANDARDS
5.4 DESIGN STANDARDS
5.5 GENERAL STANDARDS OF APPLICABILITY

5.1 PURPOSE STATEMENTS

A. C-1 Corridor Commercial District

The purpose of the C-1 Corridor Commercial Zoning District is to promote development of storefront space and provide for a mix of retail, personal service, and office uses along the commercial corridors within the Village, primarily serving the local community. The C-1 District is intended to accommodate auto-oriented uses while improving the pedestrian environment along the Village's commercial corridors. Mixed-use development is encouraged with residential dwelling units allowed above the ground floor.

B. C-2 General Commercial District

The purpose of the C-2 General Commercial District is to accommodate regional commercial centers within the Village, including auto-oriented retail centers that serve both residents of the Village and the surrounding communities. The C-2 District provides for large-scale development that generates a sizeable amount of traffic and a significant demand for off-street parking. Mixed-use development is encouraged with residential dwelling units allowed above the ground floor.

C. C-3 Milwaukee Avenue Form-Based District

The purpose of the C-3 Milwaukee Avenue Form-Based District is to promote a high-quality mixed-use environment along the Milwaukee Avenue corridor within the Village. The C-3 District contains specific standards related to building form, including height and massing, building location, façade transparency, parking, and building design. These standards are intended to improve the image of the corridor, and encourage the development of Milwaukee Avenue as a pedestrian-friendly, walkable mixed-use destination.

D. C-4 Milwaukee Avenue Mixed-Use District

The purpose of the C-4 Milwaukee Avenue Mixed-Use District is to promote a tailored mix of retail, personal service, office, and residential development along the Milwaukee Avenue Corridor within the Village, complementary in bulk and height to the Milwaukee Avenue Form-Based District. It should maintain a traditional mixed-use character, distinguished by a pedestrian-friendly orientation, building entrances opening to the public sidewalk, and parking, when provided, located to the rear of buildings.

E. C-5 Urban Village District

The purpose of the C-5 Urban Village District is to promote redevelopment of large regional centers as mixed-use urban villages, rather than as traditional single-purpose shopping centers. The C-5 District provides controls on use mix, siting, and design to encourage a high-quality mixed-use and pedestrian friendly urban village development.

5.2 USES

A. Uses Generally

1. Section 8 lists permitted and special principal uses and temporary uses for the commercial districts.

2. In the C-3 District, uses are restricted per Figure 5.4: C-3 District Use Restrictions. Generally, Table 8-1 lists the uses allowed in the C-3 District unless Figure 5.4 indicates specific additional permissions or restrictions for uses.

3. Within the C-2, C-3, and C-4 Districts, ground floor uses on corner lots are limited to those listed

under the "Retail" category in Table 8-1: Use Matrix. This limitation extends for 250 feet along the lot lines along each intersecting street and applies to any ground floor space where 50% or more of the space's frontage is located within this 250 foot measurement.

4. Residential density limits are controlled by bulk, height, parking, and other zoning regulations.

5.3 DIMENSIONAL STANDARDS

Table 5-1: Commercial Districts Dimensional Standards establishes the dimensional standards for the commercial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. Within certain districts, the design standards of Section 5.4 also apply.

Table 5-1: Commercial Districts Dimensional Standards					
	C-1	**C-2**	**C-3**	**C-4**	**C-5**
Bulk Standards					
Minimum Building Height	15'	15'	20'	20'	None
Maximum Building Height	40'	40'	Figure 5.1 *On page 5-14*	50'	50'
Minimum Setback Requirements					
Front Setback	None	None	Figure 5.2[1] *On page 5-15*	Build-To Zone[1]: 0' - 10' for 60% of façade	None
Front Building Line Setback from Curb [1]	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb
Interior Setback Yard	None, unless abutting a residential district, then 10'	None, unless abutting a residential district, then 15'	None, unless abutting a residential district, then 10'	None, unless abutting a residential district, then 15'	None, unless abutting a residential district, then 15'

Table 5-1: Commercial Districts Dimensional Standards					
	C-1	**C-2**	**C-3**	**C-4**	**C-5**
Corner Setback Yard	None	None	Figure 5.3[1] *On page 5-16*	Build-To Zone[1]: 0' - 10' for 50% of façade	None
Corner Side Building Line Setback from Curb [1]	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb	Minimum of 14' from back of curb
Rear Setback	20'	20'	20'	20'	20'

[1] If the dimension of setback from curb exceeds any required build-to zone or build-to line, such dimension controls as a build-to line.

5.4 DESIGN STANDARDS

The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply**.** These standards do not apply to interior remodeling. With the exception of the C-3 District, residential dwellings are not subject to these standards but rather to any applicable standards of Section 8 of this Ordinance; multi-family dwellings in the C-3 District are subject to the standards for the C-3 District.

A. Commercial District Design Standards

Table 5-2: General Building Design Standards indicates the applicability of general building design standards to the commercial districts. An "X" indicates that the standard is applicable in the district

indicated. The absence of an "X" indicates that the standard is not applicable. Standards for the C-3 District are found in item B below.

Table 5-2: General Building Design Standards				
	C-1	C-2	C-4	C-5
Façade Design				
Building facades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street.	X	X	X	X
Building facades in excess of 100 feet that abut a public right-of-way, excluding alleys, must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than two feet in depth, such as a reveal, pilaster, or projecting rib. All elements must repeat at intervals of no more than 40 feet.	X		X	
All buildings of three or more stories must be designed with a definable base (ground floor), through the use of architectural features such as cornice treatments, recesses, corbeling, brick courses, and window designs.		X	X	X
A ground floor building entrance may be recessed no more than six feet from the required front build-to zone, and must be no wider than eight feet. Such a recess is considered to meet any required minimum build-to percentage.			X	
All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located.	X		X	
Fenestration Design				
Windows must be recessed no less than four inches, or projected out from the façade plane to provide depth and shadow.	X		X	
The ground floor must maintain a transparency of 50%, measured between two and ten feet in height from grade.	X		X	
The ground floor must maintain a transparency of 35%, measured between two and ten feet in height from grade.		X		X
Upper floors must maintain a transparency of 25% of the wall area of the story.	X		X	
Roof Design				
Rooflines over 100 linear feet in building length must be variegated, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 feet.	X		X	
Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops.	X	X	X	X
Green roof, blue roof, and white roof designs are encouraged.	X	X	X	X
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	X	X	X	X
Retail Center Siting				
The site shall be designed so that there is safe pedestrian access to the center from the public right-of-way and safe pedestrian circulation within the development.		X		X
A cohesive character is required through the use of coordinated hardscape treatment (special paving materials, lighting, street furniture, etc.) and landscaping.		X		X
Outlot buildings must include showcase windows and entrances oriented toward both the street and the interior parking lot.		X		X
If outlot buildings are part of a multi-tenant retail center, outlot buildings must define the street frontage by placement within 0 feet to 25 feet of the lot line.		X		
A street presence for the mixed-use retail center must be created by locating part of the center or outlot buildings within 0 to 20 feet of the lot line for at least 30% of the frontage.				X

B. C-3 District Design Standards

1. Façade Design

a. Street abutting building façades must maintain a build-to percentage as follows:

1. Buildings fronting on Milwaukee Avenue, Oakton Street, Howard Street, and Touhy Avenue must locate 80% of the length of any façade abutting those streets within the required build-to zone. Buildings located at a key corner as designated in Figure 5.4 must locate the first 50 feet from the corner on any façade abutting a street within the required build-to zone.

2. Buildings fronting on any other street within the C-3 District must locate 60% of the length of any façade abutting a street within the required build-to zone.

3. Where buildings front on multiple streets, the higher required build-to percentage controls both streets.

b. Street abutting building façades must not contain blank wall areas that exceed 15 linear feet, measured parallel to the street.

c. Street abutting building façades in excess of 100 feet must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than 18 inches in depth, such as a reveal, pilaster, or projecting rib, to visually break up the massing of the ground floor into segments of no more than 40 feet.

d. All buildings of three stories or greater must be designed with a definable base (ground floor) through the use of horizontal articulation or architectural features such as cornice treatments, belt courses, recesses, corbeling, awnings or canopies, and changes in window design or pattern.

e. Ground floor building entrances must address adjacent streets, and must be visually distinctive or prominent on the building façade. This may be accomplished through the use of architectural features such as entranceway roofs, canopies or awnings, entranceway recesses, a chamfered corner, sidelight windows, transom windows, or other adjacent window designs.

f. Ground floor building entrances may be recessed no more than six feet from the required front build-to zone, and must be no wider than ten feet. Such a recess is considered to meet any required minimum build-to percentage.

g. Street abutting building façades must provide a building entrance no less than once every 40 feet.

h. Buildings located within 50 feet of key corners as designated in Figure 5.4, measured parallel to the right-of-way, must address Niles' unique corner geometry through the inclusion of prominent architectural features. Such features include, but are not limited to, chamfered corners, "bull nose" building forms, or other vertical architectural elements.

i. Vents, air conditioners, and other utility elements, except where such elements are enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer, are prohibited as part of a front or corner side façade.

2. Fenestration Design

a. Windows must be recessed no less than two inches or projected out from the façade plane to provide depth and shadow.

b. A bulkhead or knee-height wall a minimum of 18 inches and a maximum of 36 inches in height is required along any street abutting façade to provide a definable base and give visual weight to required ground floor glazing.

c. The ground floor must maintain a minimum transparency of 60%, measured between two and ten feet in height from grade. Building façades located within 50 feet of key corners as designated in Figure 5.4, measured parallel to the right-of-way, must maintain a minimum transparency of 75% measured between two and ten feet in height from grade.

d. Upper stories must maintain a minimum transparency of 30% of the wall area of the story.

3. Roof Design

a. Rooflines over 100 linear feet in building length must be variegated and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 feet.

b. Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops.

c. Green roof, blue roof, and white roof designs are encouraged.

d. Reflective surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.

e. Mechanical equipment on roofs must be located a minimum of five feet behind the building wall, and must be screened from view from public rights-of-way by the use of parapet walls or enclosures designed to conceal the equipment.

4. Site Elements

a. In the C-3 District, parking may be located along the side or to the rear of the building. Parking is prohibited between the front building facade and the front lot line.

b. In addition to the requirements of Section 11.6, when parking is located adjacent to a building, a continuation of the street wall must be created through the use of a solid masonry wall designed to complement the building or combination of landscape and an open decorative fence as follows:

1. A solid masonry wall must be between three and four feet in height. An open, decorative feature may be included in the design of such a wall, and may extend up to a maximum height of five feet. A masonry wall must employ the same quality materials required of the primary building.

2. An open decorative fence must be between four and six feet in height, and must be constructed of high-quality durable material such as wrought iron.

5. Site Design

a. Buildings or structures that are part of a multi-building complex should achieve unity of character and design through the use of architectural features, building style, texture, color, materials, form, scale and proportion, and site design elements such as courtyards, plazas, landscape, and walkways.

b. Developments should provide pedestrian links to adjacent commercial uses and neighborhoods, where appropriate, to provide integrated, safe pedestrian access between the site and commercial or residential uses outside the development.

C. Building Material Restrictions

In all commercial districts, the following building materials are prohibited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings
4. Exposed aggregate (rough finish) concrete wall panels
5. Exterior insulating finish systems (EIFS)
6. T-111 composite plywood siding
7. Plastic
8. Vinyl

C-1 DISTRICT

A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street

B Building façades in excess of 100 feet must include a repeating pattern including color change, texture change, material module change, or articulation of no less than two feet in depth, such as a reveal, pilaster, or projecting rib. Elements must repeat at an interval of no more than 40 feet

C All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located

D Windows must be recessed no less than four inches, or projected out from the façade plane to provide depth and shadow

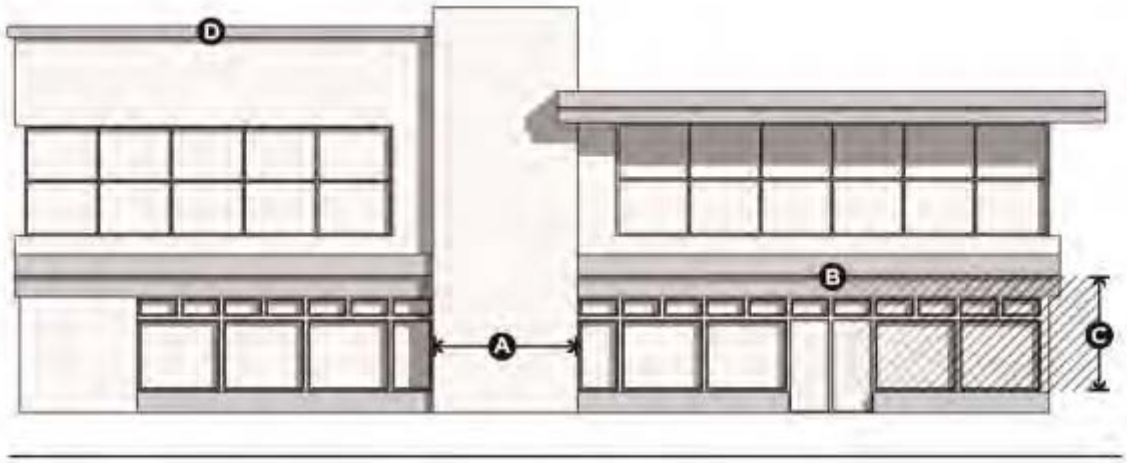
E The ground floor must maintain a transparency of 50%, measured between two and ten feet in height from grade

F Upper floors must maintain a transparency of 25% of the wall area of the story

G Rooflines over 100 linear feet in building length must be variegated, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 feet

H Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops

C-2 DISTRICT



A Building facades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street

B All buildings of three or more stories must be designed with a definable base (ground floor), through the use of architectural features such as cornice treatments, recesses, corbeling, brick courses, and window designs

C The ground floor must maintain a transparency of 35%, measured between two and ten feet in grade

D Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops

C-3 DISTRICT

A Street abutting building façades must not contain blank wall areas that exceed 15 linear feet, measured parallel to the street

B Street abutting building façades in excess of 100 feet must include a repeating pattern with no less than two of the following elements: color change, texture change, material module change, or a wall articulation change of no less than 18 inches in depth, such as a reveal, pilaster, or projecting rib to visually break up the massing of the ground floor into segments of no more than 40 feet

C All buildings of three stories or greater must be designed with a definable base (ground floor) through the use of horizontal articulation or architectural features such as cornice treatments, belt courses, recesses, corbeling, awnings or canopies, and changes in window design or pattern

D Ground floor building entrances must effectively address adjacent public rights-of-way, and must be visually distinctive or prominent on the building façade. This may be accomplished through the use of architectural features such as entranceway roofs, canopies, or awnings, entranceway recesses, a chamfered corner, sidelight windows, transom windows, or other adjacent window designs

E Ground floor building entrances may be recessed no more than six feet from the required front build-to zone, and must be no wider than ten feet. Such a recess is considered to meet any required minimum build-to percentage

F Street abutting building façades must provide a building entrance no less than once every 40 feet

G Buildings located within 50 feet, measured parallel to the right-of-way, of key corners as designated in Figure 5.4 must address Niles' unique corner geometry through the inclusion of prominent architectural features. Such features include, but are not limited to, chamfered corners, "bull nose" building forms, or other vertical architectural elements

H Windows must be recessed no less than two inches, or projected out from the façade plane to provide depth and shadow

I A bulkhead or knee-height wall a minimum of 18 inches, and a maximum of 36 inches in height is required along any street abutting building façade, to provide a definable base and give visual weight to required ground floor glazing

J The ground gloor must maintain a minimum transparency of 60%, measured between two and ten feet in height from grade. Building façades located within 50 feet, measured parallel to the right-of-way, of key corners as designated in Figure 5.4 must maintain a minimum transparency of 75%

K Upper stories must maintain a minimum transparency of 30% of the wall area of the story

L Rooflines over 100 linear feet in building length must be variegated, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 feet

M Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops

C-3 DISTRICT KEY CORNERS

A Buildings located within 50 feet, measured parallel to the right-of-way, of key corners as designated in Figure 5.4 must address Niles' unique corner geometry through the inclusion of prominent architectural features. Such features include, but are not limited to, chamfered corners, "bull nose" building forms, or other vertical architectural elements

C-4 DISTRICT

A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street

B Building façades in excess of 100 feet must include a repeating pattern including color change, texture change, material module change, or articulation of no less than two feet in depth, such as a reveal, pilaster, or projecting rib. Elements must repeat at an interval of no more than 40 feet

C All buildings of three or more stories must be designed with a definable base (ground floor), through the use of architectural features such as cornice treatments, recesses, corbeling, brick courses, and window designs

D A ground floor building entrance may be recessed no more than six feet from the required front build-to zone, and must be no wider than eight feet.

E All buildings must have a public entrance from the sidewalk along the primary building frontage. Public entrances must be visually distinctive from the remaining portions of the façade along which they are located

F Windows must be recessed no less than four inches, or projected out from the façade plane to provide depth and shadow

G The ground floor must maintain a transparency of 50%, measured between two and ten feet in height from grade

H Upper floors must maintain a transparency of 25% of the wall area of the story

I Rooflines over 100 linear feet in building length must be variegated, and incorporate a major focal point feature, such as a dormer, gable, or projected wall feature. An element of variegation on the roofline must occur at intervals of no more than 75 feet

J Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops

C-5 DISTRICT

A Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 25 linear feet, measured parallel to the street

B All buildings of three or more stories must be designed with a definable base (ground floor), through the use of architectural features such as cornice treatments, recesses, corbeling, brick courses, and window designs

C The ground floor must maintain a transparency of 35%, measured between two and ten feet in grade

D Parapet walls must feature three-dimensional cornice treatments or other shadow-creating details along their tops

RETAIL CENTER SITE LAYOUT

A The site shall be designed so that there is safe pedestrian access to the center from the public right-of-way and safe pedestrian circulation within the development

B A cohesive character is required through the use of coordinated hardscape treatment (special paving materials, lighting, street furniture, etc.) and landscaping

C Outlot buildings, or parts of the center located near the lot line, must include showcase windows and entrances oriented toward both the street and the interior parking lot

D If outlot buildings are part of a multi-tenant retail center, outlot buildings must define the street frontage by placement within 0 to 25 feet of the lot line

E A street presence for the mixed-use retail center must be created by locating part of the center or outlot buildings within 0 to 20 feet of the lot line for at least 30% of the frontage

FIGURE 5.1: C-3 DISTRICT HEIGHT MAXIMUMS

FIGURE 5.2: C-3 DISTRICT SETBACKS

FIGURE 5.3: C-3 DISTRICT KEY CORNERS

C-3 District - **Key Corners**

Village of Niles | Zoning Ordinance

FIGURE 5.4: C-3 DISTRICT USE RESTRICTIONS

5.5 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Section 9 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Section 10 for off-street parking and loading standards and requirements.

C. Landscape

See Section 11 for landscape, buffering and screening standards and requirements.

D. Signs

See Chapter 78 of the Village Code for sign standards.

SECTION 6. OFFICE, INDUSTRIAL, & CULTURAL/ENTERTAINMENT DISTRICTS

6.1 PURPOSE STATEMENTS
6.2 USES
6.3 DIMENSIONAL STANDARDS
6.4 DESIGN STANDARD
6.5 GENERAL STANDARDS OF APPLICABILITY

6.1 PURPOSE STATEMENTS

A. M Limited Industrial District

The purpose of the M Limited Manufacturing Zoning District is to provide for general industrial, research and development, warehousing, wholesaling, and office uses. Industrial uses in the M District may produce noise, vibration, odor, heat glare, and other external effects perceptible to adjacent land users, but are generally not offensive or noxious. Development standards are intended to buffer surrounding non-industrial uses from the impact of the industrial uses within the district.

B. ENT-MU Cultural/Entertainment-Mixed-Use District

The purpose of the ENT-MU Entertainment Mixed-Use Zoning District is to provide for a mix of light industrial uses found in the M District, as well as certain compatible non-industrial uses that are more intensive, such as recreational and entertainment uses and retail establishments consistent with the Village's plans for the Touhy Triangle cultural and entertainment district. Development standards are intended to buffer surrounding less intense uses from the impact of the industrial and commercial uses within the district.

C. OR Office/Research District

The purpose of the O-R Office-Research Zoning District is to accommodate research and development facilities and larger office structures with limited industrial uses allowed that have no outside impacts. Examples of typical O-R District uses might include the headquarters of a large corporation, large research and development facilities, or office parks of substantial size.

6.2 USES

Section 8 lists permitted and special principal uses and temporary uses for the office and industrial districts.

6.3 DIMENSIONAL STANDARDS

A. Table 6-1: Office and Industrial Districts Dimensional Standards establishes the dimensional standards for the office and industrial districts. These regulations apply to all uses within each district unless a different standard is listed for a specific use. Within certain districts, the design standards of Section 6.4 also apply.

Table 6-1: Office and Industrial Districts Dimensional Standards

	M	ENT-MU	OR
Bulk Standards			
Minimum Lot Area	10,000sf	10,000sf	10,000sf
Minimum Lot Width	100'	100'	100'
Maximum Building Height	50'	50'	90'
Minimum Yard Requirements* [See Also 6.3(B)]			
Front Yard	25'	25'	25'
Interior Side Yard	10', unless abutting a residential district, then 20'	10', unless abutting a residential district, then 20'	10 feet, unless abutting a residential district, then: ‣ 20' when structure is 50' or less in height ‣ 40' when structure is more than 50'

Table 5-1: Industrial Districts Dimensional Standards			
	M	ENT-MU	OR
Corner Side Yard	25'	25'	25'
Rear Yard	10', unless abutting a residential district, then 20'	10', unless abutting a residential district, then 20'	10 feet, unless abutting a residential district, then: ‣ 20' when structure is 50' or less in height ‣ 40' when structure is more than 50'

B. No buildings, structures, or parcels of land, which is used for the manufacturing, fabrication, assembly, disassembly, repairing, storing, cleaning, or servicing of materials, products, or goods shall be located within 50-feet of any lot line of a residential district; and when directly across a street from a residential district, there shall be provided for such uses a yard along such street of not less than 40 feet in depth.

6.4 DESIGN STANDARDS

The following design standards apply to new construction, substantial repair or rehabilitation meant to remedy damage or deterioration of the exterior façade of an existing structure, and additions to an existing structure. However, only those standards that relate to the specific repair, rehabilitation, or addition apply. These standards do not apply to interior remodeling.

A. Building Design Standards

Table 6-2: General Building Design Standards indicates the applicability of general building design standards to the office and industrial districts. An "X" indicates that the standard is applicable in the district indicated. The absence of an "X" indicates that the standard is not applicable.

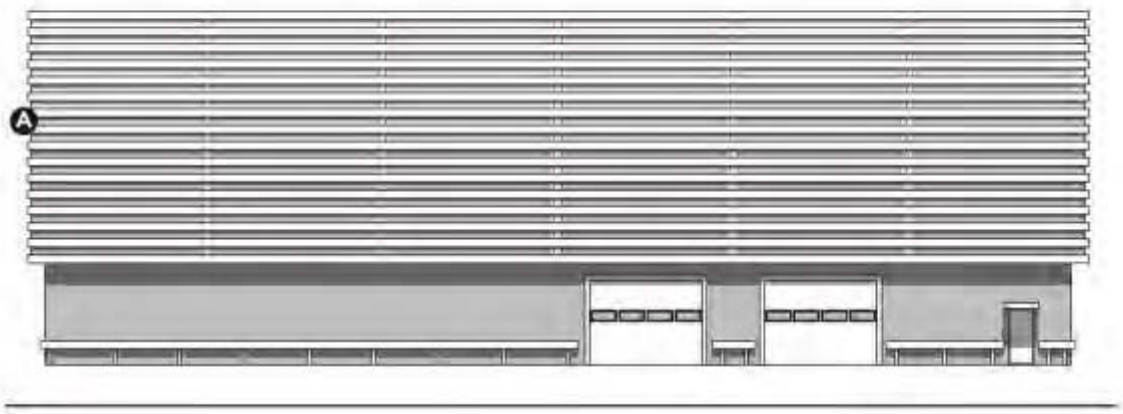
Table 6-2: General Building Design Standards			
	M	ENT-MU	OR
Façade Design			
Building facades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street.		X	X
Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet.		X	
Roof Design			
Green roof, blue roof, and white roof designs are encouraged.	X	X	X
Reflective roof surfaces that produce glare are prohibited, except for solar panels or white roofs intended to radiate absorbed or non-reflected solar energy and reduce heat transfer to the building.	X	X	X
Entrance Design			
Public entrances and primary building elevations must be oriented toward public streets. Main entrances to the buildings must be well defined.		X	X
Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas.			X
Site Design			
In multi-building complexes, a distinct visual link must be established between various buildings through the use of architectural features or site design elements such as courtyards, plazas, landscape, and walkways to unify the project.	X	X	X
Parking lots must be adequately buffered from the primary roadway, and no parking is allowed within the required front setback.	X	X	X
Developments should provide a pedestrian link to adjacent commercial uses to provide safe pedestrian access between the site and commercial uses outside the development.	X	X	X

B. Building Material Restrictions

The following building materials are prohibited on any façade facing a public right-of-way, excluding alleys, or any façade that abuts a lot in residential district. However, such materials may be used as decorative or detail elements for up to 25% of the facade, or as part of the exterior construction that is not used as a surface finish material.

1. Plain concrete block
2. Corrugated metal
3. Aluminum, steel or other metal sidings
4. Exposed aggregate (rough finish) concrete wall panels
5. Exterior insulating finish systems (EIFS)
6. T-111 composite plywood siding
7. Plastic
8. Vinyl

M DISTRICT



A Large expanses of highly reflective wall surface material and mirror glass on exterior walls are discouraged

ENT-MU DISTRICT

A Large expanses of highly reflective wall surface material and mirror glass on exterior walls are discouraged

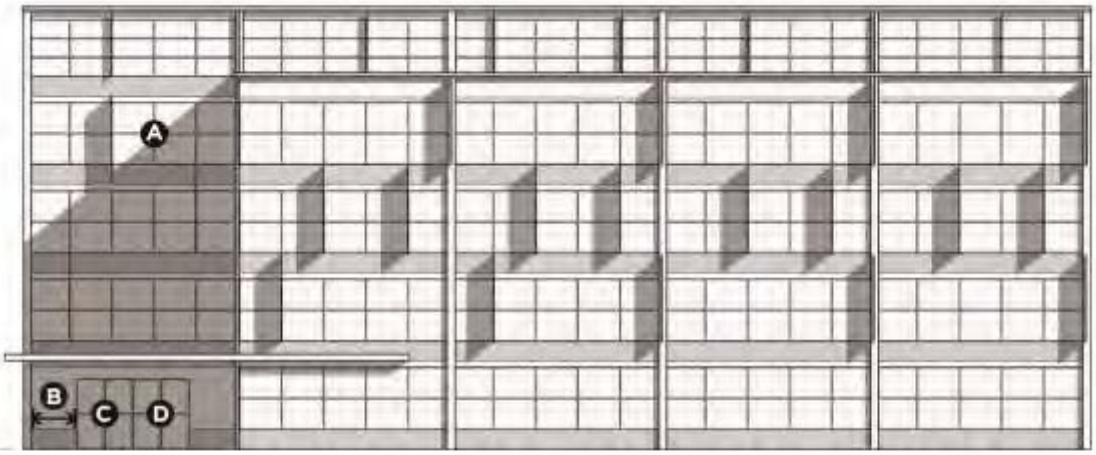
B Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street

C Buildings with façades over 150 feet in length must incorporate wall projections or recesses, or changes in wall plane a minimum of two feet in depth a maximum of every 75 linear feet

D Public entrances and primary building elevations must be oriented toward public streets. Main entrances to buildings must be well defined

E Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas

OR DISTRICT



A Large expanses of highly reflective wall surface material and mirror glass on exterior walls are discouraged

B Building façades that abut a public right-of-way, excluding alleys, must not contain blank wall areas that exceed 35 linear feet, measured parallel to the street

C Public entrances and primary building elevations must be oriented toward public streets. Main entrances to buildings must be well defined

D Entries to office or guest facilities must address the street, with direct access to office or guest facilities from street frontages and parking areas

6.5 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Section 9 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Section 10 for off-street parking and loading standards and requirements.

C. Landscape

See Section 11 for landscape, buffering and screening standards and requirements.

D. Signs

See Chapter 78 of the Village Code for sign standards.

SECTION 7. SPECIAL PURPOSE DISTRICTS

7.1 PURPOSE STATEMENTS
7.2 P-I PUBLIC LAND DISTRICT
7.3 GENERAL STANDARDS OF APPLICABILITY

7.1 PURPOSE STATEMENTS

A. P-I Public/Institutional Lands District

The P-I Public/Institutional Lands District is intended to provide for a zoning and designation to accommodate public lands and institutions within the Village.

7.2 P-I PUBLIC/INSTITUTIONAL LANDS DISTRICT

A. Uses

Section 8 lists permitted and special principal uses and temporary uses for the P-I District.

B. Accessory Uses

Accessory uses, buildings, or other structures customarily incidental to and commonly associated with a principal use—either permitted or special—may be permitted, provided they are operated and maintained under the same ownership and on the same lot as the principal use, do not include structures or structural features inconsistent with the principal use, and do not involve the conduct of any business, profession, trade, or industry. The provisions of Sections 9.3 and 9.4 also apply.

C. Dimensional Standards

Table 7-1: P-I District Dimensional Standards establishes the dimensional standards for the P-I District. These regulations apply to all uses within each district unless a different standard is listed for a specific use.

Table 7-1: P-I District Dimensional Standards

	P-I
Bulk Standards	
Minimum Lot Area	None
Minimum Lot Width	None
Maximum Building Height	45’
Setback Requirements	
Front Setback	25’
Interior Side Setback	10 foot minimum, unless abutting a residential district, then 20’
Corner Side Setback	25’
Rear Setback	10 foot minimum, unless abutting a residential district, then 20’

7.2 GENERAL STANDARDS OF APPLICABILITY

A. Site Development Standards

See Section 9 for additional on-site development standards and requirements, such as exterior lighting, accessory structures and uses, and permitted encroachments.

B. Off-Street Parking and Loading

See Section 10 for off-street parking and loading standards and requirements.

C. Landscape

See Section 11 for landscape, buffering and screening standards and requirements.

D. Signs

See Chapter 78 of the Village Code for sign standards.

SECTION 8. USES

8.1 GENERAL USE PERMISSIONS
8.2 USE MATRIX
8.3 PRINCIPAL USE STANDARDS
8.4 TEMPORARY USE STANDARDS
8.5 USE DEFINITIONS

8.1 GENERAL USE PERMISSIONS

A. No structure or land may be used or occupied except in conformity with the regulations for the zoning district in which it is located.

B. All uses must comply with any applicable federal and state requirements and any regulations of the Village Code.

C. Noncompliance with any of the use standards of this Section and any conditions imposed as a part of the approval of a special use or other zoning approval is considered a violation of this Ordinance and subject to enforcement provisions.

D. A non-residential lot may contain more than one principal use, so long as each principal use is allowed in the district. Each principal use must be approved separately, even if the uses function as a whole development. For example, a gas station may have a car wash or a minor vehicle repair if a car wash or a minor vehicle repair use is allowed in the district. In some cases, the principal use standards and/or definition may identify ancillary uses that are an integral part of the principal use's operation. When identified as an ancillary use, the ancillary use does not require separate approval, but must comply with any standards applicable to such use.

E. Any use not listed within Table 8-1: Use Matrix of Section 8.2 is prohibited.

8.2 USE MATRIX

A. Table 8-1: Use Matrix identifies the principal and temporary uses allowed within each zoning district. P indicates that the use is permitted in the district. S indicates that the use is a special use in the district and requires special use permit approval. If a cell is blank, the use is not allowed in the district. In the case of temporary uses, a P indicates the temporary use is allowed in the district and the standards may indicate that it requires temporary use permit approval in accordance with the standards of Section 8.4.

B. Within the C-2, C-3, and C-4 Districts, ground floor uses on corner lots are limited to those listed under the "Retail" category in Table 8-1: Use Matrix. This limitation extends for 250 feet along the lot lines along each intersecting street and applies to any ground floor space where 50% or more of the space's frontage is located within this 250 foot measurement.

TABLE 8-1: USE MATRIX															
Use	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
RESIDENTIAL	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Community Residence – Small	P	P	P	P	P										Sec. 8.3.B
Community Residence – Large															Sec. 8.3.B
Dwelling – Above the Ground Floor						P	P	P	P	S					
Dwelling – Single-Family	P	P	P	P	P			P							Sec. 8.3.G
Dwelling - Two-Family				P	P										Sec. 8.3.G
Dwelling – Townhouse				P	P			P	P	S					
Dwelling – Multi-Family					P			P	P	S					
Residential Care Facility				S	S		S			S					Sec. 8.3.T
INSTITUTIONAL/PUBLIC	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Cemetery														P	
Community/Recreation Center				S	S	S	S	S	S	S	P	S		P	
Cultural Facility						P	P	P	P	P		S		P	
Educational Facility - College/University				S	S		S			S				P	
Educational Facility - Primary/Secondary	S	S	S	S	S									P	
Educational Facility - Vocational							S			S				S	
Government Office						P	P	P	P	P	P		P	P	
Park/Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of Worship	S	S	S	S	S									P	
Public Safety Facility	S	S	S	S	S	S	S	S	S	S	P		P	P	
Public Works Facility							S				P		P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
SERVICE	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Adult Use: Service											S				Sec. 8.3.A
Arts Studio						P	P	P	P	P		P			
Cosmetic Tattoo						S	S								
Car Wash						S	S		S						
Catering Establishment							P								
Currency Exchange							S		S						Sec. 8.3.C
Day Care Center						S	S	S	S	S			S		Sec. 8.3.E
Day Care Home	P	P	P	P	P										Sec. 8.3.D
Financial Institution						S	S	S	S	S					
Funeral Home						S	S	S	S		P			P	
Heavy Commercial - Rental & Service							P	P	P						Sec. 8.3.J
Hotel/Motel							P	S		P		P	S		

TABLE 8-1: USE MATRIX															
Use	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Massage Services Establishment							S	S	S			S			
Outdoor Storage								S	S		S				Sec. 8.3.P
Passenger Terminal											P	P		P	
Payday/Title Loan Establishment							S		S						Sec. 8.3.C
Personal Service Establishment						P	P	P	P	P		P	P		
Pet Services: Day Boarding						S	S	S	S	S					
Pet Services: Grooming						S	S	S	S	S		S			
Pet Services: Overnight Boarding						S	S	S	S	S					Sec. 8.3.R
Reception Facility							S	S	S	S		S			Sec. 8.3.S
Self-Storage Facility											S				
Vehicle Rental – Enclosed							S		S	S	P	P			Sec. 8.3.V
Vehicle Rental – Outdoor							S			S	P	S			Sec. 8.3.V
Vehicle Repair – Major							S		S		P				Sec. 8.3.W
Vehicle Repair – Minor						S	S		S		P				Sec. 8.3.W
Veterinarian						S	S	S	S	S		S			
RECREATION & ENTERTAINMENT	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Adult Use: Entertainment											S				Sec. 8.3.A
Amusement Facility - Indoor						S	S	P	P	P	P	P		P	
Amusement Facility - Outdoor							S		S	S	P	S		P	
Firearms Training Center—Indoor Only											S				Sec. 8.3.H
Golf Course	S	S	S	S	S							P		P	
Live Performance Venue						S	S	S	S	P		P		P	
Off-Track Betting Parlor							S	S	S	S	S				
Social Club/Lodge						S	S	S	S	S	S	S	S		
RETAIL	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Adult Use: Retail											S				Sec. 8.3.A
Animal and Pet Sales						S	S	S	S	S		S			
Animal and Pet Adoption						S	S	S	S	S		S			
Art Gallery						P	P	P	P	P		P			
Bar						S	S	S	S	S		P			
Gas Station and alternative fuel stations							S		S		S				Sec. 8.3.I
Greenhouse/Nursery - Retail						S	P								
Firearms Sales											S				Sec. 8.3.H
Heavy Commercial - Retail							S		P	S	S	S			Sec. 8.3.J
Outdoor Display (Retail)							P	P	P	P					Sec. 8.3.M
Outdoor Seating						P	P	P	P	P	S	S	P	P	Sec. 8.3.O
Outdoor Sales (Retail)						S	P	P	P	P		S			Sec. 8.3.P

TABLE 8-1: USE MATRIX															
Use	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Precious Metal Dealer															
Restaurant, indoor						P	P	P	P	P	P	P	P		
Restaurant, carry-out						P	P	P	P	P	P	P	P		
Restaurant, drive-in						P	P	P	P	P	P	S	P		
Retail Establishment						P	P	P	P	P	P	P	P		
Retail Sales of Pet Supplies						P	P	P	P	P	P	P			
Smoking Establishment							S					S			
Specialty Food Service						P	P	P	P	P	P	P	P		
Micro-Brewery/Micro-Distillery							S	S	S	S	P	P			
Vehicle Parts Sales							P	P	P						
Vehicle, Marine, and Recreational Vehicle Sales - Enclosed							P		P	P		P			Sec. 8.3.V
Vehicle, Marine, and Recreational Vehicle Sales - Outdoor							S		S						Sec. 8.3.V
OFFICE	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Contractor and Construction Office											P				
Employment Agency							S	S	S		P				
Industrial Design						P	P	P	P	P	P	P	P		
Office						P	P	P	P	P	P	P	P	P	
Radio/TV Studio - With Antenna						S	S		S	S	S		S		
Radio/TV Studio - Without Antenna						P	P	P	P	P	P	P	P		
MEDICAL	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Hospital							S		S				S	P	
Medical/Dental Clinic *(not within a "Use Group B structure" as defined by the building code.)*						S	S	S	S	S			P		
Medical/Dental Clinic *(within "Use Group B structure" as defined by the building code.)*						P	P	P	P	P			P		
Medical Cannabis–Cultivation											S				
Medical Cannabis-Dispensing											S				Sec. 8.3.K
INDUSTRIAL	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Industrial - Limited							S				P	S	P		
Industrial - General											P				
Medical Cannabis Cultivation Center											S				Sec. 8.3.L
Research & Development											P	P	P		
Solar Farm											S		S	S	
Vehicle Operation Facility-Indoor											S		S		Sec. 8.3.U
Warehouse											P		P		

TABLE 8-1: USE MATRIX															
Use	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	**Use Standard**
Wholesale Establishment											P				
Wind Energy System											S				Sec. 8.3.X
INFRASTRUCTURE/UTILITIES	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Utilities	S	S	S	S	S	S	S	S	S	S	P	P	P	P	
Wireless Telecommunications						S	S	S	S	S	S		S	S	Sec. 8.3.Y
TRANSPORTATION	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Drive-Through Facility						S	S	S	S	S	S	S	S	S	Sec. 8.3.F
Garage, Storage											P				
Parking Lot - Principal Use						S	S	S	S	S	S		S	P	Sec. 8.3.Q
Parking Structure - Principal Use						S	S	S	S	P	P	S	P	P	Sec. 8.3.Q
OTHER	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Planned Unit Development	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 12
Unique Use	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 15.11
TEMPORARY USES	**R-1**	**R-2**	**R-2-35**	**R-3**	**R-4**	**C-1**	**C-2**	**C-3**	**C-4**	**C-5**	**M**	**ENT-MU**	**OR**	**P-I**	Use Standard
Farmers Market		P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.4.A
Garage/Yard Sale	P	P	P	P	P	P	P	P	P	P	P		P	P	Sec. 8.4.B
Real Estate Sales Office/Model Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.4.C
Temporary Contractors Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.4.D
Temporary Mobile Food Sales						P	P	P	P	P	P	P	P	P	Sec. 8.4.E
Temporary Outdoor Entertainment						P	P	P	P	P	P	P	P	P	Sec. 8.4.F
Temporary Outdoor Sales/Promotion						P	P	P	P	P	P	P	P	P	Sec. 8.4.G
Temporary Outdoor Storage Container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.4.H

8.3 PRINCIPAL USE STANDARDS

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

A. Adult Use

1. All adult uses require a business license per Section 22.541 of the Village Code.

2. All adult uses must be located a minimum of 2,000 feet from any residential use, place of worship, educational facility, park/playground, or cultural facility.

3. An adult use must be located a minimum of 2,000 feet from any other adult use.

4. No adult use may be maintained or operated in any manner that causes, creates, or allows public viewing of any adult material, or any entertainment depicting, describing, or relating to specified sexual activities or specified anatomical areas, from any public or private right-of-way or any property.

B. Community Residence

1. A community residence must be the only principal use within a building.

2. Community residences must meet all applicable federal, state, and local requirements including, but not limited to, licensing, health, safety, and building code requirements.

3. The facility must retain a residential character, which is compatible with the surrounding residential neighborhood.

4. The facility must not be located within 1,500 feet of another community residence, either small or large.

C. Currency Exchange or Payday/Title Loan Establishment

No currency exchange or payday/title loan establishment may be located within one mile of another currency exchange or payday/title loan establishment.

D. Day Care Home

1. Day care homes must meet any applicable federal, state, and local requirements including, but not limited to, licensing, health, safety, and building code requirements.

2. The facility must retain a residential character that is compatible with surrounding residential neighborhoods.

3. One sign is permitted and must be wall or window mounted, and no more than six square feet in area.

E. Day Care Center

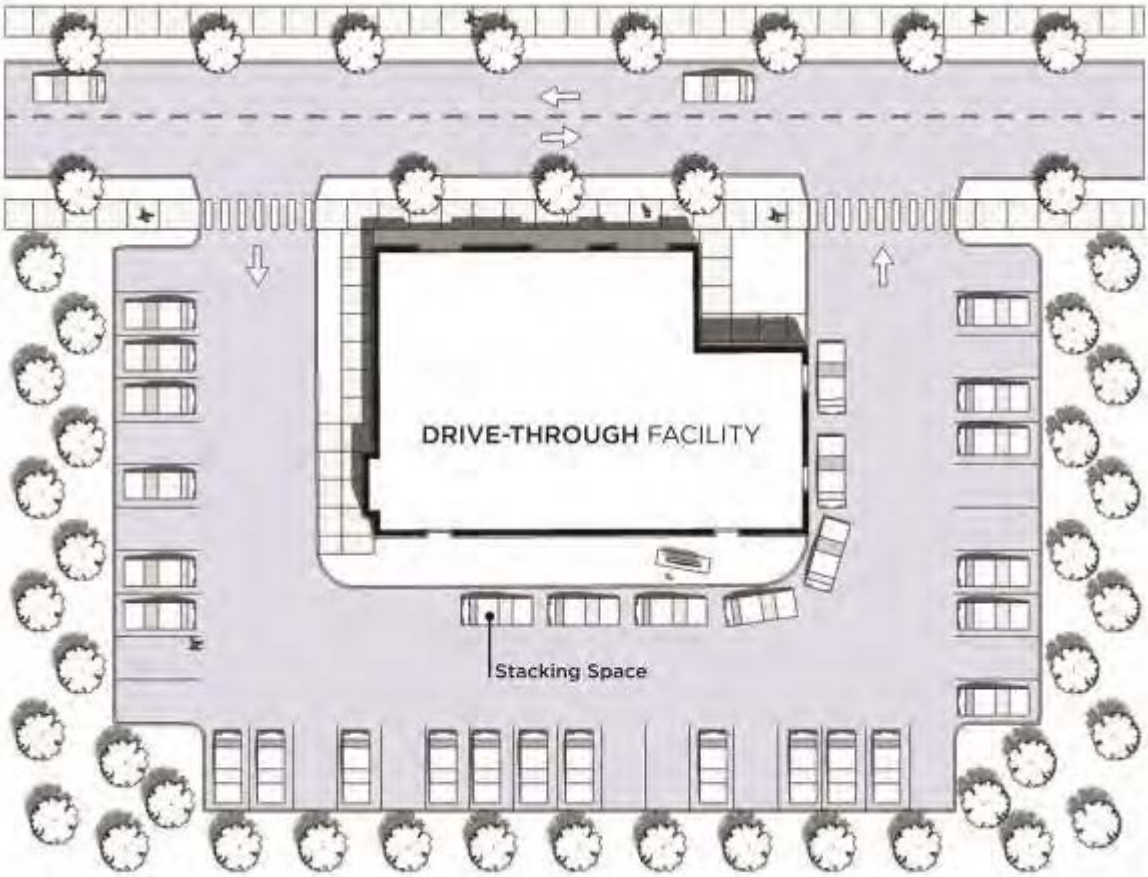
Day care centers must meet all applicable federal, state, and local requirements including, but not limited to, licensing, health, safety, and building code requirements.

F. Drive-Through Facility

1. All drive-through facilities must provide a minimum of six stacking spaces per lane or bay, unless additional or lesser stacking spaces are specifically required by this Ordinance. The Village may require more than this minimum number of spaces as part of special use approval and/or site plan review.

2. All drive-through lanes must be designed to ensure that they do not adversely affect the safety and efficiency of traffic circulation on the lot and on adjoining streets.

3. Additional screening may be required as part of special use approval and/or site plan review to minimize the impact of exterior site lighting, headlight glare, menu boards, and intercom sound.



G. Dwelling – Single-Family and Two-Family

1. No single-family or two-family dwelling may be constructed or undergo major renovation that would be the same or a similar design as any dwelling located on any first, second, or third lot adjacent to either side of the lot or any lot directly across the street.

2. Any frontloading attached garage with a full second floor above must have an additional roof line that runs at least as wide as the garage door(s) with a minimum projection of one foot.

H. Firearms Sales and Firearm Training Centers

Firearms Sales and Firearms training Centers are only allowed indoors. No firearms sales and/or firearm training centers may be located within 1,000 feet of any educational facility. See 8.5 for definition of 'educational facility'.

I. Gas Station

1. All gas station driveways must be located and designed to ensure that they will not adversely affect traffic circulation on adjoining streets.

2. Gas stations may include an ancillary retail establishment.

3. The volume on any outdoor audio component must be maintained at a level so as not to be audible on adjoining properties.

J. Heavy Commercial - Rental and Service, or Retail

1. Outdoor storage areas must be located to the rear or side of the structure where possible. No outdoor storage is permitted in required setbacks.

2. All heavy commercial uses must be screened along interior side and rear lot lines with a solid wall or fence of six feet in height.

K. Medical Cannabis Dispensing Organization

1. In accordance with state law, medical cannabis dispensing organizations must comply with the required spacing and location requirements. Any subsequent amendment to state law that is more restrictive than this standard will control.

   a. A licensed medical marijuana dispensary may not be located within 1,000 feet of a pre-existing educational facility – primary or secondary and/or day care center.

   b. A licensed medical marijuana dispensary may not be located within 500 feet of any place of worship, amusement facility, or park/playground.

   c. A licensed medical marijuana dispensary may not be located within a residential dwelling or within a residential district.

2. An operation plan must be submitted, which includes the security measures to be provided, the days and hours of operation, and a site plan that describes exterior lighting and parking capacity.

L. Medical Cannabis Cultivation Center

1. In accordance with state law, medical cannabis dispensing organizations must comply with the required facility design and spacing requirements. Any subsequent amendment to state law that is more restrictive that this standard will control.

   a. A licensed medical cannabis cultivation center must be located within an enclosed, locked facility, defined as a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store, and distribute cannabis for registered qualifying patients.

   b. A licensed medical cannabis cultivation center may not be located within 2,500 feet of a pre-existing educational facility – primary or secondary, day care center, day care home, a residential district, place of worship, amusement facility, or park/playground.

2. An operation plan must be submitted, which includes the security measures to be provided, the days and hours of operation, and a site plan that describes exterior lighting and parking capacity.

M. Outdoor Display (Retail)

1. Retail establishments located on lots a minimum of a 20,000 square feet are permitted permanent outdoor display areas.

2. Permanent outdoor display areas must be located within a maximum of 25 feet of any building wall. Outdoor display areas must be located 10 feet from any lot line.

N. Outdoor Sales (Retail)

1. Retail establishments located on lots a minimum of a 20,000 square feet are permitted permanent outdoor sales areas.

2. Permanent outdoor sales areas are not permitted in required setbacks.

3. A walk aisle a minimum of four feet in width must be maintained at all times throughout the sales area.

4. A permanent safety barrier must be erected to maintain a separation between the outdoor sales areas and any parking and drive-aisles.

O. Outdoor Seating

1. Outdoor seating must maintain a minimum five foot clearance for all walkways.

2. All outdoor furnishings must be able to be easily removed during winter months and/or if required by the Village. All outdoor furnishings must be designed to withstand a wind pressure of not less than 30 pounds per square foot.

3. Outdoor seating may be open between the hours of 6:00 AM and 11:00 PM.

4. Any outdoor seating in the right-of-way requires special use approval and is subject to the following specific regulations, in addition to the other regulations of this section.

a. Outdoor seating in the right-of-way requires the applicant to enter into a lease of the right-of-way, a hold harmless agreement, and to provide evidence of general liability insurance and dramshop insurance, including naming the Village as an insured and insuring the Village against any liability. Minimum coverage must be $1,000,000.00 for general liability insurance and $300,000.00 for dramshop insurance and no less than an "A" rating by the most recent "AM Best Insurance Rating Guide."

b. All maintenance and upkeep of a right-of-way associated with the operation of the outdoor seating in the public right-of-way is the responsibility of the property owner (upkeep includes the replacement of damaged public property, i.e., brick pavers).

P. Outdoor Storage and Salvage Yards

1 An outdoor storage yard must be completely enclosed along all lot lines by a solid fence or wall six feet in height. Fences or walls along the front or corner side lot line must be set back a minimum of 10 feet. Within the setback, one shrub a minimum of three feet in height must be planted linearly every three feet on-center along such fence or wall.

2. Storage of any kind is prohibited within any required setback.

3. Storage of any kind is prohibited outside the fence or wall. No items stored within 25 feet of the fence or wall may exceed the height of the fence or wall.

Q. Parking Structure and Parking Lot

All parking structures and parking lots are subject to the parking design standards of Section 10. In addition, parking structures and parking lots as principal uses are subject to the following standards.

1. Parking Structure

a. On facades that front on public streets, façade design and screening must mask the interior ramps and create the illusion of horizontality.

b. Parking structures must be designed to minimize blank facades through architectural detail and landscape.

c. On portions of the ground floor façade where parking spaces are visible, a decorative fence and landscape or a kneewall is required to screen parking spaces. Such fence or kneewall must be a minimum of three feet in height.

d. For parking structures with rooftop open-air parking, a five foot parapet wall is required for screening.

e. A vehicular clear sight zone must be included at vehicular exit areas as follows:

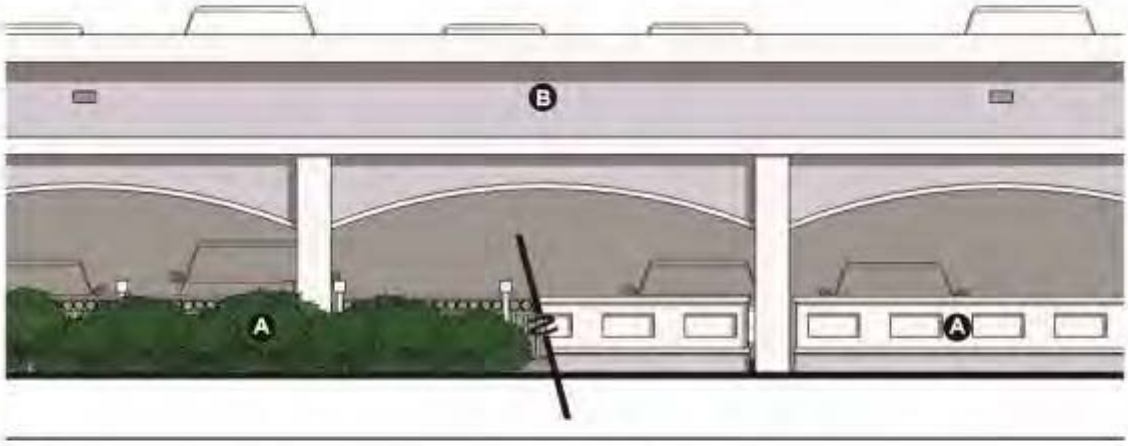
i. The façade of vehicular exit areas must be set back from any pedestrian walkway along that façade a minimum of eight feet for the portion of the façade that includes the vehicle exit area and eight feet on each side of the exit opening.

ii. A sight triangle is defined by drawing a line from the edge of the vehicular exit area to a point on the property line abutting the pedestrian walkway eight feet to the side of the exit lane. In the sight triangle, groundcover, landscape, or decorative wall must be used to act as a buffer between the exit aisle and the pedestrian walkway. Landscape or a decorative wall must not exceed three feet in height in order to maintain driver sightlines to the pedestrian walkway.

iii. The upper story façade(s) of the parking structure may overhang the vehicular clear sight zone.

A On façades that front on public streets, façade design and screening must mask the interior ramps and create the illusion of horizontality

B Parking structures must be designed to minimize blank façades through architectural detail and landscape



A On portions of the ground floor façade where parking spaces are visible, a decorative fence and landscape or a kneewall is required to screen parking spaces. Such fence or kneewall must be a minimum of three feet in height

B For parking structures with rooftop open-air parking, a five foot parapet wall is required for screening

2. Parking Lot

a. A parking lot must be used solely for the temporary parking of motor vehicles and cannot be used as an off-street loading area. No sale, display, repair, or service, except emergency service, of any kind is permitted in any parking lot. This does not include permitted temporary uses.

b. Parking lots must be screened and landscaped in accordance with the requirements of Section 11.

R. Pet Services: Overnight Boarding

All overnight boarding facilities must be located indoors. Animals may be allowed outside until no later than 11:00 p.m. except for toileting.

S. Reception Facility

1. A general admission fee or any other monetary donations (payment at the door to the general public) for entrance is prohibited, with the exception of fundraisers or events for bona fide non-profit organizations, places of worship, educational facilities, or similar.

2. Outdoor seating areas are permitted for the use of guests. If a reception facility conducts main activities outdoors, special use approval is required for any permanent outdoor component of the facility.

T. Residential Care Facility

1. Residential care facilities must meet any applicable federal, state, and local requirements including, but not limited to, licensing, health, safety, and building code requirements.

2. When located in a residential district, the facility must retain a residential character, which is compatible with the surrounding residential neighborhood. When located in a non-residential district, the structure must be designed with a lobby entrance along the primary frontage.

3. Residential care facilities that are only residential in use must meet applicable standards for multi-family dwellings in that district. Mixed-use residential care facilities, where commercial uses are located on the ground floor, must meet the design standards of the district.

U. Vehicle Operation Facility

All repair and service operations must be performed within a fully enclosed building.

V. Vehicle Rental, and Vehicle, Marine, and Recreational Vehicle Sales

1. Vehicle rental and vehicle sales establishments may have ancillary vehicle repair facilities. All repair and service operations must be performed within a fully enclosed building, with the exception of any fueling facilities. Fueling facilities must be located to the rear of the lot.

2. Vehicle rental and vehicle sales establishments with outdoor vehicle display are subject to the following:

a. Within commercial districts, a minimum lot area of three acres is required. Within industrial districts there is no minimum lot area. Vehicle rental and vehicle sales establishments with outdoor vehicle display are prohibited along Milwaukee Avenue.

b. Any outdoor display of vehicles must be screened along front and corner side yards. The screening must consist of shrubs a minimum of three feet in height, spaced linearly and planted every three feet on center, and/or a low pedestrian wall a minimum of three feet to a maximum of four feet in height along the perimeter of such outdoor display areas.

W. Vehicle Repair – Minor and Major

1. Vehicle repair/service establishments may not store the same vehicles outdoors on the site for longer than three days. Only vehicles that have been or are being serviced may be stored outdoors.

2. All repair and service operations must be performed within a fully enclosed building. All equipment and parts must be stored indoors.

3. Vehicle repair establishments that abut a residential district must be screened along interior side and rear lot lines with a solid wall or fence six feet in height.

4. No partially dismantled, wrecked, or unlicensed vehicle may be stored outdoors on the premises. This standard does not apply to vehicles under repair. Vehicles may not be on-site for more than 3 days.

5. The sale of used or new automobiles is prohibited.

6. No motor vehicles may be stored and no repair work may be conducted in the public right-of-way.

X. Wind Energy System

1. The design of the wind energy system must conform to applicable industry standards as such standards exist as of the date construction is commenced. The facility owner or operator must submit certificates of design compliance obtained by the equipment manufacturers from official certifying organizations.

2. All wind turbines must be newly manufactured as of the date of installation. Experimental/prototype wind turbines may be approved only as a special use.

3. All wind energy systems must be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes must be operated in a fail-safe mode. Stall regulation is not considered a sufficient braking system for over speed protection.

4. All electrical components of the wind energy system must conform to applicable federal, state, and local codes, and applicable international standards.

5. An engineer's certificate must be completed by a structural engineer, licensed in the State of Illinois, certifying that the tower and foundation of the wind turbines are compatible with, and are appropriate for, the particular model of wind turbine used, and that the specific soils at the site can support the wind turbine.

6. Wind turbines must comply with the following design standards:

   a. Wind turbines must be a non-obtrusive and non-reflective color. The facility owner or operator must maintain the paint on wind turbines at all times in good repair.

   b. Wind turbines must not display advertising, except for reasonable identification of the turbine manufacturer, or the facility owner and operator.

   c. Within the wind energy system, wind turbines must be of a generally consistent size, design, and color, of similar height and rotor diameter, and rotate in the same direction.

   d. Wind turbines must not be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable regulatory authorities.

   e. On-site transmission and power lines between wind turbines must, to the maximum extent practicable, be placed underground, reach the property line, and be located and constructed in such a way as to minimize disruption to the property's primary purpose as well as to facilitate the interconnection of other commercial wind power generating facilities.

   f. Non-essential appurtenances are prohibited to be affixed to any wind turbine, including, but not limited to, cellular or radio antennae or banners or signs.

   g. A clearly visible warning sign advising persons of the presence of high voltage levels must be placed at the base of all pad-mounted transformers and substations.

7. The applicant must commission and submit at the time of permit application a wildlife assessment (impact study), conducted by a qualified wildlife expert indicating possible risks to local wildlife, habitat, and migratory birds. Additionally, the applicant's wildlife expert must also develop a mitigation plan, if applicable, that addresses/mitigates any risk to wildlife, migratory birds, and affiliated habitat. All wind turbines at time of application must be located out of bird and bat migration pathways/corridors where wind turbine construction would pose a substantial risk.

8. Wind turbines must not be climbable up to a height of at least 15 feet above ground surface. All access doors to wind turbines and electrical equipment must be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

9. All wind turbines must be set back from the nearest property line a distance of not less than the required setback for that zoning district or the turbine height, whichever is greater. The setback distance is measured from the property line to the nearest point on the outside edge of a tower. Operation and maintenance building(s) and substations must be located in accordance with zoning district yard requirements. All wind farm structures, except for wind turbines, must comply with the regulations of the zoning district.

10. The facility owner or operator must comply with all applicable codes and ordinances regulating sound generation. In the event that any sound levels from a wind turbine are found to be in excess of permissible levels, the facility owner or operator must take necessary measures to bring sound levels down to a level acceptable.

13. A wind turbine's shadow flicker must not fall on any window of an existing structure or within the buildable area of an adjacent lot, as defined by setback requirements.

14. The facility owner and operator must, at their sole expense, complete decommissioning of the wind energy system, or individual wind turbines, within one year after the end of the useful life of the wind energy system or individual wind turbines. The wind energy system or turbine will be deemed to be at the end of its useful life if it is abandoned for a period of time in excess of 180 days. Decommissioning includes removal of wind turbines, structures, roads, and foundations to a depth of 48 inches, and any other element constructed by facility owner or operator for the purpose of maintaining or operating the wind energy system.

Y. Wireless Telecommunications

1. Purpose

The following standards for wireless telecommunications antennas, facilities, and towers are intended to:

a. Ensure public health, safety, and welfare.

b. Ensure access to reliable wireless telecommunications services throughout the Village.

c. Encourage the location of antennas and towers on Village-owned property.

d. Encourage the use of existing towers and other structures for the co-location of wireless telecommunications antenna.

e. Encourage the location of towers, to the extent possible, in areas where the adverse impact on the Village will be minimal.

f. Encourage the location of small cell and Distribution Antenna Systems (DAS) in buildings and in densely populated areas as an alternative to use of towers and other macrocell structures.

2. Application Requirements

In addition to the requirements for a special use, all applications to erect, construct, or modify any part of a wireless telecommunications antenna, facility, or tower must include the following items, unless waived by the body approving the application:

a. A site plan showing:

i. The location, size, screening, and design of all structures, including fences.

ii. The location and size of all outdoor equipment.

iii. Elevations showing antenna height.

iv. If the site plan is for a new wireless telecommunications tower, indication of the fall zone as a shaded circle.

b. A maintenance plan and any applicable maintenance agreement designed to ensure long-term, continuous maintenance, including maintenance of landscape, keeping the area free from debris and litter, and immediate removal of any graffiti.

c. A disclosure of what is proposed. For projects on Village-owned property, also provide a disclosure demonstrating the need for the wireless telecommunications antenna, facility, or tower in the proposed location.

d. The reason or purpose for the placement, construction, or modification in the proposed location with specific reference to the provider's coverage, capacity, and/or quality needs, goals, and objectives.

e. For projects on Village-owned property, the service area of the proposed wireless telecommunications antenna, facility, or tower.

f. If the proposal is for a new telecommunications tower, then a map showing co-location opportunities within the City and within areas surrounding the borders of the City must be provided and justification for why co-location is not feasible in order to demonstrate the need for a new tower.

g. Certification by a licensed and registered professional engineer or architect regarding the manner in which the proposed structure will fail. The certification may be utilized, along with other criteria such as applicable regulations for the district in question, in determining if additional setback should be required for the structure and other facilities.

h. Statements requiring compliance with local building codes, safety standards, all applicable local and state laws, and all local, state, and federal regulations. If such laws or regulations are changed, then the wireless facility provider shall have six (6) months from the effective date of such revised laws or standards to come into compliance unless a more restrictive compliance schedule is mandated by the controlling state or federal agency.

i. A statement requiring that the provider shall make its best efforts to avoid interference of its frequencies with Village public safety, public works, and administrative radio frequencies.

j. Completion of FCC forms indicating exemption from or compliance with federal regulations regarding radio frequency warning signage and safety zones.

k. A statement or analysis by a licensed professional engineer attesting to the structural integrity of a tower, pole, or other structure proposed to accommodate a proposed wireless facility.

l. Any wireless facility provider shall maintain its facility in compliance with the standards contained in the current applicable local, county, or state building codes and the applicable standards for telecommunications towers that are published by the Electronics Industry Association (EIA), as amended from time to time. If, upon inspection, the Village concludes

that an antenna, antenna structure, or telecommunications tower fails to comply with such codes or standards, and constitutes a danger to persons or property, then upon notice being provided to the provider of the antenna, antenna structure, or telecommunications tower, the provider shall have thirty (30) days to bring such antenna, antenna structure, or telecommunications tower into compliance with the applicable codes or standards.

3. Site Priority

To minimize the adverse visual impact of wireless telecommunications towers, antennas, and facilities are allowed as special uses in the following order of priority for location. If lower priority locations are requested, the applicant may be required to provide engineering data certified by the appropriate licensed professionals, or other information the Village deems necessary, that the use of a higher priority location is not technically or otherwise feasible, and that the requested location is a matter of engineering necessity.

a. First priority sites are the M, OR, and P-1 Districts. In addition, any stealth design of antennas is a first priority site.

b. Second priority sites are the C-2, C-4, C-5, and ENT-MU Districts.

c. Third priority sites are any areas not cited as a first or second priority.

4. Setbacks

All wireless telecommunications towers and facilities must be set back from all property lines in accordance with the minimum setback requirements in the zoning district.

5. Height

The maximum height of a wireless telecommunications tower is that of the maximum height permitted in the zoning district. If a taller height is needed to function satisfactorily, such additional height may be allowed as part of the special use approval. For wireless facilities proposed to be constructed on Village-owned property, the special use application for approval of a wireless telecommunications tower must demonstrate the minimum height needed for the tower to function.

6. Lighting and Marking

Wireless telecommunications antennas, towers, and facilities must not be lit or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

7. Specific Standards for Wireless Telecommunications Antennas

Wireless telecommunications antennas are a special use in all districts, unless they are stealth design in which case they are considered a permitted use and subject only to site plan review. Stealth design for wireless antennas is encouraged and is considered a permitted use in all districts, subject to site plan review and approval. All applications for wireless telecommunications antennas must include all information required by this section. In addition to the standards of this section for wireless telecommunications antennas, stealth design must comply with the following regulations:

a. To qualify as a stealth design, wireless telecommunications antennas must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.

b. Wireless telecommunication antennas must be mounted at least 35 feet above grade, as measured from grade to the base of the antenna, to qualify as stealth design. Wireless telecommunication antennas mounted lower than 35 feet are not considered stealth design and require special use approval.

c. Antennas must be located on or in structures already permitted within zoning districts, such as water towers, clock towers, streetlights, penthouses, parapet walls, and steeples, and must be

designed to blend in with the structure. Antennas that co-locate on existing wireless telecommunications towers are also considered stealth design.

d. No antenna may increase the overall height of any structure on which it is mounted by more than ten feet. If an antenna exceeds such additional height, it is not considered stealth design and require special use approval.

e. Any proposed project that defeats the concealment elements of the support structure per 47CFR § 1.40001(b)(7)(v) will require special use approval.

f. Antennas and cabling extending from wireless communications antennas shall be painted to match the tower, building, or other structure where the antenna array is located.

8. Specific Standards for Wireless Telecommunications Facilities

a. Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless telecommunication tower. Any equipment not used in direct support of such operation must not be stored on the site. The facility must be un-staffed. Buildings, cabinets, or shelters located on Village-owned property shall not receive final Village approval until a lease between the Village and the wireless service provider has been approved and executed by the Village.

b. Signs for the wireless telecommunications facility are limited to ownership and contact information, FCC antenna registration number (if required), and any other information required by government regulation. Commercial advertising is prohibited.

c. A wireless telecommunications facility building or related structure shall, to the extent possible, use materials, colors, screening, and landscaping that will blend them into natural settings and surrounding buildings.

d. All sites on which antennas, antenna structures, and telecommunications towers are located must have a passable roadway access.

e. The structures upon any site which contains an antenna, antenna structure, or telecommunications tower shall be surrounded by a screen or fence. The requirements for fencing or screening in the zoning district in which the proposed antenna, antenna structure, or telecommunications tower is to be located shall apply.

f. No antenna, antenna structure, or telecommunications tower shall be located in an area which has been designated as a wetland by either the Village of Niles, Cook County, the Illinois Department of Natural Resources, the U.S. Department of the Interior, or the U.S. Army Corps of Engineers, and any and all governmental bodies and agencies having jurisdiction.

9. Specific Standards for Wireless Telecommunications Towers

a. The ability for other telecommunications providers to co-locate on a tower is required. Wireless telecommunications towers must be designed to accommodate other telecommunications providers. The area surrounding a tower must be of a sufficient size to accommodate accompanying wireless telecommunications facilities for other telecommunications providers.

b. Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration or the City, towers must have a white, galvanized silver, or grey finish.

c. Towers must be able to withstand wind and ice forces in accordance with standards established under American National Standards Institute/Telecommunications Industry Association (ANSI/TIA) Section 222-G standard, or its successor, and the 2009 International Building Code (IBC-2009), or its successor. Wireless facilities mounted on poles must be able to withstand wind and ice forces in accordance with ANSI-C2-2007 Code standards or its successor.

10. Abandonment

Any wireless telecommunications tower or facility that is not operated for a period of 180 consecutive days is considered abandoned. The owner must immediately remove the tower or facility and all aboveground equipment and related debris at its own cost. The City may ensure and enforce removal by means of its existing regulatory authority.

8.4 TEMPORARY USE STANDARDS

Temporary uses are required to comply with the use standards of this section, in addition to all other regulations of this Ordinance. These regulations are for temporary uses located on private property. Temporary uses on public property and/or properties controlled by separate taxing bodies are exempt from these standards. Unless otherwise indicated, all temporary uses require a temporary use permit.

A. Farmers Market

1. The timeframe of a farmers market, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.

2. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a manager during hours of operation who directs the operations of vendors participating in the market.

b. An established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance when open to the public.

c. A general site plan of vendor stalls, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.

d. Provision for recycling and waste removal.

e. The days and hours of internal operation, including vendor set-up and take-down times.

B. Garage/Yard Sale

1. A garage/yard sale is allowed as accessory to a residential use and does not require a temporary use permit. A garage/yard sale must be incidental to the use of the property for residential purposes and must be conducted entirely on the lot.

2. All goods offered for sale must be the property of the resident of the dwelling or for multiple neighbors where the garage/yard sale takes place.

C. Real Estate Sales Office/Model Unit

1. A real estate sales office/model unit(s) is allowed in any approved residential development. Multiple model units are allowed.

2. The temporary use permit is valid for one year but may be renewed.

3. The real estate sales office/model unit(s) must be removed and closed within 30 days after the sale of the last unit of the development.

4. All activities conducted within real estate sales office/model unit(s) must be directly related to the construction and sale of properties within the particular development. Use as a general office of operation of any firm is prohibited.

D. Temporary Contractor's Office

1. A temporary contractor's office is allowed incidental to a construction project.

2. The temporary use permit is valid for the duration of the building permit, including any extensions.

3. The temporary contractor's office must be removed within 30 days of completion of the construction project.

E. Temporary Mobile Food Sales

1. The timeframe of a temporary mobile food sales use, including number of days per week and overall duration of the event, will be determined and approved as part of the temporary use permit.

2. The temporary use permit will be evaluated on the basis of the adequacy of the parcel size, parking provisions, traffic access, and the absence of undue adverse impact, including noise, on other properties.

3. All mobile food establishments must be properly licensed by the health department.

4. If the mobile food establishment operator is not the owner of the site where the truck or trailer will be located, written permission from the property owner must be submitted as part of the temporary use permit application.

5. Sale of alcohol is prohibited.

6. During business hours, the permit holder must provide a trash receptacle for customer use and must keep the area clear of litter and debris at all times.

7. Outdoor seating may be provided on the site, but no seating may be permanently installed.

8. A permanent water or wastewater connection is prohibited.

9. Electrical service may be provided only by temporary service or other connection provided by an electric utility, or an on-board generator.

10. Drive-through service is prohibited.

11. A mobile food establishment is limited to signs attached to the exterior of the truck or trailer that must be mounted flat against the truck or trailer with a maximum projection of six inches, and one A-frame sign.

F. Temporary Outdoor Entertainment

1. A management plan is required as part of the temporary use permit application that demonstrates the following:

    a. The on-site presence of a manager during the event.

    b. A general site plan of performance areas, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.

    c. Provision for recycling and waste removal.

    d. The days and hours of operation, including set-up and take-down times.

    e. A description of crowd control and security measures.

2. Any temporary structures must be removed within three days of conclusion of the event.

3. Temporary outdoor entertainment events are limited to three events per calendar year on the same lot and a maximum duration of four days per event, with a minimum of 15 days between events, with the following exceptions:

a A temporary use permit for a carnival or circus is valid for a period of three events per calendar year on the same lot no more than 15 days in duration, with a minimum of 30 days between events.

G. Temporary Outdoor Sales/Promotion

1. A management plan is required as part of the temporary use permit application that demonstrates the following:

a. The on-site presence of a manager during hours of operation who directs the operations of all participating vendors.

b. An established set of operating rules addressing the governance structure of the sales event, hours of operation, and maintenance.

c. A general site plan of vendor stalls, visitor facilities, such as any seating areas and restrooms, and all ingress and egress points to the site.

d. Provision for recycling and waste removal.

e. The days and hours of operation, including vendor set-up and take-down times.

2. Any temporary structures must be removed within three days of conclusion of the event.

3. Temporary outdoor sales/promotion events are limited to three events per calendar year and a maximum duration of seven days per event, with a minimum of 30 days between events, with the following exceptions:

a. A temporary use permit for a seasonal sale for Christmas trees or pumpkin sales are limited to three events per calendar year and a maximum duration of 45 days. There is no minimum time between events.

4. No furniture or household items, such as rugs or towels, may be sold as part of a temporary outdoor sales/promotion event.

5. Temporary outdoor sales/promotion events are not permitted for the sale of athletic memorabilia related to sports teams and/or sporting events.

H. Temporary Outdoor Storage Container

1. Residential Uses

a. Temporary storage containers are permitted on any residential lot when used for loading or unloading. Containers are permitted on site for a period not to exceed 10 days with no temporary use permit. If a longer time period is required, a temporary use permit is required.

b. Temporary storage containers may not be used for permanent storage. They may not serve as a substitute for permanent storage needs on the site on which they are located. Containers may not be permanently attached to the ground, serviced with permanent utilities, or stacked on the site.

2. Non-Residential Uses

Temporary storage containers for non-residential uses require a temporary use permit. Specific time limits and conditions of approval will be determined as part of permit approval.

8.5 USE DEFINITIONS

All uses found within Table 8-1 are defined in this section. Certain uses are defined to be inclusive of many uses. When a use meets a specific definition, it is regulated as such and is not regulated as part of a more inclusive use category.

Adult Use. Adult uses are defined as follows:

A. General Definitions

1. **Adult Use.** A business that sells or disseminates explicit sexual material, and/or at which access to the public display of explicit sexual material is restricted to persons 18 years of age or older.

2. **Sexually-Oriented Activities.** The following definitions describe the sexually-oriented activities contained within the general definitions for the above adult uses:

   a. **Sexually Oriented Devices.** Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed in whole or part for specified sexual activities.

   b. **Specified Anatomical Area.** Less than completely and opaquely covered genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, or human male genitals in a discernible turgid state, even if completely and opaquely covered.

   c. **Specified Sexual Activities.** Any activity that includes human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, or sodomy; or fondling or erotic touching of human genitals, pubic regions, buttocks, or female breasts, even if completely or opaquely covered.

B. Adult Use: Retail

1. **Adult Bookstore/Retail.** A business which offers for sale or rent any of the following: publications, books, magazines, periodicals, photographs, films, motion pictures, video cassettes, DVD, or other video reproductions, or other visual representations that depict or describe specified sexual activities or specified anatomical areas, or instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

C. Adult Use: Entertainment

1. **Adult Arcade.** A business where, for any form of consideration, one or more still or motion picture projectors, slide projectors or similar machines are used to show films, motion pictures, video cassettes, DVD, slides, computer generated graphics, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

2. **Adult Cabaret.** A business that features dancers, go-go dancers, exotic dancers or similar entertainers, or live entertainment, in which persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities. Adult cabaret establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether any such business is licensed to sell alcoholic beverages.

3. **Adult Motion Picture Theater.** A business used for presenting motion pictures that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons.

D. Adult Use: Service

1. **Adult Hotel/Motel.** A hotel or motel or similar business establishment that rents, leases or lets any room for less than a six hour period, or rents, leases or lets any single room more than twice in a 24 hour period.

Amusement Facility - Indoor. A facility for spectator and participatory uses conducted within an enclosed building, such as movie theaters, sports arenas, bowling alleys, tumbling centers, skating centers, roller rinks, swimming pools and pool halls. Indoor amusement facilities do not include live performance venues. An indoor amusement facility may include concession stands.

Amusement Facility - Outdoor. A facility for spectator and participatory uses conducted outdoors or within partially enclosed structures, such as stadiums, fairgrounds, batting cages, miniature golf courses, swimming pools and amusement parks. An outdoor amusement facility may include concession stands.

Animal and Pet Adoption. An facility that houses and provides care for homeless, lost, or abandoned dogs, cats, and/or other animals until such animals are reclaimed by their owner, placed in a new home, or placed with another organization for adoption.

Animal and Pet Sales. A business that sells dogs, cats, and/or other animals.

Art Gallery. A business engaged in the sale, loan, and/or display of paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Arts Studio. A business where a type of art or activity is taught, studied, or practiced, such as dance, martial arts, photography, music, painting, gymnastics, pilates, or yoga, or where facilities are available for use by others for the production of a type of art, such as a recording studio. An arts studio also includes private exercise studios that are only open for private sessions with trainers and/or classes.

Bar. An establishment where the principal business is the sale of alcoholic beverages for consumption on the premises. Snack foods or other prepared food may be available for consumption on the premises as an ancillary use. Live entertainment may be provided as an ancillary use to a bar.

Body Modification Establishment. A business that offers non-cosmetic tattooing services, body piercing, and/or non-medical body modification. Body modification establishment does not include an establishment that offers only ear piercing as an ancillary service.

Car Wash. A business for the washing and cleaning of passenger vehicles, recreational vehicles, and other light duty equipment, whether automatic, by hand, or self-service.

Catering Establishment. A business that prepares food for delivery an off-site location.

Cemetery. Land and structures reserved for the interring of human remains. A cemetery includes land and structures reserved for the exclusive interring of animal remains. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased, mortuaries, crematoriums, the sales of items related to the internment of remains, and related accessory structures, such as sheds for the storage of maintenance equipment.

Community Garden. A garden for growing vegetables and flowers and which is managed by an individual or an organization for use by members of the public.

Community Residence. A group care facility in a residential dwelling for: 1) care of persons in need of personal services or assistance essential for activities of daily living; 2) care of persons in transition or in need of supervision; or 3) the protection of the individual. Group homes include facilities for drug and alcohol rehabilitation, excluding active users. Group home does not include facilities for adults or minors who have been institutionalized for criminal conduct and require a group setting to facilitate transition into society

A. **Community Residence – Small.** A community residence providing living accommodations for no more than eight residents, including live-in staff. Visiting staff who do not reside within the community residence are not counted for purposes of establishing the number of residents. Must be more than 1,000 feet away from any other Community Residence—either ‘Small’ or ‘Large’.

B. **Community Residence – Large.** A community residence providing living accommodations for more than eight residents, including live-in staff. Visiting staff who do not reside within the community residence are not counted for purposes of establishing the number of residents. Must be more than 1,300 feet away from any other Community Residence—either ‘Small’ or ‘Large’.

Community/Recreation Center. A facility used as a place of meeting, recreation, or social activity, and not operated for profit, which is open to the public.

Cosmetic Tattoo. A business that offers medically-necessary cosmetic tattoo services.

Cultural Facility. A facility open to the public that provides access to cultural exhibits and activities including, but not limited to, museums, cultural centers, non-commercial galleries, historical societies, and libraries. A cultural facility may include ancillary uses such as retail sales and restaurants.

Currency Exchange. An establishment that exchanges common currencies, sells money orders, or cashiers checks, transmits wire money transfers, and cashes checks as its principal business activity. Currency exchange does not include financial institutions or payday loan establishments.

Day Care Center. A licensed facility where care, protection, and supervision is provided for children or well, ambulatory, or semi-ambulatory (non-bedridden) adults for less than 24 hours per day.

Day Care Home. A licensed facility operated in a dwelling where a permanent occupant of the dwelling provides for the care, protection, and supervision for children or well, ambulatory, or semi-ambulatory (non-bedridden) adults for less than 24 hours per day. Children include the permanent occupant's natural, foster, or adopted children.

Drive-Through Facility. A portion of a principal use, such as a retail, restaurant, or service business, where business is transacted directly with customers via a service window that allows customers to remain in their vehicle. The drive-in element of drive-in restaurants is considered a drive-through facility.

Dwelling, Above the Ground Floor. Dwelling units within multi-story buildings located above non-residential uses on the ground floor or located behind non-residential uses on the ground floor. In the case of dwelling units located behind non-residential uses on the ground floor, non-residential uses must be located along the primary street frontage though a portion of the ground floor may be used as an entryway and/or lobby for the residential units.

Dwelling – Multi-Family. A structure containing three or more attached dwelling units used for residential occupancy.

Dwelling – Single-Family. A structure containing only one dwelling unit.

Dwelling – Townhouse. A structure consisting of three or more dwelling units, the interior of which is configured in a manner such that the dwelling units are stacked horizontally or vertically, separated by a party wall, ceiling, or floor. Townhouse refers to the design of a structure and does not reflect the type of ownership of the individual units. A townhouse dwelling does not include a multi-family dwelling. A horizontal townhouse is typically designed with no other dwelling, or portion of other dwelling, directly above or below, where each unit has a separate exterior entrance and direct ground level access to the outdoors. These units are connected to other dwelling units by a party wall with no opening. A vertical townhouse is designed as a stacked flat and is typically designed with dwelling units stacked vertically, with primary access to said dwelling units via a common exterior entrance. These units are connected to other dwellings by a ceiling or floor.

Dwelling – Two-Family. A structure containing two dwelling units, each with a separate entrance.

Educational Facility – College/University. A facility for post-secondary higher learning that grants associate or bachelor degrees. The institution may also have research facilities and/or professional schools that grant master and doctoral degrees. College/university educational facilities may include ancillary uses such as dormitories, cafeterias, restaurants, retail sales, and similar uses.

Educational Facility – Primary/Secondary. A public, private, or parochial facility that offers instruction at the elementary, junior high, and/or high school levels.

Educational Facility – Vocational. A facility that offers instruction in technical, trade, fine and performing arts, sports, and recreation, industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a driving school or school for general educational development. A vocational educational facility also applies to privately operated schools that do not offer a complete educational curriculum.

Employment Agency. A business that provides employment services for temporary employment of semi-skilled and unskilled workers, and typically operates as a labor pool where workers gather on-site for job placement.

Farmers Market. A temporary use of structures and/or land for the sale of a variety of fresh fruits and vegetables, and other locally produced farm and food products directly to consumers from two or more famers or vendors, including those vendors that have taken such items on consignment.

Financial Institution. A bank, savings and loan, credit union, loan, or mortgage office.

Firearms Training Center. A facility that includes a firing range with targets for rifle or handgun practice, and may offer training and lessons.

Firearm Sales. A business that sells, vends, deals, exchanges, or transfers firearms, and may or may not include the sale of ammunition and firearm accessories.

Funeral Home. An establishment that prepares the dead for burial display and for rituals before burial or cremation, including chapels for the display of the deceased and the conducting of rituals before burial or cremation. This definition of funeral home includes crematoriums and body disposal services.

Garage, storage. A building or premises used for housing only of motor vehicles pursuant to previous arrangements and not by transients; and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired, or sold.

Garage/Yard Sale. A temporary use where used household and personal articles are sold held on the seller's own premises or for multiple neighbors when sponsored by a homeowner, neighborhood, or similar association.

Gas Station. A business where fuels for vehicles are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. This also includes solar and/or electric charging stations for vehicles.

Golf Course. A tract of land design with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, and shelters as ancillary uses. A driving range may be designed as a standalone facility or included as part of a golf course, which is defined as a tract of land equipped with distance markers, clubs, balls, and tees for practicing the hitting of golf balls, and may include a snack-bar and pro-shop.

Government Office. Offices owned, operated, or occupied by a governmental agency to provide a governmental service to the public. Government offices do not include public safety or public works facilities.

Greenhouse/Nursery – Retail. A business where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown and sold, and may include the sales of gardening and landscape supplies, and products such as hardware, garden tools and utensils, and paving stone and bricks.

Heavy Commercial - Rental and Service. Rental and/or service establishments that may have permanent outdoor service areas, storage areas, and/or partially enclosed structures, such as heavy equipment or vehicle rental and service.

Heavy Commercial - Retail. Retail establishments that have permanent outdoor service areas, storage areas, and/or partially enclosed structures including, but not limited to, large-scale home improvement centers, industrial supply stores, lumberyards, and heavy equipment or vehicle rental and/or sales.

Helipad. An area of land or portion of a structure used for the landing and take-off of helicopters with no facilities for service or permanent basing of such aircraft.

Heliport. A designated landing area for discharging or picking up passengers or goods by helicopter or similar vertical lift aircraft, and includes terminal facilities for passengers, goods, aircraft servicing, or storage.

Hospital. Facilities for primary health services and medical or surgical care to people, primarily in-patients, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or educational facilities. Hospital includes, but is not limited to, sanitariums and any other medical facility where intensive medical treatment, including in-patient residential care, is provided.

Hotel/Motel. A facility that provides sleeping accommodations for a fee and customary lodging services. Related ancillary uses include, but are not be limited to, conference and meeting rooms, restaurants and bars, and recreational facilities for the use of guests. Bed and breakfasts and short-term residential rentals are considered a

hotel/motel.

Industrial - Limited. Industrial activities that are contained entirely within a building, and any noise, odor, smoke, heat, glare, and vibration resulting from the activity are confined entirely within the building. A limited industrial use may also include a showroom and ancillary sales of products related to the items manufactured or stored on-site.

Industrial - General. Industrial activities that may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users but is not offensive or obnoxious, and typically have ancillary outdoor storage, such as the manufacturing of products from processed or unprocessed raw materials, including processing, fabrication, assembly, treatment, and packaging, and incidental storage, sales, and distribution of such products.

Industrial Design. A business where the form, usability, physical ergonomics, marketing, brand development, and sales of various products are researched and developed. An industrial design establishment may create prototypes of products, but may not manufacture products for direct sale and distribution from the premises.

Live Performance Venue. A facility for the presentation of live entertainment, including musical acts, disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances. A live performance venue is generally only open to the public when a live performance is scheduled. A live performance venue may include classroom space utilized during hours it is not open to the public for a performance. A live performance venue may include concession stands, which may only operate when it is open to the public for a performance.

Massage Services Establishment. An establishment that provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms of physiotherapy. Massage services establishment does not include facilities operated by a licensed medical practitioner, chiropractor, or professional physical therapist, which are considered medical clinics. This definition does not include an athletic club, beauty salon, spa, or similar establishment where massage is offered as an ancillary service.

Medical Cannabis Cultivation Center. A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

Medical Cannabis Dispensing Organization. A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

Medical/Dental Clinic. A facility operated by one or more physicians, dentists, chiropractors, psychiatrists, physiotherapists, or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. Medical clinics also include alternative medicine clinics, such as acupuncture and holistic therapies, and physical therapy offices for physical rehabilitation excluding massage service establishments.

Micro-Brewery/Micro-Distillery. A business that specializes in the limited production and on-site sale of certain alcoholic products including beer, wine, or alcoholic spirits, and which may offer indoor or outdoor areas for on-site consumption of the products produced on-site. Micro-Brewery/Micro-Distilllery also include small-scale preparation, processing, or packaging of products made on-site where all such preparation, processing, or packaging is completely enclosed and there are no outside impacts or outside storage.

Off-Track Betting Parlor. An establishment that accepts wagers on horse and dog races away from a racetrack.

Office. A use that engages in the processing, manipulation or application of business information or professional expertise. Such an office may or may not offer services to the public. An office is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market, nor engaged in the repair of products or retail services, though the creation of prototypes is permitted. An office does not include financial institution, government office, or industrial design.

Open Space. A non-commercial facility designed to serve the recreation needs of the community. Open space includes parks and playgrounds, such as ballfields, football fields, soccer fields, basketball courts, tennis courts, dog parks, and skateboard parks, as well as passive recreation areas that allow for activities such as hiking, running trails, and picnicking. Open space may include park district field houses, which may have indoor recreation facilities.

Outdoor Display (Retail). A lot or a portion of a lot used for permanent outdoor display of goods offered for sale.

Outdoor Sales (Retail). A lot or a portion of a lot used for permanent outdoor sales.

Outdoor Seating. A seating area that is located outdoors and contiguous to a restaurant, bar, or similar use, typically in addition to an indoor seating area.

Outdoor Storage. A lot used for permanent storage of material, including the storage of equipment, vehicles, machinery, or building materials in the conduct of any building trade or building craft.

Parking Lot. An open, hard-surfaced area, other than a street or public way, used for the storage of operable vehicles, whether for compensation or at no charge.

Parking Structure. A structure of one or more levels or floors used for the parking or storage of operable vehicles, whether for compensation or at no charge.

Passenger Terminal. A facility for handling, receiving, and transferring passenger traffic, including, but not limited to, buses and trains.

Payday/Title Loan Establishment. An establishment providing loans to individuals in exchange for receiving personal checks or titles to the borrowers' motor vehicles as collateral.

Personal Service Establishment. A business that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

Pet Services: Grooming. An establishment that offers pet grooming services.

Pet Services: Day Boarding. An establishment where animals are boarded during the day for a fee, with no overnight boarding services.

Pet Services: Overnight Boarding. An establishment where animals are boarded overnight for a fee, and may also include day boarding services.

Pet Supplies: Retail. An establishment that offers pet supplies for sale.

Place of Worship. A building, together with accessory structures and uses, where persons regularly assemble for religious purposes and related social events, and may include group housing for persons under religious vows or orders. Places of worship may also include ancillary day care facilities and/or classrooms for weekly religious instruction.

Precious Metals Dealer. An establishment that buys personal jewelry or other items made of gold or other precious metals primarily for refining. This does not include a retail establishment that primarily offers jewelry for sale where less than 10% of income is derived from the purchase of personal jewelry from customers.

Public Safety Facility. A facility operated by and for the use of public safety agencies, such as the fire department and police departments, including the dispatch, storage, and maintenance of police and fire vehicles.

Public Works Facility. A facility operated by the municipal public works department to provide village services, including dispatch, storage and maintenance of municipal vehicles.

Radio/TV Studio. A facility engaged in broadcasting and information relay services for radio and television signals. A broadcasting facility may or may not include antennas to broadcast the signal.

Real Estate Project Sales Office/Model Unit. A residential unit temporarily used for display purposes as an example of dwelling units available for sale or rental in a residential development and/or sales or rental offices for dwellings within the development.

Reception Facility. A facility that provides hosting and rental services of a banquet hall or similar for private events including, but not limited to, wedding receptions, holiday parties, and fundraisers, with food and beverages that are prepared and served on-site or by a caterer to invited guests during intermittent dates and hours of operation. Live entertainment may be provided as an ancillary use as part of an event. A reception facility is not operated as a restaurant with regular hours of operation.

Research and Development (R&D). A facility where research and development is conducted in industries that include, but are not limited to, biotechnology, pharmaceuticals, medical instrumentation or supplies, communication, and information technology, electronics and instrumentation, and computer hardware and software. Research and development does not involve the manufacture, fabrication, processing, or sale of products.

Residential Care Facility. A group care facility licensed by the state for 24 hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. A residential care facility includes nursing homes, assisted living, hospice, and continuum of care facilities.

Restaurant, indoor. An establishment where food and drinks are provided to the public, primarily for on-premises consumption by patrons seated indoors. Limited outdoor patio areas and limited carry out services are also allowed. If the establishment also serves alcoholic beverages, a full menu of food and drinks must also be prepared on premises. Live entertainment may be provided as an ancillary use to a restaurant.

Restaurant, carry-out. A restaurant that sells prepared foods and no more than 10 seats are provided for consumption on the premises, either inside or outside the building.

Restaurant, drive-in. A restaurant where food and drinks are sold to customers in a ready-to-eat state and where the customer consumes, or is permitted to consume, such food and drink in an automobile parked upon the premises or at other facilities which are provided for use of the customer for the purpose of consumption and which are located outside the building.

Retail Establishment. A commercial enterprise that provides physical goods, products or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser. Retail establishment does not include any business that lends money on the deposit or pledge of physically delivered personal property, and who may also purchase such property on the condition of selling it back again at a stipulated price, or any business that buys personal property, such as gold, jewelry, or artwork. Retail establishment does include consignment shops and antique shops.

Salvage Yard. A lot where vehicles or other machinery are collected, accumulated, or stored, and broken up, where parts may be saved and processed for resale. This includes any land where two or more wrecked, junked, burned, salvaged, disassembled, or inoperative motor vehicles are collected, accumulated, or stored not within a completely enclosed structure.

Self-Storage Facility. A facility for the storage of personal property where individual renters control and access individual storage spaces. Ancillary retail sales of related items, such as moving supplies, and offices may also be included.

Smoking Establishment. An establishment that allows the smoking of tobacco products when permitted by local and state laws, such as cigar bars and hookah lounges, and may also sell tobacco products and smoking instruments. Includes businesses who primarily sell tobacco products and tobacco smoking accessories.

Social Club/Lodge. A facility operated by an organization or association for a common purpose, such as, but not limited to, a meeting hall for a fraternal or social organization or a union hall, but not including clubs organized primarily for-profit or to render a service which is customarily carried on as a business.

Solar Farm. A facility that consists of a cluster or group of photovoltaic cells and generators used for the production of electric power. A solar farm is a principal use of the lot, but may be combined with other principal uses on the same lot.

Specialty Food Service. A business that specializes in the sale of certain food products, such as a delicatessen, bakery, meat market, catering business, or fishmonger, and may offer areas for accessory retail sales or restaurants that serve the products processed on-site. Specialty food service also includes small-scale preparation, processing, or packaging of food products where all processing is completely enclosed and there are no outside impacts or outside storage.

Temporary Contractor's Office. A temporary, portable or modular structure utilized as a watchman's quarters, construction office, equipment shed, or sales center during the construction of a new development.

Temporary Mobile Food Sales. A vehicle-mounted food establishment, where food preparation, service, and sales is housed in a truck or a trailer, typically called a food truck.

Temporary Outdoor Entertainment. A temporary live entertainment event, such as the performance of live music, within an outdoor space. Temporary outdoor entertainment event includes fireworks shows, animal shows, carnivals/circuses, and others.

Temporary Outdoor Sales/Promotion. Temporary uses, which may include temporary structures, where goods are sold, such as arts and crafts fairs, flea markets, rummage sales, and holiday sales, such as Christmas tree lots and pumpkin sales lots. This temporary use category does not include outdoor sales related to a retail establishment where such goods are part of the establishment's regular items offered for purchase.

Temporary Outdoor Storage Container. Temporary self-storage containers delivered to a residence or business owner to store belongings, and then picked up and returned to a warehouse until called for.

Utilities. Facilities and equipment that produces and/or transmits basic services, such as electricity, gas, sewer, cable, or water, including large-scale developments such as electric or gas generation plants, electrical substations, high voltage transmission lines, and water towers and tanks. Utilities do not include public works facilities. Wind energy systems and solar farms are not considered utilities.

Vehicle Parts Sales. An establishment that offers vehicle parts and supplies for sale.

Vehicle Operations Facility. A facility for the dispatch, storage, and maintenance of emergency medical care vehicles, taxicabs, school buses, and livery vehicles. Motor vehicle operations facility does not include a public works or public safety facility, where vehicles for fire, police or other municipal departments are dispatched, stored and/or maintained.

Vehicle Rental. An establishment that rents automobiles and vans, including incidental parking and servicing of rental vehicles. A motor vehicle rental establishment may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Vehicle Repair - Minor. A business the provides services in minor repairs to motor vehicles, motorcycles, all-terrain vehicles (ATV) vehicles, including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, replacement tires, realigning and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Minor vehicle repair does not include small engine repair.

Vehicle Repair - Major. A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles, and may include minor auto repair services.

Vehicle, Marine, and Recreational Vehicle Sales. An establishment that sells or leases automobiles, boats and marine equipment, and recreational vehicles. A dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Veterinarian. A facility that provides medical care for domestic animals, where animals may be boarded during their convalescence.

Warehouse. An enclosed facility for the storage and distribution of manufactured products, supplies, and/or equipment.

Wholesale Establishment. A business where goods are sold to either retailers, or to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Wind Energy System. A facility that consists of a cluster or group of wind turbines and generators used for the production of electric power. A wind energy system is a principal use of the lot, but may be combined with other principal uses on the same lot.

Wireless Telecommunications. Towers, antennas, and facilities used to transmit and receive radio-frequency signals, microwave signals, or other signals that facilitate wireless telecommunications. The following definitions

describe the wireless telecommunications infrastructure described within the general definition for wireless telecommunications:

A. Antenna. A specific device, the surface of which is used to transmit and/or receive radio-frequency signals, microwave signals, or other signals transmitted to or from other antennas. This does not include satellite dish antennae.

B. Facility. An un-staffed structure used to house and protect the equipment necessary for processing telecommunications signals, which may include air conditioning equipment and emergency generators.

C. Tower. A structure designed and constructed to support one or more wireless telecommunications antennae and including all appurtenant devices attached to it.

SECTION 9. SITE DEVELOPMENT

9.1 GENERAL REQUIREMENTS
9.2 EXTERIOR LIGHTING
9.3 ACCESSORY STRUCTURES AND USES
9.4 PERMITTED ENCROACHMENTS
9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

9.1 GENERAL REQUIREMENTS

A. Number of Structures on a Lot

In the R-1, R-2, and R-2-35 Districts no more than one principal building per lot is allowed. This does not include permitted accessory structures. In all other districts, more than one principal building is permitted on a lot, provided that each complies with all dimensional requirements of the district as though it were a principal building on an individual lot.

B. All Activities within an Enclosed Structure

Within all non-residential districts, all activities must be conducted entirely within an enclosed structure, with the exception of the following uses and activities:

1. Parking lots, principal and ancillary.

2. Open space.

3. Permitted outdoor storage, and outdoor sales and display areas.

4. Permitted outdoor temporary uses.

5. Those uses with a integral outdoor component including, but not limited to, outdoor amusement facilities, outdoor storage yards, heavy commercial – retail and rental and service, outdoor seating, car washes, animal care facilities, and similar businesses. The Zoning Administrator may render an interpretation that certain uses not listed above have an outdoor component as an integral part of their function.

C. Applicability of Dimensional Requirements

All structures must meet the dimensional requirements of the district in which the structure is located. No existing structure may be enlarged, altered, reconstructed, or relocated in such a manner that conflicts with the requirements of the district in which the structure is located.

9.2 EXTERIOR LIGHTING

A. Lighting Plan Required

1. A lighting plan is required for all non-residential and mixed-use developments, multi-family dwellings, and planned unit developments. Single-family, two-family, and townhouse dwellings are exempt from a required lighting plan but must meet the lighting requirements of this section. A lighting plan will be reviewed as part of site plan review.

2. A lighting plan must include the following:

a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting, with the schematic wiring layout and power source connection indicated.

b. Specifications for luminaires and lamp types, poles, wiring, conduit, and appurtenant construction, including photographs or drawings of proposed light fixtures.

c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.

d. Elevations of the site including all structures and luminaires sufficient to determine the total cutoff angle of all luminaires and their relationship to abutting parcels.

e. Photometric plans that show the foot candle measurement at all lot lines.

f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

1. The maximum allowable foot candle at any lot line is one foot candle.

2. When additional security lighting is required for security reasons in excess of the foot candle limit imposed by item 1 above, the body reviewing the lighting plan may allow such additional lighting without a variation based on evidence for the need for additional security.

3. No glare onto adjacent properties is permitted.

C. Luminaire with Cutoff Standards

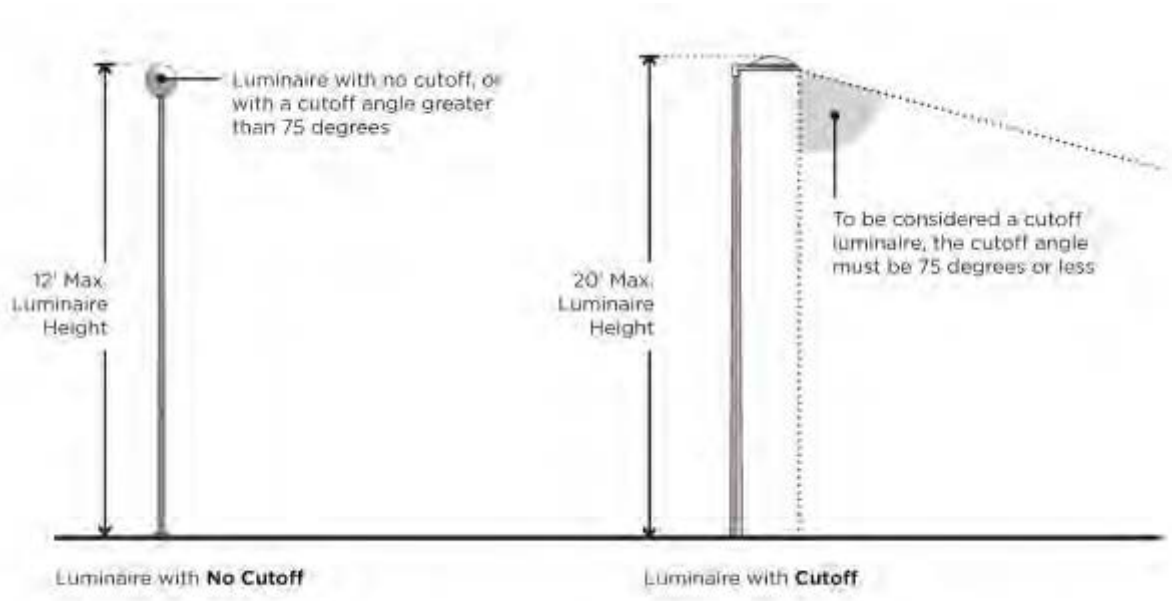
1. To be considered a cutoff luminaire, the cutoff angle must be 75 degrees or less.

2. The maximum total height of a freestanding cutoff luminaire is 35 feet. Any freestanding luminaire greater than 35 feet in total height requires special use approval.

D. Luminaire with No Cutoff Standards

1. A luminaire is considered to have no cutoff if it is unshielded or has a cutoff angle greater than 75 degrees.

2. The maximum permitted total height of a freestanding luminaire with no cutoff is 20 feet. Any freestanding luminaire greater than 20 feet in total height requires special use approval.



E. Exceptions to Lighting Standards

1. Luminaires used for public roadway illumination are exempt from the requirements of this Ordinance.

2. All temporary emergency lighting required by public safety agencies or other emergency services, as well as all vehicular luminaires, are exempt from the requirements of this Ordinance.

3. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height require special use approval.

4. Certain temporary uses may exceed the lighting limitations of this section. When such temporary uses require lighting that exceeds the restrictions, approval of all lighting is required as part of the temporary use permit.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.

2. Private searchlights, private laser source lights, or any similar private high intensity lights are prohibited.

9.3 ACCESSORY STRUCTURES AND USES

All accessory structures and uses are subject to the requirements of this section and the permitted encroachment requirements of Section 9.4. Additional accessory structures not regulated in this section may be regulated in Section 9.4.

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, in addition to any other specific regulations within this section.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.

2. A building permit is required for the construction of an accessory structure, unless specifically exempted by this Ordinance.

3. Only those accessory structures permitted by this section and Section 9.4 are permitted in required setbacks. Certain accessory structures may also be prohibited in certain yards. Minimum “setbacks” are determined by the district standards. The term “yard” refers to the area between the building line and the lot line. The distinction is made because certain principal buildings may not be built at the required setback line, thereby creating a yard larger than the minimum setback dimension. If a structure is permitted within a yard, it is permitted within the required setback, subject to any additional limitations.

4. Accessory structures are included in and must comply with all maximum impervious surface and building coverage requirements.

5. The maximum height of any detached accessory structure is 12 feet and one story, unless otherwise permitted or restricted by this Ordinance.

6. Accessory structures must be at least three feet from a side lot line lot line and five feet from a rear lot line, unless otherwise permitted or restricted by this Ordinance.

7. Accessory structures must be at least ten feet from a principal structure, as measured from building walls, unless otherwise permitted or restricted by this Ordinance.

8. Accessory structures cannot be used for the keeping, propagation, or culture of poultry, livestock, pigeons, or bees.

9. The total area of all accessory structures cannot cover more than 33% of the rear yard.

10. The total square footage of all accessory structures on one lot shall not exceed 700 square feet.

11. No permanent accessory structure shall be built over existing public sewer or water lines or within sewer or water easements. If a permanent accessory structure is built over existing public sewer or water lines and those lines are in need of repair or replacement, the cost of removing the permanent accessory building shall be borne upon the owner of the structure. The Village shall not be responsible for the replacement of such structure.

12. No accessory structure may be used for temporary or long-term residential dwelling purposes.

13. In residential districts, a motor vehicle garage or other accessory structure shall not be used in conjunction with a commercial or business activity, except that commercial vehicles may be parked or stored in a garage.

B. Amateur (HAM) Radio Equipment

1. Towers that solely support amateur (HAM) radio equipment and conform to all applicable performance criteria as set forth in Section 9.5 are permitted only in the rear yard, and must be located ten feet from any lot line and any principal building. Towers are limited to the maximum building height of the applicable district plus an additional ten feet. If a taller tower is technically necessary to engage successfully in amateur radio communications, special use approval is required.

2. Antennas may also be building-mounted and are limited to a maximum height of ten feet above the existing height of the structure. If a taller antenna is technically necessary to engage successfully in amateur radio communications, special use approval is required.

3. When a special use is applied for to increase the height of a antenna or tower above that allowed, the operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower and/or antenna will not prove a hazard and that it conforms to all applicable performance criteria of Section 9.5. As part of the application, the applicant must submit a site plan showing the proposed location of the tower or antenna, as well as its relation to all principal buildings and accessory structures and on adjacent lots if within the fall radius of the tower.

4. Every effort must be made to install towers or antennas in locations that are not readily visible from adjacent residential lots or from the public right-of-way, excluding alleys.

C. Carport

1. Carports must be attached to the primary structure or to a detached garage and are permitted only in the interior side yard, corner side yard, or rear yard and cannot be located in any required setback.

2. Carports attached to the primary structure are not considered to be accessory structures but part of the primary structure and must comply with primary structure set-back requirements.

3. Carports attached to a detached garage are considered to be accessory structures and must comply with set-back requirements for accessory structures.

4. Carports must be located over a driveway.

5. A carport must be constructed as a permanent structure. Temporary tent structures are not considered carports.

D. Coldframe Structures

1. Coldframe structures do not require a building permit.

2. Coldframe structures up to three feet in height are permitted in the interior side, corner side, and rear yards.

3. Coldframe structures over three feet in height are permitted only in the rear yard.

4. Coldframe structures are limited to a maximum height of six feet.

5. Coldframe structures are not subject to the any minimum separation requirements from a principal or accessory structure.

E-1. Decks—R-1, R-2, and R-2-35 districts

1. May be located no closer than ten feet from the rear lot line unless the deck is 24 inches or more above grade, in which case the deck may be located no closer than 15 feet from the rear lot line;
2. Shall not be located within a) a required interior side yard; b) between the building line and the corner side lot line; or c) between the building line and front lot line;
3. In rear yards, the side yard lot line setback shall be no less than seven feet in R-1 and six feet in R-2 and R-2-35 districts or extend past the sidewall of the principal building extended, whichever is less.
4. Shall not be located in any easements or within five feet of any public utility;
5. May be located no closer than three feet from accessory structures unless the deck is 24 inches or more above grade, in which case the deck may be located no closer than ten feet from accessory structures;
6. Shall be considered as a 'Balcony' when serving a second floor in which case they shall not exceed 80 square feet. See Table 9-1;
7. No railing/screening/fencing on any deck shall be greater than six feet in height from grade unless required by Section 312.1 of the Residential Building Code.

E-2. Decks in the R-3 and R-4 districts

1. Decks proposed in the R-3 and R-4 districts will be reviewed per Section 15.6.

E-3. Rooftop Decks in the R-1, R-2, R-2-35; and R-3 districts

Decks which are constructed on top of a first-floor building such as an attached garage or one-story addition are allowed under the following conditions:

1. Are only allowed in single-family and two-family residential districts;
2. Are only allowed in rear or interior side yards;
3. Are only allowed as part of the principal structure and are not allowed on detached or accessory structures;
4. Must comply with all set-backs for the principal structure;
5. Must provide railings and other safety features as required by the Building Code;
6. In the R-2-35 district *only*, rooftop decks are allowed on detached accessory structures. Requirements No. 2 and 5 above must be satisfied. Rooftop decks on detached accessory structures are not permitted in any other zoning district except R-2-35.

F. Electric Vehicle Charging Station

1. Commercial electric vehicle charging stations are permitted as an accessory use within any principal or accessory parking lot or structure, or gas station in all districts.

2. Electric charging station equipment may not block the public right-of-way.

3. Each public charging station space must be posted with a sign indicating the space is only for electric vehicle charging purposes. Days and hour of operations must be included if time limits or tow away provisions are enforced by the owner. Information identifying voltage and amperage levels or safety information must be posted.

4. Charging station equipment must be maintained in good condition and all equipment must be functional. Charging stations no longer in use must be immediately removed.

G. Fences and Walls

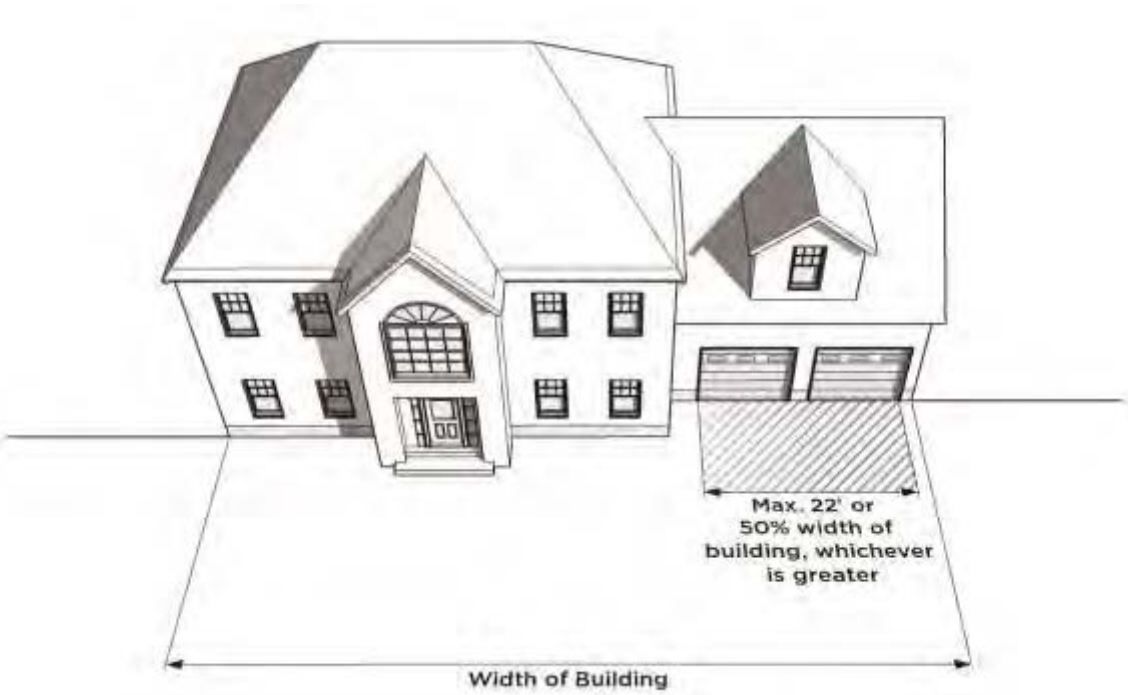
Fences and walls are subject to the regulations of the Village Building Code.

H. Garages

The following standards apply to all residential garages, with the exception of multi-family dwellings. Attached garages are not considered an accessory structure but are subject to the regulations of this section for attached garages. See Section 10.3(C) for driveway rules.

1. Attached Garages

a. Front-loaded attached garages are limited to 50% of the width of the building or 22 feet, whichever is *greater*. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors the distance is measure between the edge of the outermost doors.
b. Any front-loading attached garage with a full second floor above shall have an additional roof line that runs at least as wide as the garage door(s) with a minimum projection of 12 inches.



2. Detached Garages

See Section 10.3(C) for driveway rules.

a. One detached garage is permitted per lot.

b. The area above the vehicle parking spaces in a detached garage may not be used for living area.

c. Detached garages are permitted only in the rear or interior side yards, and must be three feet from any interior side lot line, 5 feet from the rear lot line, and cannot be located in front of the front building line.

d. If a lot abuts an improved public alley that provides adequate access to a street, a detached garage may be constructed so that access is from the improved public alley. Access may also be provided from the street, subject to the rules of Section 10.3(C).

e. Detached garages are limited to a maximum height of 15 feet and a maximum square footage of 700 square feet.

I. Home Occupation

1. The home occupation must be conducted by an individual or individuals permanently residing on the premises. No outside employees are permitted.

2. Signs, displays, or activities that indicate from the exterior that the structure is being used, in part, for any purpose other than that of a residence are prohibited.

3. The home occupation and all related activity, including storage, must be conducted completely within the dwelling.

4. No commodities can be sold or services rendered that require receipt or delivery of merchandise, goods, or equipment other than by a passenger motor vehicle or by parcel or letter carrier mail services using vehicles typically employed in residential deliveries.

5. Alterations to the principal or accessory structures that would alter the residential character are prohibited.

6. The home occupation and any related activity must not create any traffic hazards or nuisances in public rights-of-way.

7. No home occupation is permitted that requires clients, patients, pupils, or customers to visit the home.

8. There must be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.

9. Day care homes are not considered a home occupation and are regulated separately by this Ordinance.

10. Business licenses shall not be granted by the Village for Home Occupations.

J. Mechanical Equipment

Mechanical equipment is subject to the regulations of the Village Building Code.

K. Play Structures

Play structures are permitted accessory structures in all R-1, R-2, and R-2-35 districts and will be treated as ‘sheds’ in Table 9-1.

L. Refuse, Recycling, and Grease Containers

Refuse, recycling, and grease container regulations apply only to those uses that collect refuse, recyclable materials, and grease in commercial containers.

1. Such containers do not require a building permit.

2. Such containers are prohibited in the front yard.

3. Refuse, recycling, and grease containers in the commercial and office and industrial districts must be fully enclosed on three sides by a solid masonry wall, or wall of the principal building a minimum of six feet and a maximum of seven feet in height. The enclosure must be gated. The gate must be of solid construction. In the M District, Refuse, recycling, and grease containers must meet these standards only when visible from a public right-of-way.

M. Rooftop Accessory Structures

Rooftop accessory structures are prohibited on single-family and two-family dwellings, with the exception of roof-top decks, which are permitted on single-family and two family dwellings as provided in Section 9.3(E-3) above. No other rooftop accessory structures or uses are allowed on single-family or two-family dwellings.

Accessory structures and rooftop features on buildings other than single-family and two-family dwellings, including green roofs, rooftop decks, rooftop gardens, storm water detention systems, and similar accessory structures and uses, are permitted subject to approval by the Director of Community Development. Such structures are excluded from the calculation of maximum height. The roof must contain sufficient space for future necessary installations such as mechanical equipment.

N. Satellite Dish Antennas

1. General Requirements

a. Small satellite dish antennas one meter or less in diameter do not require a building permit. Large satellite dish antennas require a building permit.

b. Satellite dish antennas one meter or less in diameter must be permanently installed and cannot be mounted on a portable or movable structure.

c. Subject to operational requirements, the dish color must be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer and any required warnings.

d. Cables and lines serving ground-mounted satellite dish antennas must be located underground.

e. Compliance with all federal, state, and local regulations is required in the construction, installation, and operation of satellite dish antennas.

f. All exposed surfaces of the antenna must be kept clean and all supports must be painted to maintain a well-kept appearance.

g. Antennas no longer in use must be immediately removed.

h. Every effort must be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way.

2. Small Satellite Dish Antennas

Small satellite dish antennas, which are one meter (3.28 feet) or less in diameter, are subject to the general requirements above.

3. Large Satellite Dish Antennas

Large satellite dish antennas, which are greater than one meter (3.28 feet) in diameter, are subject to the general requirements above as well as the following requirements:

a. Residential Districts

i. Large satellite dish antennas, which are greater than one meter in diameter, are permitted only in the rear yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.

ii. The overall height of a large satellite dish antenna must not exceed 12 feet.

iii. A large satellite dish antenna must be located and screened so that it cannot be readily seen from public rights-of-way or adjacent properties. Screening includes solid fences, plant materials, and/or earth berms located to conceal the antenna and its support structure. Plants must be, a minimum of five feet tall at the time of installation.

b. Non-Residential Districts

i. Large satellite dish antenna are permitted only in the rear or interior side yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.

ii. Roof-mounting is permitted only if the satellite dish antenna is screened by an architectural feature. The visible portion of the dish should not comprise more than 25% of the corresponding height or width of the screen.

iii. A large satellite dish antenna must be located and screened so that it cannot be readily seen from public rights-of-way or adjacent properties. Screening includes solid fences, plant materials and/or earth berms located to conceal the antenna and its support structure. Plants must be a minimum of five feet tall at the time of installation.

O. Solar Panels

1. General Requirements

The installation and construction of solar panels is subject to the following development and design standards:

a. A solar panel may be building-mounted or freestanding.

b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

2. Building-Mounted Systems

a. A building mounted solar panel system may be mounted on the roof or wall of a principal building or accessory structure.

b. On pitched roof buildings, the maximum height a solar panel may rise is 18 inches. Pitched roof-mounted solar panels should be placed in a location least visible from the public street; however, this does not prohibit the installation of solar panels on a roof that may be visible when that exposure, particularly a southern exposure, is the most viable location.

c. On flat roofed buildings, the solar panel is limited to a maximum height of six feet above the surface of the roof.

d. Solar panels may project up to two feet from a building façade and must be integrated into the structure as an architectural feature.

3. Freestanding Systems

Freestanding systems in residential districts are permitted in the rear yard. The maximum height is six feet.

Freestanding systems in non-residential districts are permitted in any yard. The maximum height of a freestanding system is as follows:

a. Front yard: Three feet

b. Corner side yard: Five feet

c. Interior side yard: Six feet

d. Rear yard: Six feet

4. Co-Location

Solar panels may be co-located on structures such as light poles.

P. Swimming Pools

Private residential swimming pools are permitted accessory uses in the R-1, R-2, and R-2-35 zoning districts. See Chapter 18 for rules.

Q. Wind Turbines

Wind turbines require special use approval and are subject to the following requirements.

1. Wind turbines may be designed as either vertical or horizontal axis turbines with or without exposed blades, including designs that combine elements of the different types of turbines.

2. Wind turbines are subject to the following height restrictions:

a. The maximum height of any freestanding wind turbine is the maximum height allowed in the district. A taller height may be allowed through special use approval.

b. The maximum height of any wind turbine mounted upon a structure is 15 feet above the existing height of such structure.

c. Maximum height is the total height of the turbine system, including the tower and the maximum vertical height of the turbine blades. Maximum height therefore is calculated measuring the length of a prop at maximum vertical rotation to the base of the tower. The maximum height of any freestanding wind energy system is measured from grade to the length of a prop at maximum vertical rotation.

d. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within ten feet of the ground.

3. Freestanding wind turbines are permitted only in the rear yard. No part of the wind system structure, including guy wire anchors, may be located closer than ten feet to any lot line.

4. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind turbine.

R. Accessory Dwelling Units (AKA 'Granny Flats')

An Accessory Dwelling Unit (ADU) is a subordinate habitable living unit added to, created within, or detached from a single-family dwelling that provides basic requirements for living, sleeping, eating, cooking, and sanitation. Accessory units may not be subdivided or otherwise segregated from ownership from the primary residence structure. Accessory dwelling units require a special use permit and must comply with the following requirements:

- Only allowed in the R-1 and R-2 zoning districts;
- No more than 1 accessory dwelling unit is allowed on any one residential lot;
- May be located within principal structure or in a detached structure;
  - An accessory dwelling unit in a detached structure must be located in the rear yard and is prohibited in the front or side yards;
  - Accessory dwelling units in a detached structure must be set-back a minimum of 5-feet from all property lines. This requirement does not apply in the R-2-35 Districts;
  - Accessory dwelling units located within a detached structure may not be taller than 18 feet;
- At least 1 off-street parking space must be provided in addition to those required for the primary residence. Driveway areas may count toward this requirement, but areas within a detached garage that are used for an accessory dwelling unit may not.

9.4 PERMITTED ENCROACHMENTS

An encroachment is the extension or placement of any structure, or component of such, into a required setback. Additional restrictions on permitted encroachments, including additional placement restrictions and dimensional regulations, may be found in Section 9.3. Permitted encroachments are found in Table 9-1: Permitted Encroachments into Required Setbacks. Where specific setback standards for accessory structures are not specified by this table, Section 9.3, or this Ordinance, the general accessory structure requirements of Section 9.3.A apply.

Table 9-1: Permitted Encroachments in Required Setbacks
Y= Permitted // N= Prohibited

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp *3' from all lot lines*	Y	Y	Y	Y
Amateur (HAM) Radio Equipment (Section 9.3.B)	N	N	N	Y
Arbor *Prohibited in front or corner side yard*	N	N	Y	Y
Awning or Canopy: Non-Structural *Maximum encroachment of 3'*	Y	Y	Y	Y
Balcony *Prohibited in front or corner side yard* *Limited to a maximum area of 80sf*	N	N	N	N
Basketball Hoop/Backboard *Maximum of one basketball hoop/backboard per driveway*	Y	Y	N	Y

Table 9-1: Permitted Encroachments in Required Setbacks Y= Permitted // N= Prohibited				
	Front Setback	**Corner Side Setback**	**Interior Side Setback**	**Rear Setback**
Bay Window *Maximum encroachment of 3'*	Y	Y	Y	Y
Canopy: Structural or Porte-Cochere	N	N	N	N
Carport (Section 9.3.C)	N	N	N	N
Chimney *2' into required setback*	Y	Y	Y	Y
Coldframe Structure (Section 9.3.D)	N	Y	Y	Y
Compost Pile *5' from all lot lines* *Prohibited in front or corner side yard*	N	N	N	Y
Deck *(Section 9.3.E)*	N	N	N	Y
Patio	Y	Y	Y	Y
Dog House *Permitted in rear yard only*	N	N	N	Y
Eaves, sills, belt course, cornices, and ornamental features *Maximum encroachment of 2'*	Y	Y	Y	Y
Exterior Lighting (Section 9.2)	Y	Y	Y	Y
Exterior Stairwell *Must be located parallel to the building wall* *Prohibited in front, corner side, and interior yards*	N	N	N	Y
Fire Escape *5' from all lot lines*	Y	Y	Y	Y
Flag Poles 10' from all lot lines.	Y	Y	N	Y
Garage – Detached (Section 9.3.H)	N	Y	Y	Y
Gazebo *Prohibited in front yard* *6' from any principal structure*	N	N	N	Y
Pergola (Attached or Detached)	N	N	N	Y
Greenhouse *Prohibited in front yard*	N	N	Y	Y
Lawn Furniture and Lawn Decorations	Y	Y	Y	Y
Personal Recreation Game Court *Permitted only in rear yard* *Must be 3 feet from all property lines*	N	N	N	Y
Playground Equipment *Permitted only in rear yard* *Must be 3 feet from all lot lines*	N	N	N	Y
Porch – Unenclosed and serving the first floor only. *Encroachment of 20% into required yard up to 5' maximum. Must be attached to the principal building. Must remain permanently open.*	Y	Y	Y	Y
Refuse and Recycling Containers (Section 9.3.L)	N	Y	Y	Y
Rain Barrel *Prohibited in front yard*	N	N	Y	Y
Satellite Dish Antenna, Ground-Mounted (Section 9.3.N)	N	N	N	Y
Shed – R-1, R-2 and R-2-35 Districts *Prohibited in front and corner side yards. Maximum height is 10 feet. Maximum square footage of 150sf*	N	N	Y	Y

Table 9-1: Permitted Encroachments in Required Setbacks Y= Permitted // N= Prohibited				
	Front Setback	**Corner Side Setback**	**Interior Side Setback**	**Rear Setback**
Shed – R-3 and R-4 Districts *Prohibited in front and corner side yards. Max height of 7 feet. Maximum square footage of 65 sf. 4-feet minimum separation from principal structure. Must be 3-feet from side. Must be 3-feet from rear sidewalk (if any) or rear property line—whichever is less.*				

Table 9-1: Permitted Encroachments in Required Setbacks Y= Permitted // N= Prohibited				
	Front Setback	**Corner Side Setback**	**Interior Side Setback**	**Rear Setback**
Solar Panels - Freestanding (Section 9.3.O)	N	N	N	Y
Steps/Stairs (roofed or unroofed, including support posts) *Maximum encroachment of 6'* *4' from all lot lines*	Y	Y	Y	Y
Stoops (roofed or unroofed, including support posts) *Encroachment of 3 feet or 20% into required yard, whichever is greater*	Y	Y	Y	Y
Sunshade *Maximum encroachment of 3'*	Y	Y	Y	Y
Terrace, paved. *Encroachment of 20% into required yard up to 5' maximum.*	Y	Y	Y	Y
Trellis	Y	Y	Y	Y
Wind Turbines – Freestanding (Section 9.3.P)	N	N	N	Y

9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

All uses must comply with the performance standards established in this section unless any federal, state, or local law, ordinance, or regulation establishes a more restrictive standard, in which case, the more restrictive standard controls.

A. Noise

No activity or use shall be conducted in a manner that generates a level of sound as measured on another property greater than that allowed by federal, state, and local regulations, as amended from time to time. These limits do not apply to construction noises, noises emanating from safety signals or warning devices, noises not directly under the control of the owner or occupant of the property, and transient noises from moving sources, such as motor vehicles, railroads and aircraft.

B. Glare and Heat

Any activity or the operation of any use that produces glare or heat must be conducted so that no glare or heat from the activity or operation is detectable at any point off the lot on which the use is located. Flickering or intense sources of light must be controlled or shielded so as not to cause a nuisance across lot lines.

C. Vibration

No earth borne vibration from the operation of any use may be detectable at any point off the lot on which the use is located.

D. Dust, Smoke and Air Pollution

Dust, smoke and other types of air pollution, borne by the wind from sources, such as storage areas, yards, roads, conveying equipment and the like, within lot boundaries, must be kept to a minimum by appropriate landscape, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.

E. Discharge and Disposal of Radioactive and Hazardous Waste

The discharge of fluid and the disposal of solid radioactive and hazardous waste materials must comply with applicable federal, state, and local laws, and regulations governing such materials or waste. No operation that produces radioactive or hazardous waste material may commence without prior notice to the Village. Radioactive and hazardous material waste must be transported, stored, and used in conformance with all applicable federal, state, and local laws.

F. Electromagnetic Interference

Electromagnetic interference from any operation of any use must not adversely affect the operation of any equipment located off the lot on which such interference originates.

G. Odors and Smoke

Any condition or operation which results in the creation of smoke and/or odors of such intensity and character as to be detrimental to the public health, safety, and welfare, or which interferes unreasonably with the comfort of the public, must be removed, stopped, or modified so as to remove the smoke and/or odor.

H. Fire and Explosion Hazards

Materials that present potential fire and explosion hazards must be transported, stored, and used only in conformance with all applicable federal, state, and local regulations.

SECTION 10. OFF-STREET PARKING & LOADING

10.1 GENERAL REQUIREMENTS
10.2 LOCATION OF OFF-STREET PARKING SPACES
10.3 OFF-STREET PARKING DESIGN STANDARDS
10.4 REQUIRED OFF-STREET PARKING SPACES
10.5 LAND-BANKED PARKING PERMISSION
10.6 COMMERCIAL & RECREATIONAL VEHICLES
10.7 REQUIRED BICYCLE PARKING
10.8 REQUIRED OFF-STREET LOADING SPACES

10.1 GENERAL REQUIREMENTS

A. Existing Facilities

As of the effective date of this Ordinance, the following apply:

1. The existing number of off-street parking and loading spaces may not be reduced below the number required by this Ordinance. If the number of existing spaces is already less than that required, it may not be further reduced.

2. Existing off-street parking and loading areas that do not conform to the regulations of this Ordinance, but were in conformance with the requirements of this Ordinance at the time the parking or loading facilities were constructed, are permitted to continue as a nonconforming site element.

3. If a building permit for a structure was issued prior to the effective date of this Ordinance, and if construction has begun within 180 days of the issuance of a permit, the number of off-street parking and loading spaces must be provided in the amount required at the issuance of the building permit. If the amount required by this Ordinance is less than that shown in the plans, only the number required by this Ordinance needs to be constructed.

B. Change in Use

When the existing use of a structure or land is changed to a new use, parking and loading spaces must be provided as required for the new use.

C. Change in Intensity of Use

When any structure is increased in size through additions, expansions, or any increase in floor area, or if additional dwelling units are created, then additional parking and loading spaces must be provided as required by this Ordinance. When the any structure is decreased in size by the loss of floor area or dwelling units, the number of parking and loading spaces may be reduced so long as the parking requirements of this Ordinance are met for the structure or land as modified.

D. Provision of Additional Spaces

Nothing in this Ordinance prevents the voluntary establishment of additional off-street parking or loading facilities, provided that all regulations governing the location, design, and construction of such facilities are met.

E. Provision of Car-Share Facilities

Spaces within parking lots and structures may include designated parking spaces for car-share facilities. A car-share facility is a membership-based car-sharing service that provides automobile rental to members, billable by the hour or day, and is not considered a vehicle rental establishment. Spaces reserved for car-share facilities may count toward minimum parking requirements of this Ordinance in the amount of four spaces or 5% of the total number of spaces, whichever is greater.

F. Completion of Off-Street Parking and Loading Facilities

All off-street parking and loading facilities must be completed prior to occupancy of the structure or commencement of the use on a lot.

G. Shared Parking.
Shared parking between 2 or more lots that abut each other may be allowed on a limited basis.

1. No more than 20% of required parking stalls for any lot or use may be provided with stalls that are provided off-site through a shared-parking arrangement.
2. Shared parking arrangements are only allowed when created via a document that is recorded against the title of each property that is party to the shared parking arrangement and where Village of Niles approval is required to amend or cancel the shared parking arrangement.
3. Proposed Shared Parking arrangements shall be reviewed and decisions shall be made using the Site Plan procedure as provided in Section 15.6

10.2 LOCATION OF OFF-STREET PARKING SPACES

A. Residential Uses

1. All required parking spaces for residential uses must be located on the same lot as the residential use. In a mixed-use building, all parking for residential dwelling units must be located on the same lot.

2. Tandem parking is permitted for single-family, two-family and townhouse dwellings, but both spaces must be allotted to the same dwelling unit and located on the same lot as the dwelling.

B. Non-Residential Uses

1. All required off-street parking areas for non-residential uses must be located on the same lot as the use served or within 300 feet of the use served.

2. A non-residential use may provide valet service to a parking facility with no distance restriction.

10.3 OFF-STREET PARKING DESIGN STANDARDS

A. Dimensions

1. Off-street parking spaces and drive aisles within a parking lot or structure must be designed in accordance with Table 10-1: Off-Street Parking Space Dimensions. Additional parking angles other than those described in Table 10-1 are permitted but a site plan is required to provide evidence of safe and efficient parking configuration and traffic circulation.

2. Accessible parking spaces must comply with the design standards of the State of Illinois Accessibility Code. Such spaces must be identified by a sign and pavement markings indicating parking for the disabled only. Accessible spaces must be closest to the entrance of the structure, and connected by a paved surface designed to provide safe and easy access.

3. Motorcycle and scooter parking spaces must measure at least four feet in width by eight feet in length and must be identified or designated through the use of signs or pavement markings.

B. Residential Passenger Vehicle Parking Pads

Single-family, two-family, and townhouse dwellings are permitted one paved parking pad, subject to the following standards.

1. Parking pads are prohibited in the front yard and in the required corner side setback.

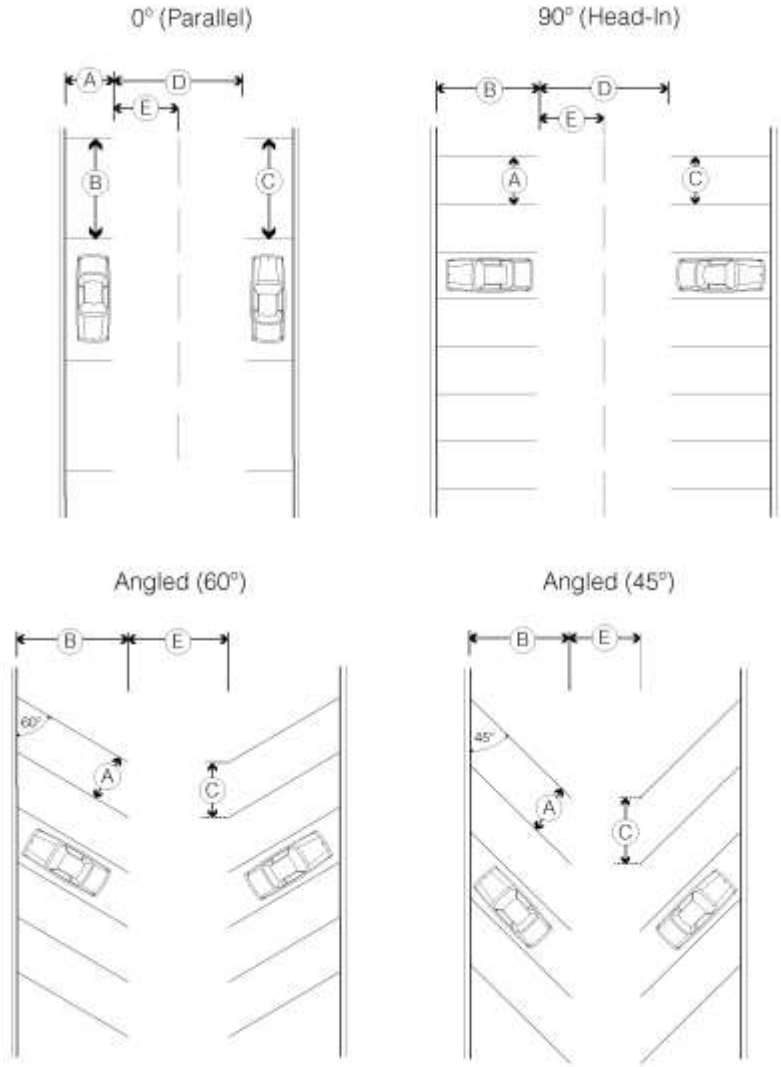
2. Parking pads must be located behind the front building line and a minimum of one foot from any lot line.

3. Parking pads are limited to a maximum of 450 square feet and must be connected to the driveway. The additional paved area used to connect the driveway to the parking area is included in this maximum square footage.

4. Parking pads may be a permeable surface but the maximum impervious surface requirement for the lot may not be exceeded to accommodate a parking pad.

TABLE 10-1: OFF-STREET PARKING SPACE DIMENSIONS

Parking Angle	Stall Width (A)	Stall Depth (B)	Skew Width (C)	Aisle Width *Two-Way* (D)	Aisle Width *One-Way* (E)	Vertical Clearance
0° (Parallel)	9	18’	18’	22’	12’	7’ 6”
90° (Head-In)	9’	18’	9’	22’	20’	7’ 6”
60°	9’	21’	9.8’	N/A	18’	7’ 6”
45°	9’	19.8’	12’	N/A	12.5’	7’ 6”



C. Access

1. All required off-street parking facilities must have vehicular access from a street, driveway, or cross-access connection.

2. All required off-street parking facilities must have an internal pedestrian circulation system that allows for safe passage between parking areas and any public sidewalk in the adjacent right-of-way and the use it serves. This includes, but is not limited to, interconnected sidewalks, striped walkways, and separated walkways.

3. All parking facilities must be designed with vehicle egress and ingress points that least interfere with traffic movement. Parking facilities must be designed to allow the driver to proceed forward into traffic, rather than back out and the minimum throat depth required for a parking facility driveway is 50 feet. This provision does not apply to single-family and two-family dwellings.

4. Single-family and two-family dwelling driveways must meet the following standards:

a. All driveways must lead to a functional garage or permanent carport. No driveways or paved areas are allowed that do not terminate at a functional garage. If a garage is modified so that the garage doors are removed and the garage no longer functions for vehicle storage, driveways leading to such modified garages must be removed.

b. The maximum width of a driveway at the front or corner side lot line is 20 feet.

c. Starting at the garage, the width of the driveway may exceed 20 feet. Such driveways must taper-down to 20-feet at the property line, and the taper cannot exceed a 45 degree angle at any point. At the garage, driveways may be as wide as the garage they lead to, as provided in Section 9.3(G).

d. Driveways serving single family dwellings may traverse any required yard provided the driveway leads to an approved parking structure.

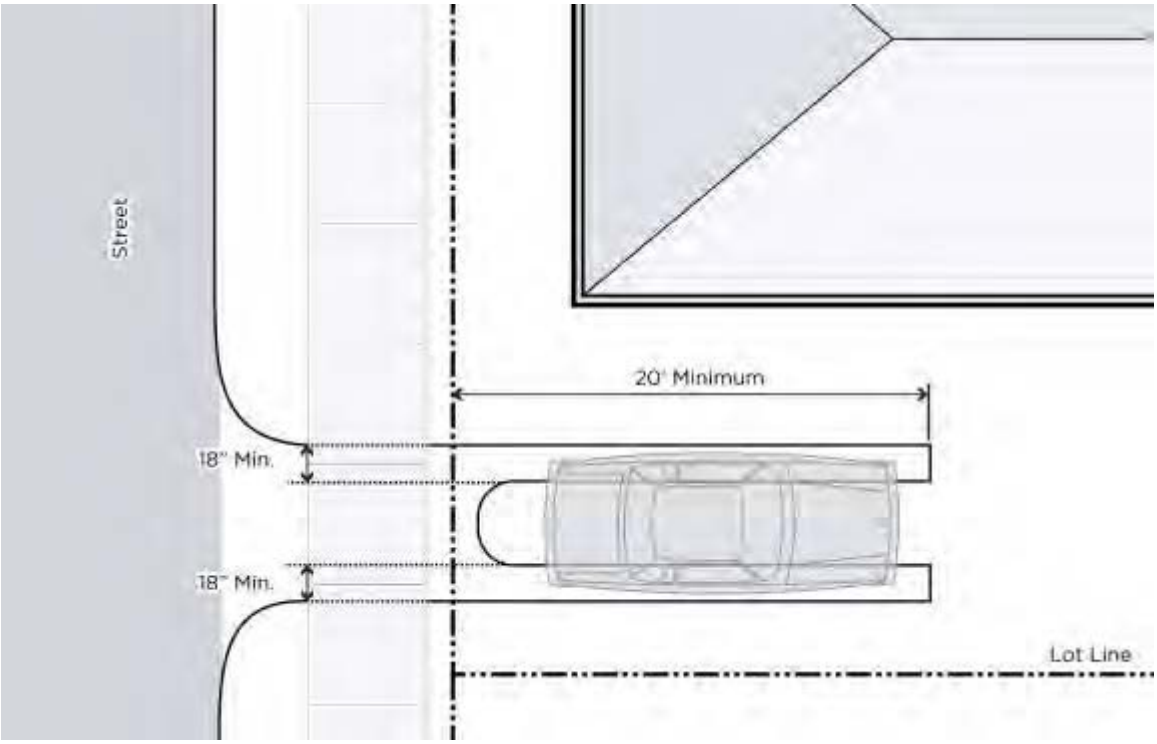
e. A driveway in a front yard for a single-family dwelling may be expanded or enlarged beyond the width of the garage but only toward the interior side lot line closest to the driveway and subject to ‘b’ and ‘c’ above.

5. Multi-family and townhouse dwellings and non-residential use driveways must be a minimum of 12 feet and a maximum of 15 feet for one-way drives, and a minimum of 22 feet and a maximum of 30 feet for two-way drives. However, in the industrial districts, driveways may be a maximum of 36 feet in width.

D. Surfacing

1. All off-street parking lots and parking pads must be improved with a hard surfaced, all-weather dustless material. Pervious paving, subject to approval from the Village Engineer, may also be used. Gravel is prohibited.

2. For single-family and two-family dwellings, a driveway may consist of two parallel paved strips, each of which is at least 18 inches in width and 18 feet long. Gravel and wood chips are prohibited as fill material between the strips.



E. Striping

Off-street parking lots of four or more spaces must delineate parking spaces with paint or other permanent materials, which must be maintained in clearly visible condition.

F. Wheel Stops and Curbing

Wheel stops or curbing must be installed within parking lots along the perimeter of the lot to prevent vehicles from damaging or encroaching upon any adjacent parking space, sidewalk, landscape, fence, wall, or structure. Such wheel stops or curbing must be constructed of permanent materials, such as concrete, stone, masonry, or steel, a minimum height of four inches above ground level, and permanently affixed to the paved parking area.

G. Lighting

Parking lot lighting must be in accordance with the exterior lighting standards of Section 9.2.

H. Landscape and Screening

All parking lots must be landscaped in accordance with the standards of Section 11.

I. Use of Parking and Loading Spaces

1. All required parking and loading spaces must be used for vehicle parking and loading. No required space may be used for storage or vehicle repair.

2. Parking areas uses must be used exclusively for parking purposes and not for storage of vehicles, boats, trailers, campers, or other personal property. No semi-trailers or other vehicles may be parked and used for storage.

J. Turnaround Space

Dead end parking lots are prohibited. The minimum depth and width of a turnaround space must be nine feet and designated with signs stating "No Parking."

10.4 REQUIRED OFF-STREET PARKING SPACES

A. The minimum number of off-street parking spaces to be provided for a use is delineated in Table 10-2: Off-Street Parking Requirements. Table 10-2 lists parking requirements for the uses listed within the districts. In some cases, uses which are considered part of a generic use category are listed with specified parking requirements. These specific uses are listed only for the purposes of this section and do not indicate whether such uses are permitted or special uses within any district.

B. Certain uses listed within the districts do not have parking requirements. These uses are not listed in Table 10-2.

C. The total number of required parking spaces is calculated by the principal use of the lot. When more than one use occupies the same lot, the number of required spaces is the sum of the separate requirements for each use, unless a shared parking arrangement is approved or such use is a multi-tenant retail center, which has a separate requirement. The following standards for computation apply:

1. Space allocated to any off-street loading space may not be used to satisfy the requirement for any off-street parking space or access aisle, or portion thereof. Conversely, the area allocated to any off-street parking space may not be used to satisfy the replacement for any off-street loading space or portion thereof.

2. A fraction of less than one-half may be disregarded, and a fraction of one-half or more is counted as one parking space.

3. In places of assembly in which patrons or spectators occupy benches, pews or similar seating facilities, each 36 inches of such seating facility is counted as one seat for the purpose of determining the requirement for off-street parking facilities. Floor area of a prayer hall is counted as one seat per marked prayer mat space or one seat for every six square feet in the prayer hall if prayer mat spaces are not marked.

D. Spaces within parking lots and structures may include designated parking spaces for car-share facilities. A car-share facility is a membership-based car-sharing service that provides automobile rental to members, billable by the hour or day; it is not considered a vehicle rental establishment. Spaces reserved for car-share facilities may count toward minimum parking requirements of this Ordinance in the amount of four spaces or 5% of the total number of spaces, whichever is greater.

E. As of the effective date of this Ordinance, the number of parking spaces currently provided on the lot of an existing non-residential use along Milwaukee Avenue are deemed conforming. Once the existing use in the principal building discontinued, or once the principal building is demolished, the deemed conforming provision is no longer valid. In addition, if the lot area is expanded (e.g., the adjoining lot is purchased), the deemed conforming provision is no longer valid.

F. Parking for multi-tenant retail centers is required as follows: A multi-tenant retail center is defined as a group of three or more non-residential establishments that are primarily retail establishments, but may include service and recreation and entertainment uses, which is planned, owned, and/or managed as a single property. The two main configurations of multi-tenant retail centers are large shopping centers or malls and retail strip centers.

1. Multi-tenant retail centers of less than 80,000 square feet:

a. As of the effective date of this Ordinance, the number of parking spaces currently provided on the lot of an existing multi-tenant retail centers of less than 80,000 square feet are deemed conforming and any use that requires 4 parking stalls or less per each 1,000 s.f. of gross floor area according to Table 10-2 is allowed without parking credits. Special uses must obtain the required special use permit. Any use a) that requires more than 4 parking stalls per each 1,000 s.f. of gross floor area according to Table 10-2 or b) that is designated with an asterisk in

Table 10-2 must obtain parking credits according to the procedures in Section 15.10. Once the principal building is demolished, the deemed conforming provision is no longer valid. In addition, if the lot area is expanded (e.g., the adjoining lot is purchased), the deemed conforming provision is no longer valid.

b. New multi-tenant retail centers of less than 80,000 square feet that provide four spaces per 1,000 square feet of gross floor area shall be deemed conforming and any use that requires 4 parking stalls or less per each 1,000 s.f. of gross floor area according to Table 10-2 is allowed without parking credits. Special uses must obtain the required special use permit. Any use a) that requires more than 4 parking stalls per each 1,000 s.f. of gross floor area according to Table 10-2 or b) that is designated with an asterisk in Table 10-7 must obtain parking credits according to the procedures in Section 15.10

2. Multi-tenant retail centers of 80,000 square feet or more:

a. As of the effective date of this Ordinance, the number of parking spaces currently provided on the lot of an existing multi-tenant retail centers of 80,000 square feet or more are deemed conforming. No uses require parking credits. Once the principal building is demolished, the deemed conforming provision is no longer valid. In addition, if the lot area is expanded (e.g., the adjoining lot is purchased), the deemed conforming provision is no longer valid.

b. Multi-tenant retail centers built after the adoption of this ordinance with 80,000 square feet or more that provide three spaces per 1,000 square feet of gross floor area shall be deemed conforming. No uses require parking credits.

TABLE 10-2: OFF-STREET PARKING REQUIREMENTS	
USE	**PARKING SPACES REQUIRED**
RESIDENTIAL	
Community Residence – Small or Large	0.5 per bed
Dwelling – Above the Ground Floor	2 per dwelling unit
Dwelling - Single-Family	2 per dwelling unit
Dwelling - Two-Family	2 per dwelling unit
Dwelling – Townhouse	2 per dwelling unit
Dwelling - Multi-Family	2 per dwelling unit in all districts
Residential Care Facility	Based on type of care: Independent Living: 1 per dwelling unit Assisted Living: 0.5 per dwelling unit Nursing Care & Hospice: 1 per resident room
INSTITUTIONAL/PUBLIC	
Cemetery	4 per 1,000sf of GFA of office, chapel/parlor, and preparation area
* Community/Recreation Center	4 per 1,000sf of GFA
* Cultural Facility	4 per 1,000sf of GFA
* Educational Facility - College/University	The Planning and Zoning Board shall determine parking requirements.
* Educational Facility - Primary/Secondary	The Planning and Zoning Board shall determine parking requirements.
* Educational Facility - Vocational	The Planning and Zoning Board shall determine parking requirements.
Government Office	3 per 1,000sf of GFA
Place of Worship	1 per 3 seats + 1 per 1,000sf of residential living area (convent, rectory, etc.)
Public Safety Facility	3 per 1,000sf of GFA of office area
Public Works Facility	3 per 1,000sf of GFA of office area
SERVICE	
Adult Use: Service	3 per 1,000sf of GFA
Arts Studio	3 per 1,000sf of GFA
Body Modification Establishment	3 per 1,000sf of GFA

TABLE 10-2: OFF-STREET PARKING REQUIREMENTS	
USE	**PARKING SPACES REQUIRED**
Car Wash	3 per bay
Currency Exchange	3 per 1,000sf of GFA
* Day Care Center	2 per 1,000sf of GFA
Funeral Home	5 per 1,000sf of GFA
Heavy Commercial - Rental & Service	3 per 1,000sf of GFA (excludes any outdoor display or storage)
Hotel/Motel	1.1 per room
Massage Services Establishment	3 per 1,000sf of GFA
Outdoor Storage (Principal Use)	3 per 1,000sf of GFA of office
Passenger Terminal	2 per 1,000sf of GFA (excludes any outdoor areas)
Payday/Title Loan Establishment	3 per 1,000sf of GFA
Personal Service Establishment	4 per 1,000sf of GFA
Pet Services: Day Boarding	2 per 1,000sf of GFA
Pet Services: Grooming	3 per 1,000sf of GFA
Pet Services: Overnight Boarding	2 per 1,000sf of GFA
Reception Facility	10 per 1,000sf of GFA
Self-Storage Facility	1 per 20 storage units
Vehicle Rental	3 per 1,000sf of GFA of office area
Vehicle Repair – Major or Minor	4 per service bay
Veterinarian	3 per 1,000sf of GFA
RECREATION & ENTERTAINMENT	
Adult Use: Entertainment	3 per 1,000sf of GFA
Amusement Facility - Indoor	3 per 1,000sf of GFA
Amusement Facility - Outdoor	2 per 1,000sf of lot area
Firearms Training Center	3 per 1,000sf of GFA
Golf Course	4 per hole
Live Performance Venue	3 per 1,000sf of GFA
Off-Track Betting Parlor	10 per 1,000sf of GFA
Social Club/Lodge	2 per 1,000sf of GFA
RETAIL	
Adult Use: Retail	3 per 1,000sf of GFA
Art Gallery	3 per 1,000sf of GFA
Bar	10 per 1,000sf of GFA
Gas Station	3 stalls plus 4 stalls per 1,000sf of GFA of any ancillary retail
Greenhouse/Nursery - Retail	3 per 1,000sf of GFA (includes any outdoor display or storage)
Gun Shop	3 per 1,000sf of GFA
Firearms Sales	3 per 1,000sf of GFA
Heavy Commercial - Retail	3 per 1,000sf of GFA (includes any outdoor display or sales)
Precious Metal Dealer	3 per 1,000sf of GFA
Restaurant, indoor or carry-out with 11 or more seats	10 per 1,000sf of GFA excluding kitchen area
Restaurant, carry-out only with 10 or fewer seats	4 per 1,000 of GFA excluding the kitchen area
Restaurant, drive-in	4 per 1,000 of GFA excluding the kitchen area
Retail Establishment	3 per 1,000sf of GFA
Retail Sales of Pet Supplies	3 per 1,000sf of GFA
Smoking Establishment	3 per 1,000sf of GFA
Specialty Food Service	4 per 1,000sf of GFA
Vehicle Parts Sales	3 per 1,000sf of GFA
Vehicle, Marine, and Recreational Vehicle Sales	4 per 1,000sf (excludes any outdoor display or storage)
OFFICE	
Contractor and Construction Office	3 per 1,000sf of GFA

TABLE 10-2: OFF-STREET PARKING REQUIREMENTS	
USE	**PARKING SPACES REQUIRED**
Employment Agency	3 per 1,000sf of GFA
Financial Institution	3 per 1,000sf of GFA
Industrial Design	3 per 1,000sf of GFA
Office	3 per 1,000sf of GFA
Radio/TV Studio	3 per 1,000sf of GFA
MEDICAL	
Hospital	3 spaces per bed
Medical/Dental Clinic	5 per 1,000sf of GFA
Medical Cannabis Dispensing Organization	5 per 1,000sf of GFA
INDUSTRIAL	
Industrial - Limited	1 per 1,000sf of GFA up to 40,000sf, then 1 per 2,500sf for additional GFA above 40,000sf
Industrial - General	1 per 1,000sf of GFA up to 40,000sf, then 1 per 2,500sf for additional GFA above 40,000sf (excludes any outdoor storage)
Medical Cannabis Cultivation Center	1 per 1,000sf of GFA up to 40,000sf, then 1 per 2,500sf for additional GFA above 40,000sf
Research & Development	3 per 1,000sf of GFA
Salvage Yard	3 per 1,000sf of GFA of office
Solar Farm	3 per 1,000sf of GFA of office
Vehicle Operation Facility	3 per 1,000sf of GFA of office
Warehouse	3 per 1,000sf of GFA of office + 1 per 20,000sf of GFA of warehouse area
Wholesale Establishment	1 per 1,000sf of GFA
Wind Energy System	3 per 1,000sf of GFA of office
INFRASTRUCTURE/UTILITIES	
Utilities (Manned)	3 per 1,000sf of GFA of office

* Parking Credits per section 15.10 may be required for uses denoted with an asterisk—See 10.4(F)(1)(a) and (b).

10.5 LAND-BANKED PARKING PERMISSION

For retail, service, and/or recreation and entertainment uses over 20,000sf in gross floor area, including multi-tenant retail centers, up to 25% of the required parking spaces of an off-street parking lot may be land-banked during the site plan review process as follows:

A. Sufficient evidence must be provided by the applicant that supports the reduced parking needs.

B. The area proposed for land banking of parking spaces must be an area suitable for conversion to parking at a future time.

C. Landscape of the land-banked area must comply with Section 11. As part of site plan review, additional landscape of the land-banked area may be required.

D. The land-banked area cannot be used for any other use, such as storage, and cannot be used to fulfill other landscape requirements of this Ordinance.

E. As part of the site plan review process, the applicant must show the area to be banked on the site plan as “Land-Banked Future Parking.”

F. The Director of Community Development, on the basis of increased parking demand for the use, is authorized to require the conversion of all or part of the land-banked area to off-street parking spaces. Such conversion must be completed within 60 days of notification by the Director of Community Development. Nothing prevents the applicant from converting the land-banked area to parking prior to Village notification.

G. A Memorandum of Agreement specifying the terms of the land-banked parking shall be recorded against the property with the County Recorder of Deeds.

10.6 COMMERCIAL AND RECREATIONAL VEHICLES

The location and condition of commercial and recreational vehicles in residential districts is permitted as described in this Section. The following does not apply to commercial vehicles used by and for school activities on school grounds or those conducting business at a location within a residential district, provided that no such vehicle conducting business in a residential district is parked for more than ten consecutive hours and under no circumstances is parked overnight.

A. For purposes of this Section, commercial and recreational vehicles are defined as follows

1. Commercial Trailer. Any equipment or trailer, open or closed, which is towed by another commercial vehicle.

2. Commercial Vehicle. Any vehicle operated for the transportation of persons or property for any commercial or industrial enterprise, for hire or not for hire, but not including a commuter van, defined as a vehicle used in a ridesharing arrangement.

3. Recreational Trailer. Any open trailer used to haul and store recreational equipment such as boats, snowmobiles, motorcycles, and ATVs, and not used commercially nor owned by a commercial business.

4. Recreational Vehicle. Every boat, boat trailer, camping trailer, motor home, mini-motor home, travel trailer, truck camper, or van camper used primarily for recreational purposes and not used commercially nor owned by a commercial business.

B. No more than one commercial and recreational vehicle may be parked on a single-family or two-family lot unless the vehicles can be stored completely within an enclosed garage. No more than one commercial or recreational vehicle per residential unit is permitted on a multiple-family lot unless the vehicles can be stored completely within an enclosed garage.

C. Commercial and recreational vehicles must be parked in the rear or interior side yard only, except that a commercial vehicle may be permitted in the front or corner side yard if the property is developed in a manner that would physically prohibit parking in the rear or interior side yard. If front or corner side yard storage is required, the commercial vehicle must be parked as near to the front of the garage as possible and cannot extend beyond the front lot line. In all cases, commercial and recreational vehicles must be parked on an approved hard surface of concrete, asphalt, or paving brick. Parking of commercial and recreational vehicles in the rear or interior side yard must meet the following:

1. Interior side yard parking of commercial and recreational vehicles is permitted provided the vehicle can be parked on an approved surface and is located three feet from the interior side lot line. If the property has a driveway that leads to a detached garage located within the rear yard, a commercial or recreational vehicle may be stored on this driveway only if the parking of the vehicle can comply with the interior side yard parking requirements.

2. Recreational vehicles may be parked in the rear yard on a pad of concrete, asphalt, or paving brick provided the pad extends to the exterior dimensions of the recreational vehicle and is located a minimum of five feet from the rear lot line, ten feet or 10% of the lot width from the side lot line, whichever is less, and out of any easements.

D. No commercial vehicle that exceeds any of the following size criteria, or requiring a license plate higher than a "D" plate, may be parked in a residential district unless the vehicle can be placed completely within an enclosed garage:

1. Seven feet in height for open bed trucks when measured from the ground to the top of the roof, and nine feet in height for enclosed vans when measured from the ground to the top of the roof.

2. Seven feet in width when measured from the widest point of the vehicle. Mirrors are not included within the seven foot width limitation.

3. Twenty-two feet in length when measured from the front bumper to back bumper, excluding snowplow blades when permitted.

E. Storage on the exterior of commercial vehicles that are parked within a residential district must comply with the following restrictions:

1. Trailers or other attachments are prohibited on the rear of a commercial vehicle when parked in a residential district.

2. Snowplows are permitted on the front of commercial vehicles during the winter season but must be removed and properly stored by April 15.

3. No storage of any equipment, storage racks, or materials is permitted on the sides of commercial vehicles.

4. Storage racks not exceeding 18 inches in height, inclusive of ladders and other equipment, are permitted on commercial vehicles so long as the overall height of the commercial vehicle does not exceed nine feet six inches when measured from the ground to the top of the storage rack, inclusive of equipment stored on said racks.

5. Equipment, other than permanently attached, and storage of material visible above the top of the trailer and pickup truck bed is prohibited. Storage of landscaping material or other organic debris that exceeds the height of the sides of the trailer or bed of a vehicle is prohibited.

F. Parking of a commercial vehicle containing a refrigeration unit or other motorized compressor is prohibited within a residential district unless the vehicle is parked within a garage so that the refrigeration unit is not audible outside the garage. This is intended to be applicable to those vehicles that use a refrigeration unit or compressor for the commercial purpose of the vehicle and does not apply to air conditioner units used for the comfort of the driver and passengers.

G. All commercial trailers or equipment that can be attached to a commercial vehicle stored on a lot in a residential district must, at all times, be parked in a fully enclosed garage. Also, at no time can any equipment stored on a trailer, or equipment which can be attached to a commercial vehicle, that has an engine or compressor be allowed to idle while stored in a residential district. Additionally, any equipment stored on a trailer that does not have rubber tires or treads cannot be loaded or unloaded from the trailer upon any public right-of-way.

H. No recreational vehicle that exceeds any of the following size criteria may be parked in a residential district unless the vehicle can be placed completely within an enclosed garage:

1. Thirteen feet in height when measured from the ground to the top of the roof.

2. Eight feet six inches in width when measured from the widest point of the vehicle. Mirrors are not included within the width limitation.

3. Thirty-five feet in length when measured from the front bumper or hitch to the back bumper.

4. Open recreational trailers not stored within a structure must be a maximum of 16 feet long when measured from the hitch to the back bumper or equipment stored on the trailer, whichever is longer, and have no ancillary racks.

I. No recreational vehicles or trailers may be stored or parked in any residential district unless the following standards are met:

1. Recreational vehicles and trailers may not be stored in the front yard.

2. Any recreational vehicle or trailer that is greater than eight feet but less than 13 feet in height may be parked or stored in the rear yard only.

3. No recreational vehicle or trailer may be connected to gas, water, or sanitary sewer service. Temporary electrical hookup are permitted only to clean and prepare the vehicle or trailer for use.

4. Parked or stored recreational vehicles and trailers cannot be used for living or sleeping purposes.

5. Recreational vehicles and trailers cannot be used as accessory structures.

6. Recreational vehicles or trailers cannot have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.

7. Recreational vehicles and trailers must be properly licensed.

8. Recreational equipment stored on a recreational trailer must be screened from public view by means of a fence, a landscape hedge, or covers that are designed and manufactured for covering the equipment or trailer.

10.7 REQUIRED BICYCLE PARKING

As of the effective date of this Ordinance, new development other than residential development with 3 or fewer dwelling units per building is required to provide bicycle parking.

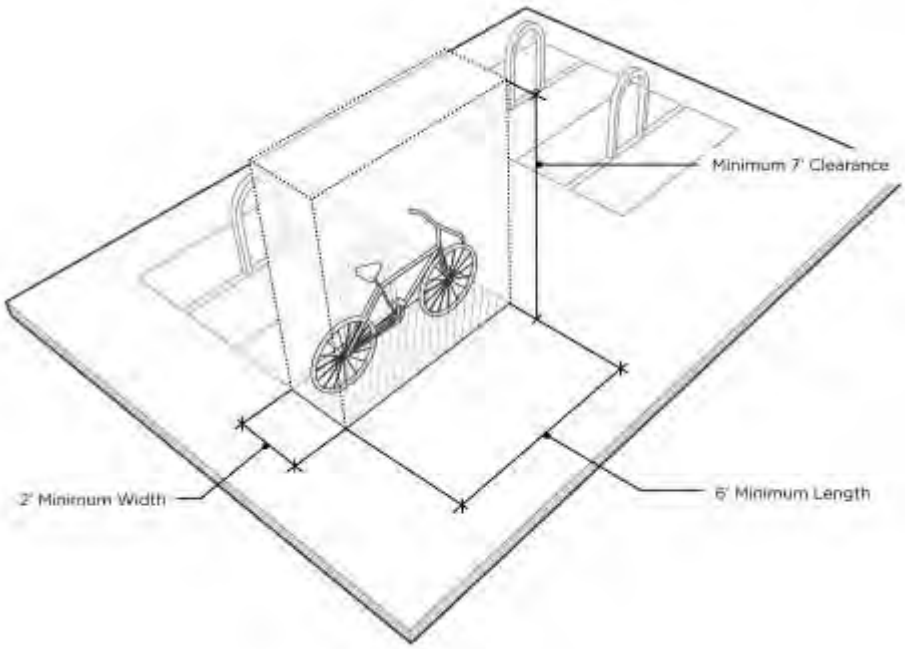
A. Design

1. Required bicycle spaces must have a minimum dimension of two feet in width by six feet in length, with a minimum overhead vertical clearance of seven feet. Bicycle spaces are counted by the number of bicycles than can be stored on a rack, meeting these dimensions for a bicycle space.

2. Bicycle parking facilities must provide racks where the bicycle may be locked by the user or lockable enclosed lockers. Structures that require a user-supplied locking device must be designed to accommodate U-shaped locking devices. All lockers and racks must be securely anchored to the ground or the structure to prevent the racks and lockers from being removed from the location.

3. If required bicycle parking facilities are not readily visible, signs must be posted indicating their location.

4. Areas used for required bicycle parking must be paved and drained to be free of mud, dust, and standing water, and must be well-lit.



B. Location

1. All required bicycle spaces must be located on the same lot as the use served. However, the Director of community Development, upon consultation with other Village Departments, may approve the location of bicycle spaces in the public right-of-way.

2. Required bicycle parking for residential uses may be provided in garages, storage rooms, and other resident-accessible secure areas. Space within dwelling units, including areas such as balconies, are not counted toward satisfying bicycle parking requirements.

C. Required Number of Bicycle Spaces

Where off-street parking facilities are provided, the number of bicycle parking spaces must be provided as indicated in Table 10-4: Required Bicycle Spaces. In all cases where bicycle parking is required, a minimum of two spaces is required. However, no more than a total of 50 bicycle parking spaces are required to be provided. If the Village and/or property owner determine that inadequate bicycle parking is provided, additional bicycle parking may be provided.

TABLE 10-4: REQUIRED BICYCLE SPACES	
Use	**Required Bicycle Spaces**
Multi-Family Dwelling	1 per 10 dwelling units
Retail Establishment, Personal Service Establishment, Office, or Multi-Tenant Retail Center over 10,000sf in GFA	1 per 30 parking spaces
Multi-Tenant Commercial Center	1 per 30 parking spaces
Indoor or Outdoor Amusement Facility	1 per 10 parking spaces
Educational Facilities, Primary or Secondary	1 per 10 parking spaces
Educational Facilities, University or Vocational	1 per 25 parking spaces

10.8 REQUIRED OFF-STREET LOADING SPACES

A. Design

1. Off-street loading spaces must be located as follows:

a. All off-street loading spaces must be located on the same lot as the use served.

b. No off-street loading space may be located in a front or corner side yard or in front of a front building line.

c. All off-street loading spaces must be located a minimum of 25 feet from the lot line of any residential district, unless completely enclosed by building walls or a uniformly painted solid fence or wall, or any combination thereof, a minimum of six feet in height and a maximum of eight feet in height. In such case, the loading area must be a minimum of 15 feet from such lot line.

2. All required off-street loading spaces must be at least 12 feet in width and at least 30 feet in length, exclusive of aisle and maneuvering space, and must have a minimum vertical clearance of at least 15 feet.

3. All off-street loading spaces must be improved with a hard surfaced, all-weather dustless material.

4. All off-street loading spaces must meet the exterior lighting standards of Section 9.2.

5. Loading berths must be screened along interior side and rear lot lines with a solid wall or fence, a minimum of six feet and a maximum of seven feet in height.

6. Central loading facilities may be substituted for loading berths on individual lots subject to the following:

a. Each lot served must have direct access to the central loading area without crossing streets or alleys at-grade.

b. No lot served may be more than 500 feet from the central loading area.

B. Required Number of Off-Street Loading Spaces

Off-street loading spaces must be provided in accordance with Table 10-5: Off-Street Loading Requirements. In the case of multi-tenant buildings or mixed-use developments, required loading spaces are calculated on the basis of each individual tenant (for example, if only one commercial tenant of a multi-tenant building is over 10,000 square feet, only one loading space is required; if all tenants are under ten-thousand 10,000 square feet, no loading is required).

TABLE 10-5: OFF-STREET LOADING REQUIREMENTS	
Use	**Required Loading Spaces**
Residential	
Multi-Family Dwelling over 10,000sf of gross floor area	1 loading space
Retail, Service, Recreation & Entertainment, Office, & Institutional	
10,000 - 100,000sf of gross floor area	1 loading space
Over 100,000sf of gross floor area	2 loading spaces
Over 200,000sf of gross floor area	3 loading spaces
Industrial	
5,000 - 10,000sf of gross floor area	1 loading space
10,001 - 40,000sf of gross floor area	2 loading spaces
Over 40,001sf of gross floor area	3 loading spaces

SECTION 11. LANDSCAPE

11.1 INTENT
11.2 LANDSCAPE PLAN
11.3 ENFORCEMENT OF LANDSCAPE PLAN
11.4 SELECTION, INSTALLATION AND MAINTENANCE
11.5 LANDSCAPE DESIGN STANDARDS
11.6 PARKING LOT PERIMETER LANDSCAPE YARD
11.7 INTERIOR PARKING LOT LANDSCAPE
11.8 SITE LANDSCAPE
11.9 BUFFER YARDS
11.10 STORMWATER MANAGEMENT BASINS

11.1 INTENT

A. Landscape improvements must serve to integrate the development into the site, with particular sensitivity to natural topography, watercourses, and existing significant native vegetation. Preservation of existing plant material and landforms shall be taken into account, particularly where mature or significant trees or native plant communities are a part of the site. This is of particular importance in cases where specimen trees, groves, or tree lines, or tree-lined watercourses are present.

B. Landscape improvements must serve to enhance the appearance of the site, especially as viewed from adjacent public rights-of-way. Effective year-round screening must be provided to lessen the visual prominence of parking lots, service yards, loading docks, public utility structures, or unsightly appurtenances. Landscape must also serve to minimize the harmful or nuisance effects resulting from noise, heat, glare, and accumulation of dust, and to provide shade, air purification, oxygen regeneration, groundwater recharge, storm water run-off management, and other environmental benefits. Innovative landscape design proposals are highly encouraged, including the use of green technology regarding storm water management and the use of native plant materials.

C. Preservation of existing trees as recommended by the Village Forester is encouraged. Where existing trees are to be protected, site development must comply with the applicable Village requirements as found in Section 106-38.

11.2 LANDSCAPE PLAN

A. Landscape Plan Required

A landscape plan is required as part of a site plan review application for townhouse, multi-family, non-residential, or mixed-use development, and any planned unit development. The landscape plan must be approved prior to the issuance of a building permit.

B. Content of Landscape Plan

1. North arrow and graphic scale, the location and dimensions of all existing and proposed structures, property lines, easements, parking lots and drives, rights-of-way, refuse disposal and recycling areas, pedestrian and bicycle paths, fences, mechanical equipment, overhead utility wires, underground utilities, retention/detention facilities, and other drainage facilities, such as drainage swales.

2. The location, quantity, size, name, and condition, both botanical and common, of all existing plant materials on-site, indicating plant material to be retained and to be removed.

3. The location, quantity, size, and name, both botanical and common, of all proposed plant material.

4. The existing and proposed grading of the site indicating contours at one foot intervals. Any proposed berming, earthwork, or storm water management basins must also be indicated using one foot contour intervals.

5. Elevations of all proposed fences, stairs, and retaining walls.

6. Any other details as determined necessary by the Director of Community Development.

C. Minor Changes to Approved Landscape Plans

Minor changes to the landscape plan that do not result in a reduction in the net amount of plant material as specified on the approved landscape plan may be approved by the Director of Community Development. Changes to the amount of plant materials of an approved landscape plan are not considered a minor change. Major changes must be approved by the body granting approval of the landscape plan initially.

11.3 ENFORCEMENT OF LANDSCAPE PLAN

A. No certificate of occupancy will be issued until all the requirements of this Section and the landscape plan have been fulfilled. Failure to implement the landscape plan, or to maintain the lot in conformance with the landscape plan, may result in the application of fines and penalties, as established in this Ordinance. All landscape is subject to periodic inspection.

B. If weather prohibits the installation of landscape at the time a certificate of occupancy is applied for, a temporary certificate of occupancy may be issued for a six month period with provision of a security bond or security for 115% of the estimated amount, including installation.

11.4 SELECTION, INSTALLATION AND MAINTENANCE

A. Selection

All plant materials must be of good quality and meet American Horticulture Industry Association (AmericanHort) or its ANSI accredited successor's standards for minimum acceptable form, quality and size for species selected, and capable to withstand the seasonal temperature variations of northeastern Illinois, as well as the individual site microclimate. The use of species native or naturalized to northeastern Illinois is encouraged. Size and density of plant material, both at the time of planting and at maturity, are additional criteria that must be considered when selecting plant material. Where appropriate, the use of drought and salt tolerant plant material is preferred.

B. Installation

All landscape materials must be installed in accordance with current nursery industry standards, and must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with pedestrian or vehicular movement. All plant materials must be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth. Installation of plant materials during the appropriate growing season is encouraged.

C. Maintenance

1. Landscape materials depicted on approved landscape plans are considered a required site element in the same manner as structures, required parking, lighting, and other improvements. As such, the owner of record or the business or homeowner's association is responsible for the maintenance, repair, and replacement of all landscape materials, fences, steps, retaining walls, and similar landscape elements.

2. All landscape materials must be maintained in good condition, present a healthy, neat, and orderly appearance, and be kept free of refuse and debris. Any dead, unhealthy, or missing plants must be replaced within 60 days of notification, unless an extension is approved.

11.5 LANDSCAPE DESIGN STANDARDS

A. Minimum Planting Sizes

1. Shade trees must have a minimum trunk size of two and one-half inches in caliper at planting.

2. Evergreens trees must have a minimum height of four feet at planting.

3. Single stem ornamental trees must have a minimum trunk size of two and one-half inches in caliper at planting. Multiple stem ornamental trees must have a minimum height of eight feet at planting.

4. Large shrubs must have minimum height of three feet at installation. Small shrubs must have a minimum height of 18 inches at installation. Large shrubs are those that reach five or more feet in height at maturity. Small shrubs are those that may grow up to four feet in height if left unmaintained, but are generally maintained at heights of eighteen 18 to 30 inches.

B. Energy Conservation

Plant material placement should be designed to provide passive benefits, and reduce the energy consumption needs of the development:

1. Deciduous trees should be placed on the south and west sides of buildings to provide shade from the summer sun.

2. Evergreens and other plant materials should be concentrated on the north and west sides of buildings to dissipate the effect of winter winds.

C. Species Diversity

Diversity among required plant material is required for visual interest and to reduce the risk of losing a large population of plants due to disease. Table 11-1: Plant Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. For example, if a development requires 45 shade trees, no more than 18 trees (40%) can be of one species, and there must be a minimum of five different species within the 45 trees. When the calculation of plant diversity requirements results in a fraction, the fraction is rounded up.

TABLE 11-1: PLANT DIVERSITY REQUIREMENTS

Total Number of Plants per Plant Type	Maximum Number of One Species	Minimum Number of Species
1-4	100%	1
5-10	60%	2
11-15	45%	3
16-75	40%	5
76-500	25%	8
500-1,000	30%	10
1,000+	15%	15

D. Berming

Earthen berms and existing topographic features should be incorporated into the landscape treatment of a site where there is sufficient space and, in particular, when berms and existing topographic features can be combined with plant material to facilitate effective screening. Minimum unretained berm side slopes must be maintained at no steeper than a 4:1 slope ratio to prevent erosion and be properly and safely maintained, unless a steeper slope is allowed by the Director of Community Development. Retained slopes may be implemented with the appropriate terracing necessary to reduce the need for safety railing.

11.6 PARKING LOT PERIMETER LANDSCAPE YARD

A perimeter landscape yard is required for all parking lots that abut a public right-of-way, excluding alleys, and must be established along the edge of the parking lot to screen the parking lot. The landscape treatment must run the full length of the parking lot perimeter along the right-of-way and must be located between the lot line and the edge of the parking lot. The landscaped area must be improved as follows:

A. The perimeter parking lot landscape area must be at least five feet in width. There must be a minimum linear distance of two feet between any wheels stops or curbs to accommodate vehicle bumper overhang, which is not included in the minimum five foot calculation.

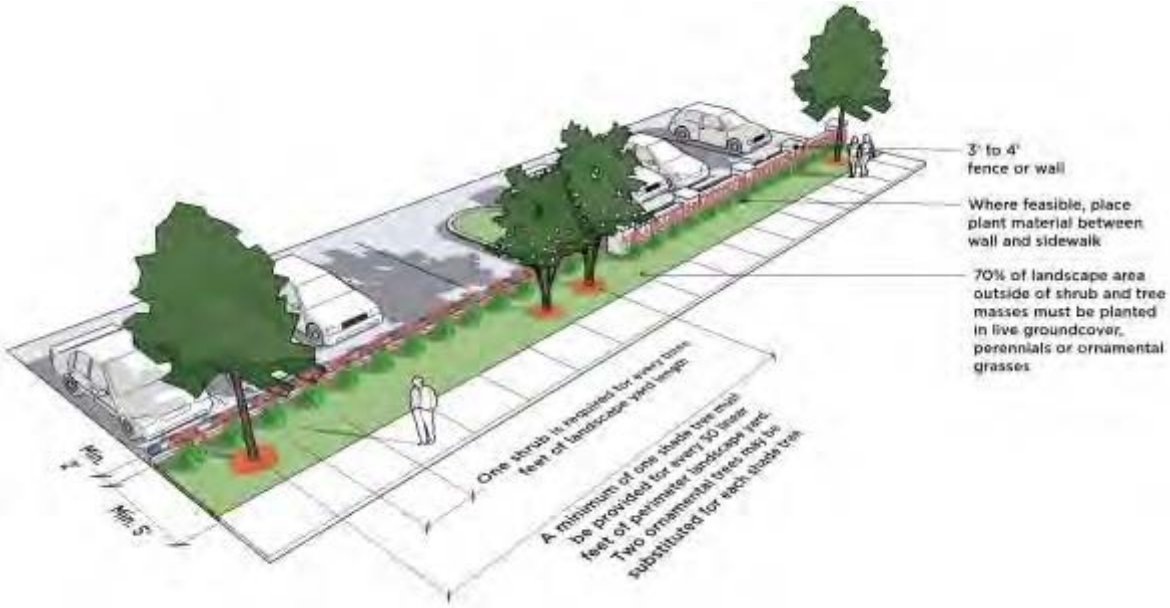
B. One shrub, measuring a minimum of 18 inches at planting and reaching a minimum of three feet at maturity, must be planted for every three feet of landscape yard length, spaced linearly, which may be

excepted for the planting of a shade tree. Alternatively, a mix of shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height may be used.

C. A minimum of one shade tree must be provided for each 50 linear feet of perimeter landscape yard. Two ornamental trees may be substituted for each shade tree.

D. 70% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses.

E. Alternatively, a low pedestrian wall a minimum of three feet to a maximum of four feet in height may be used instead of shrubs and shade trees. Where feasible, plant materials should be installed between the sidewalk and the wall to provide a softening effect on the fence or wall.



11.7 INTERIOR PARKING LOT LANDSCAPE

All parking lots consisting of 15 or more spaces require interior parking lot landscape as described in this section.

A. All rows of parking stalls must terminate in a parking lot island or landscape area.

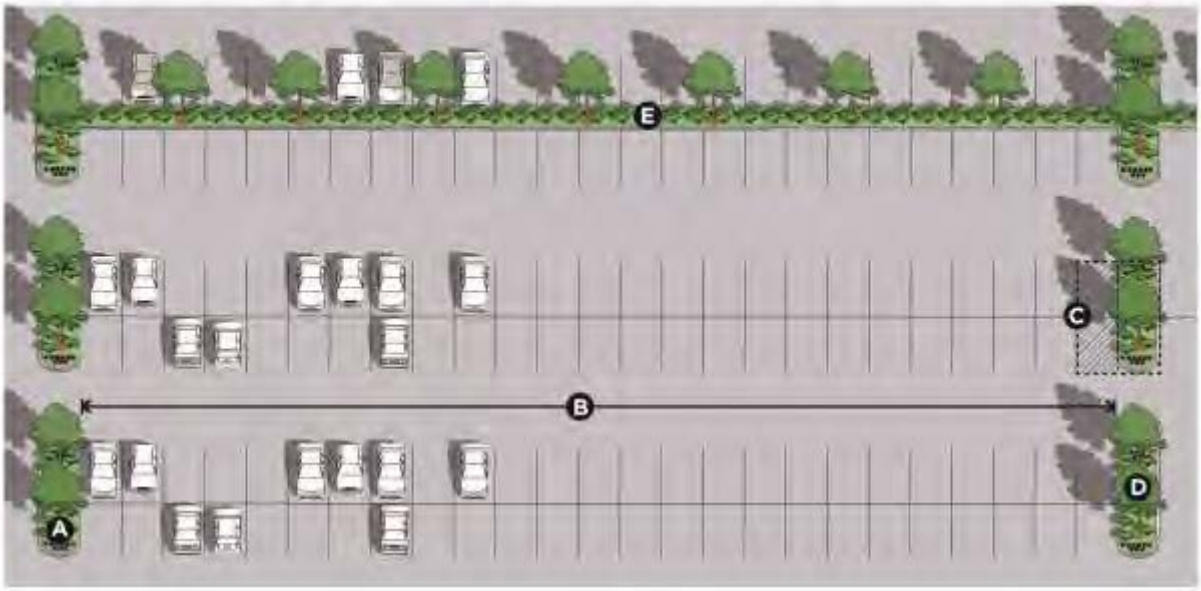
B. Where more than 25 parking stalls are provided in any single row, or where more than 50 parking stalls are provided in a double row, one parking lot island must be provided between every 25 parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every 25 single row or 50 double row spaces.

C. Parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row.

D. A minimum of one shade tree must be provided for every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required. In addition to the required shade trees, a minimum of 70% of every parking lot island must be planted in ornamental trees, live groundcover, shrubs, perennials, or ornamental grasses.

E. The use of storm water management techniques, such as rain gardens and bio-swales, is encouraged in landscape areas. Parking lot islands and landscape areas are encouraged to be designed to accommodate storm water infiltration. The Director of Community Development may reduce the requirements of item C above if it is demonstrated that such a reduction is necessary to accommodate storm water management techniques.

F. In addition to parking lot islands, additional landscape areas must be provided within the interior of parking lots. The minimum total landscape area of a parking lot, including parking lot islands, must be 10% of the total parking lot area. Parking lot perimeter landscape is excluded from the calculation of total parking lot area.



A All rows of parking stalls must terminate in a parking lot island or landscape area

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C Parking lot islands must be the same dimension as the parking stall. Double rows of parking must provide parking lot islands that are the same dimension as the double row

D A minimum of one shade tree must be provided for every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required. In addition to the required shade trees, a minimum of 70% of every parking lot island must be planted in ornamental trees, live groundcover, shrubs, perennials, or ornamental grasses

E In addition to parking lot islands, additional landscape areas must be provided within the interior of parking lots. The minimum total landscape area of a parking lot, including islands, must be 10% of the total parking lot area

11.8 SITE LANDSCAPE

Except for landscaping standards for parking lot interiors as provided for in Section 11.7, the following site landscape standards apply to townhouse, multi-family dwelling and non-residential uses.

A. Areas of the site not covered by structures or pavement must be planted with live landscaping.

B. Decorative stone, brick, or pavement may be used for edging planting beds but may not cover more than 20% of the landscaped area.

C. A landscaped area must be located around the foundation perimeter of all buildings when visible from a public street. Such landscaping may be composed of a combination of shrubs, roses, ground cover, ornamental grasses, perennials, vines and annual flowers. Planted pots and/or planter boxes may be used to satisfy this requirement in tight and/or paved areas. This does not apply to structures that are sited 10 feet or less from the lot line, or where sidewalks, driveways, truck docks, and loading and service areas provide access to the building or where fire department connections are necessary.

D. Shade trees should be located on the south side of buildings wherever feasible to block summer sun.

E. Plantings shall be designed so as to provide massing of natural colors and shapes to offset the mass of the building and to provide visual relief from the straight lines of building architecture, parking lots, and other man-made features. The overuse of hybridized colored plantings (e.g., bright yellow & purple foliage) should be avoided.

F. Service yards and exterior work areas must be screened from view from adjacent residential and commercial districts and the public right-of-way.

11.9 BUFFER YARDS

This section establishes standards for the dimension and required landscape for buffer yards between land uses and/or zoning districts within the rear or interior side yard. Nothing in this section prevents the applicant's voluntary installation of buffer yards where they are not required.

A. As of the effective date of this Ordinance, buffer yards are required for new construction[1] along interior side and rear yards in the following cases:

1. Where an R-3 or R-4 District abuts a R-1, R-2, or R-2-35 District. This does not apply to single-family and two-family dwellings located within an R-3 or R-4 District.

2. Where a non-residential use is located within a residential district. This does not apply to parks.

3. Where a non-residential district abuts a residential district. This does not apply to parks.

B. Buffer yards may be located within required yards, but must be reserved for the planting of material and installation of screening as required by this section. No parking, driveways, sidewalks, accessory structures, or other impervious surfaces are permitted within the buffer yard area.

C. The required design of buffer yards is as follows:

1. A buffer yard must be a minimum of 10 feet in width. This requirement may be reduced or eliminated for smaller parcels by the Director of Community Development if it is demonstrated that a 10 foot wide buffer yard presents a hardship.

[1] For example, new commercial construction next to an existing residential district must provide the buffer yard. Conversely, new residential construction next to an existing commercial district is not required to provide a buffer yard and is not considered nonconforming.

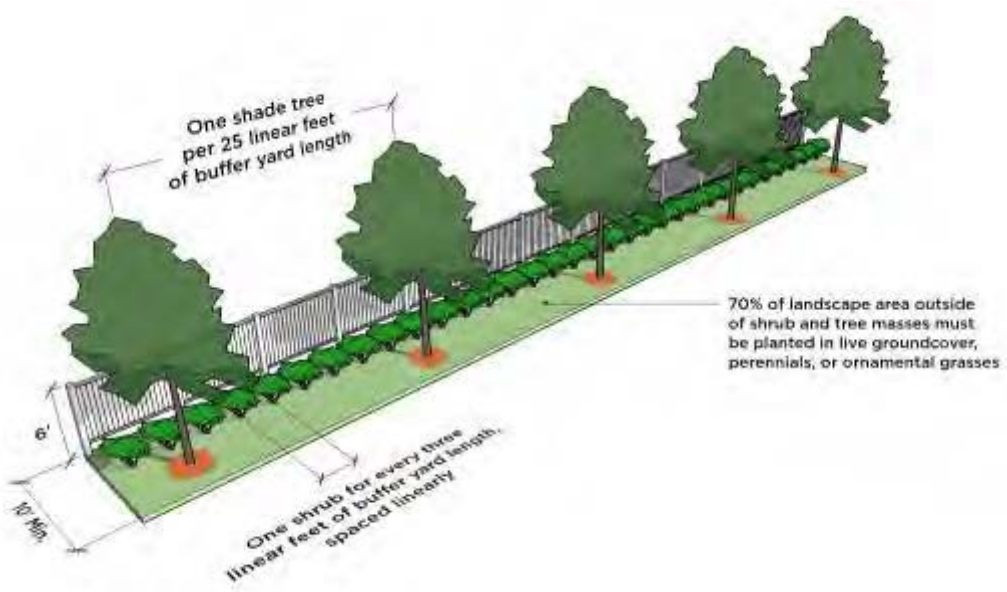
2. One shade tree must be planted for every 25 linear feet of buffer yard length. As part of the landscape plan approval, trees may be spaced at various intervals based on specific site requirements, but the total number of trees planted must be no less than one per 25 linear feet of buffer yard length.

3. Existing trees that are preserved may count toward the buffer yard tree requirement. This credit is a 1:1 ratio (one existing tree for one proposed tree) regardless of the size of the existing tree.

4. Unless otherwise specifically required by the use standards of this Ordinance, a solid fence or wall of six feet in height must be erected along 100% of the buffer yard length.

5. One shrub, measuring a minimum of 18 inches in height at planting and reaching a minimum of three feet in height at maturity, must be planted for every three linear feet of buffer yard length, spaced linearly.

6. 70% of the landscape area outside of shrub and tree masses must be planted in live groundcover, perennials, or ornamental grasses.



11.10 STORMWATER MANAGEMENT BASIN LANDSCAPING

Storm water management basins must be designed as an integral part of the overall site plan, and should provide required storm water storage as well as desirable environmental functions and an aesthetically pleasing environment.

A. Storm water management basins should be designed as follows:

1. In permanently wet retention basins, emergent plantings must be incorporated to soften the shoreline, increase water quality, and provide wildlife habitat. The shoreline zone, consisting of an area from the normal water level to the top of the slope, around the entire perimeter, must be planted with suitable cover vegetation such as native grasses, sedges, forbs, or turf.

a. Maintained turf areas may be used within the shoreline zone to allow vehicle access for maintenance including, but not limited to, dredging equipment. Maintained turf must not constitute more than 30% of the area of the shoreline zone.

2. In dry-bottom or occasionally inundated detention basins, all areas of the basin, including the floor, side slopes, berms, impoundment structures, or other earth structures must be planted with turf grass or other cover vegetation specifically suited for storm water basins. Turf grass areas must be sodded or hydro-seeded to minimize erosion during the establishment period, and once established, should be maintained at a height of not more than six inches. Wildflowers, meadow plantings, and nonaggressive grasses suitable to the intermittently wet conditions of the detention basin are encouraged as alternatives to turf grass, provided that they provide continuous cover to all areas of the basin, and do not interfere in the safe and efficient function of the basin.

3. Storm water management basins are required to provide a buffer zone, extending 20 feet from the top of slope, around the entire perimeter of the basin. This area serves to buffer adjacent uses and to provide a transition to a development's overall landscape theme. Required plantings in the buffer zone may be grouped together or spaced as necessary to provide an aesthetically appealing transition to the surrounding landscape. Plantings in the buffer zone are required as follows:

a. A minimum of one deciduous tree is required for each 2,500 square feet of total buffer area.

b. A minimum of one evergreen tree is required for each 3,000 square feet of total buffer area.

c. A combination of deciduous and evergreen shrubs are required, at a minimum rate of one shrub for each 400 square feet of total buffer area.

d. The remainder of the buffer area must be planted with live groundcover, perennials, or ornamental grasses.

e. In the case that any of the above calculations result in a fraction, it must be rounded up to the nearest whole number.

4. Basins must incorporate curvilinear features to blend with and complement the natural surrounding topography. The use of sharp geometric shapes must be avoided.

5. Where appropriate, dry bottom or occasionally inundated storm water management basins should be designed to serve a secondary purpose for recreation, open space, or other types of uses that will not be adversely affected by occasional or intermittent flooding.

6. Amenities, such as bike paths, sidewalks, gazebos, benches, and other such items are encouraged around storm water management basins.

7. All storm water management basins that can be expected to flood to a depth of three feet must have warning signs posted on all sides.

B. Maintenance should be considered at the time of designing a stormwater management basin. To make maintenance easier and less costly, designs should include the following features where applicable:

1. A discharge drain made of concrete or other durable materials other than corrugated metal.

2. A discharge drain located in the embankment with easy access for repair and debris removal.

3. Shoreline protection measures to prevent erosion from any potential wave action.

4. Facilities to allow the water level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.

5. Plant selections that consider the climate and other events likely to contribute to erosion, based on an evaluation of the risks, costs, and benefits involved.

6. Protection of natural vegetation wherever possible in areas immediately adjacent to natural watercourses.

C. A maintenance bond will be held by the Village's Department of Community Development for a two year period following initial approval of the landscape plan. This must be equivalent to 25% of the vegetation and installation cost related to any storm water management basin, and will be collected to ensure sufficient establishment of the plants. The project sponsor must provide a written cost estimate or actual contract amount as a basis for the bond amount.

D. A management plan for storm water management basins must be provided to the Village at the time of site plan review. Any homeowner association covenants and restrictions or master deed must include language for detention basin maintenance per the approved plan. The Village may require the establishment of a special service area for maintenance of the stormwater management basin.

SECTION 12. PLANNED UNIT DEVELOPMENTS

12.1 PURPOSE
12.2 INITIATION
12.3 AUTHORIZATION
12.4 EXCEPTIONS FROM DISTRICT REGULATIONS
12.5 PROCEDURE
12.6 APPLICATION SUBMITTAL REQUIREMENTS
12.7 MODIFICATIONS TO APPROVED FINAL PLANS

12.1 PURPOSE

Planned unit developments (PUD) are allowed in this Ordinance as a distinct category of special use. The primary purpose of the planned unit development is to insure that developments are consistent with the intent, purpose, and policies of the officially adopted Niles Comprehensive Plan. It is intended that planned unit developments will encourage the innovative land planning, architecture, landscape architecture, and site amenities beyond that which would be possible though the strict application of the Niles Zoning Ordinance and Niles Subdivision regulations. In particular, the planned unit development technique is intended to encourage and allow more creative and flexible development of land than is possible under district zoning regulations and should only be applied to further those applications that provide compensating amenities to the Village. The underlying district dimensional and use regulations apply to a PUD unless specifically modified through the approval process. Through the flexibility of the planned unit development technique, the planned unit development is intended achieve some or all of the following objectives:

A. Allow for the creation of projects with a variety of land uses to be developed as a unified project.

B. Insure that developments meet the intent, purpose, and policies of the Village of Niles Comprehensive Plan.

C. Encourage innovation and creativity in the land planning and design process.

D. Preserve natural site amenities and features such as vegetation, topography, geologic features, environmentally sensitive areas, access to public lands, and other unique features of the site.

E. Encourage the availability of recreational opportunities and the preservation of open space.

F. Prevent and control soil erosion and surface flooding.

G. Create a method for the preservation of common open space for the continued use and enjoyment of residents within the development as well as village-wide.

H. Provide for the efficient location of institutions and public buildings and facilities.

I. Provide a process that encourages the innovative reuse and/or redevelopment of older under-performing properties.

J. Encourage flexibility in the development of land and in the design of structures.

K. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other sections of this Ordinance.

L. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning controls.

M. Combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different uses in an innovative and functionally efficient manner.

N. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, structures, circulation patterns, and utilities.

O. Encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affective flooding, soil, drainage, and other natural ecologic conditions.

P. Facilitate the implementation of adopted Village land use policies, particularly with respect to areas planned for potential redevelopment.

12.2 INITIATION

The entire property proposed for the planned unit development must be in single ownership or under unified control. All owners of the property must be included as joint applicants on all applications and all approvals will bind all owners. A minimum of one acre is required for a planned unit development proposal.

12.3 AUTHORIZATION

A planned unit development is authorized as a special use in the zoning districts (see Section 8). A planned unit development must be granted in accordance with the procedures and standards of this Section and the special use provisions of Section 15. Unless specifically approved as part of the planned unit development and special use approval, the requirements of the underlying district apply.

12.4 EXCEPTIONS FROM DISTRICT REGULATIONS

A. The planned unit development is subject to the underlying district dimensional and use regulations unless an exception is specifically granted. The Planning and Zoning Board may recommend and the Village Board may grant exceptions to the zoning district use and dimensional regulations where a planned unit development is located. Exceptions from district regulations may be granted for planned unit developments, if the exceptions:

1. Enhance the overall merit of the planned unit development.

2. Promote the objectives of both the Village and the development.

3. Enhance the quality of the design of the structures and the site plan.

4. Will not cause such an adverse impact on neighboring properties so as to outweigh the benefits of the development.

5. Are compatible with adopted Village land use policies.

6. Provide a public benefit to the Village, as described below.

B. The underlying zoning district requirements apply, unless an exception is granted as part of the planned unit development and special use approval. Exceptions to district regulations may be granted where it is determined that such modifications do not negatively affect the value and enjoyment of surrounding property, the provision of municipal services, or traffic circulation on-site and off-site. To be granted such exceptions, the applicant must demonstrate superior design and enhanced amenities. In no case may an exception to district regulations be granted unless the applicant demonstrates a substantial benefit to the Village. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:

1. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and public transit facilities

2. Preservation of existing environmental features.

3. Preservation of historic features.

4. Open space and recreational amenities such as:

a. Swimming pools.

b. Tennis courts.

c. Recreational open space accessory buildings.

d. Jogging trails and fitness courses.

e. Playgrounds, dog parks, skate parks, and similar recreational features.

f. Natural water features and conservation areas.

g. Multi-use trails, nature trails, boardwalks, overlooks, landscaped areas with native plantings, which may incorporate water features, such as a detention pond.

5. The use of green building and sustainable development techniques, including LEED or LEED-equivalent certification of structures.

6. Incorporation of storm water management techniques above that required by the development.

7. Adaptive reuse of existing buildings.

8. Provision of public car and/or bike share facilities

9. A senior housing set-aside, either rental or for-sale.

10. Affordable housing set-aside.

12.5 PROCEDURE

In addition to the special use standards, the following procedures, requirements, restrictions, and conditions are required. In addition to the special use procedures, approval of a planned unit development includes a pre-application consultation, required concept plan review, preliminary plan approval, and final plan approval. A preliminary plan and a final plan may not be submitted and reviewed simultaneously but must follow the procedures as laid out sequentially in this section.

A. Pre-Application Consultation

1. Prior to formal submittal of an application, a pre-application conference with the Director of Community Development is required.

2. At a pre-application consultation, the applicant must provide information as to the location of the proposed planned unit development, the proposed uses, proposed improvements including the public benefits and amenities, anticipated exceptions to this Ordinance, and any other information necessary to explain the planned unit development.

3. The purpose of such pre-application consultation is to make advice and assistance available to the applicant before preparation of concept plan, so that the applicant may determine whether the proposed planned unit development is in compliance with the provisions of this Ordinance and other applicable regulations, and whether the proposed planned unit development aligns with the adopted land use policies of the Village.

4. The pre-application conference does not require formal application, fee, or filing of a planned unit development application. Any opinions or advice provided by the Director of Community Development are in no way binding with respect to any official action that may be taken on the subsequent formal application.

B. Concept Plan

1. Before submitting a formal application for a planned unit development, the applicant must present a concept plan before the Planning and Zoning Board for the purpose of obtaining information and guidance prior to formal application. The concept plan will be presented at a public meeting and no notice is required. At minimum, the concept plan must consist of the following:

a. A map or maps in general form containing the proposed land uses, the natural features of the development site, the character and approximate location of all roadways and access drives proposed within the planned unit development, the location of all adjacent public streets, public utilities, and schematic drawings showing the size, character, and disposition of buildings on the site.

b. A written statement containing a general explanation of the planned unit development, including a statement of the present ownership of all the land within said development and the expected schedule of construction.

2. The Planning and Zoning Board will review the concept plan, and provide such information and guidance it deems appropriate. Any opinions or advice provided by the Planning and Zoning Board is in no way binding with respect to any official action the Planning and Zoning Board or Village Board may take on the subsequent formal application. The review of the concept plan is not a public hearing.

C. Preliminary Plan

1. Action by Director of Community Development

An application for a preliminary plan for a planned unit development must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

2. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Planning and Zoning Board, the Planning and Zoning Board will consider the preliminary plan at a public hearing.

b. The Planning and Zoning Board will review the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section and the approval standards for a special use. The Planning and Zoning Board must recommend either approval, approval with conditions, or denial of the preliminary plan.

c. Following the close of the public hearing, the Planning and Zoning Board will forward its recommendation to the Village Board.

3. Action by Village Board

The Village Board will review the preliminary plan within 60 days of receipt of the Planning and Zoning Board recommendation, unless an extension of time is agreed to by the applicant and the Village Board. The Village Board must approve, approve with conditions, or deny the preliminary plan.

4. Conditions

The Planning and Zoning Board may recommend, and the Village Board may impose, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the planned unit development as may be deemed necessary for the protection of the public health, safety, and welfare. Such conditions and restrictions must be reflected in the final plan.

5. Approval Standards

The recommendation of the Planning and Zoning Board and decision of the Village Board must make a finding that a preponderance of the special use standards of Section 15 and the following standards for a planned unit development have generally been met.

a. The proposed planned unit development meets the purpose of a planned unit development as described in Section 12.1.

b. The proposed planned unit development will not be injurious to the use and enjoyment of other property in the vicinity.

c. The proposed planned unit development will not impede the normal and orderly development and improvement of surrounding property.

d. There is provision for adequate utilities, drainage, off-street parking and loading, pedestrian access, and all other necessary facilities.

e. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.

f. The location and arrangement of structures, parking areas, walks, landscape, lighting, and other site design elements, are compatible with the surrounding neighborhood and adjacent land uses.

6. Expiration

The preliminary plan approval expires if a complete application for approval of a final plan has not been filed within two years after the date the Village Board grants preliminary plan approval. As part of the Village Board approval of the preliminary plan, the Village Board may extend this period of time. An extension of this two years period may also be granted by the Village Board if the applicant requests an extension in writing prior to the expiration date of the approval. A public hearing for an extension of time of a preliminary plan is not required.

D. Final Plan

Following the approval of the preliminary plan, an application for a final plan for a planned unit development must be filed with the Director of Community Development.

1. Action by Director of Community Development

The Director of Community Development will review the final plan within 30 days of receipt of the complete final plan application and take the following action:

a. If the final plan is in substantial compliance with the approved preliminary plan, the Director of Community Development will recommend approval of the final plan to the Village Board. The Director of Community Development will certify to the Village Board that the final plan is in substantial conformance with the previously filed preliminary plan.

b. If the final plan is not in substantial conformance with the approved preliminary plan, the Director of Community Development must inform the applicant as to specific areas found not to be in compliance, and the applicant must resubmit the final plan to the Director of Community Development with changes to those areas found not to be in substantial compliance and the validity of the preliminary plan remains in effect. If the revised final plan remains noncompliant with the preliminary plan, the applicant may request that the Director of Community Development render a decision to be forwarded to the Village Board. In such case, the Director of Community Development will recommend to the Village Board that the final plan be denied. If denied, the applicant may reapply by submitting a new preliminary plan.

2. Action by Village Board

Within 60 days of receipt of the Director of Community Development's recommendation, the Village Board must review the final plan. The Village Board must approve or deny the final plan. If denied, the applicant may reapply pursuant to Section 14.1(E) by submitting a new final plan and the validity of the preliminary plan remains in effect.

3. Effect of Approval

After final plan approval, the final plan will constitute the development regulations applicable to the subject property. The planned unit development must be developed in accordance with the final plan, rather than the zoning district regulations otherwise applicable to the property. Violation of any condition is a violation of this Ordinance and constitutes grounds for revocation of all approvals granted for the planned unit development.

4. Expiration

The final plan approval expires if a building permit has not been issued within two years after the date the Village Board grants final plan approval. As part of the Village Board approval of the final plan, the Village Board may extend this period of time. An extension of this two year validity period

may be granted by the Village Board prior to the expiration date of the approval if the applicant requests an extension in writing prior.

12.6 APPLICATION SUBMITTAL REQUIREMENTS

A. Preliminary Plan Submittal

The preliminary plan must include the following elements:

1. A legal description of the development, and a legal description of each separate subdivided parcel, including any areas to be conveyed, dedicated, or reserved for public or quasi-public uses.

2. Proof of ownership.

3. A site location map drawn to an appropriate scale showing the proposed planned unit development in relation to surrounding streets and properties located within 600 feet in all directions of the development site. The map must indicate the location, height, and use of all existing structures immediately adjacent to the development site.

4. A site plan drawn to an appropriate scale of no less than 1” = 100’ indicating:

a. The location, building footprint, height, and approximate dimensions of all existing and proposed structures.

b. All proposed uses.

c. The dimensions of all yards and the distance between all structures.

d. The location and dimensions of all pedestrian walkways, driveways, streets, and parking and loading facilities, including the number of parking spaces serving each land use.

e. The location of all areas to be conveyed, dedicated, or reserved for open space and/or institutional uses.

5. Typical building elevations and schematic design presentations indicating the general architectural character of all proposed structures.

6. A traffic circulation plan indicating the proposed movement of vehicles, bicycles, and pedestrians within the development, and to and from adjacent streets. The plan must also indicate an evaluation of the adequacy of on-site parking facilities, vehicular circulation patterns, and pedestrian and bicycle access and safety.

7. A drainage plan prepared indicating how surface drainage will be controlled and managed, consistent with all Village and other governmental jurisdictions, regulations, and requirements.

8. A utilities study indicating the adequacy of the utility systems serving the proposed planned unit development, including water distribution lines, sanitary sewers, and stormwater drainage facilities.

9. A landscape plan as required per Section 11.

10. A lighting plan as required per Section 9.2.

11. A schedule setting forth any proposed exceptions to any Village regulations. This schedule must cite by section number each regulation from which an exception is sought.

12. A description of the public benefits and amenities to be provided.

13. A traffic impact analysis indicating the volume of traffic to be generated by the development and proposing any special engineering design features and/or traffic regulation devices needed to ensure efficient and safe traffic circulation to, through, and around the planned unit development.

14. Proposed commercial planned unit developments should delineate uses. Uses that are classified as 'special uses' will need to be designated as such with the final approval.

B. Final Plan Submittal

1. A site plan drawn to an appropriate scale of no less than 1" = 100' indicating:

a. Final designation of the location, building footprint, height, and exact dimensions of all existing and proposed structures.

b. A detailed tabulation of each separate land use, including building footprint area and gross floor area, and where applicable, the total number of residential dwelling units.

c. The existing uses and anticipated uses of proposed structures and land by general land use category.

d. The dimensions of all yards and the distances between all structures.

e. The final location and dimensions of all pedestrian walkways, driveways, streets, parking and loading facilities, including the number of parking spaces serving each land use, and all parking lot landscape.

f. The exact location and dimensions of all areas to be conveyed, dedicated, or reserved for open space and/or institutional uses.

2. All covenants, easements, agreements and other provisions required to govern the use, maintenance, and continued protection of the development.

3. All plats, certificates, seals, and signatures required for the dedication or vacation of land and/or the recording of the final site plan.

4. Building elevations and schematic design presentations indicating the final architectural character of all proposed buildings and structures.

5. A detailed landscape plan indicating the specific location and character of all landscape, including the number, size and species of all trees, shrubs, hedges, and other groundcover, the location, size and type of all screening and fencing.

6. A final lighting plan indicating the location, height, design, and illumination characteristics of all external lighting fixtures within the development.

7. A detailed utilities and drainage plan indicating the size and location of all water distribution lines, sanitary sewers, and storm drainage facilities required to serve the development and the manner in which surface drainage will be controlled and managed consistent with all applicable Village and state regulations.

8. A development and construction schedule indicating the following:

a. The date when construction of the planned unit development will begin or, if developed in phases, the date when construction of the first phase will begin.

b. If the development is to be developed in phases, a map indicating the phases in which the development will be built, the dates when the final plans for all but the first phase will be filed, and the approximate dates when construction of each subsequent phase will begin.

c. The date when construction is anticipated to be completed or, if developed in phases, the date when construction of each phase is anticipated to be completed.

9. A separate schedule setting forth any proposed exceptions to any Village regulations. This schedule must cite by section number each regulation from which an exception is sought.

10. A description of the public benefits and amenities to be provided and during which phase of construction they will be constructed.

12.7 MODIFICATIONS TO APPROVED FINAL PLANS

No adjustments may be made to the approved final plan, except upon application to the Village in accordance with the following.

A. Administrative Modifications

The Director of Community Development may approve the following administrative modifications to an approved final plan when it is determined by the Director of Community Development that such changes are in substantial conformance with the approved final plan. Any changes considered a minor or major modification, as defined in this section, cannot be approved as an administrative modification. The Director of Community Development, at his/her sole discretion, may choose to classify a modification that meets the criteria of this section as a minor modification to be approved by the Planning and Zoning Board. No notice is required for an administrative modification.

1. Changes required during construction when related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.

2. Changes in building location of no more than five feet that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

3. Changes in the location of walkways, vehicle circulation ways, and parking areas of up to 10 feet that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

4. Interior modifications that do not increase the area of the building footprint.

5. Changes in building design, including building materials, that continue to meet the requirements of this Ordinance and any conditions of the final plan approval.

6. Modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.

7. Modifications to the approved landscape plan that do not result in a reduction of the total amount of plant material required and conform with all landscape requirements of this Ordinance.

8. Modification of existing signs or the addition of new signs when in conformance with sign regulations.

B. Minor Modifications

The Planning and Zoning Board may approve the following minor modifications to an approved final plan when it is determined by the Planning and Zoning Board that such changes are in general conformance with the approved final plan. Any changes considered a major modification, as defined in this section, cannot be approved as a minor modification. The Planning and Zoning Board, at its sole discretion, may choose to classify a modification that meets the criteria of this section as a major modification to be approved by the Village Board. No notice is required for a minor modification. When calculating percentages, all fractions are rounded up to the nearest whole number.

1. An increase or decrease in the number of dwelling units of up to 10%.

2. An increase or decrease in building height of up to 10%.

3. An increase or decrease in building coverage up to 10%.

4. An increase or decrease in open space up to 10%.

5. A change of in the location of walkways, vehicle circulation ways, and parking areas between 10 to 20 feet.

6. A change in the location and arrangement of general land use categories within the development, or an increase or decrease of up to 10% in the overall final approved land use mix in any phase.

7. A change or relocation of any rights-of-way.

8. An increase or decrease in the number of parking spaces of up to 10 parking spaces.

9. A change to the landscape plan that results in a reduction of plant material but does not violate the landscape requirements of this Ordinance.

10. Altering any final grade by no more than 20% of the originally planned grade.

C. Major Modifications

1. The Village Board may approve any other changes to an approved final plan that do not qualify as an administrative or minor modification. In addition, any of the following are considered major modifications:

a. Any request for an extension of time of the final plan approval.

b. Changes to any conditions imposed as part of final plan approval.

c. Reductions or alterations in the approved public benefit and amenities to be provided.

d. Any development action that does not comply with zoning district regulations.

2. All major modifications to the final plan must be approved by the Village Board. Approval of major modifications will follow the special use process. The Village Board may only approve changes to the final plan if they find such changes are in general conformance with the approved final plan, necessary for the continued successful functioning of the planned unit development, respond to changes in conditions that have occurred since the final plan was approved, and/or respond to changes in adopted Village land use policies.

3. Upon review of the proposed major modifications, the Village Board may determine that the proposed modifications constitute a new planned unit development and the final plan must be resubmitted as a preliminary plan and follow the procedures of approval in this Section.

SECTION 13. ORDINANCE ADMINISTRATORS

13.1 DESIGNEES
13.2 VILLAGE BOARD
13.3 PLANNING AND ZONING BOARD
13.4 DIRECTOR OF COMMUNITY DEVELOPMENT

13.1 DESIGNEES

Certain Village officials within this Section are cited as having powers that may also be administered by a designee, indicated by the language " or his/her designee." The ability to direct powers to a designee applies to the actions of such officials throughout this Ordinance.

13.2 VILLAGE BOARD

The Village Board has the following powers, pursuant to this Ordinance:

A. To make final decisions on zoning text and map amendment applications (Section 15.2).

B. To make final decisions on special use applications (Section 15.3).

C. To make final decisions on planned unit development applications (Section 12).

13.3 PLANNING AND ZONING BOARD

Creation. The Planning and Zoning Board is hereby created and is hereby designated as the Planning and Zoning Board referred to in this ordinance.

Membership. The Planning and Zoning Board shall consist of seven members appointed by the President of the Village Board by and with the advice and consent of the Village Trustees. The term shall be for one year. The appointing authority has the power to remove any member of the board for cause and after public hearing. Vacancies shall be filled for the unexpired term of the member whose place has become vacant.

Officers and staffing. One of the members so appointed shall be named as Chairperson by the President of the Village Board by and with advice and consent of the Village Trustees. One of the members so appointed shall be named as Vice-Chairperson by the President of the Village Board by and with the advice and consent of the village trustees. In the event of the absence of the Chairperson, the Vice-Chairperson shall act in their place and stead as acting chairperson. The President of the Village Board by and with the advice and consent of the village trustees shall appoint a Secretary from the members.

The commission may, at the discretion of the Village Board of trustees, employ a paid secretary or staff, or both, whose salaries, wages, and other necessary expenses shall be provided for by the Village of Niles from the public funds. If said Plan Commission shall deem it advisable to secure technical advice or services, it may be done upon authority from the Village Board of trustees and appropriations by the Village Board of trustees therefor.

Meetings. All meetings of the Planning and Zoning Board shall be held at the call of the Chairperson, and at such other times as the Planning and Zoning Board may determine. The Chairperson, or in his absence the acting Chairperson, may administer oaths and compel the attendance of witnesses. All regular meetings of the Planning and Zoning Board shall be open to the public. The Planning and Zoning Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact, and shall also keep records of its examinations and other official actions. Every decision upon which the Planning and Zoning Board is required to act under this ordinance shall be a public record. The commission shall keep written records of its proceedings, which shall be open at all times to public inspection.

Jurisdiction and authority. In the absence of an appointment of a Board of Appeals under the provisions of the ordinances of the Village of Niles to perform the function of such Board of Appeals and to have all

of the powers incidental thereto, the Planning and Zoning Board is hereby invested with the following jurisdiction and authority:

(a) To hear and decide variations from the terms provided in this ordinance in the manner set forth in the applicable statutes of the State of Illinois and subject to the standards set forth in this section (15.4); and
(b) To hear and decide appeals from any order, requirement, decision, or determination made by the Director of Community Development under this ordinance (15.9);
(c) To hear and decide all matters referred to it or upon which it is required to pass under this ordinance.

Additionally, in the absence of an appointment of a Plan Commission under the provisions of the ordinances of the Village of Niles to perform the function of such Plan Commission and to have all of the powers incidental thereto, the Planning and Zoning Board is hereby invested with the following jurisdiction and authority:

(d) To make recommendations to the Village Board on zoning text and map amendment applications (Section 15.2).
(e) To make recommendations to the Village Board on special use applications (Section 15.3)
(f) To make recommendations to the Village Board on planned unit development applications (Section 12).

Additionally, the Planning and Zoning Board is hereby invested with the following jurisdiction and authority:

(g) To initiate, direct, and review, from time to time, studies of the provisions of this ordinance and to make reports of its recommendations to the Village Board;
(h) To recommend to the Village Board of trustees of the Village of Niles, the subdivision or consolidation of any lot(s).
(i) At any time or times, before or after the formal adoption of the official comprehensive plan by the corporate authorities, an official map may be designated by ordinance, which may consist of the whole area included within the official comprehensive plan, or one or more separate geographical or functional parts, and may include all or any part of the contiguous unincorporated area within 1½ miles from the corporate limits of the Village of Niles. All requirements for public hearing, filing of notice of adoption with the county recorder of deeds, and filing of said plan and ordinances, including the official map, with the village clerk shall be complied with as provided for by law. No map or plat of any subdivision or resubdivision presented for record affecting land within the corporate limits of the Village of Niles or within contiguous territory which is not more than 1½ miles beyond the corporate limits shall be entitled to record or shall be valid unless the subdivision shown thereon provides for standards of design, and standards governing streets, alleys, public ways, ways for public service facilities, streetlights, public grounds, size of lots to be used for residential purposes, storm[water] and floodwater runoff channels and basins, water supply and distribution, sanitary sewers, and sewage collection and treatment in conformity with the applicable requirements of the ordinances, including the official map.
(j) In order to make adequate provisions for the preparation of a comprehensive village plan for the guidance, direction and control of the growth and development or redevelopment of the Village of Niles and contiguous territory not more than 1½ miles beyond the corporate limits and not included in any municipality, the Planning and Zoning Board for the Village of Niles is hereby invested with the following powers under authority of an act of the General Assembly of the State of Illinois entitled "Illinois Municipal Code" approved May 29, 1961, and effective July 1, 1961, and as amended:
    i. To prepare and recommend to the Village Board of Trustees of the Village of Niles, a comprehensive plan for the present and future development or redevelopment of said village and contiguous unincorporated territory not more than 1½ miles beyond the corporate limits of said village and not included in any other municipality. Such plan may be adopted in whole or in separate geographical or functional parts, each of which, when adopted shall be the official comprehensive plan, or part thereof, of the Village of Niles. Such plan shall be advisory except as to such part thereof as has been implemented by ordinances duly enacted by the Village Board of trustees. All requirements for public

hearing, filing of notice of adoption with the county recorder of deeds and filing of said plan and ordinances with the municipal clerk shall be complied with as provided by law. To provide for the health, safety, comfort, and convenience of the inhabitants of the Village of Niles and contiguous territory, such plan or plans shall establish reasonable standards of design for subdivisions and for resubdivisions of unimproved land and of areas subject to redevelopment in respect to public improvements as herein defined and shall establish reasonable requirements governing the location, width, course, and surfacing of public streets and highways, alleys, ways, for public service facilities, curbs, gutters, sidewalks, streetlights, parks, playgrounds, school grounds, size of lots to be used for residential purposes, stormwater drainage, water supply and distribution, sanitary sewers, and sewage collection and treatment. The requirements specified herein shall become regulatory only when adopted by ordinance.

ii. To designate land suitable for annexation to the municipality and the recommended zoning classification for such land upon annexation.

iii. To recommend to the Village Board of Trustees of the Village of Niles, from time to time, such changes in the comprehensive plan, or any part thereof, as may be deemed necessary.

iv. To prepare and recommend to the Village Board of trustees, from time to time, plans and/or recommendations for specific improvements in pursuance of the official comprehensive plan.

v. To give aid to the officials of the Village of Niles charged with the direction of projects for improvements embraced within the official plan, or parts thereof, to further the making of such improvements and generally to promote the realization of the official comprehensive plan.

vi. To arrange and conduct any form of publicity relative to its activities for the general purpose of public understanding.

vii. To cooperate with the municipal or regional planning commissions and other agencies or groups to further the local planning program and to ensure harmonious and integrated planning for the area.

viii. To exercise such other powers germane to the powers granted under authority of an act of the General Assembly of the State of Illinois entitled "Illinois Municipal Code" approved May 29, 1961, and effective July 1, 1961, and as amended, as may be conferred by the Village Board of Trustees of the Village of Niles.

Decisions.

(a) All final decisions on variations arrived at by the Planning and Zoning Board as provided in Section 15.4 shall require a majority vote of all its members and shall be subject to judicial review in accordance with applicable statutes of the State of Illinois.

(b) All final decisions of appeals from decisions of the Director of Community Development arrived at by the Planning and Zoning Board as provided in Section 15.9 shall require a majority vote of all its members and shall, in all instances, be final administrative determinations subject to judicial review in accordance with applicable statutes of the State of Illinois.

13.4 DIRECTOR OF COMMUNITY DEVELOPMENT

The Director of Community Development may designate one or more Village staff persons to act as the Director of Community Development; however, a zoning decision may only be rendered once. The Director of Community Development, or his/her designee, has the following powers, pursuant to this Ordinance:

A. To make final decisions on administrative exception applications (Section 15.5).

B. To make final decisions on site plan review applications (Section 15.6).

C. To make final decisions on zoning interpretation applications (Section 15.7).

D. To make final decisions on temporary use permit applications (Section 15.8).

E. To receive and forward zoning applications as required by this Ordinance to the Planning and Zoning Board, Village Board, or Village official, as appropriate.

F. To maintain permanent and current records as required by this Ordinance.

G. To maintain and make available the Village's Official Zoning Ordinance and Zoning Map, and all permanent and current records required by this Ordinance.

H. To conduct inspections of structures or the use of land to determine whether there is compliance with this Ordinance, and, in case of any violation, order corrective action.

I. To make decisions on matters set forth herein assigned to the Director of Community Development.

SECTION 14. APPLICATION PROCEDURES

14.1 APPLICATION
14.2 NOTICE
14.3 PUBLIC HEARING

14.1 APPLICATION

A. Filing and Pre-Application Conference

1. All zoning applications must be filed with the Director of Community Development. The application must be on forms provided by the Village and filed in such quantity as required by the instructions.

2. Prior to formal submittal of an application, the applicant may request a pre-application conference with the Director of Community Development. The purpose of a pre-application conference, which does not require a formal application or fees, is to provide informal advice and assistance to the applicant. Any opinions or advice provided are not binding with respect to any official action that may be taken on the formal application.

B. Completeness

1. An application must include all information, plans, and data as specified in the application requirements. Any required plans must be at a scale sufficient to permit a clear and precise understanding of the proposal, unless specifically required to be at a set scale.

2. The Director of Community Development will examine all applications within 30 days of filing to determine completeness. If the application does not include all the submittal requirements for the application, the Director of Community Development will reject the application and provide the applicant with the reasons for the rejection. The Director of Community Development will take no further steps to process the application until all deficiencies are remedied.

3. After an application is determined to be complete, any substantive change made by the applicant to the application requires resubmittal of the entire application and a new completeness review. However, such revisions do not require an additional payment of fees.

4. Once the application is under consideration by the appropriate body, additional information, or revisions are not subject to this provision.

C. Fees

Each application must be accompanied by the required filing fee as set forth in Appendix D in the Village Code. The failure to pay such fee when due is grounds for refusing to process the application and renders the application incomplete. If an application is submitted by the Village Board or Planning and Zoning Board, then all fee requirements are considered waived.

D. Withdrawal of Application

An applicant has the right to withdraw an application at any time prior to the final decision on the application by a board or official, including the ability to withdraw the application if it has been tabled by a board or official. The applicant must submit a request for withdrawal in writing. There will be no refund of fees.

E. Consideration of Successive Applications

1. Within one year of the date of denial, a subsequent application for the same zoning approval will not be reviewed or heard unless there is substantial new evidence available, or if a significant mistake of law or of fact affected the prior denial.

2. If the application is resubmitted earlier than one year from the date of denial, the subsequent application must include a detailed statement of the grounds justifying its consideration. The Director of Community Development will make a determination as to whether the subsequent application is appropriate for resubmittal prior to the expiration of the one year wait requirement. If the Director of Community Development finds that there are no new grounds for consideration of the subsequent application, he/she will summarily, and without hearing, deny the request.

14.2 NOTICE

A. Required Notice

Table 14-1: Required Notice indicates the types of notice required for zoning applications.

Table 14-1: Required Notice

Zoning Application	Notice Type		
	Published	**Mailed (First Class)**	**Posted On Property**
Zoning Text Amendment Notice for Public Hearing	X		
Zoning Map Amendment Notice for Public Hearing	X	X	X
Special Use Notice for Public Hearing	X	X	X
Variation Notice for Public Hearing	X	X	X
Administrative Exception Notice of Decision Date		X	
Zoning Appeals Notice for Public Hearing	X		

B. Published Notice

When published notice is required, the Director of Community Development will publish notice in a newspaper of general circulation within the Village. The notice must include the date, time, place, and purpose of such hearing, the name of the applicant, and the address of the subject property. Notice must be published no less than 15 days and no more than 30 days in advance of the scheduled hearing date.

C. Mailed Notice

1. General Requirements

The following mailed notice requirements apply to all applications cited in Table 14-1: Required Notice as requiring notice for a public hearing.

a. Written notice will be mailed by the Village via First Class mail no less than 15 and no more than 30 days in advance of the scheduled hearing date to all property owners within 250 feet of the property line of the subject property. The notice must include the date, time, place, and purpose of such hearing, the name of the applicant, and the address of the subject property. When a zoning map amendment is proposed by the Village, notification must also be mailed to the owner of the subject property.

b. Nothing in this section is intended to prevent the applicant or the Village from giving additional notice as he/she may deem appropriate.

2. Administrative Exception Mailed Notice

a. For administrative exceptions, written notice will be mailed by the Village to owners of property within 150 feet of the subject property no less than 15 and no more than 30 days in advance of the date of when the Director of Community Development will make a decision.

b. If a noticed property owner objects to the administrative exception prior to the date indicated on the notice, the application is then considered a variation and subject to the variation notice requirements, including any additional notice fees.

D. Posted Notice

When posted notice is required, it must be located on the subject property in accordance with the following provisions:

1. The required posting period must be no less than 15 days and no more than 30 days in advance of the scheduled hearing date. The sign must be posted at a prominent location on the property, near the sidewalk or public right-of-way so that it is visible to pedestrians and motorists. Properties with more than one street frontage are required to post one sign visible on each street frontage. Posted signs may be removed the day following the scheduled hearing date.

2. The Village will install and maintain the sign during the required posting period.

14.3 PUBLIC HEARING

A. Pre-Hearing Examination

Once required notice is given, any person may examine the application and material submitted in support of or in opposition to the application during normal business hours, subject to the exceptions set forth in the Freedom of Information Act. Upon reasonable request, any person is entitled to copies of the application and related documents. A fee may be charged for such copies.

B. Conduct of the Public Hearing

The public hearing must be conducted in accordance with all applicable requirements of Illinois law and the rules and regulations of the body conducting the hearing. The general procedure for public hearings is as follows:

1. All persons offering testimony at a public hearing must testify under oath. All persons wishing to testify at the public hearing must state for the record his/her name and address. Interested parties may appear for themselves or be represented by a person of their choosing. Written statements will be accepted prior to the hearing to be entered into the public hearing record.

2. The applicant presents testimony regarding the petition and associated applications. The application and any accompanying exhibits will be identified and made part of the record.

3. Questions are directed to the applicant by the body conducting the hearing.

4. An interested party may appear at a hearing and submit evidence. An interested party wishing to ask questions of a witness may, at the time indicated by the Chair, direct questions to the witness. All persons shall state his/her name and address before questioning a witness. This opportunity for questioning a witness shall not be used by the questioner to offer testimony or evidence.

5. Follow-up questions and discussion of evidence gathered by the body conducting the hearing.

6. The body conducting the hearing will close that portion of the public hearing in regard to receiving testimony and evidence. Following close of the hearing, the body conducting the hearing will deliberate. The hearing body shall keep minutes of its proceedings that show the vote of each member of the hearing body on the application, or if absent, or failing to vote, indicating that fact. The hearing body will keep records of its hearings and it's evaluation of standards.

C. Continuances

The body conducting the hearing may continue a public hearing. No new notice is required to reopen the public hearing if the hearing is continued to a date specific, provided that a public announcement of the future date, time, and place of the continued hearing is made at the current hearing and recorded in the minutes. If the hearing is adjourned, rather than continued to a date specified, in order to reopen the hearing all notice must be given that is required for the initial public hearing.

SECTION 15. ZONING APPLICATIONS

15.1 GENERAL REQUIREMENTS
15.2 ZONING TEXT AND MAP AMENDMENT
15.3 SPECIAL USE
15.4 VARIATION
15.5 ADMINISTRATIVE EXCEPTION
15.6 SITE PLAN REVIEW
15.7 ZONING INTERPRETATION
15.8 TEMPORARY USE PERMIT
15.9 ZONING APPEALS
15.10 PARKING CREDITS
15.11 UNIQUE USE

15.1 GENERAL REQUIREMENTS

A. All applications must be submitted in accordance with Section 14.1.

B. All notice for public hearings or meetings must meet the requirements of Section 14.2.

C. All public hearings must be conducted in accordance with Section 14.3

15.2 ZONING TEXT AND MAP AMENDMENT

A. Purpose

The regulations imposed and the districts created by this Ordinance may be amended from time to time in accordance with this section. This process for amending the Zoning Ordinance text or the Zoning Map is intended to allow modifications in response to omissions or errors, changed conditions, or changes in Village policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.

B. Initiation

1. The Village Board, the Planning and Zoning Board, or a property owner in the Village, or his/her designee, may propose a zoning text amendment.

2. The Village Board, the Planning and Zoning Board, or a property owner in the Village, or his/her designee, may propose zoning map amendments.

C. Authority

The Village Board, after receiving a recommendation from the Planning and Zoning Board, will take formal action on requests for zoning text or map amendments.

D. Procedure

All applications must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board. Amendments initiated by the Village Board or the Planning and Zoning Board also require an application, but are exempt from fees.

1. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development, the Planning and Zoning Board will consider the proposed zoning amendment at a public hearing.

b. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. For zoning text amendments, the Planning and Zoning Board must recommend approval, approval with

conditions, or denial of the application. For zoning map amendments, the Planning and Zoning Board must recommend approval or denial of the application.

c. Within 60 days of the close of the public hearing, the Planning and Zoning Board must forward its recommendation to the Village Board, unless an extension is agreed to by the applicant.

2. Action by Village Board

The Village Board will review the proposed amendment within 60 days of receipt of the Planning and Zoning Board recommendation, unless an extension of time is agreed to by the applicant and the Village Board. The Village Board may take action in the form of approval, approval with conditions, or denial on applications for zoning text amendments, and approval or denial on applications for zoning map amendments, remand the issue back to the Planning and Zoning Board for further consideration, or table the discussion until a future meeting of the Village Board.

E. Approval Standards

The Planning and Zoning Board recommendation and the Village Board decision on any zoning text or map amendment is a matter of legislative discretion that is not controlled by any particular standard. However, in making their recommendation and decision, the Planning and Zoning Board and the Village Board must consider the following standards. The approval of amendments is based on a balancing of these standards.

1. Approval Standards for Map Amendments

a. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.

b. The compatibility with the existing use and zoning of nearby property.

c. The extent to which property values of the subject property are diminished by the existing zoning.

d. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.

e. The relative gain to the public, as compared to the hardship imposed upon the applicant.

f. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

g. The length of time that the property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located.

h. That the proposed amendment will benefit the residents of the Village as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.

i. The extent to which the proposed amendment creates nonconformities.

j. The trend of development, if any, in the general area of the property in question.

k. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.

2. Approval Standards for Text Amendments

a. The consistency of the proposed amendment with the Comprehensive Plan.

b. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.

c. The relative gain to the public, as compared to the hardship imposed upon the applicant.

d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.

e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.

f. Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan.

g. The extent to which the proposed amendment creates nonconformities.

h. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

F. Written Protest of Amendment

Written protest of an amendment may be filed in accordance with Illinois state law (65 ILCS 5/11-13-14).

15.3 SPECIAL USE

A. Purpose

This Ordinance is based upon the division of the Village into districts. Within each district the use of land and structures are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in a particular district or districts without consideration of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location.

B. Initiation

A property owner in the Village, or his/her designee, may file an application to use his/her land for one or more of the special uses authorized within the zoning district. A property owner may only propose a special use for property under his/her control.

C. Authority

The Village Board, after receiving a recommendation from the Planning and Zoning Board, will take formal action on special use applications.

D. Procedure

An application for a special use must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

1. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development, the Planning and Zoning Board will consider the special use at a public hearing.

b. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Planning and Zoning Board must recommend either approval, approval with conditions, or denial of the special use.

c. Within 60 days of the close of the public hearing, the Planning and Zoning Board must forward its recommendation to the Village Board, unless an extension is agreed to by the applicant.

2. Action by Village Board

The Village Board must act on the special use within 60 days of receipt of the Planning and Zoning Board recommendation. The Village Board may take action in the form of approval, approval with conditions, or denial of the special use, remand the issue back to the Planning and Zoning Board for further consideration, or table the discussion until a future meeting of the Village Board

3. Conditions on Special Uses

The Planning and Zoning Board may recommend, and the Village Board may impose, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as may be deemed necessary for the protection of the public health, safety, and welfare. The Village Board may require such guarantees, as it may deem necessary, to assure compliance with any stipulated conditions.

E. Approval Standards

The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each special use must be evaluated on an individual basis, in relation to all applicable standards of this Ordinance. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed. The recommendation of the Planning and Zoning Board and decision of the Village Board must be based on findings to support each of the following conclusions:

1. The special use in the specific location proposed is consistent with the spirit and intent of this Ordinance, the adopted Comprehensive Plan and other adopted Village land use policies.

2. The proposed special use will not endanger the public health, safety, or welfare.

3. The proposed special use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

4. The proposed special use is deemed necessary for the public convenience at the proposed location.

F. Modifications to Approved Special Uses

Any modifications to the conditions of approval for a previously approved special use must be resubmitted as a new special use application. Any modifications that meet Ordinance standards are permitted, subject to the regulations of this Ordinance.

G. Expiration

1. A special use approval expires if any one of the following conditions occurs and no request for an extension of the special use approval is pending:

   a. When an approved special use is changed to another use.

   b. For special uses approved in conjunction with new construction or additions or enlargements to an existing structure, the special use approval expires within one year of the date of approval if a building permit has not been issued, subject to Section ‘2’ below.

   c. For special uses approved in conjunction with an existing structure or on a lot where no structure is planned, the special use approval expires within one year of the date of approval if the structure or site have remained vacant or if the special use has not commenced, subject to Section ‘2’ below.

   d. For special uses approved in conjunction with a preliminary plan for a planned unit development, the special use approval expires in conjunction with the preliminary plan expiration.

2. In the event that a lawsuit or other legal challenge is filed against an approved special use permit, the

calculation of the one-year time limit for the expiration of that special use is suspended from the date the lawsuit or legal challenge is filed until a final decision, after any and all appeals, is rendered.

15.4 VARIATION

A. Purpose

The purpose of the variation process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create particular hardships, usually as a modification to a dimensional or quantitative requirement of the zoning ordinance.

B. Initiation

A property owner in the Village, or person expressly authorized in writing by the property owner, may file an application for a variation. A property owner, or his/her designee, may only propose a variation for property under his/her control.

C. Authority

The Planning and Zoning Board will take formal action on variation applications. However, the Director of Community Development is authorized to grant certain administrative exceptions, as described in Section 15.5 (Administrative Exceptions).

D. Procedure

All applications must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

1. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development, the Planning and Zoning Board will consider the variation at a public hearing.

b. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section.

c. Within 60 days of the close of the public hearing, the Planning and Zoning Board must either approve, approve with conditions, or deny the variation, unless an extension is agreed to by the applicant.

2. Conditions

a. The Planning and Zoning Board may impose such conditions and restrictions upon the variation as may be deemed necessary for the protection of the public health, safety, and welfare.

b. The Planning and Zoning Board may grant a variation that is less than that requested when it has been decided that the applicant is entitled to some relief of the hardship, but not to the entire relief requested in the variation application.

E. Approval Standards

The decision of the Planning and Zoning Board must be based on findings to support the following conclusions. No single standard is controlling and a recommendation will be made based on the cumulative weight of the evidence submitted.

a. The strict application of the terms of this Ordinance will result in undue hardship, as distinguished from a mere inconvenience, unless the specific relief requested is granted.

b. The variation, if granted, will not alter the essential character of the locality.

c. The plight of the owner is due to unique circumstances inherent to the subject property, related to the particular physical surroundings, shape, or topographical conditions of the specific property, and not from the personal situation of the owner and has not been created by any person presently having a proprietary interest in the property in question.

F. Expiration of Variation

An approved variation will expire one year from the date of approval unless a building permit is obtained or applied for within such period. Variations which do not entail a building permit, such as parking variations, expire when the use for which the parking variation was granted is discontinued. The Director of Community Development may grant an extension for a period of validity longer than one year, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration. No public hearing is required for approval of such extension of time.

15.5 ADMINISTRATIVE EXCEPTION

A. Purpose

The purpose of the administrative exception is to provide relief from carrying out a requirement of this Ordinance that may cause a minor practical difficulty.

B. Initiation

A property owner in the Village, or his/her designee, may file an application for an administrative exception. A property owner may only propose an administrative exception for property under his/her control.

C. Authority

The Director of Community Development is authorized to grant certain administrative exceptions, as defined below. Only those items listed below are eligible for an administrative exception; all other requests for relief are variations (Section 15.4).

1. A reduction in any required district lot width or lot area standard of no more than 10%.

2. A reduction in any required district dimensional standard of no more than 10%.

3. A reduction of required off-street parking spaces by no more than 10% of that required or two spaces, whichever is greater.

4. A reduction in required bicycle parking of up to 25%.

D. Procedure

1. Action by Director of Community Development

a. All applications must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will consider an application for an administrative exception. Notice is required in accordance with Section 14.2.

b. The Director of Community Development must review and evaluate the complete administrative exception application, pursuant to the standards of this section. The Director of Community Development may also decide that the administrative exception, even if it meets the thresholds of this section, is, by its nature, a variation and may resubmit the application to the Planning and Zoning Board as a variation, in accordance with the requirements of Section 15.4. No additional fees are required with the exception of additional fees for notice.

c. The Director of Community Development must render a decision within 15 days of the date listed on the required notice and either approve, approve with conditions, or deny the application.

d. If the Director of Community Development fails to act within 15 days, the administrative exception may be resubmitted to the Planning and Zoning Board as a variation, in accordance with the requirements of Section 15.4. No additional fees are required with the exception of additional fees for notice.

e. If a noticed property owner objects to the administrative exception application in writing, prior to the date indicated on the notice that the Director of Community Development may render a decision, the application must be resubmitted as a variation, in accordance with the requirements of Section 15.4. No additional fees are required with the exception of additional fees for notice.

2. Conditions on Administrative Exceptions

a. The Director of Community Development may impose such conditions and restrictions upon the administrative exception as may be deemed necessary for the protection of the public health, safety, and welfare.

b. The Director of Community Development may grant an administrative exception that is less than that requested when it has been decided that the applicant is entitled to some relief of the hardship, but not to the entire relief requested in the application.

E. Approval Standards

The decision of the Director of Community Development must include findings to support the following conclusions:

a. The strict application of the terms of this Ordinance will result in undue hardship unless the specific relief requested is granted.

b. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

c. The plight of the owner is due to unique circumstances inherent to the subject property and not from the personal situation of the owner and has not been created by any person presently having a proprietary interest in the property in question.

F. Expiration

An approved administrative exception will expire one year from the date of approval unless a) a building permit is obtained; b) a use which does not require a building permit is commenced; or c) a subdivision is applied for within such period. The Director of Community Development may grant an extension for a period of validity longer than one year, so long as the applicant applies in writing for an extension of time at any time prior to the date of expiration.

15.6 SITE PLAN REVIEW

A. Purpose

The site plan review process is intended to promote orderly development and redevelopment in the Village, and to assure that such development or redevelopment occurs in a manner that is harmonious with surrounding properties, is consistent with Village's adopted Comprehensive Plan and other land use policies, and promotes the public health, safety, and welfare of the Village. This section provides standards by which to determine and control the physical layout and design to achieve compatibility of land uses and structures, efficient use of land, minimization of traffic and safety hazards, and incorporation of storm water management and sustainable design techniques.

B. Authority

The Director of Community Development will designate Village staff as he/she deems appropriate, to conduct site plan review as required by this Section.

C. Required Site Plan Review

No zoning approval or building permit may be issued until site plan approval has been granted. In addition, all other requirements of all other applicable Village codes and ordinances must be met. Site plan review and approval is required for the following developments:

1. All special uses.

2. Any new construction. Single-family and two-family dwellings are exempt from this requirement.

3. As of the effective date of this Ordinance, additions to existing townhouse, multi-family, non-residential, and mixed-use that increases the total floor area by 10% or more.

4. Parking structures and parking lots of 15 or more spaces.

5. Decks proposed in the R-3 or R-4 zoning districts

6. The reduction in the number of off-street parking spaces through a Shared Parking arrangement as provided in Section 10.1(G).

D. Procedure

1. Applications for site plan review must be submitted to the Director of Community Development. The Director of Community Development may convene a technical review group comprised of Village staff to review the application.

2. The Director of Community Development must begin the review of the site plan within 30 days of the date the application is deemed complete. The Director of Community Development must review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the site plan.

3. If the Director of Community Development approves the site plan subject to certain conditions, all plans and drawings to be submitted as part of the application for a building permit or zoning approval must include those conditions.

4. If the Director of Community Development denies site plan approval, the applicant may appeal the decision to the Planning and Zoning Board within 30 days of the date of the final decision.

5. The Director of Community Development may require the petitioner to provide copies of site plan review submittals to the Planning and Zoning Board.

E. Approval Standards

The following will be evaluated in the review of site plans:

1. Conformity with all the regulations of this Ordinance and any other applicable regulations of the Village Code, and the Village's Comprehensive Plan and adopted land use policies.

2. The location, arrangement, size, design, and general site compatibility of all structures, lighting, and signs to ensure:

a. Efficient use of land that responds to the existing off-site utilities and service conditions in order to minimize the demand for additional municipal services, utilities, and infrastructure.

b. Compatibility with and mitigation of any potential impact upon adjacent property.

c. Lighting designed and installed to minimize adverse impact on adjacent properties.

d. Signs in conformance with the sign ordinance

3. Landscape and the arrangement of open space or natural features on the site should:

a. Create a desirable and functional open space environment for all site users.

b. Preserve unique natural resources, including measures to preserve and protect existing healthy plantings.

c. Design drainage facilities to promote the use and preservation of natural watercourses and patterns of drainage.

d. Utilize plant materials suitable to withstand the climatic conditions of the Village and microclimate of the site. The use of species native or naturalized to northeastern Illinois is encouraged.

e. Use of screening to minimize the impact of the development on adjacent uses and mitigate impacts between incompatible uses, creating a logical transition to adjoining lots and developments.

4. Circulation systems and off-street parking designed to:

a. Provide adequate and safe access to the site for motor vehicles as well as other modes of transportation, including pedestrians, bicyclists, and public transit users.

b. Minimize potentially dangerous traffic movements.

c. Minimize curb cuts, including the use of cross-access easements and shared parking.

d. Clearly define a network of pedestrian connections in and between parking lots, street sidewalks, open spaces, and structures that is safe, visible, and identifiable.

e. Create parking accommodations for bicycles.

f. Accomplish Village goals for pedestrian, bicycle, and transit improvements.

F. Modifications to Approved Site Plans

1. An application for an amendment to an approved site plan must be submitted to the Director of Community Development. Amendment applications must include a written description of the proposed change, including the reason for such change, and a notation of the location on the approved site plan.

2. The Director of Community Development may approve the following minor modifications to approved site plans:

a. Minor changes required during construction, as related to final engineering issues such as topography, drainage, underground utilities, structural safety, or vehicular circulation.

b. Exterior renovations to a building facade.

c. The modification of existing accessory structures or the addition of new accessory structures when in conformance with the requirements of this Ordinance.

d. The construction of additional bicycle or parking spaces.

e. The addition of any open space.

f. A reduction in the amount of bicycle or parking spaces so long as the remaining number of spaces is in conformance with the requirements of this Ordinance.

g. Modifications to the approved landscape plan that does not result in a reduction of the total amount of plant material required and is in conformance with all landscape requirements.

h. The modification of existing signs or the addition of new signs when in conformance with the requirements of the sign ordinance.

3. The Director of Community Development must approve or deny the proposed site plan modifications within 30 days of receipt of a complete application. The Director of Community Development may decide that the proposed change or changes to the approved site plan is such a significant change that it constitutes a new application and is subject to the complete site plan review provisions of this Section.

15.7 ZONING INTERPRETATION

A. Purpose

The interpretation authority is intended to recognize that the provisions of this Ordinance, though detailed and extensive, cannot, as a practical matter, address every specific zoning issue. However, this zoning interpretation authority is not intended to add or change the essential content of the Ordinance.

B. Initiation

The Village Board, the Planning and Zoning Board, or a property owner in the Village, or person expressly authorized in writing by the property owner, may initiate a zoning interpretation application. All interpretation requests must be for the purpose of furthering some actual development

C. Authority

The Director of Community Development will review and make final decisions on written requests for zoning interpretations.

D. Procedure

1. All applications for interpretations must be filed with the Director of Community Development.

2. The Director of Community Development must review a written request for an interpretation and render the interpretation in writing within 30 days of receipt of a complete application.

3. The Director of Community Development may request additional information prior to rendering an interpretation. Until such additional material is received, the 30 day period described in item 2 above is temporarily suspended.

15.8 TEMPORARY USE PERMIT

A. Purpose

A temporary use permit allows for the short-term use and/or placement of structures on a lot. The temporary use permit regulates temporary uses that occur entirely on and within a lot. Temporary uses located within the public right-of-way are regulated separately by the Village Code.

B. Initiation

A property owner in the Village, or person expressly authorized in writing by the property owner, may initiate a temporary use permit application

C. Authority

The Director of Community Development will review and make final decisions on temporary use permit applications.

D. Procedure

1. All applications for temporary use permit must be filed with the Director of Community Development.

2. The Director of Community Development must render a decision on the temporary use permit within 30 days of the date of receipt of a complete application. The Director of Community Development must review and evaluate the application, pursuant to the standards of this section, and approve, approve with conditions, or deny the application.

E. Approval Standards

All temporary uses must comply with the requirements of this Ordinance, including the temporary use standards of Section 8, and the following standards:

1. Unless expressly allowed by this Ordinance, the temporary use or structure complies with the dimensional requirements of the district in which it is located.

2. The temporary use does not adversely impact the public health, safety, and welfare.

3. The temporary use is operated in accordance with any restrictions and conditions as the Police and Fire Department, or other Village officials, may require.

4. The temporary use does not conflict with another previously authorized temporary use.

5. The temporary use provides adequate parking if needed. If located on a lot with an operational principal use, does not impact the parking and site circulation of the principal use.

F. Expiration

The temporary use permit is valid for the time period granted as part of the approval.

15.9 ZONING APPEALS

A. Purpose

The zoning appeals process is intended to provide appropriate checks and balances on the administrative authority of the Director of Community Development

B. Initiation

A property owner in the Village that is directly affected by a determination of the Director of Community Development may file an appeal of the Director of Community Development's decision on an administrative exception, site plan review, zoning interpretation, temporary use permit, or other administrative decision related to this Ordinance.

C. Authority

The Planning and Zoning Board will take formal action on zoning appeal applications.

D. Procedure

All applications must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

1. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development the Planning and Zoning Board will consider the appeal at a public hearing.

2. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing.

3. Within 30 days of the close of the public hearing, unless an extension is agreed to by the applicant, the Planning and Zoning Board must either confirm or overturn the Director of Community Development's decision.

E. Limitations on Zoning Appeals

A decision of the Director of Community Development may only be appealed if an application is filed within 30 days of the date the decision is made.

15.10 PARKING CREDITS

A. Purpose

The purpose of the parking credit process is to provide a means by which the Village may determine if sufficient parking exists for certain uses proposed within multi-tenant retail centers—as defined in Section 10.4(F).

B. Initiation

Only a property owner in the Village or his/her designee may file an application for parking credits.

C. Authority

The Planning and Zoning Board will take formal action on parking credit applications.

D. Procedure

All applications must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

1. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development, the Planning and Zoning Board will consider the request for parking credits at a public hearing.

b. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section.

c. Within 60 days of the close of the public hearing, the Planning and Zoning Board must either approve, approve with conditions, or deny the request for parking credits, unless an extension is agreed to by the applicant.

2. Conditions

a. The Planning and Zoning Board may impose such conditions and restrictions upon the parking credits as may be deemed necessary for the protection of the public health, safety, and welfare.

E. Approval Standards

The decision of the Planning and Zoning Board must be based on findings to support the following conclusions. No single standard is controlling and a recommendation will be made based on the cumulative weight of the evidence submitted.

a. Credits may be given against required off-street parking whenever it can be demonstrated that, by virtue of the peculiar operating characteristics of a group of different land-uses within a multi-tenant retail center, joint utilization of off-street parking spaces will not result in a parking deficiency for any particular use.

b. In each case, detailed data and supporting information to document the proposed parking credit must be furnished to the Niles Planning and Zoning Board which for their review and consideration.

15.11 UNIQUE USE

A. Purpose

Applications for a unique use of property may be granted in accordance with this section for a use which is not expressly enumerated as a permitted, special, temporary or accessory use or not provided for, considered or contemplated at the adoption of this ordinance.

B. Initiation

Only a property owner in the Village or his/her designee may file an application for unique use.

C. Authority

The Village Board, after receiving a recommendation from the Planning and Zoning Board, will take formal action on unique use applications.

D. Procedure

An application for a unique use must be filed with the Director of Community Development. Once it is determined that the application is complete, the Director of Community Development will schedule the application for consideration by the Planning and Zoning Board.

1. Action by Planning and Zoning Board

a. Within 60 days of receipt of a complete application, unless an extension of time is agreed to by the applicant and the Director of Community Development, the Planning and Zoning Board will consider the unique use at a public hearing.

b. The Planning and Zoning Board must evaluate the application based upon the evidence presented at the public hearing, pursuant to the approval standards of this section. The Planning and Zoning Board must recommend either approval, approval with conditions, or denial of the unique use.

c. Within 60 days of the close of the public hearing, the Planning and Zoning Board must forward its recommendation to the Village Board, unless an extension is agreed to by the applicant.

2. Action by Village Board

The Village Board must act on the unique use within 60 days of receipt of the Planning and Zoning Board recommendation. The Village Board may take action in the form of approval, approval with conditions, or denial of the unique use, remand the issue back to the Planning and Zoning Board for further consideration, or table the discussion until a future meeting of the Village Board

3. Conditions on Unique Uses

The Planning and Zoning Board may recommend, and the Village Board may impose, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the unique use as may be deemed necessary for the protection of the public health, safety, and welfare. The Village Board may require such guarantees, as it may deem necessary, to assure compliance with any stipulated conditions.

E. Approval Standards

Each unique use must be evaluated on an individual basis, in relation to all applicable standards of this Ordinance. Applicants shall have the burden of presenting clear and convincing evidence that the unique use satisfies the standards and criteria enumerated in this section. Such evaluation will determine whether approval of the unique use is appropriate at the particular location and in the particular manner proposed. The recommendation of the Planning and Zoning Board and decision of the Village Board must be based on findings to support each of the following conclusions:

1. The unique use in the specific location proposed is consistent with the spirit and intent of this Ordinance, the adopted Comprehensive Plan and other adopted Village land use policies.

2. The proposed unique use will not endanger the public health, safety, or welfare.

3. The proposed unique use is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

4. The applicant for a unique use has proof of special and extraordinary need for the unique use, including proof of unique characteristics of the subject property, proposed use, and surrounding neighborhood.

5. The applicant for a unique use has proof that the unique use will be an affirmative benefit to the surrounding properties and neighborhood from a land use and economic standpoint.

F. Modifications to Approved Unique Uses

Any modifications to the conditions of approval for a previously approved unique use must be resubmitted as a new unique use application. Any modifications that meet Ordinance standards are permitted, subject to the regulations of this Ordinance.

G. Expiration

1. A unique use approval expires if any one of the following conditions occurs and no request for an extension of the unique use approval is pending.

   a. When an approved unique use is changed to another use.

   b. For unique uses approved in conjunction with new construction or additions or enlargements to an existing structure, the unique use approval expires within one year of the date of approval if a building permit has not been issued or if the use is not commenced, subject to Section ‘2’ below.

   c. For unique uses approved in conjunction with an existing structure or on a lot where no structure is planned, the unique use approval expires within one year of the date of approval if the structure or site have remained vacant or if the use is not commenced, subject to Section ‘2’ below.

   d. For unique uses approved in conjunction with a preliminary plan for a planned unit development, the unique use approval expires in conjunction with the preliminary plan expiration.

2. In the event that a lawsuit or other legal challenge is filed against an approved unique use permit, the calculation of the one-year time limit for the expiration of that unique use is suspended from the date the lawsuit or legal challenge is filed until a final decision, after any and all appeals, is rendered.

SECTION 16. NONCONFORMITIES

16.1 GENERAL APPLICABILITY
16.2 NONCONFORMING USE
16.3 NONCONFORMING STRUCTURE
16.4 NONCONFORMING LOT OF RECORD
16.5 NONCONFORMING SITE ELEMENTS

16.1 GENERAL APPLICABILITY

A. Authority to Continue

Any structure, lot, or use that legally existed as a nonconformity as of the effective date of this Ordinance, and any structure, lot, or use that has been made nonconforming as of the effective date of this Ordinance, and any subsequent amendments, may continue subject to the provisions of this Section so long as it remains otherwise legal.

B. Burden on Property Owner

The burden of establishing the legality of a nonconformity under the provisions of this Ordinance is the responsibility of the property owner of the nonconforming structure or lot, or the operator of the nonconforming use.

C. Safety Regulations

All police power regulations enacted to promote public health, safety, and welfare including, but not limited to, all building, fire, and health codes, apply to nonconformities.

16.2 NONCONFORMING USE

A. Definition

A nonconforming use is the use of a structure or lot that at one time was an allowed use within a zoning district, but because of subsequent amendments to the Ordinance is no longer allowed.

B. Expansion

A nonconforming use of a structure or lot cannot be expanded, extended, enlarged, or increased in intensity. Such prohibited activity includes additions or enlargements of any structure devoted to a nonconforming use that increases the intensity of a nonconforming use, and any expansion, extension, or relocation of a nonconforming use to any additional floor area, any lot area currently not occupied by such nonconforming use, or any other structure on the lot.

C. Relocation

A nonconforming use of a structure or lot cannot be relocated, in whole or in part, to any other location on the same lot. The nonconforming use may only be relocated to another structure or lot if the use conforms to all regulations of the zoning district where it is relocated.

D. Change of Use

A nonconforming use cannot be changed to any use other than one allowed within the zoning district where it is located. When a nonconforming use has been changed, in whole or in part, to an allowed use, the whole or part that conforms cannot be changed back to the nonconforming use. A change of use occurs when an existing nonconforming use has been terminated and another use has commenced. Any change in use in violation of this Ordinance is deemed an abandonment of the previously existing nonconforming use.

E. Discontinuation or Abandonment

If a nonconforming use is discontinued or the structure or lot that it occupies becomes vacant and remains unoccupied for a continuous period of 180 days, the nonconforming use is deemed abandoned and cannot be reestablished or resumed regardless of intent. Any subsequent use of such structure or lot must comply with all regulations of the zoning district in which the structure or lot is located. A period of discontinuance caused by acts of God or other events without any contributing fault by the user are not included in calculating the length of discontinuance for this section.

F. Damage or Destruction

In the event that any structure that is devoted in whole or in part to a nonconforming use is structurally damaged or destroyed, the following apply.

1. If the structure prior to the damage or destruction complied with all standards of this Ordinance:

a. In the event that any structure containing a nonconforming use is damaged or destroyed to the extent of 50% or more of its replacement value at the time, then the nonconforming use may not be re-established.

b. When such a structure is damaged or destroyed to the extent of less than 50% of the replacement value at the time, then the nonconforming use may be re-established provided that no new nonconformities are created. A building permit must be obtained for such rebuilding, restoration, repair, or reconstruction within one year of the date of damage or destruction. In the event that the building permit is not obtained within one year, then the nonconforming use cannot be re-established.

c. The replacement value of the structure is based on: 1) the sale of that structure within the previous year or, if that is not applicable; 2) an appraisal within the last two years or, if that is not available; 3) the amount for which the structure was insured prior to the date of the damage or destruction; or, 4) an alternative method determined acceptable by the Village.

2. If the structure prior to the damage or destruction was a nonconforming structure:

a. The provisions of item 1 apply in terms of permitting the re-establishment of the nonconforming use.

b. The provisions of Section 16.3 apply to reconstruction of a nonconforming structure.

16.3 NONCONFORMING STRUCTURE

A. Definition

A nonconforming structure is a principal or accessory structure that at one time conformed to applicable zoning regulations, but because of subsequent amendments to the Ordinance no longer conforms to applicable dimensional regulations. However, certain structures are considered site elements, such as fences and exterior lighting, and are regulated by Section 16.5.

B. Maintenance

Normal maintenance and incidental repair may be performed on any nonconforming structure. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Structural Alterations

Structural alterations are permitted on nonconforming structures in the following situations:

1. When the alteration is required by law or is necessary to restore the structure to a safe condition upon the order of any official charged with protecting public safety.

2. When the alteration will eliminate the nonconformity.

3. When the alteration will not create any new nonconformity or increase the degree of any existing nonconformity. (For example, if a structure is nonconforming in terms of the required front setback in that it does not meet the required minimum, the structure may add a rear addition if it meets all other dimensional regulations of the district.)

D. Relocation

A nonconforming structure cannot be relocated, in whole or in part, to any other location on the same lot unless such relocation would make the structure conforming. A nonconforming structure may be relocated to another lot if the structure conforms to all regulations of the zoning district where it is relocated.

E. Damage or Destruction

1. In the event that any nonconforming structure is damaged or destroyed to the extent of 50% or more of its replacement value at the time, then the structure may not be restored or rebuilt unless the structure, including foundation, conforms to all regulations of the zoning district in which it is located.

2. When such a structure is damaged or destroyed to the extent of less than 50% of the replacement value at the time, it may be repaired and reconstructed provided that no new nonconformities are created and that the existing degree of the nonconformity is not increased. A building permit must be obtained for such rebuilding, restoration, repair, or reconstruction within eighteen (18) months of the date of damage or destruction. In the event that the building permit is not obtained within eighteen (18) months, then the structure cannot be restored unless it conforms to all regulations of the district in which it is located.

3. The replacement value of the structure is based on: 1) the sale of that structure within the previous year or, if that is not applicable; 2) an appraisal within the last two years or, if that is not available; 3) the amount for which the structure was insured prior to the date of the damage or destruction; or, 4) an alternative method determined acceptable by the Village.

F. Extension of Walls for Nonconforming Single-Family and Two-Family Dwellings

Where a single-family or two-family dwelling is deemed nonconforming because of encroachment into the required interior side or rear yard by 20% or less of that required by the district, the structure may be enlarged or extended vertically or horizontally along the same plane as defined by the existing perimeter walls, so long as the resulting structure does not increase the degree of the existing nonconformity or otherwise violate this Ordinance.

16.4 NONCONFORMING LOT OF RECORD

A. Definition

A nonconforming lot of record is a lot of record that at one time conformed to the lot dimension requirements of the zoning district in which it is located, but because of subsequent amendments to the Ordinance no longer conforms to the applicable lot dimensions.

B. Use

1. Individual Nonconforming Lots of Record in Residential Districts.

   In residential districts, a single family dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot area and/or minimum lot width, if the lot was of record on the date of the adoption of the Village of Niles zoning ordinance—December 1, 1936, was in separate ownership on the effective date of this Title, and conforms to all other requirements of the zoning district in which it is located.

2. Nonconforming Lots of Record Held in Common Ownership in Residential Districts.

If on the date of the adoption of the Village of Niles zoning ordinance—December 1, 1936, there are two (2) or more lots of record with contiguous frontage in single ownership, and one or more of the lots is non-conforming as to the minimum lot area and/or minimum lot width, the lots shall be considered to be a single undivided parcel for the purposes of this Title.

A) No portion of said single undivided parcel shall be conveyed which does not meet the lot width and lot area requirements established by this Title. No division of said undivided parcel shall be made which leaves the remaining lot(s) with lot width or lot area below the requirements of this Title.
   a. No building permit shall be issued for the use of any lot or portion of a lot, transferred or conveyed in violation of this Section.

B) The entirety of said undivided parcel shall be treated as a non-conforming lot per section 1 above.

3. A nonconforming lot of record in a non-residential district may be used for any permitted or special use allowed in the district so long as it complies with all other dimensional requirements of the district.

C. Development

Development of a nonconforming lot of record must meet all applicable dimensional regulations of the district in which it is located.

D. Common Ownership Limitation

1. If two or more abutting lots of record have contiguous frontage in common ownership as of the effective date of this Ordinance and one or more of the lots does not meet the requirements for lot area or width as established by this Ordinance, the abutting lots involved are considered to be a single zoning lot for the purposes of this Ordinance.

2. No portion of such zoning lot as described in item 1 can be used, transferred, or conveyed if it does not meet the lot width and lot area requirements established by this Ordinance. No division of such zoning lot as described in item 1 is permitted which will leave one or more lots of record resulting from such division nonconforming.

3. No building permit will be issued for the use of any lot, or portion of a lot, transferred or conveyed in violation of this Ordinance.

16.5 NONCONFORMING SITE ELEMENTS

A. Definition

A nonconforming site element is a site development element, such as landscape, lighting, or parking, that at one time conformed to the requirements of this Ordinance, but because of subsequent amendments, has been made nonconforming.

B. Maintenance

Normal maintenance and incidental repair to a nonconforming site element may be performed. No repairs or reconstruction are permitted that would create any new nonconformity or increase the degree of the previously existing nonconformity.

C. Required Conformance

All nonconforming site elements must be brought into conformance when the following occurs:

1. All Nonconforming Site Elements

a. A new principal structure is constructed on a site

b. An existing principal structure is increased in total gross floor area by 30% or more.

2. Nonconforming Parking Lots

a. An existing parking lot of 15 or more spaces is fully reconstructed or an existing parking lot of 10 or more spaces is expanded by 50% (based on number of spaces). Resurfacing an existing parking lot which entails grinding-out and replacing less than two and one-half (2 ½) inches of existing pavement and does not change the stone sub-base or the existing grading is not considered reconstruction, nor is resealing or re-striping of an existing parking lot considered to be reconstruction.

b. When an existing parking lot is required to provide landscape, which would result in creating a parking area that no longer conforms to the parking regulations of this Ordinance, such existing parking lot is not required to install all or a portion of the required landscape. The applicant is required to show that landscape cannot be accommodated on the site. If only certain requirements can be accommodated on the site, then only those elements are required. The Director of Community Development will make the determination that all or a portion of required landscape does not have to be installed.

3. Nonconforming Exterior Lighting

For exterior lighting, nonconforming luminaires must be brought into conformance when 25% of the illumination system is to be replaced or modified, calculated as installation of new lighting posts and/or non-post mounted lighting fixtures. This 25% is calculated based on the total lighting installed by type of mounting. For example, if over 25% of the wall-mounted fixtures are to be replaced, all wall-mounted fixtures must be brought into conformance while freestanding fixtures may remain.

Non-conforming parking lot lighting which includes only the replacement of the lamp and which meets ordinance requirements for intensity and for shielding shall be allowed on existing poles at existing mounting heights and shall not be required to be lowered to meet new ordinance requirements.

SECTION 17. ENFORCEMENT

17.1 ENFORCEMENT OFFICIAL
17.2 APPLICATION OF PENALTIES
17.3 FINES

17.1 ENFORCEMENT OFFICIAL

This Ordinance is enforced by the Director of Community Development. The Director of Community Development may secure the assistance of the Village Attorney to seek an injunction, abatement, or other appropriate actions to enjoin, abate, or stop any violation of this Ordinance. At times, the aid of the Police Department may be sought to enforce this Ordinance. The property owner charged with the violation may be held responsible for any legal expenses incurred by the Village.

17.2 APPLICATION OF PENALTIES

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance, upon conviction, will be fined for each offence. Each day that a violation continues constitutes a separate offense for the purposes of the penalties and remedies available to the Village. The accumulation of penalties for violations, but not the obligation for payment for violations already committed, ceases upon correction of the violation.

17.3 FINES

Each violation and each day that such violation continues is subject to a fine as established in the Village Code.

THE VILLAGE OF
NILES
It's possible here

COMMUNITY DEVELOPMENT

MAYOR
Andrew Przybylo

VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

TRUSTEES
George D. Alpogianis
John C. Jekot
Joe LoVerde
Danette O'Donovan Matyas
Denise McCreery
Dean Strzelecki

To: Mayor Andrew Przybylo and Village Board
Copy: Village Manager Steve Vinezeano
From: Charles Ostman, Director of Community Development
Date: May 5, 2016
Re: 3 items for your attention regarding the proposed new zoning and subdivision ordinances, as recommended by the Plan Commission and Zoning Board of Appeals.

Throughout the process to draft the proposed new zoning and subdivision ordinances, the relationship between the Plan Commission and Zoning Board of Appeals has been excellent. We have had many discussions about what these updated rules should be to best serve the interests of the Village. On almost every topic included in the draft rules that will be presented to you in June there is complete agreement between the members of the Plan Commission and the professional staff in the Community Development Department. In short—both the Plan Commission and our staff recommend that you approve the documents as presented to you, with one small caveat, as explained below.

As might be expected, in draft documents as lengthy and detailed as the proposed new ordinances—and in documents which cover such a wide and important range of topics—a few differences of opinion regarding what are the 'best rules' should be expected. And in fact on a very small number of items, there are some disagreements between what the Plan Commission is recommending (…as is shown in the draft documents that are being presented to you…) and what Community Development Department staff believes should be included.

This memo is intended to briefly outline for you this small number of issues where there is disagreement between Community Development Department staff and the Plan Commission. These items are shown in your draft ordinances in red-line so you can easily see them. A brief description of each item—and the concerns that staff have—is provided below. Please feel free to contact me or the members of the Plan Commission to discuss any of these items in further detail.

Item One: Bulk Regulations to Control the Size of Buildings

At the recommendation of the Plan Commission, the draft rules that are being presented to you eliminate some regulations that would control the size—or bulk—of new buildings in residential areas. Currently, the Village uses 'Floor-Area Ratio' in addition to height and set-back requirements to insure that new homes are not 'overly-large' or out-of-character with the surrounding community. We have found that these rules have worked well since we adopted

them over a decade ago—they have allowed larger new homes while preventing homes that dwarf their neighbors.

The consultants at Camiros recommended new regulations to control the size of new buildings in the community. Specifically, Camiros recommend eliminating the Floor-Area Ratio method to control the size of new homes and replacing it with a 'maximum building coverage' requirement. (Note: Yard requirements and height limits are proposed to continue to be used to control building 'bulk'…) The use of 'building coverage' limits to regulate the 'bulk' of new homes is typical in other communities in the area and has been proven to work well. (It is also considered to be a more appropriate method to regulate single-family residential development…since Floor-Area Ratio is more typically used to regulate office or apartment buildings…). Community Development Department staff were—and are—comfortable with the proposed new regulations as recommended by Camiros.

The Plan Commission, however, discussed this topic and voted 7-0 to eliminate the Floor-Area Ratio regulation—as recommended by the consultants at Camiros—but to *not* add a replacement regulation—building coverage. In effect, the Plan Commission is recommending the elimination of Floor-Area Ratio to control the bulk of new single-family homes but is not recommending the addition of 'building coverage' rules as a replacement limit. Instead—the Plan Commission is recommending that only two controls be kept in place in the new zoning ordinance to control the size of new single-family homes: yard requirements and building height.

Community Development staff fear that using only those two regulations—building height and yard requirements—may allow overly-large homes that could dominate their surroundings in a way that we believe should be avoided. We respect the opinion of the Plan Commission that the two regulations are sufficient, but we respectfully bring this issue to your attention so that you are aware of it. Community Development Department staff continue to believe that a third regulation to control the size of new single-family homes should be included in the new zoning ordinance—either 'building coverage' as recommended by the consultants at Camiros or 'Floor-Area Ratio as we have been using successfully for over a decade.

The regulation in question can be found in red-line on page 4-2 in Table 4-1, where you will see "Maximum Building Coverage' shown in redline as being eliminated as recommended by the Plan Commission.

Item Two: Accessory Dwelling Units

Currently, the Village of Niles does not allow residents to construct a 'granny-flat' or an 'accessory dwelling unit' in their garage. The Plan Commission is recommending that such dwelling units be 'special uses' (…requiring a special use permit…) in the R-1 and R-2 zoning districts. The language recommended by the Plan Commission states that such units could be located within a detached structure—such as a garage—or be constructed within the house itself, such as in the basement, the attic, or perhaps within an addition. Community Development Department staff respect the recommendation of the Plan Commission to allow such 'accessory dwelling units' within the community as 'special uses', but we have serious concerns about such dwelling units increasing the density of housing within established single-family neighborhoods, and about the potential for parking, noise and other impacts that such housing—and the residents of such housing—could have on the adjacent neighbors. For these reasons, we bring to your attention the language that can be found in redline on page 9-11.

Item Three: Roof-top Decks on Accessory Structures.
Currently, the Village of Niles does not allow roof-top decks. The Plan Commission has recommended that roof-top decks be allowed in the single-family and duplex zoning districts if they are located on the side or rear of the house and only on top of one-story portions of the home—such as on top of a one-story addition. They would not be allowed on top of a second-story. Community Development Department staff is comfortable with and in agreement with these proposed rules, as proposed by the Plan Commission.

However, the proposed rules for roof-top decks *also* would allow roof-top decks to be located on detached accessory buildings—such as a detached garage—in one of the 'small lot' single-family residential zoning districts—the R-2-35 zoning district. (Note: This R-2-35 zoning district is a new zoning district that is being created for those smaller lots on the Village's southern end—such as for lots along Albion and for lots in the Ebinger/Forest View/Rosemary/Riverview area.) As such, residents on lots that are zoned 'R-2-35' (…which are the smaller lots within the Village…), would be able to have a deck on top of their detached garage.

Community Development Department staff respect that this is the recommendation of the Plan Commission, but we have concerns about the impacts such roof-top decks on detached garages could have on adjacent neighbors. For this reason, staff believes that such roof-top decks on detached accessory structures should not be allowed.

The language in question can be found on in redline on Page 9-5 under Item E-3(6).

Other items for the Village Boards Information:

1. Special Uses
   Please note that we have been advised by legal counsel that land-uses that are designated as 'special uses' in a zoning ordinance—in Niles and anywhere in Illinois—are *more similar to* 'permitted uses' than we previously thought. In the past, the Village has categorized some undesirable land-uses as 'special' uses under the belief that the Village could easily deny proposals for such uses. We have learned that legislation and court cases have clarified that special uses—while they may be scrutinized more than a 'permitted use'—are more like 'permitted uses' that require a public hearing and neighbor notifications—but they cannot easily be denied without a substantial finding. For this reason, the proposed new 'Use Table' shows that some land-uses—such as pawn brokers—are prohibited rather than, as the Village might have done in the past, listing such uses as 'special'.

2. Non-Retail Uses Prohibited Near Commercial Corners
   Please note one additional important change that is included in the proposed new zoning ordinance: Section 5.2(A)(3)—located on page 5-1 of the draft new ordinance—specifically *prohibits* non-retail uses on the ground floor of building located within 250 feet of a commercial corner. This important new rule will help the Village keep non-sales-tax businesses from locating in highly visible and valuable 'corner' locations so that such locations are reserved for sales-tax generating uses.

camiros

consultants in planning, zoning, economic development, urban design & landscape architecture

To: Village of Niles
From: Camiros
Date: March 29, 2016
Re: Buiding Coverage

Village of Niles | Building Coverage Analysis

Maximum building coverage percentages regulate the size of principal buildings and accessory structures on a lot. Working together with impervious surface maximums, building coverage maximums are intended to encourage a context and balance in the size of structures and the amount of impervious surface on a lot, based upon the existing character of a residential district. In considering the removal of building coverage regulations, it is important to consider both the potential impacts on neighborhood character, and the impacts of larger structures in the context of existing residential dwellings, particularly as they relate to light, air, and open space.

To demonstrate the impacts of removing building coverage maximums in Niles' residential districts, two scenarios were modeled:

- Redevelopment occurring on a single lot in an established R-2 District neighborhood, subject to bulk and height standards except a building coverage maximum.
- Redevelopment occurring on an assembled double lot in an established R-2 District neighborhood, subject to all bulk and height standards except a building coverage maximum.

Process

Village GIS information and aerial photography were used to draw existing lots and building footprints to scale, using the eastern blockface of the block located to the northwest corner of the intersection of Oleander Avenue and Jonquil Terrace in the Village. Slight irregularities in the sample lots were adjusted to reflect a standard size of 6,750 square feet – 50 feet wide and 135 feet deep. Heights of existing buildings were estimated based on photographs of the blockface.

Proposed new residential development was built to the maximum height allowable, using the established building height setback plane regulations. Principal building footprints were established as the maximum allowable based upon impervious surface maximums, after providing necessary access to detached garage structures typical to the block. Basic articulation was assigned based upon the features of existing structures, and to give the proposed development a suggestion of form related to its size.

Findings

The impacts of removing a building coverage maximum can be seen in the analysis graphics on the following pages. In short, the potential for new residential development to disrupt established neighborhood character is a concern when maximum percentages for building coverage are removed. Building coverage maximum and impervious surface maximum regulations are designed to work together, and allowing building footprints to enlarge to the maximum allowed under the impervious surface controls creates possible building forms that may be out of scale with the neighborhoods they occupy. This is more evident in the case of redevelopment on a double lot, but nonetheless can also be seen in the case of new residential development on an existing single-lot in a residential neighborhood.
In our analysis, based upon existing development in Niles, the four lots representing existing development contain principal buildings that are a minimum of 1,100 square feet in size, and a maximum of 1,385 square feet. The detached garage and shed structures on these lots were also measured, and building coverage was calculated for each. The highest percentage of building coverage measured on one of these existing lots was 32%. With no building coverage maximum, the proposed single lot development was able to achieve a principal building footprint of 2,120 square feet, nearly 1,000 square feet larger than the biggest existing structure in our sample of lots. Combined with a detached garage, this proposed development sits at 39% building coverage and 60% impervious surface coverage.

A couple of important notes:

- The 4% by which the building coverage in our proposed development exceeds the recommended 35% maximum represents 270 square feet on a lot that is 6,750 square feet in size.
- 35% building coverage is, in fact, generous in comparison to the existing development evaluated in our analysis.
- Assuming an attached garage of 500 square feet (typical for the block we measured), a new home would be able to occupy a footprint of approximately 1,860 square feet – significantly larger than the largest existing structure in our sample at 1,385 square feet.

In evaluating potential redevelopment on a double lot, the implication of removing the building coverage maximum becomes more evident. Meeting the setback and height requirements, and providing a generous detached garage, a principal residential building is able to achieve a footprint of over 5,000 square feet, significantly out of scale with the existing residential character of the R-2 District neighborhood. With a building coverage maximum of 35% in place, such a structure would be required to be over 1,000 square feet smaller. The visual impact of these potential redevelopment types can be seen in the graphics included on the following pages.

Similar Communities

For reference purposes, the following table shows how building bulk is controlled in other suburban communities. The districts sampled were similar in size to the Niles R-2 District. In some cases, this is controlled through FAR, which does work to control overall volume though is not as contextually effective for single-family neighborhoods but nonetheless serves to control building coverage. Many of the communities sampled used FAR combined with building coverage maximums, which is a more complicated and restrictive approach than that proposed in the Niles Zoning Ordinance draft.

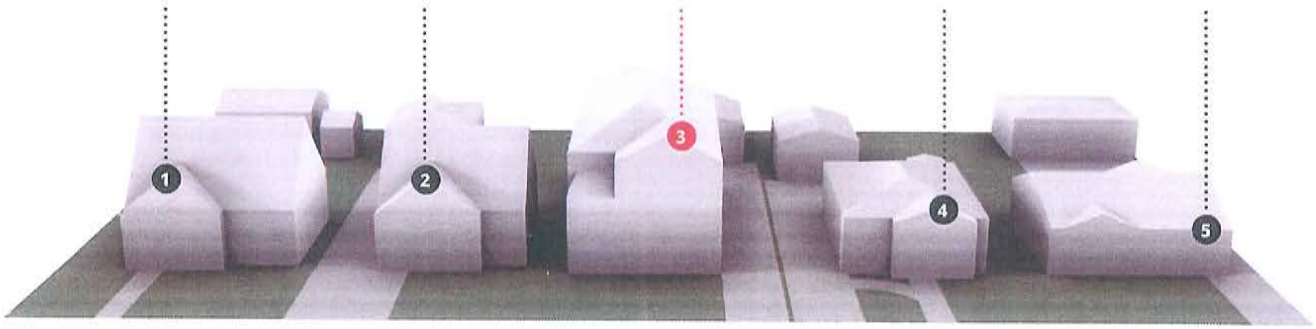
Community	Building Coverage Maximum	FAR
Arlington Heights	6,000 SF or greater: 35% Less than 6,000 SF: 40%	8,750 SF or less: 0.45 Greater than 8,750 SF: 3,938 + [(Lot Area – 8750) x 0.4]
Barrington	35%	0.5
Carpentersville	30%	0.4
Des Plaines	Interior: 30% Corner: 35%	--
Fox Lake	30%	--
Gurnee	35%	--
Hoffman Estates	--	0.2 or less
La Grange Park	Interior Lot: 30% Corner Lot: 35%	--
Lincolnwood	35%	SF detached, lot size greater than or equal to 6,000 SF: 0.6 SF detached, lot size < 6,000 SF or total floor area < 3,600 SF: 0.66
Mount Prospect	--	0.5
Mundelein	Interior Lot: 35% Corner Lot: 45%	--
Park Ridge	35%	0.45
Schaumburg	--	0.32
Skokie	40%	0.6
Streamwood	35%	0.4
Wilmette	(((0.5-(Lot Area/80,000))/1.38)) x Lot Area, not to be less than 20%	((0.5-(Lot Area/80,000))) x Lot Area, not to be less than 30%
Morton Grove	--	0.6

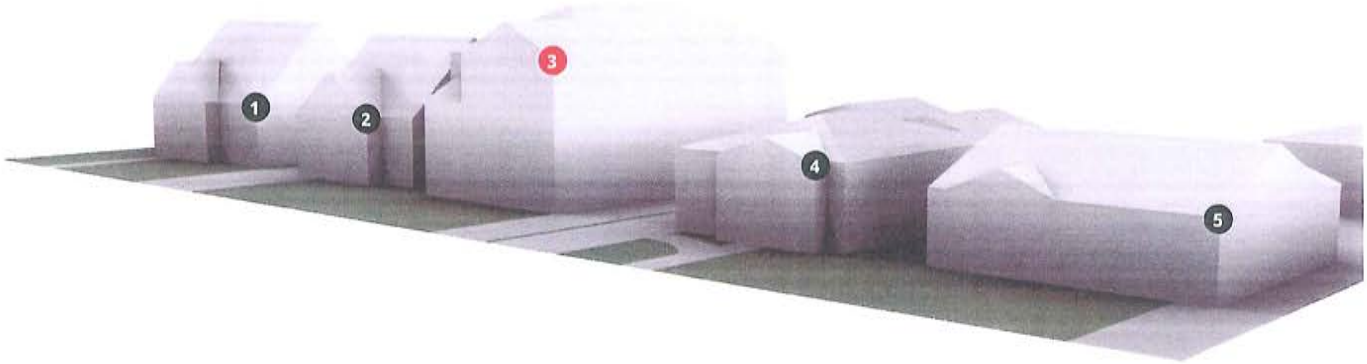
Building Coverage Analysis: Single Lot in R-2 Residential Neighborhood

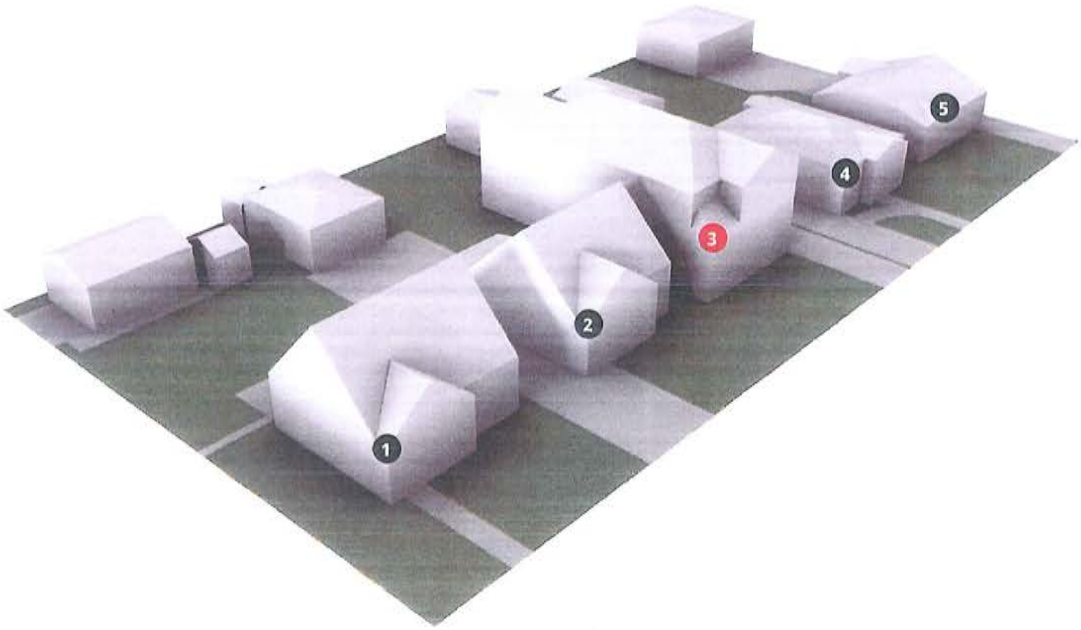
What it is: Analysis was conducted using a portion of an existing R-2 Blockface in the Village of Niles, to visually communicate the potential impact of removing maximum building coverage standards on residential development/redevelopment. Existing development was interpreted from aerial photographs and drawn to scale. Lots 1, 2, 4, and 5 represent existing development. Lot 3 (red) represents potential development with no building coverage maximum, governed by required setbacks, maximum height, and impervious surface controls (60% Maximum).

What it looks like:

Lot 1	Lot 2	Lot 3	Lot 4	Lot 5
Building Coverage: 25%	Building Coverage: 27%	Building Coverage: 39%	Building Coverage: 26%	Building Coverage: 32%
Impervious Surface: 36%	Impervious Surface: 59%	Impervious Surface: 60%	Impervious Surface: 54%	Impervious Surface: 59%
Princ. Bld. Footprint: 1,100sf	Princ. Bld. Footprint: 1,150sf	Princ. Bld. Footprint: 2,120sf	Princ. Bld. Footprint: 1,245sf	Princ. Bld. Footprint: 1,385sf

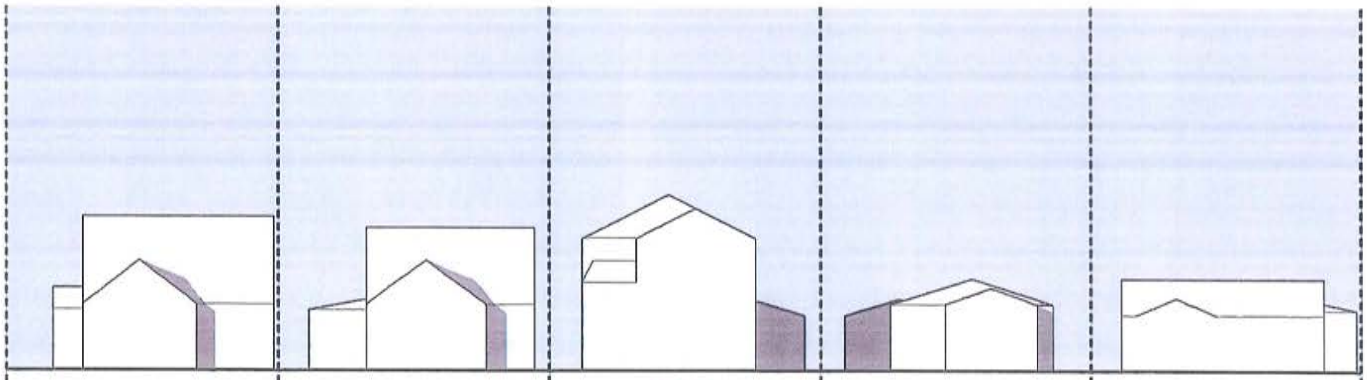




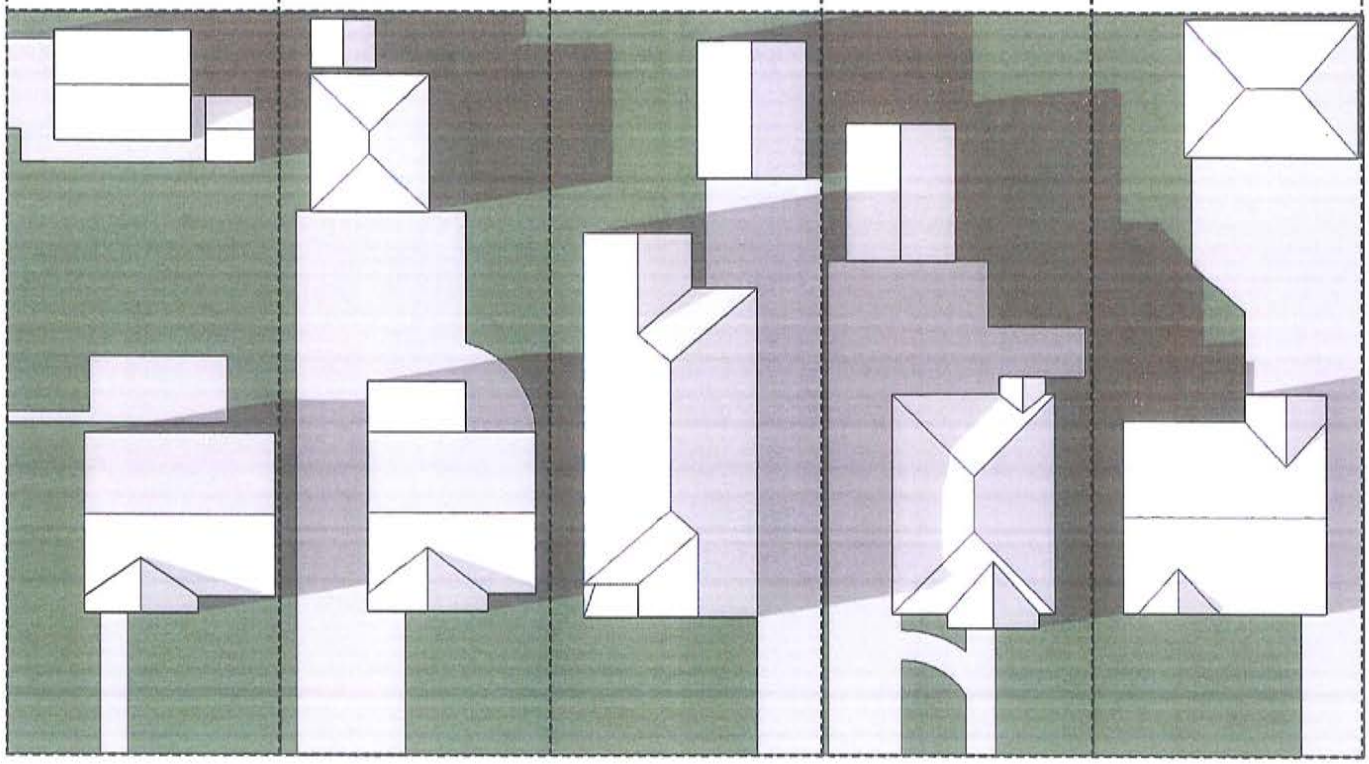


Building Coverage Analysis: Single Lot in R-2 Residential Neighborhood

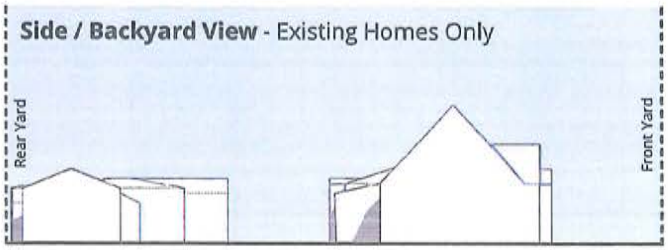
Demonstrating impact of removing building coverage maximum on new development occuring in existing residential neighborhoods on single lots. Modeled based upon existing R-2 development pattern as seen on the eastern blockface of block located NW corner of Oleander Avenue/Jonquil Terrace. Lots are standardized to 50' x 135' (6,750sf) based on survey of block. "New" (example) development is designed to meet required setbacks, height, and impervious surface maximum.



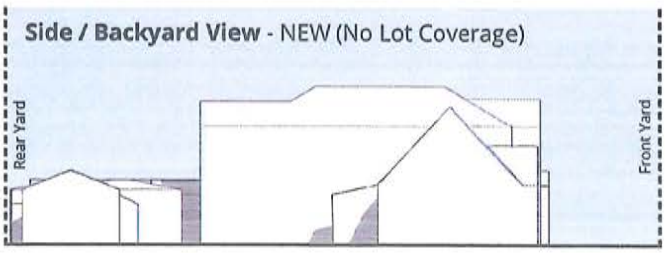
Lot 1 - Existing	Lot 2 - Existing	Lot 3 - NEW	Lot 4 - Existing	Lot 5 - Existing
Building Coverage: 25%	Building Coverage: 27%	Building Coverage: 39%	Building Coverage: 26%	Building Coverage: 32%
Impervious Surface Coverage: 36%	Impervious Surface Coverage: 59%	Impervious Surface Coverage: 60%	Impervious Surface Coverage: 54%	Impervious Surface Coverage: 59%
Principal Building Footprint: 1,100sf	Principal Building Footprint: 1,150sf	Principal Building Footprint: 2,120sf	Principal Building Footprint: 1,245sf	Principal Building Footprint: 1,385sf



Side / Backyard View - Existing Homes Only



Side / Backyard View - NEW (No Lot Coverage)



Building Coverage Analysis: Double Lot Redevelopment in R-2 Neighborhood

What it is: Analysis was conducted using a portion of an existing R-2 Blockface in the Village of Niles, to visually communicate the potential impact of removing maximum building coverage standards on residential development/redevelopment on an assembled double lot. Existing development was interpreted from aerial photographs and drawn to scale. Lots 1, 2, and 4 5 represent existing development. Lot 3 (red) represents potential redevelopment on a double lot with no building coverage maximum, governed by required setbacks, maximum height, and impervious surface controls (60% Maximum).

What it looks like:

Lot 1

Building Coverage: 25%
Impervious Surface: 36%
Princ. Bld. Footprint: 1,100sf

Lot 2

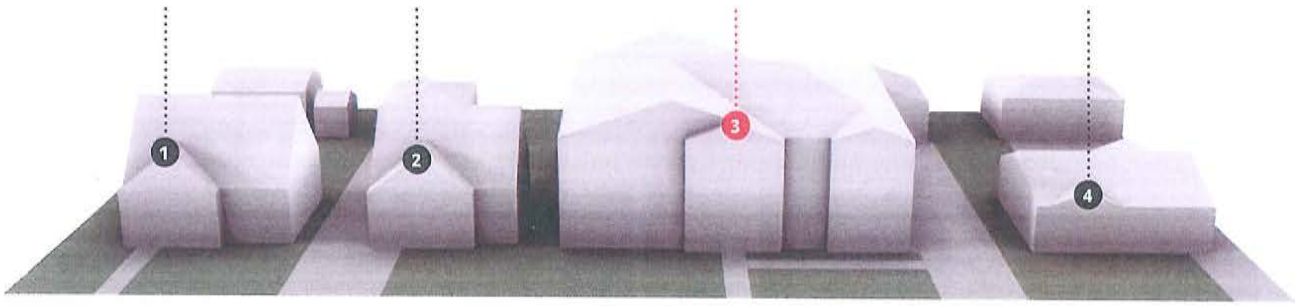
Building Coverage: 27%
Impervious Surface: 59%
Princ. Bld. Footprint: 1,150sf

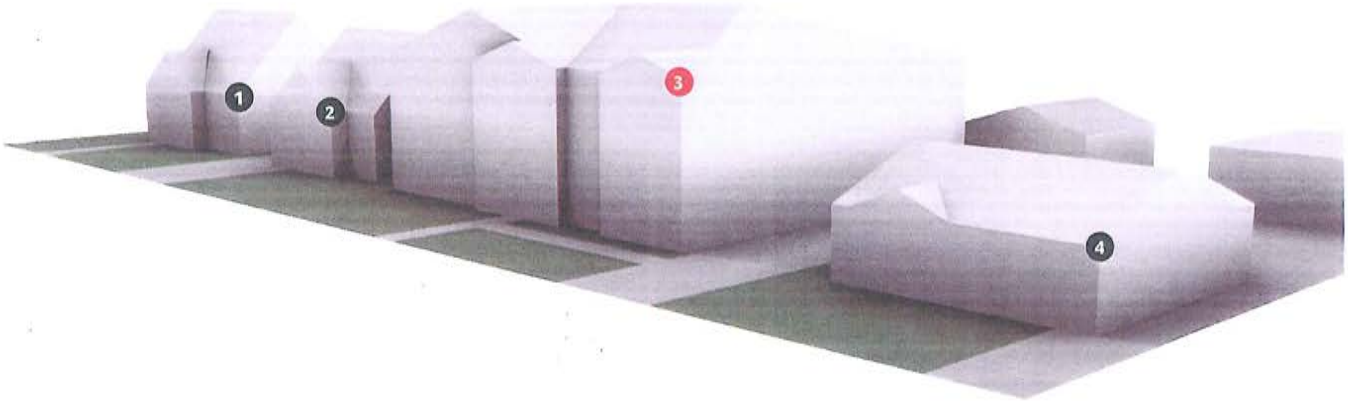
Lot 3

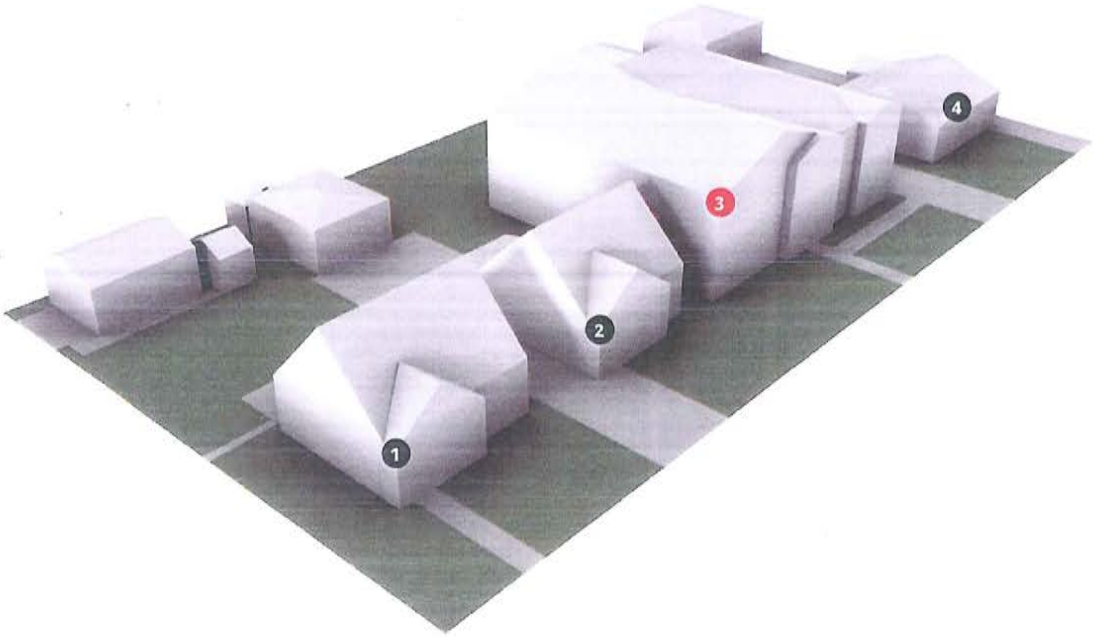
Building Coverage: 43%
Impervious Surface: 60%
Princ. Bld. Footprint: 5,145sf

Lot 4

Building Coverage: 32%
Impervious Surface: 59%
Princ. Bld. Footprint: 1,385sf

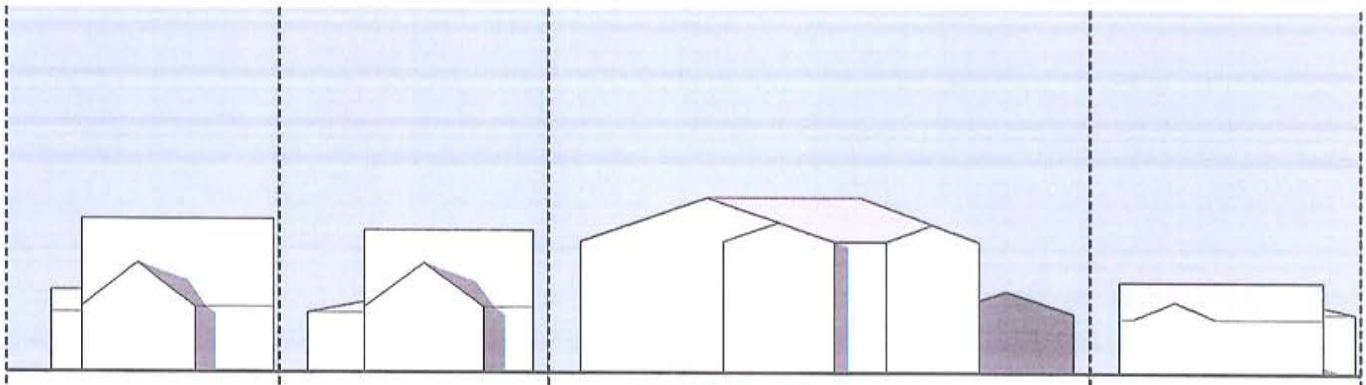






Building Coverage Analysis: Double Lot Redevelopment in R-2 Neighborhood

Demonstrating impact of removing building coverage maximum on new development occuring in existing residential neighborhoods on an assembled double lot. Modeled based upon existing R-2 development pattern as seen on the eastern blockface of block located NW corner of Oleander Avenue/Jonquil Terrace. Lots are standardized to 50' x 135' (6,750sf) based on survey of block. Double lot established at 100' x 135' (13,500sf). "New" (example) development is designed to meet required setbacks, height, and impervious surface maximum.



Lot 1 - Existing

Building Coverage: 25%

Impervious Surface Coverage: 36%

Principal Building Footprint: 1,100sf

Lot 2 - Existing

Building Coverage: 27%

Impervious Surface Coverage: 59%

Principal Building Footprint: 1,150sf

Lot 3 - NEW - Double Lot

Building Coverage: 43%

Impervious Surface Coverage: 60%

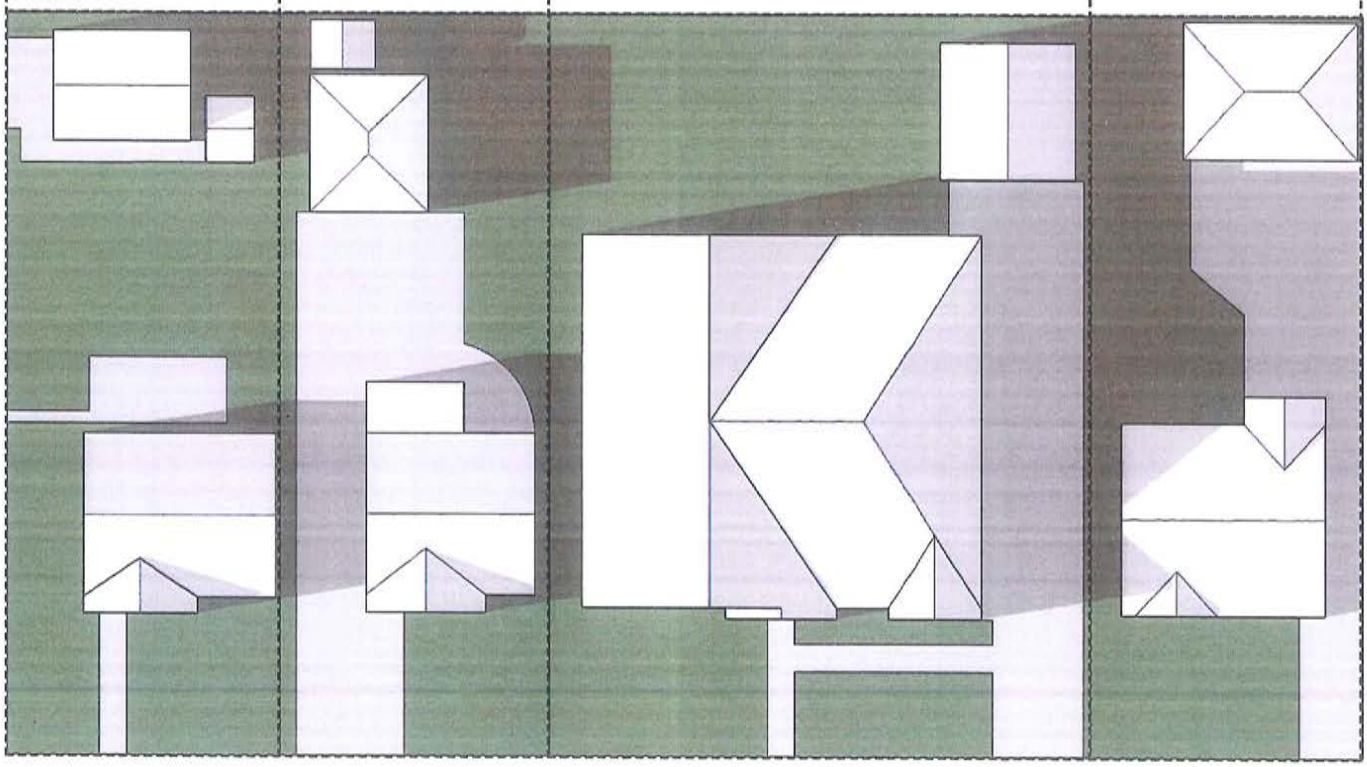
Principal Building Footprint: 5,145sf

Lot 4 - Existing

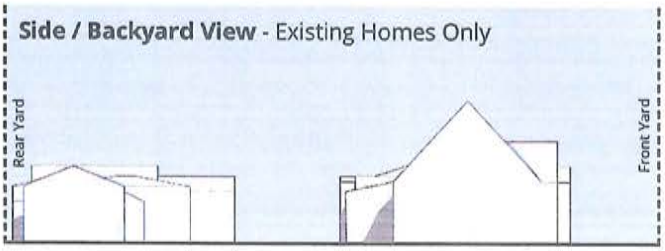
Building Coverage: 32%

Impervious Surface Coverage: 59%

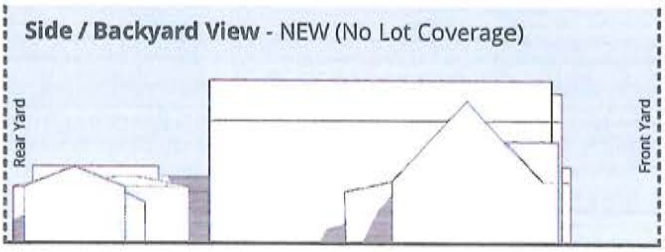
Principal Building Footprint: 1,385sf



Side / Backyard View - Existing Homes Only



Side / Backyard View - NEW (No Lot Coverage)



BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Approving the Village of Niles Official Zoning Map (16-ZP-16)

Meeting Date	6/28/2016	Item Number	**5**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Backup Material	Proposed New Village of Niles Zoning Map
	Minutes	Minutes 5/23/16 Plan Commission

MOTION

I move for Board approval of an Ordinance approving the Village of Niles Official Zoning Map dated June 28, 2016.

REASON FOR REQUEST / BACKGROUND

This Ordinance repeals in its entirety the current Village of Niles Zoning Map as adopted on March 22, 2016 and replace it with the newly proposed zoning map.

The Plan Commission voted 6-0 to recommend approval at their public hearing on May 23, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

ORDINANCE APPROVING THE VILLAGE OF NILES OFFICIAL ZONING MAP

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Niles, Cook County, Illinois as follows:

SECTION 1: That the Offical Zoning Map of the Village of Niles, Illinois, dated June 28, 2016 be approved pursuant to 65 ILCS 5/11-13-19.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 3: That all other ordinances or parts of ordinance are hereby repealed.

PASSED: This 28th day of June, 2016.
AYES:
NAYS:
ABSENT:
ABSTAIN:

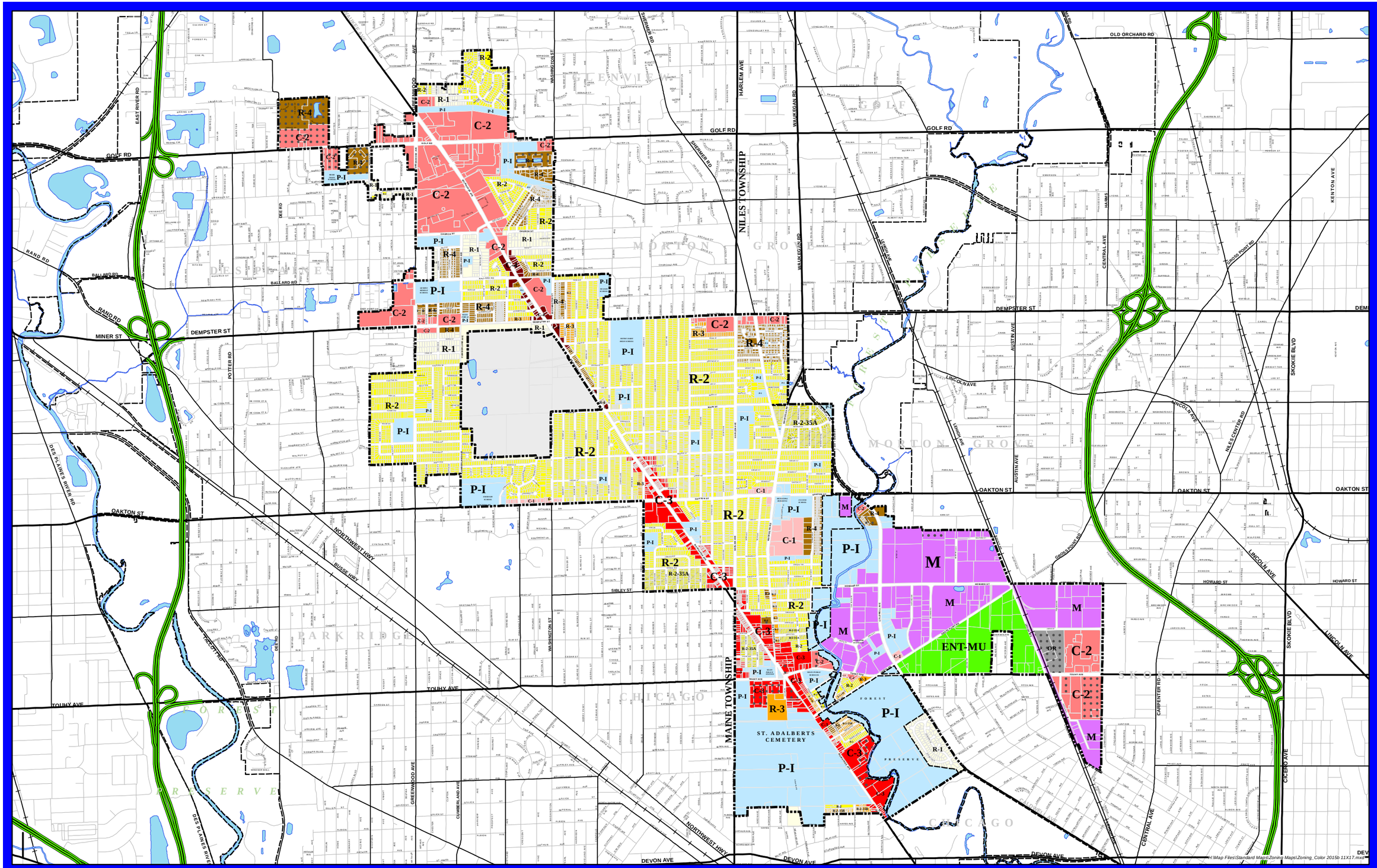
APPROVED by me this 28th day of June, 2016..

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

VILLAGE OF NILES - ZONING MAP



C-1 Corridor Commercial
C-2 General Commercial
C-3 Milwaukee Avenue Form-Based
C-4 Milwaukee Ave Mixed-Use
C-5 Urban Village
ENT-MU Entertainment / Mixed-Use
M Limited Industrial
OR Office / Research
P-I Public / Institutional Lands
R-1 Single Family Residential
R-2 Single Family Residential
R-2-35A Single Family Residential
R-2-35B Single Family Residential
R-3 Two-Family / Townhome Residential
R-4 Multi-Family Residential
No Zoning Established
Planned Unit Development (PUD)

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES ON THE 28TH DAY OF JUNE, 2016.

This map reflects changes approved by the Board of Trustees of the Village of Niles prior to June 28, 2016. For changes after this date, see official map held by the Director of Community Development.

COMMUNITY DEVELOPMENT DEPARTMENT - CHARLES OSTMAN, DIRECTOR (847) 588 - 8040

N W E S

THE VILLAGE OF NILES
It's possible here.

June 28, 2016

Village of Niles
1000 Civic Center Drive
Niles, IL 60714
www.vniles.com/gis
Email: gis@vniles.com

The Village of Niles makes no warranty or guarantee as to the accuracy, timeliness or completeness of any information on this map. The original data sets from which this map was created may be subject to copyright protection by other parties. The Village of Niles makes no warranty or guarantee as to the ownership of any copyrighted material. The information contained on this map is provided on an "as is" basis without any warranty of any kind, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The Village of Niles shall not be liable for any damages suffered as a result of using, modifying, contributing, or distributing this map.

The Village of Niles makes no warranty or guarantee as to the accuracy of the data. The Village of Niles is not responsible for any errors or omissions in the data. The Village of Niles is not responsible for any damages suffered as a result of using the data. The Village of Niles is not responsible for any damages suffered as a result of using the data in combination with other data. The Village of Niles is not responsible for any damages suffered as a result of using the data in a manner or for a purpose other than that for which it was created. The Village of Niles is not responsible for any damages suffered as a result of using the data in a manner or for a purpose other than that for which it was created. The Village of Niles is not responsible for any damages suffered as a result of using the data in a manner or for a purpose other than that for which it was created. The Village of Niles is not responsible for any damages suffered as a result of using the data in a manner or for a purpose other than that for which it was created. The information contained on this map is provided on an "as is" basis without any warranty of any kind, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The Village of Niles shall not be liable for any damages suffered as a result of using, modifying, contributing, or distributing this map.

I:\Map Files\Standard Maps\Zoning Maps\Zoning_Color 2015b 11X17.mxd

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Approving a Plat of Resubdivision for the Property Located at 8447 Ozanam Avenue (16-ZP-17)

Meeting Date	6/28/2016	Item Number	**6**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Backup Material	Staff Report
Minutes	Minutes

MOTION

I move for Board approval of an Ordinance approving a plat of resubdivision as required in Appendix B, Section XI(C.1)(3)(i) for the property located at 8447 Ozanam Avenue.

REASON FOR REQUEST / BACKGROUND

The Plan Commission voted 7-0 to recommend approval at their public hearing on June 6, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

ORDINANCE APPROVING A PLAT OF RESUBDIVISION AS REQUIRED IN APPENDIX B, SECTION XI (C.1)(3)(i) FOR PROPERTY LOCATED AT 8447 OZANAM AVE., NILES, ILLINOIS

WHEREAS, the question of granting a plat of resubdivision for property located at 8447 Ozanam Ave., included in this ordinance was referred to the Plan Commission and Zoning Board of Appeals to hold a public hearing;

WHEREAS, a public hearing was held on June 6, 2016, after proper notice in a manner provided by law;

WHEREAS, the Plan Commission and Zoning Board of Appeals has made a report, containing findings of fact and recommending the granting a plat of resubdivision for property located at 8447 Ozanam Ave., Niles, IL 60714; and

WHEREAS, the corporate authorities of the Village of Niles, Cook County, Illinois have duly considered said Plan Commission and Zoning Board of Appeals Recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as a Home Rule Municipality, as follows:

SECTION 1: The materials and exhibits attached to this ordinance are incorporated by reference and made a part of this ordinance.

SECTION 2: A plat of resubdivision entitled "The Bialobrzewski Estate" as required in Appendix B, Section XI (C.1)(3)(i) for property located at 8447 Ozanam Ave., Niles, IL 60714, is approved.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

AGENDA NUMBER:	1
REPORT NUMBER:	PC-16-19
CASE NUMBER:	16-ZP-17
TYPE:	PLAT OF RESUBDIVISION

Plan Commission and Zoning Board of Appeals Staff Report June 6, 2016

Item for Plan Commission Consideration: Consideration of a proposed Plat of Resubdivision at 8447 Ozanam Avenue.

I. Background.

The lot at 8447 Ozanam consists of portions of 3 separate lots, including 2 25-foot lots and half of another 25-foot lot. The owners are proposing to complete a major renovation of their home which will be considered 'new construction' according to the Village. When a project is considered 'new construction', it is not allowed to be built over existing lot-lines, as would be the case if the existing lot lines were not consolidated via a plat of subdivision. The proposal is to combine the 2 full lots of 25-feet each and the 1 'half-lot' into a single lot that is 62.54 feet wide.

A. Critical Issues

Zoning

The property is zoned 'R-2'. After consolidation, the proposed lot will meet all applicable Village requirements for minimum lot width, area, and other zoning matters.

Comments from other Village Departments

Fire Department:	No concerns
Fire Inspections:	No concerns
Police Department:	No Law Enforcement Issues
Engineering Department:	The Village Engineer reviewed the plat and required 3 minor changes, all of which have been made by the applicant.

Findings of Fact

The Plan Commission is encouraged to consider the following staff findings as it discusses this request:

- The plat of consolidation will combine all or portions of 3 lots into one lot that conforms with Village requirements to allow rehabilitation of an existing house;

- The proposed lot will comply with applicable zoning requirements for minimum lot area, width, set-backs and lot-coverage.

B. Legal:
Notification: Notices are not required for plats.

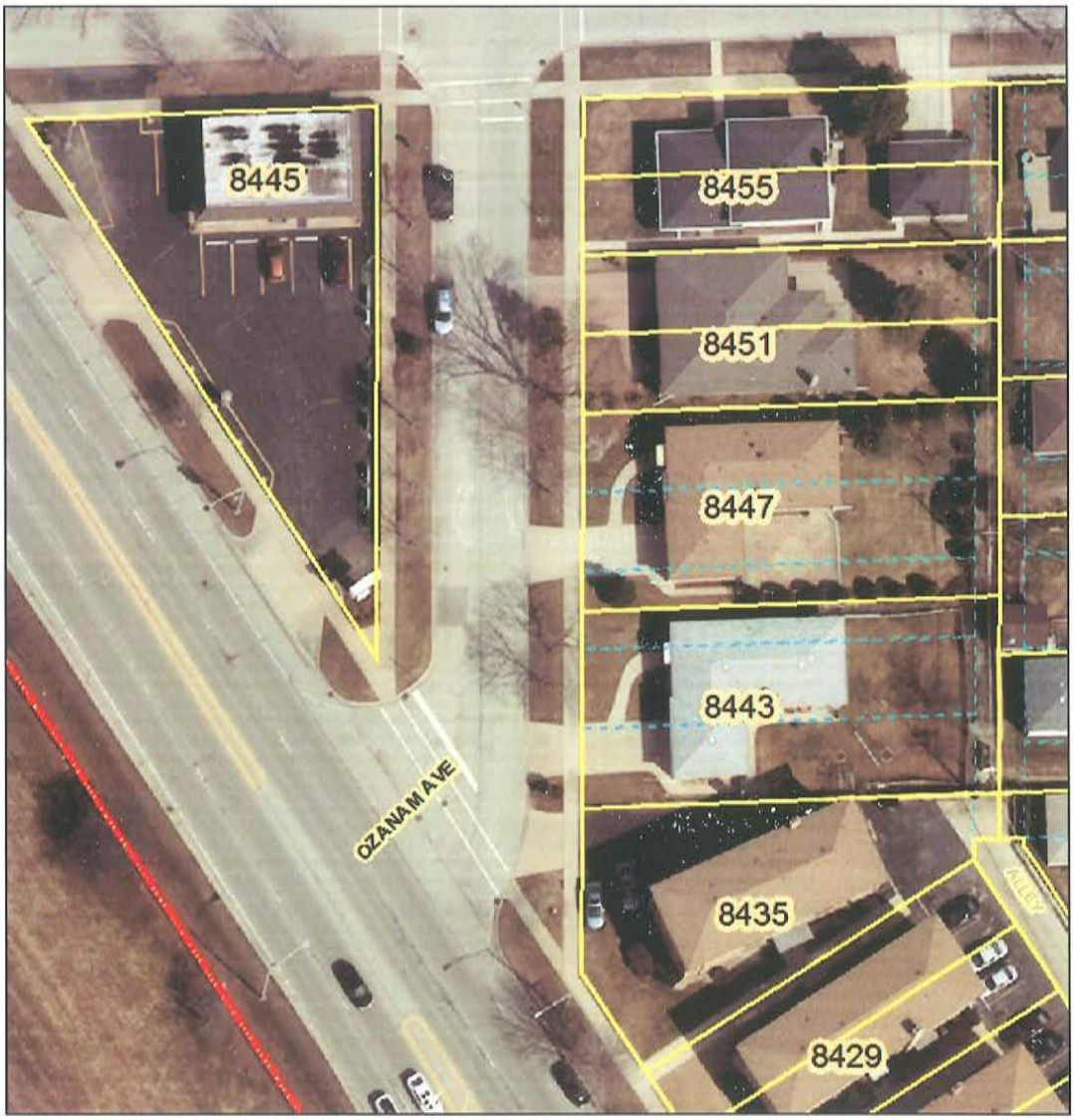
C. Other Actions:
For plats, the Plan Commission is a recommending body to the Village Board. The Village Board is tentatively scheduled to consider this plat at its June 28, 2016 meeting.

II. Attachments and References

1. Location Map showing existing house and lot lines (...in blue...) and existing parcel lines (...in yellow...);
2. Proposed Plat of Consolidation.

III. Principal Parties Expected at Meeting:

1. Beth DeBaker, Architect for the property owners, 7925 North Lincoln Avenue #203, Skokie, Illinois, 60077.



Request for a Plat
of Resubdivision
8447 Ozanam Avenue
June, 2016

P.I.N. No. 09-24-114-046

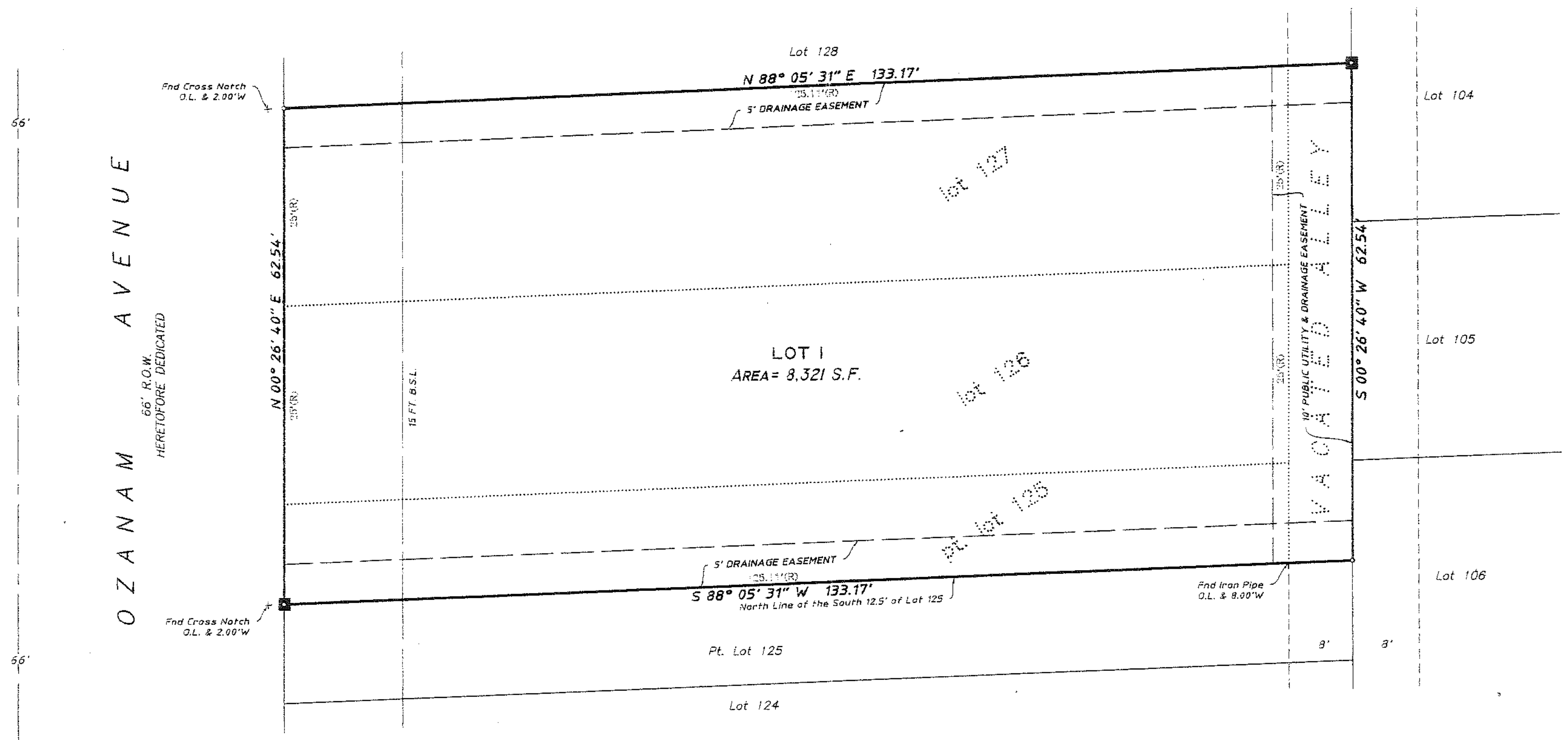
SHEET 1 OF 1

FINAL PLAT
OF
THE BIALOBRZEWSKI ESTATE

BEING A SUBDIVISION OF LOT 125 (EXCEPT THE SOUTH 12.50 FEET THEROF) ALL OF LOT 126; AND ALL OF LOT 127; AND THE WEST HALF OF THE VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS IN SIXTH ADDITION TO GRENNAN HEIGHTS, A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

MAIL PLAT TO:

NILES PUBLIC SERVICES DEPARTMENT
ATTN. SUPERINTENDENT OF ENGINEERING
5849 TOUHY AVENUE
NILES, ILLINOIS 60714



10 5 0 10

SCALE: 1" = 10'
REVISED: APRIL 29, 2016

LEGEND

▪	Concrete Monument
∘	Set or Found, as noted
lot 4	Underlying Subdivision Lot No.
LOT 1	New Subdivision Lot No.
....	Underlying Subdivisino Lot Line.
— — —	Easement
———	Boundary Line
(R)	Record

OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

THIS IS TO CERTIFY Paul Bialobrzewski IS THE LEGAL OWNER OF THE LAND DESCRIBED ON THE PLAT HEREON DRAWN AND SHOWN HEREON AS SUBDIVIDED; THAT I HAVE CAUSED SAID LAND TO BE SURVEYED, SUBDIVIDED, STAKED AND PLATTED AS SHOWN HEREON, FOR THE PURPOSE OF HAVING THIS PLAT RECORDED AS PROVIDED BY LAW.

I FURTHER CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN ELEMENTARY SCHOOL DISTRICT 63, AND MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207.

DATED THIS 10th DAY OF May, AD. 2016

BY: [signature] owner (TITLE)

ATTEST: ____________ ____________ (TITLE)

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS:
COUNTY OF Cook)

I, SAMANTHA FORD, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT Paul Bialobrzewski IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED SAID INSTRUMENT ~~AS ____ AND ____ OF SAID TRUST COMPANY~~ AS THEIR OWN FREE AND VOLUNTARY ACT AND ~~AS THE FREE AND VOLUNTARY ACT OF SAID BANK AS TRUSTEE AS AFORESAID~~, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL

THIS 10 DAY OF MAY, A.D., 2016

[signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES 10/23/2019

SAMANTHA FORD
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
October 23, 2019

SURVEYOR'S NOTES:

1. THE COMPLETION DATE OF THE FIELD WORK FOR THIS SURVEY IS JANUARY 15, 2016.
2. A TITLE COMMITMENT POLICY WAS NOT PROVIDED FOR THIS SURVEY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS AND/OR RESTRICTIONS NOT PROVIDED TO THE SURVEYOR PRIOR TO THE COMPLETION OF THIS SURVEY.
3. THE BASIS OF BEARING SHOWN HEREON IS BASED ON NAD 83(2012) ILLINOIS EAST ZONE 1201 STATE PLANE COORDINATES AS REFERENCED FROM KARA COMPANY'S RTK NETWORK.

PLAT PREPARED FOR:

DEBAKER DESIGN GROUP, LTD
7925 N. LINCOLN AVENUE #203
SKOKIE, IL 60077

SUBMITTED BY
SETH DEBAKER
[signature]
5/10/2016

SEND NEW TAX BILL TO:

PAUL T. BIALOBRZEWSKI
3447 N. OZANAM AVENUE
NILES, IL 60714

BOARD OF TRUSTEES CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

PLAT APPROVED AND DEDICATIONS SHOWN HEREON ARE HEREBY APPROVED BY THE VILLAGE OF NILES, ILLINOIS, AT A MEETING HELD ON THE ________ DAY OF ________, 2015.

SIGNED: ____________
VILLAGE PRESIDENT

ATTEST: ____________
VILLAGE CLERK

VILLAGE PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF NILES, COOK COUNTY, ILLINOIS, THIS ______ DAY OF ________, 2016.

SIGNED: ____________
CHAIRPERSON

VILLAGE TREASUER CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

MY SIGNATURE, AS TREASURER OF THE VILLAGE OF NILES, CERTIFIES THAT THERE ARE NO DELINQUENT OR UNPAID, CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENT THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE LAND INCLUDED IN THIS PLAT OF SUBDIVISION.

SIGNED: ____________
VILLAGE TREASURER

VILLAGE ENGINEERS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

MY SIGNATURE, AS VILLAGE ENGINEER FOR THE VILLAGE OF NILES, CERTIFIES THAT THIS PLAT MEETS ALL THE REQUREMENTS OF VILLAGE ORDINANCES.

APPROVED THIS ______ DAY OF ________, 2016

SIGNED: ____________
VILLAGE ENGINEER

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION, DIVERSION, AND DISCHARGE OF SUCH WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF SUBSTANTIVE DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

BY: [signature] DATED 05/10/2016
OWNER

BY: [signature] DATED 05/03/16
ILLINOIS PROFESSIONAL ENGINEER
NO. 062-060811

JEFFREY A. COOPER
062-060811

UTILITY AND DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE RESERVED FOR THE VILLAGE OF NILES AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISES FROM THE VILLAGE OF NILES INCLUDING, BUT NOT LIMITED TO, COMMONWEALTH EDISON COMPANY, SBC, NICOR GAS, COMCAST, AND THEIR SUCCESSORS AND ASSIGNS OVER ALL AREAS MARKED 'EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE' ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, AND INCLUDING OVERLAND DRAINAGE, STORM AND/OR SANITARY SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE AND/OR UTILITY COMPANIES, OVER, UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN AND TRIM OR REMOVE ANY FENCES, TEMPORARY STRUCTURES, TREES, SHRUBS, OR OTHER PLANTS WITHOUT NEED FOR PROVIDING COMPENSATION THEREFORE ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS 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 RIGHTS. WHERE AN EASEMENT IS USED FOR SEWER AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF NILES.

EASEMENT ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF NILES AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY, OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS, AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES INCLUDING WATER, STORM AND SANITARY SEWER SERVICE AND MAINTENANCE.

EASEMENTS ALSO ARE RESERVED FOR CABLE COMMUNICATIONS COMPANIES ALONG WITH THE PUBLIC UTILITIES ALREADY REFERENCED. NOTHING SET FORTH ABOVE IS INTENDED TO SUPERSEDE ANY REQUIREMENTS CONTAINED IN ANY FRANCHISE AGREEMENT BETWEEN THE GRANTEES AND THE VILLAGE OF NILES, DU PAGE COUNTY, ILLINOIS. WHERE A CONFLICT EXISTS BETWEEN THE GRANT OF EASEMENT AND ANY SUCH FRANCHISE AGREEMENT, OR WHERE THE PROVISIONS OF ANY SUCH FRANCHISE AGREEMENT ARE MORE RESTRICTIVE THAT THE LANGUAGE OF THIS GRANT OF EASEMENT, THE LANGUAGE OF SAID FRANCHISE AGREEMENT SHALL BE CONTROLLING UPON EACH OF THE GRANTEES.

SIDE YARD DRAINAGE EASEMENT PRVISIONS

AN EASEMENT IS HEREBY RESERVED AND GRANTED TO THE VILLAGE OF NILES AND TO INSTALL AND MAINTAIN, AS NEEDED, THE SIDE YARD AREAS BETWEEN BUILDINGS TO INSURE PROPER SLOPES AND DRAINAGE.

PROFESSIONAL AUTHORIZATION

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, JEFFREY W. GLUNT, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 35-3695, DO HEREBY AUTHORIZE THE VILLAGE OF NILES, COOK COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDERS OFFICE IN MY NAME AND IN COMPLIENCE WITH THE ILLIS STATUTES CHAPERT 109 PARAGRAPH 2, AS AMENDED.

SCHAUMBURG, ILLINOIS MAY 5, 2016

[signature]
JEFFREY W. GLUNT
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-3695
MY LECENSE EXPIRES NOVEMBER 30, 2016 AND IS RENEWABLE

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, JEFFREY W. GLUNT, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND RESUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 125 (EXCEPT THE SOUTH 12.50 FEET THEROF) ALL OF LOT 126; AND ALL OF LOT 127; AND THE WEST HALF OF THE VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS IN SIXTH ADDITION TO GRENNAN HEIGHTS, A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN AND THAT SAID PLAT IS CORRECT REPRESENTATION OF SAID SURVEY AND RESUBDIVISION. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF

I DO HEREBY FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.) I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDATION OF THE SUBDIVISION PLAT AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED.

I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS WITHIN THE COPORATE LIMITS OF VILLAGE OF NILES, COOK COUNTY, ILLINOIS, WHICH HAS ADOPTED A COMPREHENSIVE CITY PLAN AND IS EXERCISING THE SPECIAL POWER AUTHORIED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE

I FURTHER CERTIFY THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY – PANEL NO. 17031C0237J DATED AUGUST 19, 2008 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR COOK COUNTY, ILLINOIS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS 'AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SCHAUMBURG, ILLINOIS MAY 3, 2016

BY: [signature]
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3695

STATE OF ILLINOIS
JEFFREY W. GLUNT
035-3695
SCHAUMBURG, ILLINOIS
PROFESSIONAL LAND SURVEYOR

EXPIRES 11-30-16

HAEGER ENGINEERING
consulting engineers · land surveyors
1304 N. Plum Grove Road, Schaumburg, IL 60173
Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152
www.haegerengineering.com

16-004
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Plot Date: May 03, 2016 - 2:32pm Plotted By: jeff-c Layout: Plat of Subdivision
File Name: P:\2016\16004\Drawings\Final Survey\16004-Consolidation.dwg

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Approving a Special Use to Allow an Addition to Encroach into the Allowed 10 Foot Side Yard for the Property Located at 8225 Newcastle Avenue (16-ZP-18)

Meeting Date	6/28/2016	Item Number	**7**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Backup Material	Staff Report
	Minutes	Minutes

MOTION

I move for Board approval of an Ordinance approving a special use as required in Appendix B, Section VII(C)(9)(a) to allow an addition to encroach into the allowed 10 foot side yard for the property located at 8225 Newcastle Avenue.

REASON FOR REQUEST / BACKGROUND

The Plan Commission voted 7-0 to recommend approval at their public hearing on June 6, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

APPROVING A SPECIAL USE AS REQUIRED IN APPENDIX B, SECTION VII(C)(9)(a) TO ALLOW AN ADDITION TO ENCROACH INTO THE ALLOWED 10 FOOT SIDE YARD LOCATED AT 8225 NEWCASTLE AVE., NILES, ILLINOIS

WHEREAS, the question of granting a special use to 8225 Newcastle Ave., included in this ordinance was referred to the Plan Commission and Zoning Board of Appeals to hold a public hearing;

WHEREAS, a public hearing was held on June 6, 2016, after proper notice in a manner provided by law;

WHEREAS, the Plan Commission and Zoning Board of Appeals has made a report, containing findings of fact and recommending the granting of the special use for property located at 8225 Newcastle Ave., Niles, IL 60714; and

WHEREAS, the corporate authorities of the Village of Niles, Cook County, Illinois have duly considered said Plan Commission Recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as a Home Rule Municipality, as follows:

SECTION 1: The materials and exhibits attached to this ordinance are incorporated by reference and made a part of this ordinance.

SECTION 2: A Special Use to Appendix B, Section VII(C)(9)(a) to allow a second floor addition to encroach 6 inches into the allowed 10 foot side yard located at 8225 Newcastle Ave., Niles, IL 60714, is approved.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

AGENDA NUMBER:	2
REPORT NUMBER:	PC-16-20
CASE NUMBER:	16-ZP-18
TYPE:	VARIATION

Plan Commission and Zoning Board of Appeals Staff Report June 6, 2016

Item for Plan Commission Consideration: Requested 6 inch variation from Village Ordinance Appendix B, Section VII(C)(9)(a) to allow a second-floor addition to encroach 6-inches into a required 10-foot side-yard at 8225 Newcastle Avenue.

I. Background and Zoning.

Mr. and Mrs. Burton have requested a variation from side-yard set-back requirements for their proposed 2nd-floor addition at 8225 Newcastle Avenue. Village Ordinance Appendix B, Section VII(C)(9)(a) requires a 10-foot side yard, but the proposed second-floor addition—which will be cantilevered over the driveway on the north-side of the house—is proposed to be 9-feet 6-inches away from the north property line, requiring a 6-inch variation.

Please see the attached survey for details.

A. Critical Issues

Compliance with the Village's 2030 Comprehensive Plan

The Plan Commission is encouraged to question the applicant to determine if the requested variation will advance the goals of the 2030 Comprehensive Plan.

Comments from Other Departments:

- Police: The Police Department has no concerns;
- Fire: No comments were provided;
- Engineering: No comments were provided;
- Fire Inspections: The Fire Inspector has no concerns.

Requirements for Variations and Findings of Fact

Appendix B, Section XI(E) provides the procedures for considering requested variations from the Village's ordinances. Subsection 2 provides standards that must be satisfied in order to grant a variation. Below are those requirements:

2(a) The Board of Appeals may vary the provisions of this ordinance as authorized in this section, but only when it shall have made findings based upon the evidence presented to it in the following specific cases:

(1) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which is it is located;

(2) That the plight of the owner is due to unique circumstances;

(3) That the variation, if granted, will not alter the essential character of the locality.

Subsection 2(b) additionally states: For the purpose of supplementing the above standards, the Board of Appeals shall also, in making this determination whether there are practical difficulties or particular hardship, take into consideration the extent to which the following facts favorable to the applicant have been established in the evidence:

1. That the particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classifications;

3. That the alleged difficulty or hardship has not been created by any person having an interest in the property at any time after the effective date of this ordinance;

4. That the granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located; or

5. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please see the attachments for the applicant's explanation for how his proposal meets the requirements above.

B. Legal:
Notification: A legal notice was provided in the Bugle on May 19, 2016. Notices to all owners of property within 250 feet were mailed on May 18, 2016.

C. Other Actions:
For this variation, the Plan Commission and Zoning Board of Appeals is the deciding body, based on Village Ordinance XI(E)(3)(a)(1).

II. Recommended Conditions Of Approval

i. None.

III. Attachments and References

1. Location Map;
2. Applicant's explanation for how Village requirements are met; and
3. Site plan and side-elevation with dimensions provided by the applicant.

IV. Principal Parties Expected at Meeting:

1. Mr. and Mrs. Burton, property owners and applicants; and
2. Interested members of the public.

Request for a Variation
For a 2nd Floor Addition
8225 Newcastle Avenue
June, 2016

Requirements for receiving a Zoning Variation From the Village of Niles

As part of your application, please provide written responses explaining how your requested requested variation meets ALL of the following requirements, as found in the Village of Niles Code of Ordinances, Appendix B, Section XI(E)(2):

(1) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which is it is located;

It is difficult to build a reasonable size addition while staying within current limitations. The current set back lines would effect 3 out of the 4 bedrooms.

(2) That the plight of the owner is due to unique circumstances;

This situation is unique because our lot is only 45' wide, when most parcels in Niles are 50' in width. (the zoning ordinance is written assuming the lot width of 50') In order to maximize functional space without expanding the house's footprint, we need to have a 24" cantilevered wall (on our driveway side). We are only missing the requirement by 6 inches.

(3) That the variation, if granted, will not alter the essential character of the locality.

The variation will not alter the character of the neighborhood because this addition will look similar to the other additions done recently in the neighborhood.

Furthermore, you will need to prove that all of the following requirements from Village of Niles Code of Ordinances, Appendix B, Section XI(E)(2)(b) are also satisfied by your request:

1. That the particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out;

   In order to maximize functional space without expanding the house's footprint, we need to have a 24" cantilevered wall (on our driveway side). We are only missing the requirement by 6 inches.

2. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classifications;

   Our situation is unique because our lot is only 45' wide, when most parcels in Niles are 50' in width. (the zoning ordinance is written assuming the lot width of 50')

3. That the alleged difficulty or hardship has not been created by any person having an interest in the property at any time after the effective date of this ordinance;

   The "hardship" is created by the narrowness of the lot

4. That the granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located; or

   This will in no way be detrimental to public welfare. We are only asking have one wall 6 inches past the set back line on the wider side of our property

5. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

   We are only asking have one wall 6 inches past the set back line on the wider side of our property

Your explanation of/answer to the questions listed above will be the basis for a decision from the Plan Commission and Zoning Board of Appeals. It is incumbent upon YOU to explain how these Village Ordinance requirements are satisfied by your request. Failure to satisfy all of the requirements above may result in the Village denying your requested variation.

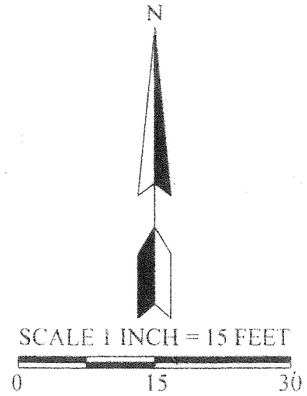
PLAT OF SURVEY

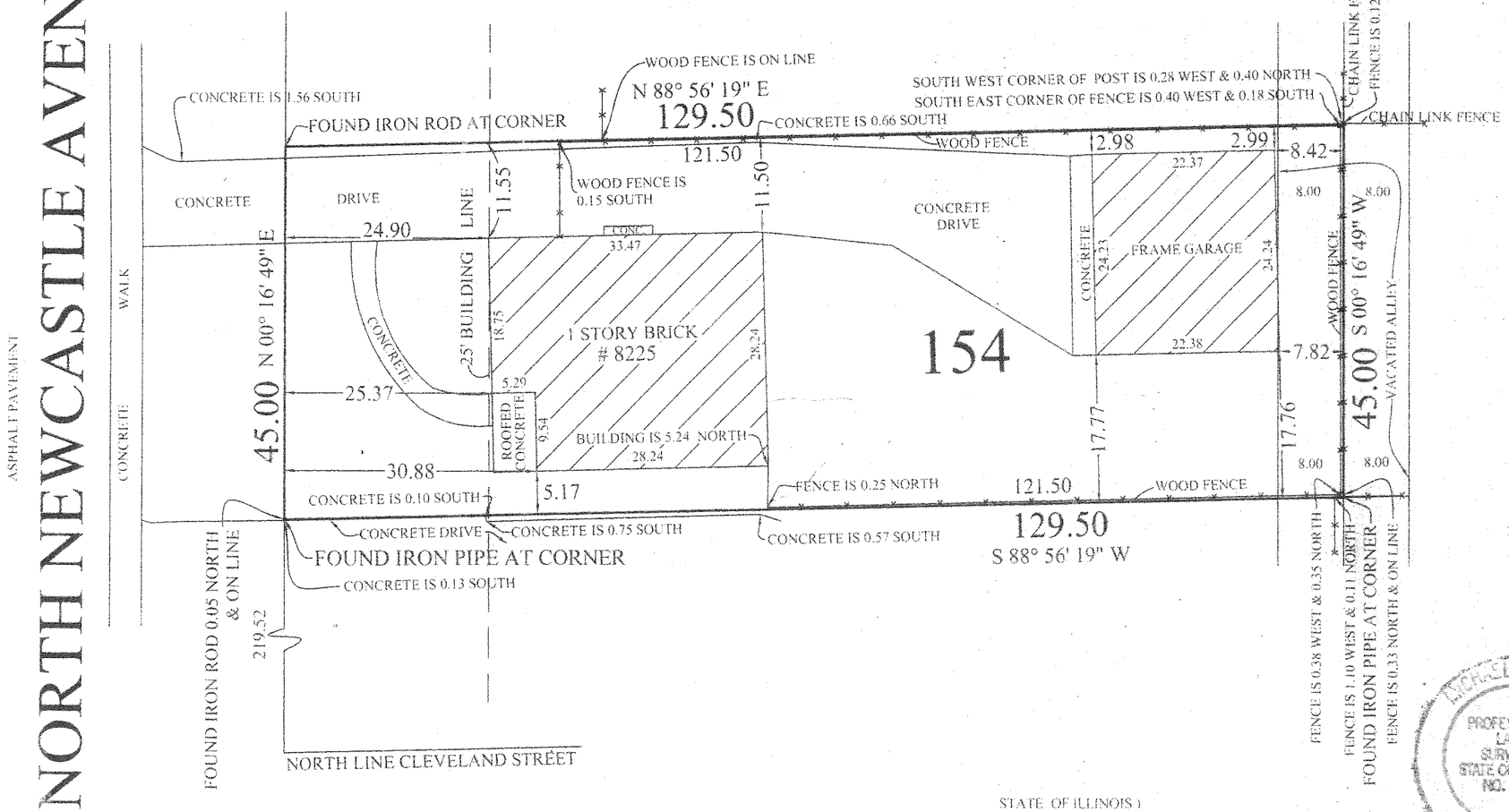
-BY-

SAMBORSKI, MATTIS, INC.
LAND SURVEYORS
4332 OAKTON STREET SKOKIE, ILL. 60076
PH: (847) 674- 7373 FX: (847) 674-7385

OF

LOT 154 (ALONG WITH THE WEST HALF OF VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOT 154) IN ROBINSON'S RESUBDIVISION OF CERTAIN BLOCKS AND PARTS OF BLOCKS TOGETHER WITH VACATED PARTS OF STREETS AND ALLEYS IN MAIN STREET AND WAUKEGAN ROAD SUBDIVISION, BEING A SUBDIVISION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CENTER LINE OF TELEGRAPH ROAD AND EAST OF THE CENTER LINE OF WAUKEGAN ROAD, SOUTH OF THE JUNCTION OF SAID ROADS (EXCEPTING THE NORTH 50 LINKS THEREOF) AND IN THE SUBDIVISION OF PARTS OF BLOCKS 1, 2, AND 3, AND ALL OF BLOCKS 9, 10 AND 11 IN SAID MAIN STREET AND WAUKEGAN ROAD SUBDIVISION, IN COOK COUNTY, ILLINOIS.





Order No. : 12-16

Ordered By: VALERIE BURTON

P.I.N. : 10-19-311-047-0000

Property Address: 8225 N. NEWCASTLE, NILES

Measurements are shown in feet and decimals and are correct at 68 degrees Fahrenheit.

Note:

1. Please check Legal Description with Deed and report any discrepancies immediately.
2. Compare all points before building by same and report any discrepancies at once.
3. Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat.
4. Consult local authorities for building lines established by local ordinance.
5. No dimensions are to be assumed by scaling.
6. Coordinate and Bearing Datums are assumed unless otherwise noted.
7. R = Record Dimension M = Measured Dimension

STATE OF ILLINOIS)
COUNTY OF COOK) SS

This is to certify that this Professional Service conforms to the current Illinois Minimum Standards of Practice applicable to boundary surveys. Field work completed this 21st day of MARCH, A.D. 2016.

Michael J. Mattis

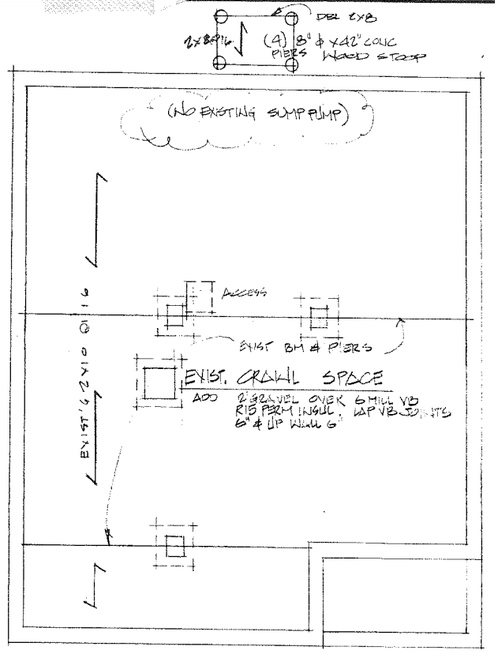
Michael J. Mattis Illinois Professional Land Surveyor No. 2104
Illinois Professional Land Survey Firm No. 184.002779

3/23/16

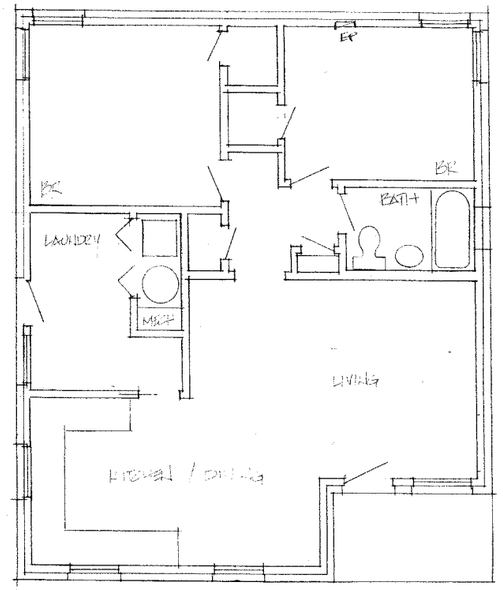
License expires 11/30/2016

©2016 Samborski, Mattis, In

MICHAEL J. MATTIS
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
NO. 2104
SKOKIE, ILLINOIS



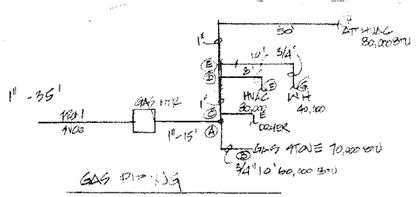
EXISTING FOUNDATION PLAN
1/8"=1'-0"



EXISTING FLOOR PLAN
1/8"=1'-0"

GENERAL NOTES

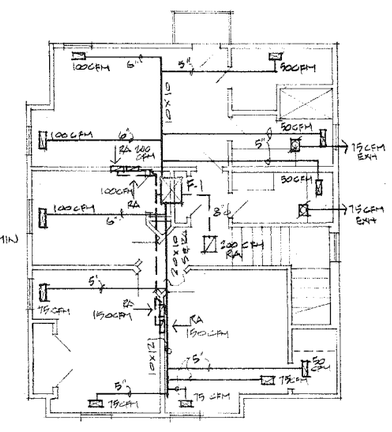
- MIN. BR. EGRESS 5.7 SF. 20" MIN. CLR. WIDTH, 24" CLR. HEIGHT, SILL 40" AFF MAX.
- PROVIDE 110V SMOKE DET. 110V WIRED IN SERIES W/ BATTERY BACK UP AT ALL LEVELS AND BEDROOMS.
- ALL SKYLIGHTS DBL. FR. W/ LAM. IN-BOARD GLAZING PER 06 INTL. R 206.2
- ALL ELECT. PER 2005 NEC. . SPARK ARRESTORS IN ALL NON GFI OUTLETS. CLOS. LTS. REC. ICT W/ LENS OR FLOURESENT MIN. 6" FR STOR SP.
- ALL CONSTRUCTION TO CONFORM TO 06 INTL. CODE, VILLAGE CODES, '04 IL STATE PLUMBING CODE.
- ALL HEADERS DBL 2X12 + 1/2" PLYWOOD UNO, DBL. JOISTS UNDER BEARING WALLS.
- ALL FLOOR, ROOF FRAMING & HEADERS #2 DOUG FIR fb= 1050 UNO
- PROVIDE SAFTY GL. @ ALL DOORS, WINDOWS NEXT TO DRS &ALL WINDOWS MTG RQMTS. OF HAZARDOUS LOC. (R308.4 06 INTL PAST TEST REQMTS CPSC 16 CFR)
- PROVIDE REQUIRED FLASHING AT TOP & SIDE OF ALL WINDOWS & DOOR OPNG'S, ROOF VALLEYS, WATER RESISTANT MENBRANE UNDER SILLS, FLASH CHIMNEY, SADDLES, ROOF INTERSECT WALL-ROOF INTERSECT AT SKYLIGHTS.
- 0- FIRE STOPPING W/ APP. MTL. ALL VERT OPNG'S.
- ALL NEW FURNACES TO MAINTAIN MIN. 68 DEG. AT 3' AFF. SUBMIT PRODUCT INFO AND INSTALLIATION INSTRUCTIONS TO VILLAGE.
- 2- MAX. BALLISTER SP. 4" OC. TRIANGLER OPNG'S FORMED BY RISER/ TRD & B/RAIL MAX 6" SPERE PASS THRU OPNG.



GAS PIPING

NOTE NO GAS METER

GAS HTR TO (A) DEMAND 330,000 1" GAS
(A-B) 10' DEMAND 60,000 BTU 3/4" RGS
(G-H) 5' DEMAND 80,000 BTU 3/4" RGS
(D-E) 8' DEMAND 80,000 BTU 3/4 RGS
(B-G) 10' DEMAND 40,000 BTU 3/4 RGS
(B-H) 50' DEMAND 80,000 1"



F1 RHEEM OR CARRIER 80,000 BTU FURN W/ 3/4" GAS SUPPLY 2.5 TON A.C.

ALL SUPPLY DUCTS R8 MIN
ALL RA DUCTS R6 MIN

MANUAL J & D REQ'D @ 2ND FL SHT

HVAC PLAN
1/8"=1'-0"

NO CHANGE TO 1ST FL HVAC

NOTE! PROVIDE CUT SHTS FOR ERV, A.C. FURNACE & COIL
PROVIDE NAME OF TESTING ABILITY FOR DUCT, SEAL & CERTIFICATION

ENGINEERING NOTES

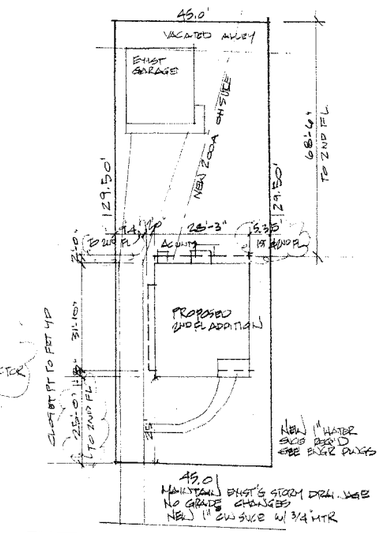
Provide on the site plan:
a. Water service location, size, connection to main, water B-box (to be installed in parkway).
b. Sanitary service location (new if necessary, see below), type and size, connection.
c. For new water & sanitary service located in the parkway:
i. Backfill with CA-7 stone (clean 3/4 inch) 12 inches over the pipe,
ii. Backfill with compacted clean dirt,
iii. 6 inch topsoil and sod (grass), no seed allowed in the parkway.
d. If new water & sanitary service connection located in street:
i. Backfill with CA-7 stone (clean 3/4 inch),
ii. 10 inches Portland Cement Concrete Base Patch,
iii. 2 inches Hot Mix Asphalt Surface Patch,
iv. Steel plates, flush with street, over openings allowed April 15 through October 31,
e. Provide and show tree fence with three segments: one segment one foot away from curb that joins two other segments each 10' from tree perpendicular to curbline,
f. General Notes:
i. If service connection in opposite parkway, no open cut of Village streets allowed. Water service, sanitary service, and storm sewer should be auger under street.
ii. Use the proper traffic control (I.D.O.T. Highway standards),
iii. Call Engineering Division for inspection at 847-588-7900,
iv. Street should be open to traffic all times,
v. All utility structures, power pole, fire hydrant, trees & etc. affected by the improvement are to be relocated at developer's or homeowner's expense,
vi. All restoration must be completed within five days of disturbance,
vii. No fill over 2 inch depth or change of drainage pattern allowed,
viii. Provide 2 inch minimum air gap on any sump pump or downspout discharge to site drains,
ix. Show any drainage pop ups if provided. Keep within 10 feet of house,
x. Keep approved plans on site,
xi. Provide new sidewalk squares and curb and gutter across disturbed area,

Village policy is that major construction triggers a review of existing sanitary services to ensure that it is in sound condition. Provide a clear video of the existing sanitary service from the main to the entry point via CD or Dropbox or other means. Engineering will review and determine if any upgrade is required.

- INSPECTION OF FLOOR JOISTS MUST BE CONDUCTED BEFORE COVERING W/ SHT'G
- PRIOR TO START OF CONST. AN ON SITE MTG. W/ BLDG INSPECTOR REQ'D
- DUMPSTERS MUST BE FROM GROOT 1-800-244-1977

LA - 5,827.5
EXIST 1ST FL 89.05 SF
NEW 2ND FL 1010 SF
TTL FLR AREA 1906 SF
GAR 498 SF

FOR BLDG. DEPT



N NEWCASTLE ST.

SITE PLAN
1/8"=1'-0"

PROVIDE AT MIN ORANGE SNOW FENCE AROUND ENTIRE PROJ AREA & PROPERLY SECURED

PROVIDE CHAIN LINK FENCE AROUND ALL NEW CONST. W/ LOCK'G GATE x 5'-0" H.

SEE ENG'R DWG FOR LOC OF VILLAGE SEWER & WATER MAINS LOC OF B/P. MAINTAIN MIN MIN SEPERATION OF SEWER & WATER INSTALLED IN ROW

CONTACT PUBLIC SVCES 72 HRS BEFORE REQUEST'G MAIN TAP 847-588-7900

STREET OPENING NOT PERMITTED

NO CHANGE TO IMPERVIOUS

EXIST'G IMPERVIOUS	
HOUSE & PORCH	930 SF
GARAGE	460
DRIVE	915
SIDEWALKS/WALKS	140
	2445 TTL EXIST'G IMPERV.

EXISTING O.H. ELECT. SVCE TO REPL. W/ 200A UNDERGRD SVCE

CERTIFICATION
I CERTIFY THAT THESE DRAWINGS WERE PREPARED IN MY OFFICE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE CONFORM TO THE BUILDING AND ZONING ORDINANCES OF
ARCHITECT

International Building Code, 2012 Edition w/ amendments
National Electrical Code, 2005 w/ amendments
Illinois State Plumbing Code, 2014 w/ amendments
International Mechanical Code, 2012 Edition w/ amendments
International Residential Code, 2012 Edition w/ amendments
International Fire Code, 2012 w/ amendments
International Energy Code, 2012

DESIGN LIVE LOADS:
DECKS, FLOORS/STAIRS 40 PSF
ROOFS 30 PSF
CLGS/STORAGE 10 PSF
GUARDS/HR'S 200 PSF IN ANY DIRECTION APPLIED AT ANY PT ALONG THE TOP

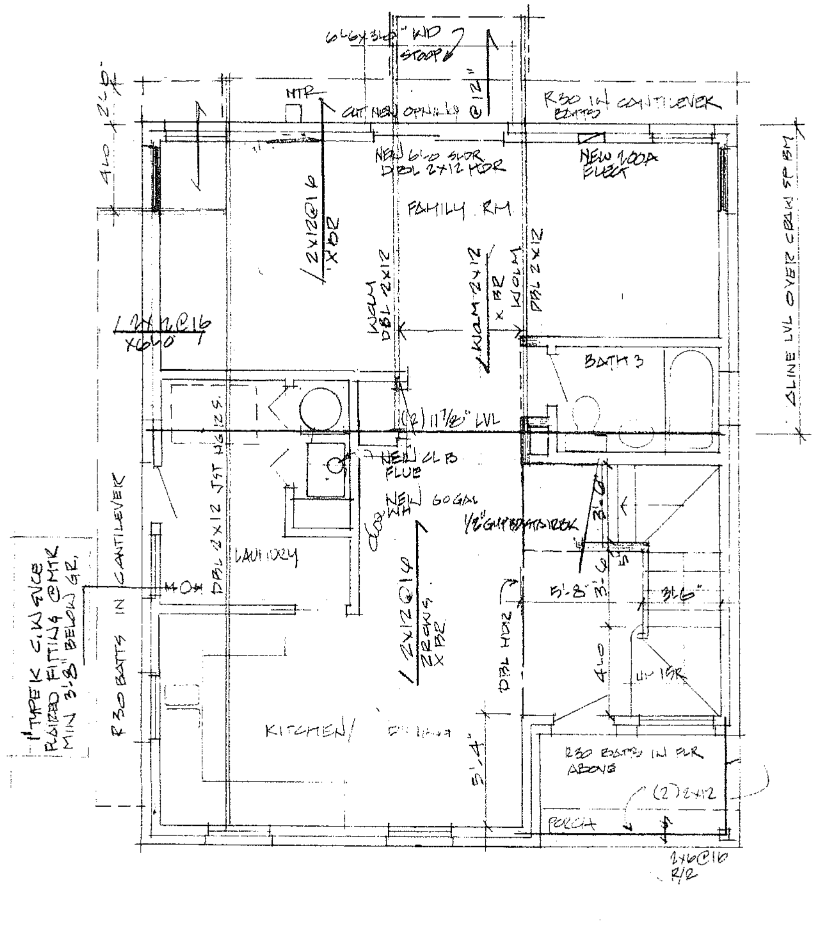
INSPECTION OF FLR JST'S REQ'D BEFORE SHEAT'G
STAIR INSPECT. NOTE SHT 3

REVISIONS	BY
3/16/15	

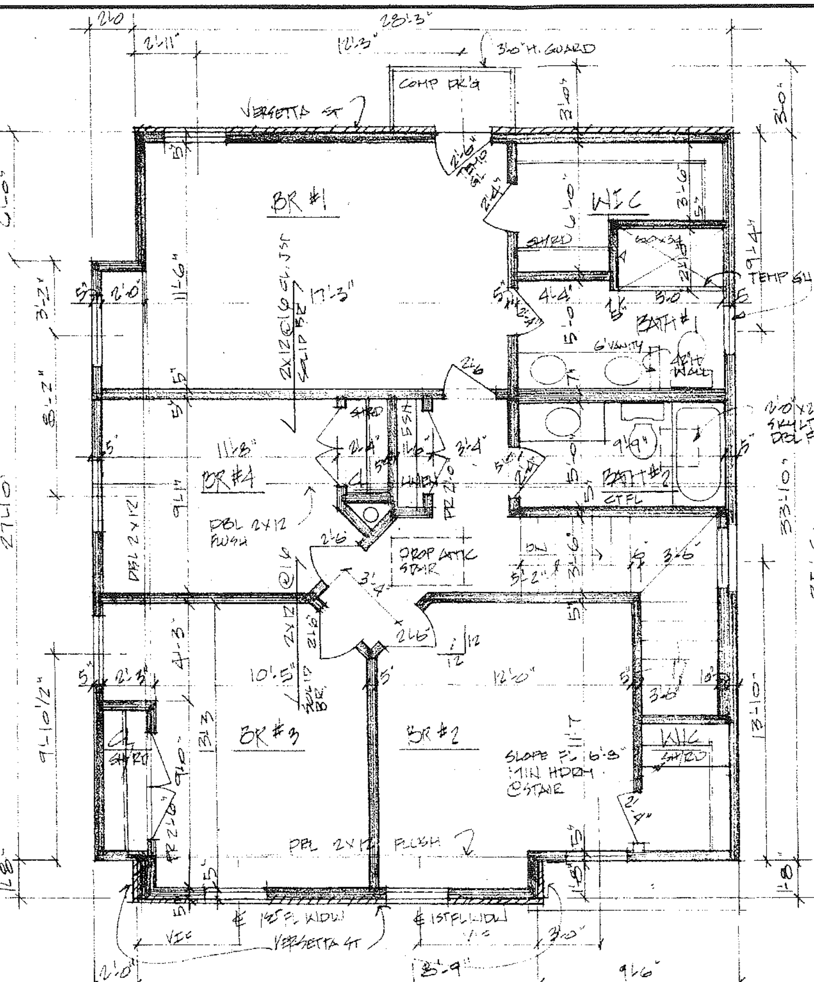
ADDITION FOR THE BURTON RESIDENCE
8225 N. NEWCASTLE ST. NILES, IL.

Jeffery J. Heaney Architect A.I.A.
911 Washington Street • Glenview, IL • (847) 729-4190

Date 12/12/15
Scale NTS
Drawn JH
Job 15-199
Sheet 1
Of 4 Sheets



1ST FLOOR PLAN NEW CONST
1/4"=1'-0"



NEW 2ND FLOOR PLAN
1/4"=1'-0"

2012 IECC

PRESCRIPTIVE METHOD

The most common prescriptive method identifies the wall/ceiling/roof insulation R-values and the window/door U-factors required for each component. There are code exceptions to the requirements that can offer a small amount of flexibility, but generally this method requires consistent treatment of building components. Using the compliance method has the benefit of simplifying code review and inspection.

The most common prescriptive method used is:
- Insulation and fenestration criteria for building components (see Table 402.1.1 below).

Other ways of meeting the prescriptive method are:
- R-value computation summation of layers of insulation to compute component R-value
- U-factor alternative assembly meeting the criteria for components (see Table 402.1.3 below).
- Total UA alternative is the total building thermal envelope UA (sum of U-factors x assembly area) less than or equal to the total UA resulting from using the U-factors in Table 402.1.3 (multiplied by the same assembly area as in the proposed building).

Regardless of which prescriptive method is used, the mandatory requirements in the code must be met (see separate "Mandatory Requirements" section).

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE	FLOOR R-VALUE	BASEMENT WALL R-VALUE	SLAB R-VALUE & DEPTH	CRAWL SPACE WALL R-VALUE
5	.32	.55	NR	49	20 or 13+5	13/17	30	15/19	10, 2 ft	15/19

MANDATORY REQUIREMENTS 2012 IECC

In addition to the prescriptive or performance compliance requirements, there are mandatory requirements that apply to all permits.

See the code for specific requirements in each of the following mandatory compliance categories.

- Air leakage control required for: [illegible]
  - Building thermal envelope to limit infiltration
    - a. Seal with caulk, gasketing, weather-stripping or other barrier material:
      - All joints seams and penetrations
      - Site-built windows, doors and skylights
      - Openings between window and door assemblies and their jambs/framing
      - Utility penetrations
      - Dropped ceilings or chases adjacent to the thermal envelope
      - Knee walls
      - Walls and ceilings separating a garage from conditioned spaces
      - Behind tubs and showers on exterior walls
      - Attic access openings
      - Rim joist junction
      - Other sources of infiltration
    - b. Air Barrier
    - c. Vapor Retarder
    - d. Testing of building thermal envelope tightness and insulation installation required by either:
      - Air leakage test method (blower door test @ rough-in and after installation of penetrations of the envelope)
      - Visual inspection when there is field verification of all items
- Fireplaces that are new and wood burning are required to have gasketed doors and outdoor combustion air
- Fenestration air leakage for windows, skylights and sliding glass doors is limited to 0.3 cfm/sf and for swinging doors to 0.5 cfm/sf
- Fenestration maximum U-factor and SHGC
- Recessed lighting installed in the building thermal envelope must be sealed to limit leakage between conditioned and unconditioned spaces by means of gasket or caulk between the housing and the interior wall or ceiling. All recessed lighted shall be IC-rated and ASTM E 283
- Heating and cooling controls are required
  - Programmable thermostat — Required for forced air systems
  - Heat pump supplementary heat
- Ducts (external ducts or portions thereof located completely inside the thermal envelope)
  - Insulation required:
    - a. Prescriptive method
      - Supply ducts in attics R-8
      - All others R-6
    - b. Performance method
      - Supply and return ducts R-6
  - Sealing required
    - a. All ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601 2006 IRC. Verification of duct tightness is required by either:
      - Postconstruction testing of leakage to outdoors
      - Rough-in test
      - Exception: Duct tightness test is not required if the air handler and all the ducts are located within the conditioned space.
  - Mechanical system piping insulation (R3 min.) required for piping capable of carrying fluids above 105°
- Circulating service hot water systems are required to be insulated (R-2 min.) and have a manual switch to turn off circulating pump when not in use.
- Mechanical ventilation outdoor air intakes and exhausts must have automatic or gravity dampers.
- Equipment sizing for heating and cooling must be in accordance with Section M1401 2006 IRC
- Snow melting – See SNOW & ICE MELTING section below.
- Fireplace – See FIREPLACE section below.

ALTERNATE MATERIALS – METHOD OF CONSTRUCTION, DESIGN OR INSULATING SYSTEMS
Section 102

The energy code allows the use of any alternate material, method of construction or design or insulation system as long as it has been approved by the code official as meeting the intent of the code.

SPECIAL CONSTRUCTION REQUIREMENTS

These categories have specific requirements as listed.

ACCESS HATCHES & DOORS (Prescriptive requirement)
Access between unconditioned and conditioned space must be weatherstripped and insulated to the level of the surrounding surfaces.

BASEMENT WALLS (Prescriptive requirement)
Conditioned basement walls must be insulated from the top of the basement wall down to 10 feet below grade or to the basement floor. Walls of unconditioned basement space must meet this requirement unless the floor above is insulated to R-30.

CEILINGS WITH ATTIC SPACE ABOVE (Prescriptive requirement)
Where ceiling insulation is required to be [illegible] acceptable wherever the full height of uncompressed R- insulation extends over the wall top plate at the eaves.

CEILINGS WITHOUT ATTIC SPACE ABOVE - VAULTED CEILING, FLAT ROOF, ETC.
(Prescriptive requirement)
Where ceiling insulation is required to be higher than R-30, and there is not sufficient space to allow for its placement in the framing, R-30 is acceptable but is limited to 500 sf or 20% of the total insulated ceiling area, whichever is less.

CIRCULATING SERVICE HOT WATER PIPING (Mandatory requirement 403.4 2009 IECC)
All circulating service hot water piping to be insulated with at least R-2 and have an automatic or manual switch that can turn off the hot water circulating pump when the system is not in use.

CRAWL SPACE WALLS (Prescriptive requirement)
Crawl spaces may be either conditioned or unconditioned.
- If the crawl space is not vented to the outside (conditioned), the wall insulation must be permanently fastened to the wall and extend downward from the floor to the finished grade level and then vertically and/or horizontally for at least an additional 24 inches. Exposed earth must be covered with a Class I vapor retarder. All joints of the vapor retarder must overlap by 6" (min.) and be sealed or taped and the vapor retarder must extend 6" (min.) up and be attached to the stem wall.
- If the crawl space is vented to the outside, the floor above must be insulated to R-30 and the separating wall from the basement must meet the basement wall requirements for insulation.

DUCTS NOT IN THERMAL ENVELOPE (Prescriptive requirement)
Supply ducts in attics to be insulated with R-8 (min.). All other ducts to be insulated with a minimum of R-6.

DUCT SEALING (Mandatory requirement)
Sealing of ducts and all mechanical components is required. Testing of duct tightness is required (exception: if all ducts are located within the conditioned space).

EQUIPMENT (Prescriptive requirement)
- Service water heating (heating/cooling)
- Furnace

FIREPLACES (Mandatory requirement)
New wood-burning fireplaces must have gasketed doors and outdoor combustion air.

FLOORS (Prescriptive requirement)
Floor insulation must be installed to maintain permanent contact with the underside of the subfloor decking above.

LIGHTING (Prescriptive requirement)
At least 75% of the lamps (bulbs) in permanently installed light fixtures must be high-efficacy lamps.

MASONRY VENEER (Prescriptive requirement)
Insulation is not required on the horizontal portion of the foundation that supports masonry veneer.

MASS WALLS (Prescriptive requirement)
Mass walls are considered above-grade walls of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth and solid timber/logs.

MECHANICAL SYSTEM PIPING (Mandatory requirement)
Piping carrying fluids above 105° F or below 55° F to be insulated with a minimum of R-3.

OPAQUE DOOR EXEMPTION (Prescriptive requirement)
One side-hinged door up to 24 sf is exempted from the U-factor requirement in Section 402.1.1. This exemption does not apply to the U-factor alternative approach in Section 402.1.3 and total UA alternative in Section 402.1.4.

SLAB-ON-GRADE FLOORS (Prescriptive requirement)
Slab-on-grade concrete floors less than 12 inches below grade must be insulated from the top of the slab on the inside or outside of the foundation. Insulation must be R-10 (min.) and be extended 2 feet in any combination of vertical and horizontal insulation as allowed in this section.

SNOW & ICE MELTING (Prescriptive requirement)
Snow and ice melting systems, supplied through energy service to the building, must have automatic controls capable of shutting off the system when the pavement temperature is above 50° F and no precipitation is falling and an automatic or manual control to shut it off when the outdoor temperature is above 40°F.

STEEL-FRAME CEILING, WALL & FLOOR (Prescriptive requirement)
Steel framed ceilings, walls and floors must be insulated according to table

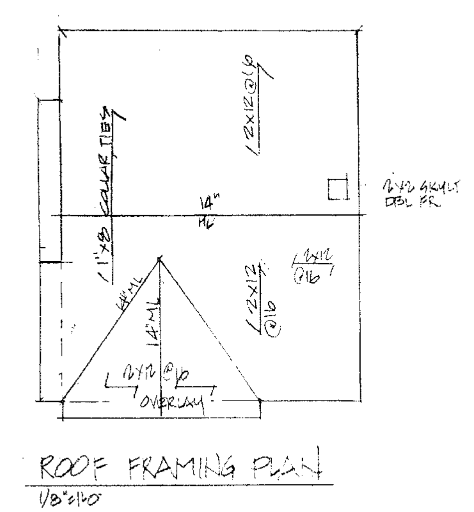
SUNROOMS - THERMALLY ISOLATED (Prescriptive requirement)
Insulation values for thermally isolated sunrooms are: SUN ROOM U FACTOR .45
- Ceiling R-24
- Walls R-13
- Walls separating the sunroom from conditioned space must meet the thermal envelope requirements

SWIMMING POOLS (Mandatory requirement)
Swimming pools must be provided with energy conserving measures as they can be large consumers of energy, mainly for water heating.
- Pool heaters must have an on-off switch that is readily accessible to allow shutting off the heater without adjusting the thermostat setting. Pool heaters with continuously burning pilot lights are not allowed.
- Time switches that can automatically turn off and on heaters and pumps according to a preset schedule must be installed on swimming pool heaters and pumps.
  Exceptions:
  1. Where public health standards require 24-hour pump operation.
  2. Where pumps are required to operate solar and waste heat-recovery pool heating systems.
- Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90°F must have a pool cover with a minimum insulation value of R-12.
  Exception:
  1. Pools deriving over 60% of the energy for heating from site-recovered energy or solar energy source.

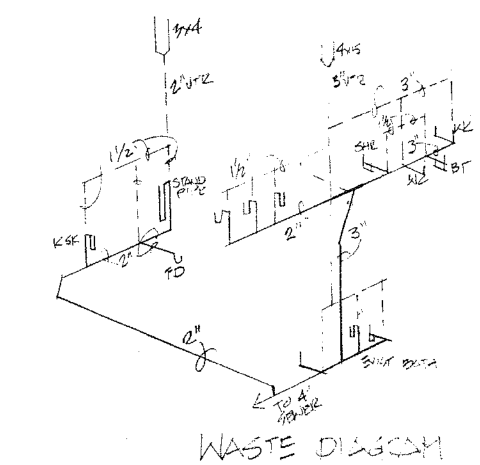
WATER - See Circulating Service Hot Water Piping

SEE TABLE R 403.5.1 - MECHANICAL VENTILATION EFFICANCY
R.E. RANGE HOODS, IN LINE FANS, BATHRM, UTILITY RM

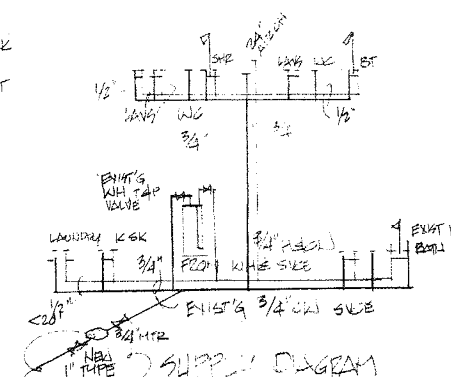
11. Method of Energy Code compliance is clearly shown on plans, any substitution will require new plans and a Res Check with Res Checklist.



ROOF FRAMING PLAN
1/8"=1'-0"



WASTE DIAGRAM



SUPPLY DIAGRAM

WATER PIPE SIZING SHALL MAINTAIN SVCE SIZE TO 1ST BRANCH TO WH LOC.

STACK TEST TO BE WITNESSED BY PLUMB'G INSP. TO UNDERGROUND

VALVE ALL FIXTURES
12" AIR CHAMBERS ALL FIXT
24" AIR CHAMBERS ALL RISERS & SHRS
TYPE L COPPER
2014 IL STATE PLUMB'G CODE

PLUMB'G WSFU SCHEDULE

FIXT.	QUANTITY	WSFU	TTL
WC	3	3	9
BT	2	2	4
SHR	1	2	3
LAVS	4	1	4
KS	2	2	4
DW	1	1	1
WASHER	1	2	2

TTL 27 WSFU

1" CW SVCE REQ W/ 3/4" MTR
FLARED FITTING MIN 3'8" BELOW GR.

LITE & VENT SCHEDULE

ROOM	SF	ORD REQ LITE	ORD REQ VENT	ACTUAL LITE	ACTUAL VENT	
NEW FAMILY RM	298	29.8	14.9	19.8	36.4	
BR 1	207	20.7	10.3	23.4	11.7	
BR 2	150	15.0	7.5	23.4	11.7	
BR 3	152	15.2	7.6	23.4	11.7	
BATH 1	62	NR	3.1	3.8	3.9	+120CFM FAN
BATH 2	48	NR	96CFM	–	100CFM	
ATTIC	900	–	3.0	–	3.3	(3) GABLE VENTS
CONDITIONED CRAWL	775	–	15.5	–	16CFM	4 HR

VENT ALL FANS TO OUTSIDE THRU APPROVED GRAVITY DAMPERS

PLUMBING NOTES

1. THE PLUMBING CONTRACTOR MUST BE LICENSED AND BONDED AND MUST OBTAIN A CONTRACTORS PERMIT BEFORE COMMENCING ANY WORK. (AS COORDINATED BY CONTRACTOR)
2. **ALL PLUMBING WORK SHALL CONFORM TO THE 2004 EDITION OF THE STATE PLUMBING CODE WITH VILLAGE OF NILES AMMENMENTS.**
3. CONTRACTOR SHALL COORDINATE THE ACTUAL LOCATION OF THE SEWER AND WATER CONNECTIONS WITH OWNER'S CONSTRUCTION MANAGER.
4. 48 HOUR NOTICE IS REQUIRED ON ALL INSPECTIONS. CALL TO SCHEDULE ALL INSPECTIONS. (AS COORDINATED BY CONTRACTOR) **PLUMBER MUST BE ON SITE FOR ALL INSPECTION.**
5. NO WORK IS TO BE COVERED PRIOR TO BEING INSPECTED AND APPROVED. (AS COORDINATED BY CONTRACTOR)
6. SEWER PIPE SHALL BE DUCTILE IRON PIPE WITH PUSH-ON JOINT, AWWA C151; AWWA C115. DOMESTIC WATER PIPE SHALL BE RIGID COPPER PIPE TYPE 'L' FOR ABOVE GROUND AND TYPE 'K' FOR UNDERGROUND. NO LEAD SOLDER.
7. SEWER CLEANOUTS MUST BE VISIBLE. THERE MUST BE A CLEANOUT ON THE MAIN SEWER, EITHER 5'-0" INSIDE OR OUTSIDE OF THE BUILDING, AND EVERY 100'-0" THEREAFTER.
8. VENT ALL WASTE LINES. SOIL STACK. ALL ROOF VENTS SHALL TERMINATE A MINIMUM OF 12" ABOVE THE ROOF. THE MINIMUM VENT THRU ROOF SHALL BE 4".
9. ALL PLUMBING PIPES AND FIXTURES SHALL BE ADEQUATELY PROTECTED FROM FREEZING.
10. 75 LB. AIR TEST OR WATER PRESSURE REQUIRED ON WATER PIPING AT TIME OF ROUGH INSPECTION.
11. ALL WATER SUPPLY SHALL BE INSULATED, INCLUDING ALL PIPING ABOVE CEILINGS, INSIDE EQUIPMENT, CABINETS, PIPE CHASES AND IN WALLS.
12. THE CONTRACTOR SHALL PAY ALL FEES AND OBTAIN AND PAY FOR ALL PERMITS AND INSPECTIONS REQUIRED BY ANY AUTHORITY HAVING JURISDICTION IN CONNECTION WITH HIS WORK.
13. DRAWINGS ARE GENERALLY DIAGRAMMATIC. ROUTING OF PIPING ARE SHOWN, BUT DO NOT INTEND TO SHOW EVERY RISE, DROP, OFFSET, FITTING, NOR EVERY STRUCTURAL ELEMENT THAT MAY BE ENCOUNTERED DURING THE INSTALLATION OF THIS WORK. CONTRACTOR SHALL MAKE ANY REQUIRED CHANGES FROM THE GENERAL ROUTING SHOWN ON THESE DRAWINGS, SUCH AS OFFSETS, BENDS OR CHANGES IN ELEVATION DUE TO COORDINATION WITH THE WORK OF OTHER TRADES AND BUILDING CONSTRUCTION. ALL CHANGES SHALL BE MADE WITHOUT ADDITIONAL COST TO THE OWNER OR DELAY IN COMPLETION DATE OF THE PROJECT.
14. REFER TO ARCHITECTURAL DRAWINGS FOR EXISTING BUILDING CONSTRUCTION THAT IS TO REMAIN AND, THEREFORE, SUBJECT TO PATCHING, REPAIRING, AND REFINISHING.
15. ATTENTION IS DIRECTED TO THE NECESSITY FOR CONTRACTOR TO VISIT THE SITE AND EXAMINE ALL CONDITIONS AFFECTING THE PROPER EXECUTION OF THIS CONTRACT. SUBMISSION OF PROPOSALS SHALL BE CONSIDERED EVIDENCE THAT THE CONTRACTOR HAS VISITED AND EXAMINED THE SITE. NO EXTRA PAYMENT WILL BE ALLOWED THE CONTRACTOR FOR EXTRA WORK CAUSED BY FAILURE TO VISIT, EXAMINE AND CLARIFY.
16. THIS CONTRACTOR SHALL UNCONDITIONALLY GUARANTEE IN WRITING ALL MATERIAL, EQUIPMENT AND WORKMANSHIP FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE BY OWNER. THE CONTRACTOR SHALL PROVIDE FREE SERVICE FOR ALL EQUIPMENT INVOLVED IN HIS CONTRACT DURING THIS GUARANTEE PERIOD.
17. A STACK TEST IS REQUIRED ON ALL WASTE AND VENT PIPING AT THE TIME OF THE ROUGH AND UNDERGROUND INSPECTIONS.

ALL UNDERGROUND & ABOVE GROUND WASTE & VENT PIPING SHALL BE TESTED IN THE PRESENCE OF THE PLUMB'G INSP PER SECT. 890.1930 '14 IPC, & ABOVE/BELOW GRD INSPECT, 8225 N. NEWCASTLE ST. NILES IL

REVISIONS	BY

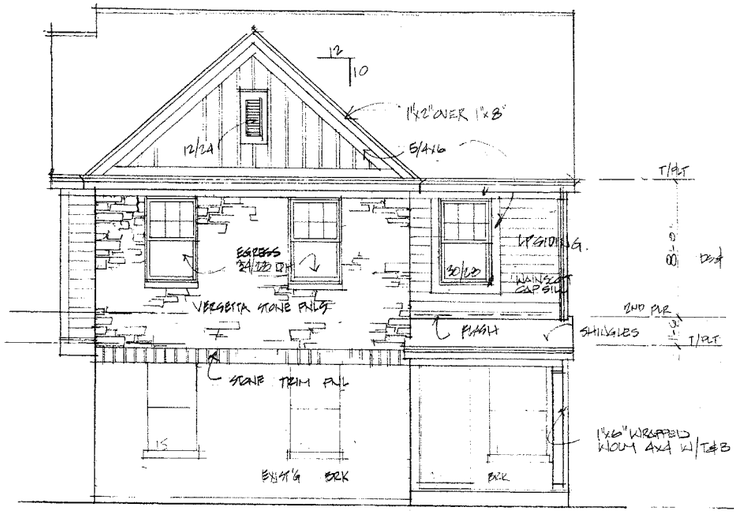
ADDITION FOR THE BURTON RESIDENCE
8225 N. NEWCASTLE ST. NILES, IL.

Jeffery J. Heaney Architect A.I.A.
911 Washington Street • Glenview, IL • (847) 729-4190

STATE OF ILLINOIS JEFFERY J. HEANEY 8309 LICENSED ARCHITECT

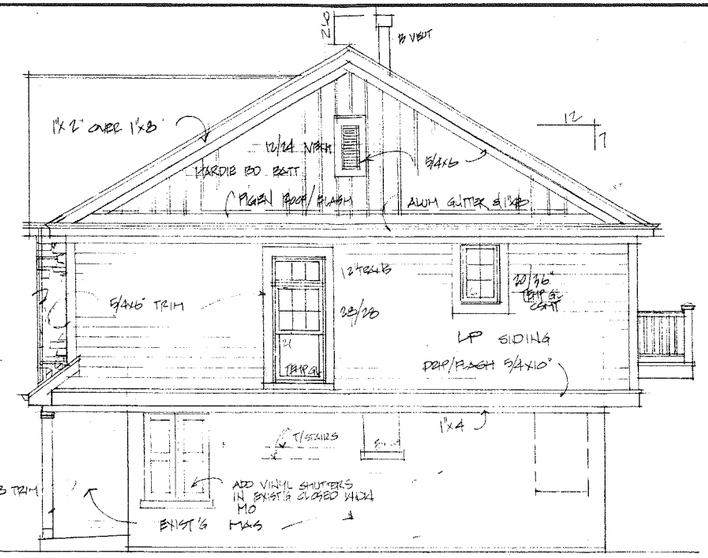
Date 12/12/15
Scale NTD
Drawn JH
Job 15-199
Sheet 2 Of 4 Sheets

24 X 36 CLEARPRINT



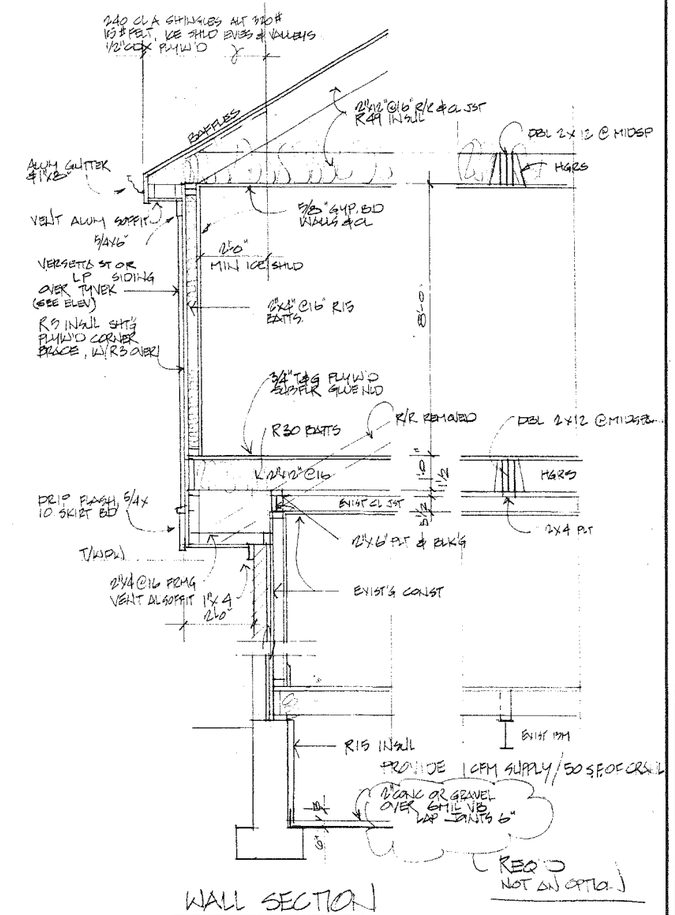
WEST ELEVATION

BRK	1310	351	-78	273
FR	9.5x7 8x7.5	67	14.5	113

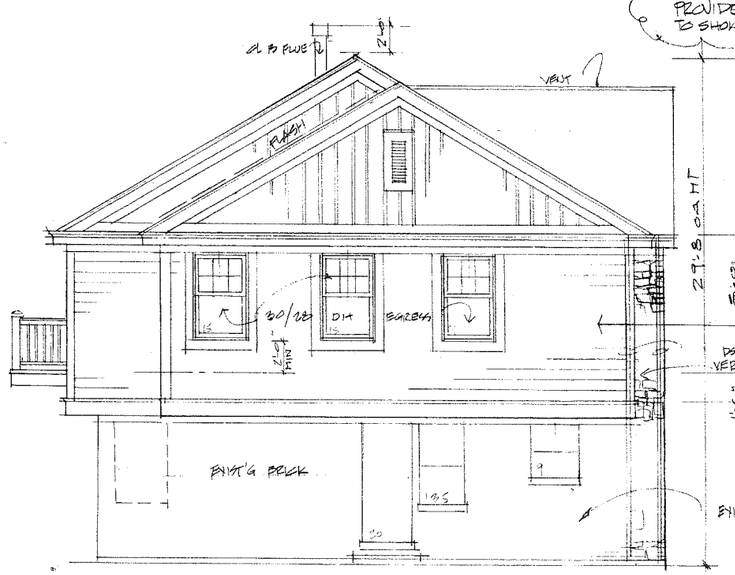


SOUTH ELEVATION

BRK	2410 3x8x8	292	-21.5	270.5
FR	24x10			
GARAGE	180	560	-27	433

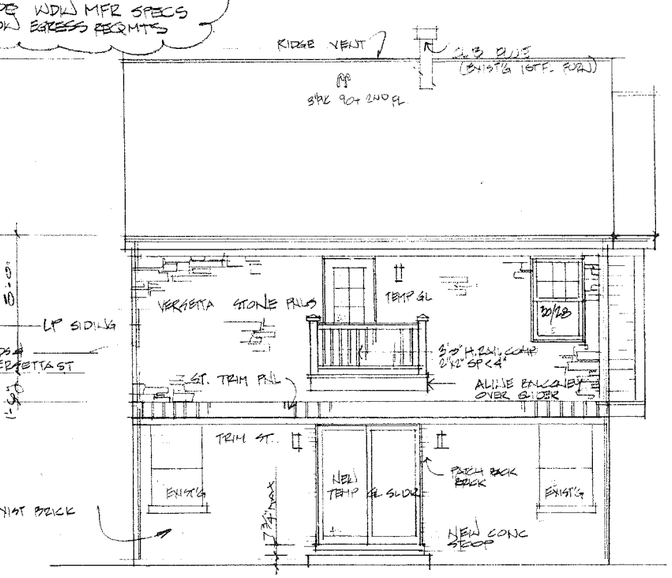


WALL SECTION



NORTH ELEVATION

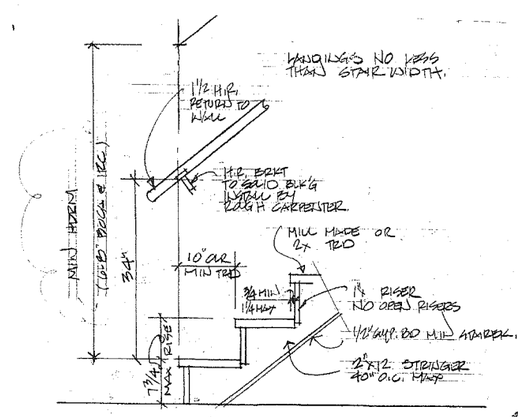
BRK	3-1x8 2410	292	-15	277
FR	24x10 5x7 120	460	15	315



EAST ELEVATION

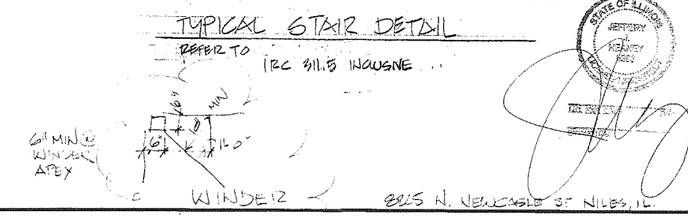
3-	PLWD	729	-70	424

		(- OPENINGS)
OPENINGS		
1664	BRK SURFACE	12.17 SF
1147	FRM SURFACE	8.61 SF



TYPICAL STAIR DETAIL

REFER TO IRC 311.5 INCLUSIVE



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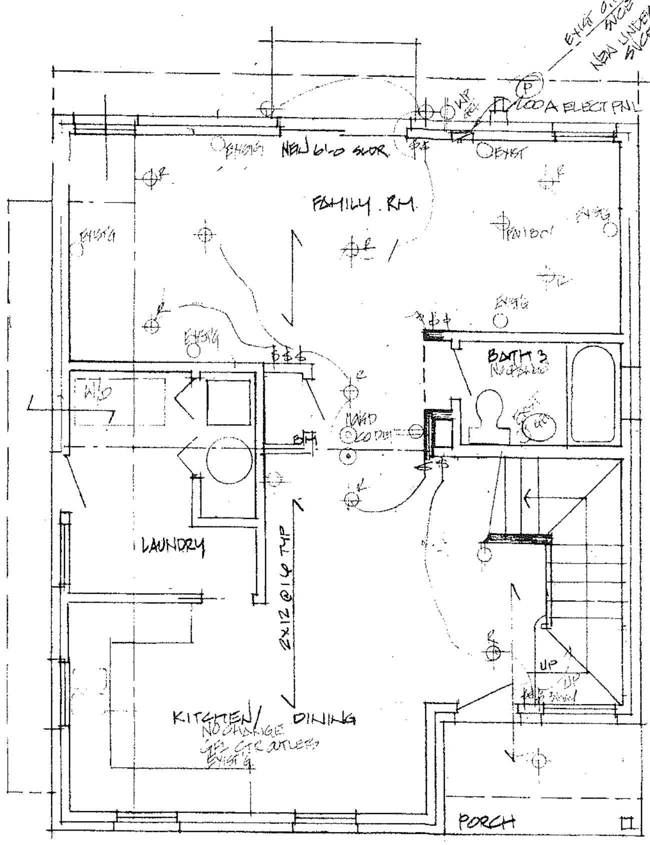
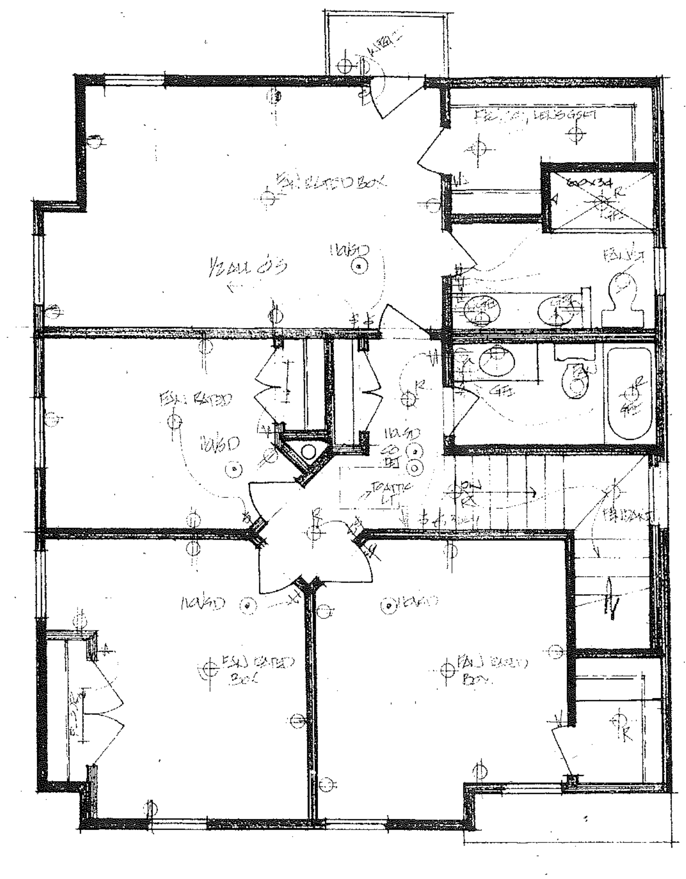
STATE OF ILLINOIS JEFFERY JOHN HEANEY

Date	12/2/15
Scale	NTS
Drawn	JH
Job	15-199
Sheet	3
Of	4 Sheets

24 X 36 CLEARPRINTS



1st FLOOR PLAN NEW CONST
1/4"=1'-0"



NEW 2ND FLOOR PLAN
1/4"=1'-0"

FINAL

ELECTRICAL GENERAL NOTES
(ALL THAT APPLY)

PART 1. GENERAL

1.01 SUMMARY
A. PROVIDE COMPLETE ELECTRICAL AND TELEPHONE SERVICE AS SHOWN ON THE DRAWINGS AS SPECIFIED HEREIN AND AS NEEDED FOR A COMPLETE AND PROPER INSTALLATION.
B. PROVIDE ELECTRICAL WORK IN ACCORDANCE WITH ALL ASPECTS TO THE NATIONAL ELECTRIC CODE 2005 W/ VILLAGE OF NILES AMENDMENTS.
C. PROVIDE ALL PERMITS, LICENSES & CERTIFICATES REQUIRED FOR THE COMPLETE INSTALLATION OF ELECTRICAL WORK.
D. PROVIDE TEMPORARY LIGHT AND POWER FOR THE DURATION OF THE PROJECT ON ALL DAYS WHEN ANY TRADE IS WORKING.
E. THESE DRAWINGS ARE DIAGRAMMATIC ONLY. EXACT LOCATIONS OF ALL EQUIPMENT, DEVICES, CONDUITS, ETC. MUST BE FIELD DETERMINED AND COORDINATED. WHERE THE CONTRACT DOCUMENTS DO NOT AGREE, THE MORE RESTRICTIVE AND COSTLY APPROACH SHALL BE USED AND IDENTIFIED IN THE BID PROPOSAL.
F. PRIOR TO SUBMITTING A BID FOR THIS WORK, THE ELECTRICAL CONTRACTOR SHALL VISIT THE SITE TO INSPECT THE NATURE & EXTENT OF THE EXISTING CONDITIONS & EQUIPMENTS, AND DETERMINE HOW THEY WILL AFFECT ELECTRICAL WORK.

1.02 QUALITY ASSURANCE
A. USE ADEQUATE NUMBER OF SKILLED WORKMEN WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND THE METHODS NEEDED FOR PROPER PERFORMANCE OF THE WORK OF THIS SECTION.

PART 2. PRODUCTS

2.01 GENERAL
A. USE ONLY NEW MATERIALS OF THE TYPE AND QUALITY SPECIFIED. WHERE UNDERWRITER'S LABORATORIES, INC. HAVE ESTABLISHED STANDARDS FOR SUCH MATERIALS, USE ONLY MATERIALS BEARING THE UL LABEL.
B. TEMPORARY POWER: IN ADDITION TO PROVIDING TEMPORARY POWER AS DESCRIBED IN SECTION 01500 OF THESE SPECIFICATIONS PROVIDE AND PAY THE COSTS FOR INSTALLING PERMANENT ELECTRICAL METER AS REQUIRED. WHEN PERMANENT METERING IS IN PLACE AND CONNECTED THE OWNER WILL PAY THE COSTS FOR THE ELECTRICAL POWER CHARGED AGAINST THE METER.

2.02 WIRING
A. NONMETALLIC SHEATHED CABLE, SIZE 14 THROUGH 4 AWG; COPPER CONDUCTOR, 600 VOLT INSULATION, RATED 60 DEGREE C. TYPE NM.
B. UNDERGROUND FEEDER AND BRANCH CIRCUIT CABLE, COPPER CONDUCTOR, 600 VOLT INSULATION, RATED 60 DEGREE C, TYPE UF.
C. SERVICE ENTRANCE CABLE ; COPPER CONDUCTOR, 600 VOLT INSULATION. TYPE SE.
D. ALL POWER AND LOW VOLTAGE SHALL BE IN CONDUIT.
E. ALL UNUSED OR ABANDONED CONDUIT AND WIRING SHALL BE DISCONNECTED AND MADE SAFE BY THE ELECTRICIAN FOR REMOVAL FROM BUILDING.
F. ALL WIRING SHALL BE CONCEALED & RUN IN WALLS OR ABOVE CEILINGS. WIREMOLDING AND EXPOSED CONDUIT IS NOT PERMITTED.
G. ELECTRICAL CONTRACTOR SHALL SEAL ALL ELECTRICAL PENETRATIONS THROUGH FIRE RATED PARTITIONS AND FIRE RATED MATERIAL INSTALLED PER MANUFACTURERS GUIDELINES AND UL REQUIREMENTS. MATERIAL SELECTION SHALL BE BASED ON RATING OF PARTITION PENETRATED.
H. PROVIDE INSULATED GROUNDING CONDUCTOR IN ALL CONDUITS.
I. ALL EMPTY CONDUITS SHALL BE PROVIDED WITH PULL LINE.
J. ALL LV FOR DOORBELLS AND HVAC SHALL BE IN CONDUITS.
K. ALL CEILING BOXES TO BE FAN RATED.

2.03 TELEPHONE
A. POWER SERVICE ENTRANCE EQUIPMENT, OUTLET, TERMINAL BOARDS AND OTHER ITEMS SHOWN ON THE DRAWING OR REQUIRED FOR A COMPLETE, APPROVED AND OPERATING TELEPHONE SERVICE EXCEPT FOR SUCH ITEMS AS ARE PROVIDED BY THE SERVING TELEPHONE COMPANY.

2.04 CABLE TELEVISION
A. PROVIDE SERVICE ENTRANCE EQUIPMENT, OUTLET, TERMINAL BOARDS AND OTHER ITEMS SHOWN ON THE DRAWING OR REQUIRED FOR A COMPLETE, APPROVED AND OPERATING TELEPHONE SERVICE EXCEPT FOR THE TELEVISION UNITS AND SUCH ITEMS AS ARE PROVIDED BY THE SERVING TELEVISION COMPANY.

2.05 PANELBOARDS
A. MANUFACTURERS
1. WESTINGHOUSE PRODUCT ______
2. SQUARE "D" PRODUCT ______
3. G.E. PRODUCT ______
B. MAIN DISTRIBUTION PANELS: NEMA PB 1: CIRCUIT BREAKER TYPE.
1. PROVIDE SURFACE CABINET FRONT WITH SCREW COVER AND HINGED DOOR.
2. BUS: COPPER
3. GROUND BUS: COPPER
4. VOLTAGE: 120 / 208

2.06 WIRING DEVICES AND WALL PLATES
A. MANUFACTURERS
1. LEVATION PRODUCT ______
2. WESTINGHOUSE PRODUCT ______
3. G.E. PRODUCT ______
B. WALL SWITCH : AC GENERAL USE, QUIET OPERATING SNAP SWITCH RATED 20 AMPS AND 120-277 VOLTS AC COLOR AND HANDLE TYPE AS SELECTED BY THE OWNER
1. LOCATOR TYPE: LIGHTED HANDLE TYPE.
C. RECEPTACLE:
1. PROVIDE STRAIGHT BLADE RECEPTACLES TO NEMA WD 1
2. CONVENIENCE RECEPTACLES CONFIGURATION: TYPE 5-20 R, PLASTIC FACE, COLOR SELECTED BY OWNER.
3. ALL RECEPTACLES SHALL BE GROUNDED AS REQUIRED BY ARTICLE 250-146.
D. SPECIFIC PURPOSE RECEPTACLES: CONFIGURATION AS RATED ON THE DRAWINGS, BLACK FACE
E. WALL DIMMER; LINEAR SLIDE/ ROTARY DIAL TYPE, COLOR SELECTED BY OWNER
1. RATING: 600 WATTS MINIMUM, SIZE TO ACCOMMODATE THE CIRCUIT SHOWN ON THE DRAWINGS.
F. INTERVAL TIMER, ROTARY DIAL SPRING WOUND INTERVAL TIMER WITH ADJUSTABLE SETTING FROM 0 TO 15 MINUTES AND SPST CONTRACTS RATED AT 20 AMPS TO 240 VOLTS.
G. WATERPROOF COVER PLATE ; GASKETED CAST METAL WITH HINGED GASKETED DEVICE COVER
H. ALL BRANCH CIRCUITS THAT SUPPLY 125 VOLTS, SINGLE PHASE, 15 AND 20 AMPERE OUTLETS INSTALLED IN DWELLING UNIT BEDROOMS SHALL BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER LISTED TO PROVIDE PROTECTION OF THE ENTIRE BRANCH CIRCUIT.
H. LIGHT FIXTURES
1. REFER TO LIGHTING PLAN (SHEET E 1) FOR LOCATION OF ALL LIGHTING FIXTURES. VERIFY EXACT MOUNTING HEIGHTS AND FINISHES WITH ARCHITECT PRIOR TO ROUGH-IN.
2. HANGING LIGHT FIXTURES IS TO BE DONE IN ACCORDANCE WITH THE NEC.
3. ALL OUTSIDE LIGHTS SHALL BE U.L. APPROVED FOR WET OR DAMP LOCATIONS AS REQUIRED BY SECTION 410-4
I. MISCELLANEOUS
1. CARBON MONOXIDE ALARMS SHALL BE EQUIPPED WITH 110V BATTERY BACKUP IN AN OPERATING CONDITION.
2. SMOKE DETECTORS ARE TO BE LINE VOLTAGE AND WIRED TOGETHER.

PART 3 EXECUTION

3.01 SURFACE CONDITION
A. EXAMINE THE AREAS AND CONDITIONS UNDER WHICH WORK OF THIS SECTION WILL BE PERFORMED CORRECT CONDITION DETRIMENTAL TO TIMELY AND PROPER COMPLETION OF THE WORK. DO NOT PROCEED UNTIL UNSATISFACTORY CONDITIONS ARE CORRECTED.

3.02 PREPARATION
A. MAKE ARRANGEMENTS WITH THE SERVING UTILITY COMPANY TO OBTAIN PERMANENT ELECTRIC SERVICE TO THE PROJECT.
B. VERIFY THAT INTERIOR OF THE BUILDING HAS BEEN PHYSICALLY PROTECTED FROM THE WEATHER.
C. COORDINATE AS NECESSARY WITH THE OTHER TRADES TO ASSURE PROPER AND ADEQUATE PROVISION IN THE WORK OF THOSE TRADES FOR INTERFACE WITH THE WORK OF THIS SECTION. COORDINATE THE INSTALLATION OF ELECTRICAL ITEMS WITH THE SCHEDULE FOR WORK OF THE OTHER TRADES TO PREVENT UNNECESSARY DELAY IN THE TOTAL WORK.
D. WHERE LIGHTING FIXTURES AND OTHER ELECTRICAL ITEMS ARE SHOWN IN CONFLICT WITH LOCATIONS OF STRUCTURAL MEMBERS AND MECHANICAL OR OTHER EQUIPMENT PROVIDE REQUIRED SUPPORTS AND WIRING TO CLEAR THE ENCROACHMENT.
E. WHERE OUTLETS ARE NOT SPECIFICALLY SHOWN ON THE DRAWING LOCATION AS DETERMINED IN THE FIELD BY THE OWNER.

3.04 INSTALLATION
A. INSTALL UTILITY SERVICES IN ACCORDANCE WITH UTILITY COMPANY INSTRUCTIONS.
B. INSTALL EQUIPMENT IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.
C. PROVIDE GROUNDING AND BONDING TO NEPA70.
D. USE WIRE SMALLER THAN 12 AWG FOR POWER AND LIGHTING CIRCUITS AND NO SMALLER THAN 12AWG FOR CONTROL WIRING.
E. NEATLY TRAIN AND SECURE WIRING INSIDE BOXES, EQUIPMENT AND PANELBOARDS.
F. SUPPORT CABLES ABOVE ACCESSIBLE CEILINGS TO PREVENT THEM FROM RESTING ON CEILING TILES.
G. MAKE SPLICES, TAPS, AND TERMINATIONS TO CARRY FULL AMPACITY OF CONDUCTORS WITHOUT PERCEPTIBLE TEMPERATURE RISE.
H. TERMINATE SPARE CONDUCTORS WITH ELECTRICAL TAPE.
I. INSTALL WIRING DEVICES IN ACCORDANCE WITH ELECTRICAL TAPE.
1. INSTALL WALL SWITCHES AT 48" ABOVE FIN. FL.
2. INSTALL CONVENIENCE RECEPTACLES 18" ABOVE FIN. FL. OFF POSITION DOWN.
J. INSTALL WALL PLATES FLUSH AND LEVEL.

3.05 INSTALLATION OF LIGHTING FIXTURES
A. INSTALL LIGHTING FIXTURES COMPLETE AND READY FOR SERVICE IN ACCORDANCE WITH THE LIGHTING FIXTURE SCHEDULE AND AS SHOWN ON THE DRAWINGS.
B. INSTALL LIGHTING FIXTURES SO THAT THE WEIGHT OF THE FIXTURE IS SUPPORTED EITHER DIRECTLY OR INDIRECTLY BY A SOUND STRUCTURE MEMBER.

3.06 FIELD QUALITY CONTROL
A. PERFORM FIELD TESTING AND INSPECTION AS REQUIRED BY LOCAL GOVERNING AUTHORITY.
B. PERFORM CONTINUITY TEST ON ALL POWER AND EQUIPMENT BRANCH CIRCUIT CONDUCTORS ; VERIFY POPPER PHASING CONNECTIONS.

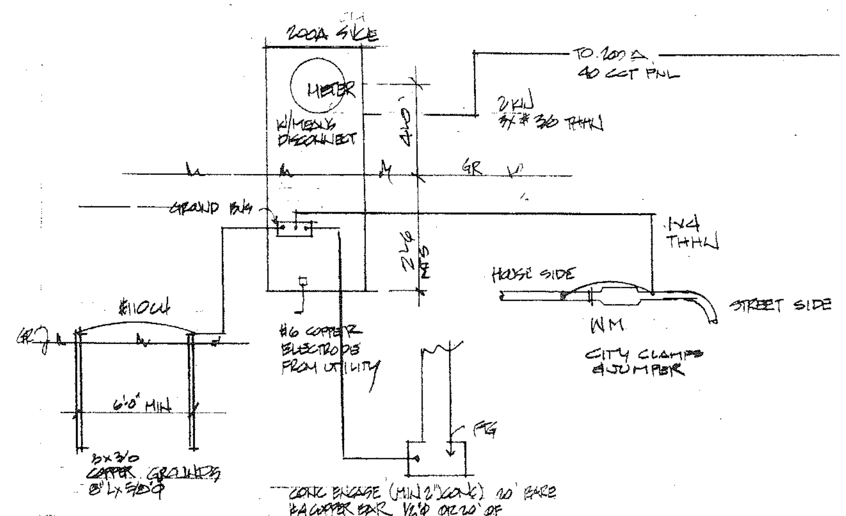
PANEL SCHEDULE: NEW PANEL P

SQUARE D NQOD — SURFACE MOUNTED
240/120 VOLT, 1 PHASE, 3 WIRE — 22,000 A/C MIN.
200A MB

CKT NO.	WIRE SIZE	LOAD DESCRIPTION	LOAD AMPS	BREAKER P	BREAKER AMP	BREAKER P	BREAKER AMP	LOAD AMPS	LOAD DESCRIPTION	WIRE SIZE	CKT NO.
1	8	CONDENSER (CO-1)	26.4	1	60	1	20	-	SD & CO SENSOR	12	2
3	8	MICROWAVE OVEN	15.0	2	20	1	20	12.0	FURNACE 1	12	4
5	12	GARBAGE DISPOSAL	-	1	20	2	20	-	DRYER	10	6
7	12	RECPT-KITCHEN	-	1	20	1	20	-	RECPT-2ND FLOOR	12	8
9	12	RECPT-KITCHEN	-	1	20	1	20	-	RECPT-2ND FLOOR	12	10
11	12	DISHWASHER	-	1	20	1	20	-	RECPT-2ND FLOOR	12	12
13	12	REFRIGERATOR	-	1	20	1	20	-	RECPT-2ND FLOOR	12	14
15	12	KITCHEN HOOD	-	1	20	1	20	-	RECPT-2ND FLOOR	12	16
17	12	RECPT-1ST FLOOR	-	1	20	1	20	-	RECPT-2ND FLOOR	12	18
19	12	RECPT-1ST FLOOR	-	1	20	1	20	-	LITE-2ND FLOOR	12	20
21	12	RECPT-1ST FLOOR	-	1	20	1	20	-	LITE-2ND FLOOR	12	22
23	12	RECPT-1ST FLOOR	-	1	20	1	20	-	LITE-2ND FLOOR	12	24
25	12	RECPT-1ST FLOOR	-	1	20	1	20	-	LITE-2ND FLOOR	12	26
27	12	RECPT-1ST FLOOR	-	1	20	1	20	12.0	FURNACE 2	-	28
29	12	LITE-1ST FLOOR	-	1	20	1	20	-	SPARE	-	30
31	12	LITE-1ST FLOOR	-	1	20	1	20	-	SPARE	-	32
33	12	LITE-1ST FLOOR	-	1	20	1	20	-	SPARE	-	34
35	12	LITE-1ST FLOOR	-	1	20	1	20	-	SPARE	-	36
37	-	CONDENSER(CO-2	26.4	1	60	1	20	-	SPARE	-	38
39	-	SPARE	-	1	20	1	20	-	SPARE	-	40
41	-	SPARE	-	1	20	1	20	-	SPARE	-	42

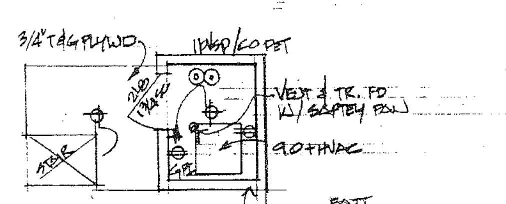
NOTES
- 110V SD/CO DET ALL LEVELS ≤ 15' FROM ALL BR'S
- 110V SD ALL BRS, ALL DETECTORS WIRED IN SERIES
- ALL OUTLETS ARC-FAULT PROTECTED EXCEPT GFI
- OUTLETS MAX 12'-0" O.C., ≤ 6'-0" FROM OPEN'GS, WALLS ≥ 2'-0"
- 20 A. CCT ALL KITCHEN OUTLETS & BATH OUTLETS - EA. BATH
- ALL REC. LTS UNDER UNCOND. SPACE TO BE IC TYPE W/ LEAK GASKT
- 75% OF ALL LAMPS IN FIXTURES TO BE HIGH EFF.
- PROVIDE DISTRIBUTION OF LTS, Ø'S, MECH EQ ON PNL DR.
- OUTLETS LOCATED OVER TUBS/SHRS TO BE RATED FOR WET LOCATIONS.
- NO SD'S LOCATED W/I 36" OF HT REG OR FAN BLADES

MTR TO HAVE A DISCONNECT
OH EXIST SVCE
PNL LOC SHOWN BSMT/FDN PLAN SHT 1
PNL MUST HAVE 10% SPARE BRK WHEN COMPLETE



CALL FOR PRE INSP.

UNDERGROUND ELECTRICAL SVCE REQ'D



ATTIC FURNACE RM

OUTSIDE COMB. AIR 1 SF/4,000 BTU OF TTL HTG EQ
(2) DUCTS 1' FRM FL. & 1' FRM CLG VTR

ATTIC FURNACE ENCL, FAN & FLOAT SWITCH W/ UNOBSTRUCTED & FLOOR [illegible] ACCESS TO FURN RM.

ELECTRICAL REVIEW NOTES

1. Electrical service must be underground.
2. Meter must have a disconnect.
3. Three way switches required top and bottom of staircase.
4. Seperate 20 Amp. circuit required for each bathroom or powder room.
5. Disconnect required at furnace.
6. Sheath cables is not permitted.
7. U/G cable is not permitted.
8. All electrical not being reused must be removed in its entirety.
9. Show location of AC units and disconnects.
10. The 2005 Edition of the National Electrical Code, with local amendments, shall be in effect.
11. All equipment shall be U.L. approved or any other nationally recognized testing company.
12. All receptacles shall be grounded as required by Article 250-146.
13. All outside lights shall be U.L. approved for wet or damp locations as required by Section 410-4.
14. Submit panel legend.
15. Panel must have 10% spare breakers when project complete.
16. Panel must have a main breaker.
17. Smoke detectors shall be installed in each sleeping room, outside of each sleeping area in the immediate vicinity of the bedrooms, and on all each additional story of the building. All smoke detectors are to be line voltage and wired together.
18. Every dwelling unit shall be equipped with at least one approved 110v with battery backup carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes.
19. All branch circuits that supply 125 volts, single phase, 15 and 20 ampere outlets installed in dwelling unit bedrooms shall be protected by an arc-fault circuit interrupter listed to provide protection of the entire branch circuit.
20. Surface mounted closet lights shall not be located within 30" from any walls. Surface mounted florescent is permitted on the inside wall above the closet opening.
21. All ceiling boxes to be fan rated.
22. Electrician must be on site for all inspections.
23. Must meet with homeowner to see if qualified.

STATE OF ILLINOIS — JEFFERY J. HEANEY — LICENSED ARCHITECT

MAY 847-494-5035
8225 N. NEWCASTLE ST. NILES IL

REVISIONS	BY

ADDITION FOR
THE BURTON RESIDENCE
8225 N. NEWCASTLE ST. NILES, IL

Jeffery J. Heaney Architect A.I.A.
911 Washington Street • Glenview, IL • (847) 729-4190

Date 12/12/15
Scale NTD
Drawn JH
Job 15-149
Sheet 1
Of 4 Sheets

24 X 36 CLEARPRINT

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Approving a Special Use to Allow a Tavern and Cocktail Lounge Specifically Identified as a Micro-Brewery and Beer Tasting Room Located at 9082 W. Golf Road (16-ZP-19)

Meeting Date	6/28/2016	Item Number	**8**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Backup Material	Staff Report
	Minutes	Minutes

MOTION

I move for Board approval of an Ordinance approving a special use as required in Appendix B, Section VIII(B)(3)(mm) to allow a tavern and cocktail lounge specifically identified as a micro-brewery and beer tasting room located at 9082 W. Golf Road.

REASON FOR REQUEST / BACKGROUND

The Plan Commission voted 7-0 to recommend approval at their public hearing on June 6, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

APPROVING A SPECIAL USE AS REQUIRED IN APPENDIX B, SECTION VIII(B)(3)(mm) TO ALLOW A TAVERN AND COCKTAIL LOUNGE LOCATED AT 9082 W. GOLF RD., NILES, ILLINOIS

WHEREAS, the question of granting a special use to 9082 W. Golf Rd., included in this ordinance, was referred to the Plan Commission and Zoning Board of Appeals for a public hearing;

WHEREAS, a public hearing was held on June 6, 2016, after proper notice in a manner provided by law;

WHEREAS, the Plan Commission and Zoning Board of Appeals has made an report, containing findings of fact and recommending the granting of the special use to allow a tavern and cocktail lounge located at 9082 W. Golf Rd., Niles, IL 60714; and

WHEREAS, the corporate authorities of the Village of Niles, Cook County, Illinois have duly considered said Plan Commission Recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as a Home Rule Municipality, as follows:

SECTION 1: The materials and exhibits attached to this ordinance are incorporated by reference and made a part of this ordinance.

SECTION 2: A Special Use as required in Appendix B, Section VIII(B)(3)(mm) to allow a tavern and cocktail lounge specifically identified as a micro-brewery and beer tasting room located at 9082 W. Golf Rd., Niles, IL 60714, is approved.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

AGENDA NUMBER:	3
REPORT NUMBER:	PC-16-21
CASE NUMBER:	16-ZP-19
TYPE:	SPECIAL USE

Plan Commission and Zoning Board of Appeals Staff Report June 6, 2016

Item for Plan Commission Consideration: Consideration of a proposed Special Use Permit to allow a micro-brewery and beer tasting room at 9082 Golf Road.

I. Background and Zoning

Mr. Gerald Nelson is proposing to open and operate a micro-brewery and beer tasting room called 'Une Annee Brewery' in the currently vacant tenant space within the Golf Glen Shopping Center at 9082 Golf Road. The property is zoned R-1—PUD but has always been regulated according to the rules provided in the 'B-1' Business-District. Community Development Department staff have interpreted this proposed use to be most similar to a 'tavern and cocktail lounge' as provided in the Village's zoning ordinance in Appendix B, Section VIII(B)(3)(mm), and as such—a special use permit is required.

The proposed micro-brewery will occupy approximately 2,400 square feet and provide 49 seats. Parking will be provided in the parking lot in front of the shopping center and shared with other businesses within the Golf-Glen Shopping Center.

Please see the attached materials provided by the applicant for more information about the proposed business.

A. Critical Issues

Compliance with the Village's 2030 Comprehensive Plan

The Plan Commission is encouraged to determine if the requested special use permit will advance the goals of the 2030 Comprehensive Plan.

Adjacent Land-Uses

The area is commercial and the proposed use—a micro-brewery and tasting room—is consistent with retail, service, and other restaurant uses in the vicinity.

Comments from other Village Departments

Fire and Fire Inspections:	Maximum occupancy of the space is 69 persons.
Police Department:	I.D. checks are required to verify age of patrons.
Engineering Department:	No Concerns.

Parking
The Golf-Glen shopping center center contains 210,069 square feet of area and provides 1,249 parking spaces, which equals over 5 parking stalls for every 1,000 square feet of area for the shopping center. This amount of shared parking is sufficient for the types of businesses that are located within this shopping center, including the proposed micro-brewery and tasting-room.

Requirements for a Special Use Permit and Findings of Fact
Section XI (H)(4) of the Niles zoning code provides 3 specific standards that must be satisfied in order for the Village to approve a special use permit. The Plan Commission is encouraged to consider these standards as it discusses this request:

- Is the special use necessary for the public convenience at the proposed location?
- Is the special use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?
- Will the special use cause substantial injury to the value of other property in the neighborhood in which it is proposed to be located?

Please see the attachments for the applicant's explanation for how his proposal meets the requirements above.

B. Suggested 'Conditions of Approval' for this requested special use permit:
- Rear doors may only be used for emergency access and employees.

C. Legal:
Notification: A legal notice was provided in the Bugle on May 19, 2016. Notices to all owners of property within 250 feet were mailed on May 18, 2016.

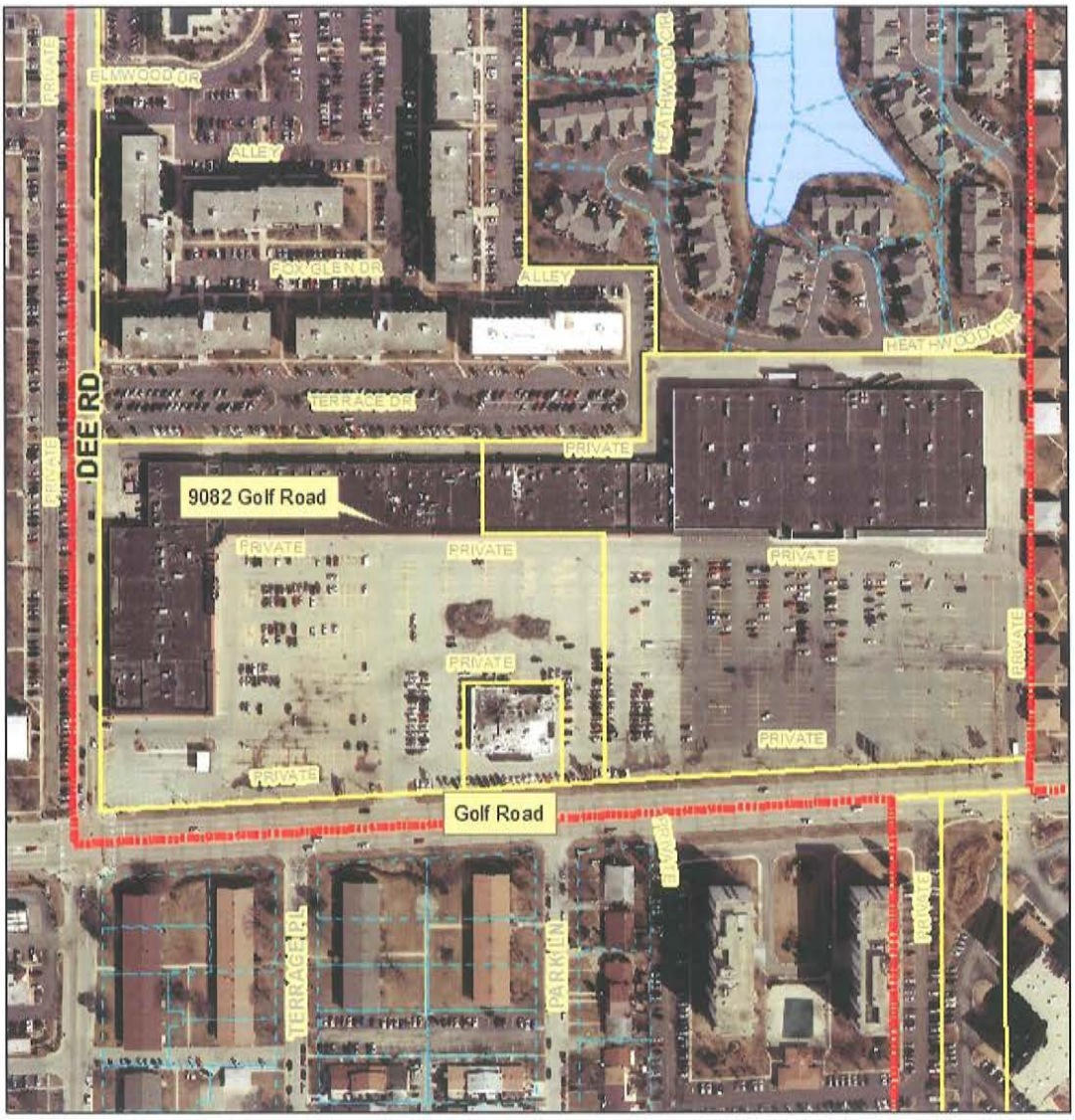
D. Other Actions:
For special use permits, the Plan Commission is a recommending body to the Village Board. The Village Board is tentatively scheduled to consider this request at its June 26, 2016 meeting.

II. Attachments and References

1. Location Map; and
2. Information from the applicant, including Project Description and Floor Plan.

III. Principal Parties Expected at Meeting:

1. Mr. Gerald Nelson, applicant; and
2. Interested members of the public.



Request for a Special Use Permit For a Micro-Brewery-Tasting Room 9082 Golf Road June, 2016

THE VILLAGE OF NILES
It's possible here

N

04.17.16

Project description -

The proposed project is a microbrewery and taproom to be located at 9082 Golf Rd. Une Année Brewery LLC is a small Belgian focused brewery operating in Chicago for 2.5 years currently. We would like to move our small operation to this 2500 sqft location and have the opportunity to sell a portion of our products directly to our customers during after-production hours. Because we will not operate as a brewpub, we will not be selling anything but the beers we make in our space in terms of liquor; we will be selling these in 750ml bottles (25.4oz) and sample pours from 8-16 oz each. For people who do come to purchase our products and stay for samples, we will let them bring in food from our neighboring businesses. The only other items we plan on selling are nonalcoholic sodas and branded merchandise.

The production portion of our operation is generally 9:00 am to 5:00 pm M-F., and the open to the public taproom hours will be from 5:00 pm to 10:00 pm Thursday and Friday and extended hours on Saturday and Sunday of 2:00 pm to 10:00 pm. We do only expect to keep Thursday through Saturday hours at the start before we have fully staffed.

At our maximum we are proposing to have six employees; two employees will be for production and four will be for the taproom. The taproom portion of the space is approximately 780 square feet of patron space with 49 seats and a maximum of 20 more standing. We do not have a parking space guarantee in our lease, but the shopping center includes a large number. Being that this will be a small taproom, and that our operating hours are after a number of the businesses close, we do now feel there will be much of a conflict.

We have spoken to the liquor control commissioner about this project and have already submitted the required paperwork.

Thanks for your consideration.

Gerald Nelson

Managing Member

Is the special use necessary for the public convenience at the proposed location?

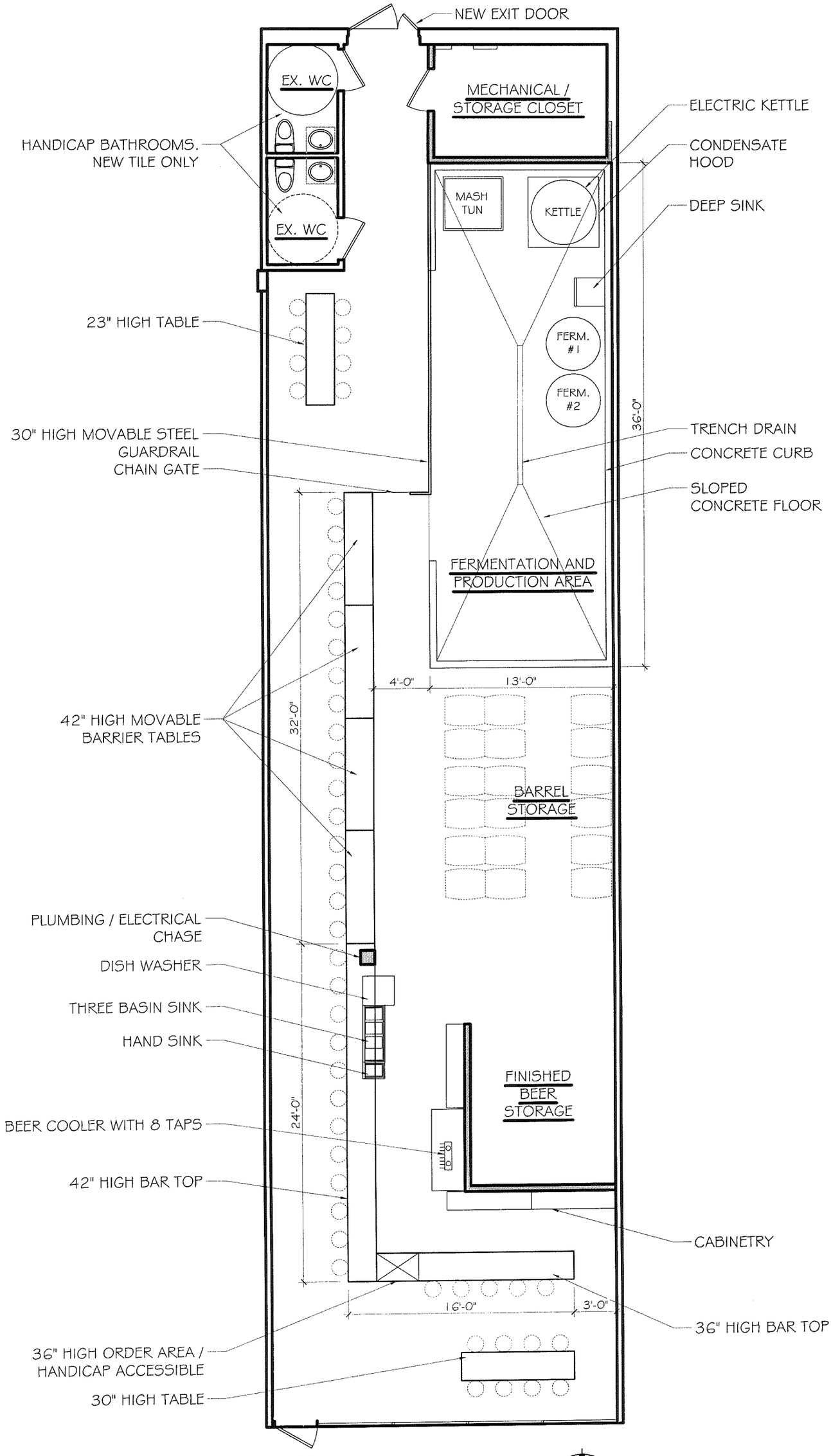
Yes, public convenience would be improved. The Village of Niles currently has no microbreweries and no dedicated craft beer bars. The patrons that come to purchase beer from specialty craft beer microbreweries are typically more than average affluence and have a tendency to stop by other establishments while they coming or going from a microbrewery.

Is the special use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?

Because we are a small microbrewery locating in a large shopping center we feel we will have very little impact on the health safety and welfare of the Village of Niles. We will also not be operating with extended (typical bar) hours. Our only goal is to sell a small portion of our products directly to consumers.

Will the special use cause substantial injury to the value of other property in the neighborhood in which it is proposed to be located?

There are no other substantially equivalent businesses that a microbrewery would harm by taking patrons away from within the Village of Niles. We expect that the local surrounding restaurants will get a boost in sales because we will let patrons bring outside food in while they sample beers. Other properties including residential and other non-restaurant businesses will probably not see any impact at all.



SK

BREWERY PLAN

SCALE: 1/8" = 1'-0"

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Approving a Special Use to Allow a Pool Hall Located at 9090 W. Golf Road (16-ZP-23)

Meeting Date	6/28/2016	Item Number	**9**
Requested by	Charles Ostman, Director of Community Development	Action Requested	ORDINANCE
Prepared by	Bruce Sylvester, Senior Planner	Assigned to:	Trustee McCreery

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance
	Backup Material	Staff Report
	Minutes	Minutes

MOTION

I move for Board approval of an Ordinance approving a special use as required in Appendix B, Section VIII(B)(3)(x) to allow a pool hall located at 9090 W. Golf Road, with the following condition that the rear doors may only be used for emergency access and by employees.

REASON FOR REQUEST / BACKGROUND

The Plan Commission voted 7-0 to recommend approval at their public hearing on June 6, 2016.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

ORDINANCE 2016-

APPROVING A SPECIAL USE AS REQUIRED IN APPENDIX B, SECTION VIII(B)(3)(x) TO ALLOW A POOL HALL BUSINESS LOCATED AT 9090 GOLF RD., NILES, ILLINOIS

WHEREAS, the question of granting a special use to 9090 Golf Rd., included in this ordinance was referred to the Plan Commission and Zoning Board of Appeals to hold a public hearing;

WHEREAS, a public hearing was held on June 6, 2016, after proper notice in a manner provided by law;

WHEREAS, the Plan Commission and Zoning Board of Appeals has made an report, containing findings of fact and recommending the granting of the special use to allow a pool hall business located at 9090 Golf Rd., Niles, IL 60714; and

WHEREAS, the corporate authorities of the Village of Niles, Cook County, Illinois have duly considered said Plan Commission Recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as a Home Rule Municipality, as follows:

SECTION 1: The materials and exhibits attached to this ordinance are incorporated by reference and made a part of this ordinance.

SECTION 2: A Special Use as required in Appendix B, Section VIII(B)(3)(x) to allow a pool hall business located at 9090 Golf Rd., Niles, IL 60714, with the following condition that the rear doors may only be used for emergency access and by employees, is approved.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED: This 28th day of June, 2016
AYES:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

AGENDA NUMBER:	7
REPORT NUMBER:	PC-16-25
CASE NUMBER:	15-ZP-23
TYPE:	SPECIAL USE

Plan Commission and Zoning Board of Appeals Staff Report June 6, 2016

Item for Plan Commission Consideration: Consideration of a proposed Special Use Permit to allow a billiard/pool hall business at 9090 Golf Road.

I. Background and Zoning

Ms. Cha Lin Choi has submitted a request for a special use permit to open a billiard/pool hall in the currently vacant tenant space within the Golf Glen Shopping Center at 9090 Golf Road. The property is zoned R-1—PUD but has always been regulated according to the rules provided in the 'B-1' Business-District. In this zoning district, a pool hall business requires a special use permit per Section VIII, (B)(3)(x) of the zoning code.

Ms. Cha Lin Choi plans to have 14 pool tables and a small concessions area serving coffee and soft drinks—but no food—with 12 tables and seating for 36 patrons. The proposal also includes an internet area with 3 stations. Please see the attached floor plan provided by Ms. Choi. Hours of operation are proposed to be from 9:00 a.m. until 2:00 a.m. Ms. Choi anticipates there will be one employee on site during business hours.

A. Critical Issues

Compliance with the Village's 2030 Comprehensive Plan

The Plan Commission is encouraged to determine if the requested special use permit will advance the goals of the 2030 Comprehensive Plan.

Adjacent Land-Uses

The proposed pool hall is bordered by commercial properties to the east, west, and south. Multi-family residential buildings are located to the north.

Parking

Village of Niles zoning ordinances do not provide parking requirements for pool halls, but do state that 'clubs' require 'parking spaces equal to one-fourth the capacity of the facility in persons'. At 4 persons per table, the capacity of the pool hall will be 56 people, requiring 14 parking spaces. (Some communities that have specific standards for pool halls require 4 stalls per table, which would require 56 stalls for this proposed business.) 36 seats in the concessions area

would require an additional 23 stalls based on zoning ordinance Appendix B, Section X(B)(10)(q), for a total of 37 parking spaces. For comparison purposes, if this tenant space were used for retail purposes, the 3,332 square foot space would require 14 parking spaces.

The Golf-Glen shopping center contains 210,069 square feet of area and provides 1,249 parking spaces, which equals over 5 parking stalls for every 1,000 square feet of area for the shopping center. This amount of shared parking is sufficient for the types of businesses that are located within this shopping center, including the proposed billiard/pool hall. Staff believes that adequate parking is provided for the proposed business.

Site Plan and Landscaping Comments
The proposal is to open a pool hall in an existing space within an existing multi-tenant commercial building. No site and no landscape modifications are proposed.

Comments from other Village Departments

Fire and Fire Inspections:	No Concerns
Police Department:	No comments submitted
Engineering Department:	No Concerns
Fire Inspections:	No Concerns

Findings of Fact
Section XI (H)(4) of the Niles zoning code provides 3 specific standards that must be satisfied in order for the Village to approve a special use permit. The Plan Commission is encouraged to consider these standards as it discusses this request:

- Is the special use necessary for the public convenience at the proposed location?
- Is the special use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?
- Will the special use cause substantial injury to the value of other property in the neighborhood in which it is proposed to be located?

Please see the attachments for the applicant's explanation for how his proposal meets the requirements above.

B. Suggested 'Conditions of Approval' for this requested special use permit:
   - Rear doors may only be used for emergency access and employees.

C. Legal:
   Notification: A legal notice was provided in the Bugle on May 19, 2016. Notices to all owners of property within 250 feet were mailed on May 18, 2016.

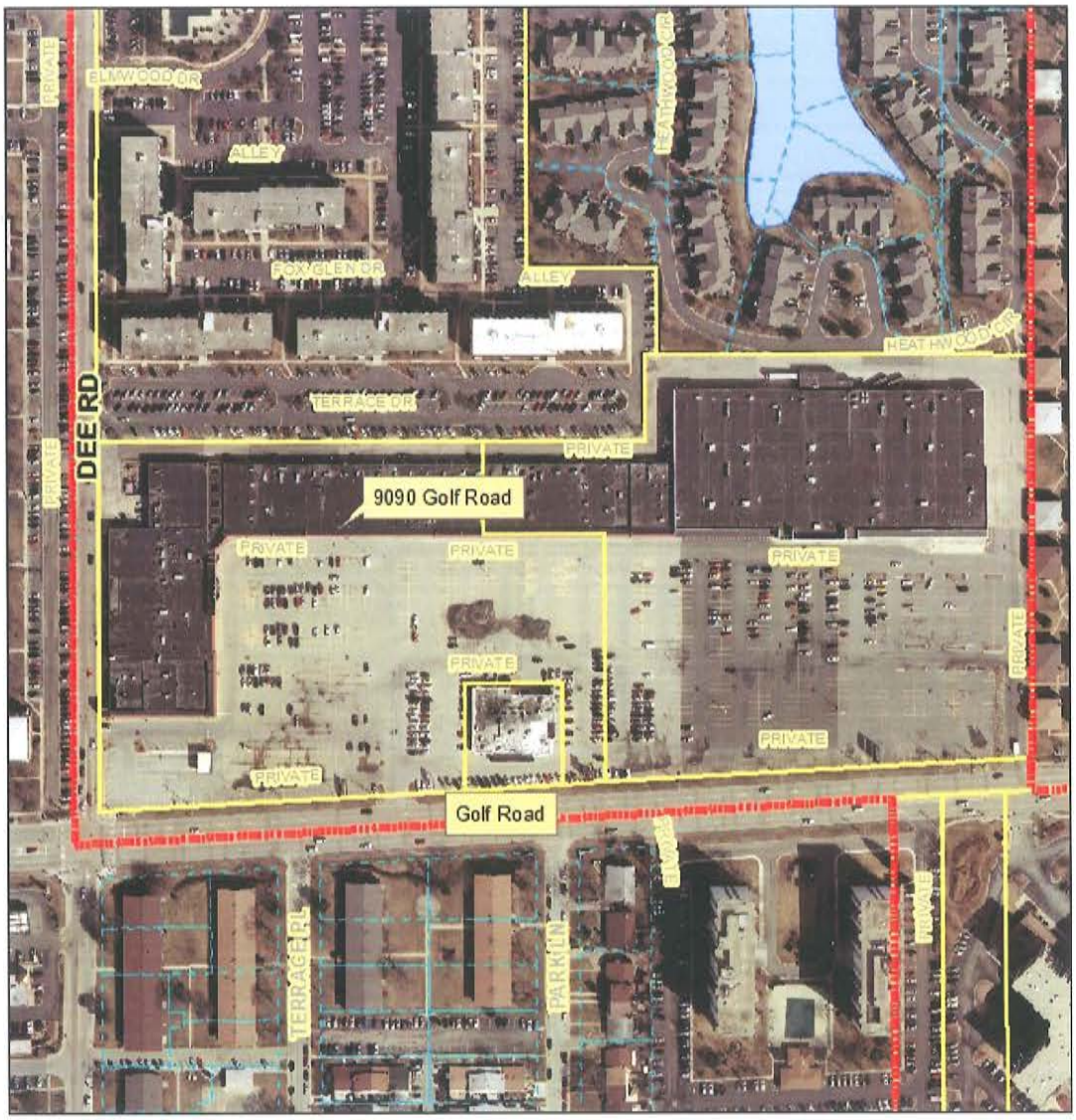
D. Other Actions:
For special use permits, the Plan Commission is a recommending body to the Village Board. The Village Board is tentatively scheduled to consider this request at its June 28, 2016 meeting.

II. Attachments and References

1. Location Map; and
2. Information from the applicant, including Project Description and Floor Plan.

III. Principal Parties Expected at Meeting:

1. Ms. Cha Lin Choi—applicant;
2. Interested members of the public.



Request for a Special Use Permit For a Billiards/Pool Hall 9090 Golf Road June, 2016

THE VILLAGE OF NILES
It's possible here

N

Project description

Business hours 9:00 AM to 2:00 AM

Number of employee 1

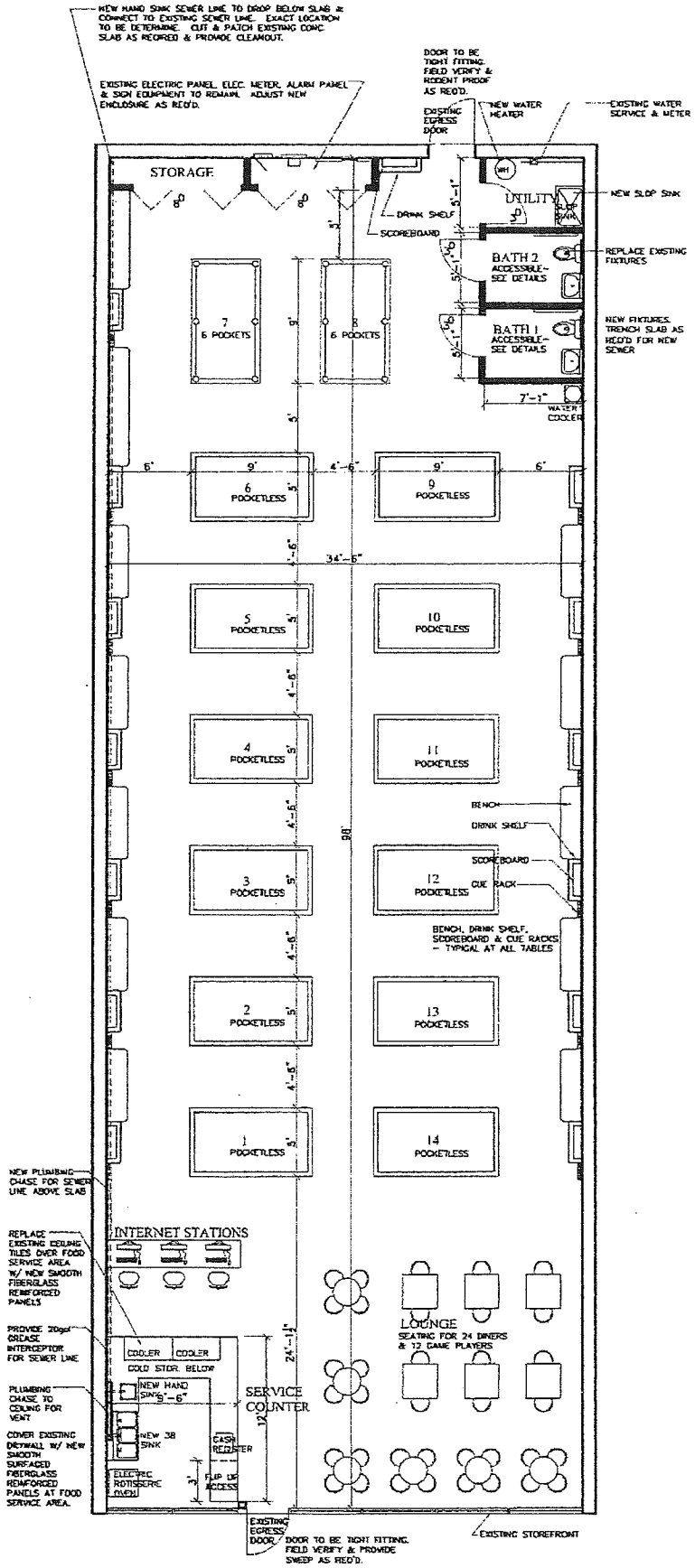
No food

Lounge table 6

Pool tables 11

Tell us about business

Pool hall and coffee and soft drinks



NILES BILLARD 7.21.10 revised

9090 GOLF ROAD - NILES, ILLINOIS 60714

Requirements for receiving a Special Use Permit
From the Village of Niles

As part of application, provide written responses explaining how your requested Special use permit meets ALL of the following requirements, as found in the Village of Niles Code of Ordinances, Appendix B, Section XI(H)(4),

*Is the special use necessary for the public convenience at the proposed location?

Need pool hall and coffee and soft drinks

*Is the special use designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected?

Operated pool hall and café will not disturbing public

*Will the special use cause substantial injury to the value of other property in the neighborhood in which it is proposed to be located?

My business dose not hurt neighbors and will be quite

BOARD AGENDA ITEM EXPLANATION FORM

Ordinance Authorizing a Lease Termination Agreement with Seung Eun Baik, D.D.S., P.C. DBA Optima Dental Care, Tenant for Property Located at 9101 N. Greenwood Avenue

Meeting Date	6/28/2016	Item Number	**10**
Requested by	Steve Vinezeano, Village Manager	Action Requested	ORDINANCE
Prepared by	Charles Ostman, Director of Community Development	Assigned to:	Trustee Alpogianis

ATTACHMENTS:

Type	Description
Ordinance	Ordinance
Agreement	Lease Termination Agreement

MOTION

I move for Board approval of an Ordinance authorizing a lease termination agreement with Seung Eun Baik, D.D.S., P.C. DBA Optima Dental Care, tenant for property located at 9101 N. Greenwood Avenue.

REASON FOR REQUEST / BACKGROUND

This agreement of early termination will significantly reduce operating expenses for the 9101 N. Greenwood Avenue building in allowing the full vacancy of the building by a mutually agreed period.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? No

ORG#	5060	Total Amount for Approval	
ACCT#	3390	Budget Amount	
		Variance	

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Contractual Agreement with Hey and Associates for Engineering Services Related to the Stormwater Master Plan Update

Meeting Date	6/28/2016	Item Number	**11**
Requested by	Mary Anderson, Director of Public Services	Action Requested	RESOLUTION
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee LoVerde

ATTACHMENTS:

Type	Description
Resolution	Resolution
Agreement	Contract

MOTION

I move for Board approval of a Resolution authorizing a contractual agreement with Hey and Associates to provide engineering services for the Stormwater Master Plan update for the Village of Niles in the amount of $80,000, and waive the RFP requirement.

REASON FOR REQUEST / BACKGROUND

The Stormwater Commission met on multiple occasions and agreed that a reprioritization and update to the Stormwater Relief Program is appropriate.

Due to Hey and Associates extensive history analyzing flooding in Niles as well as developing the original Stormwater Relief program, they are uniquely qualified to provide these services. Therefore, staff is requesting a waiver of the Request for Proposals requirement within the Purchasing Policy.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	5060	Total Amount for Approval	$80,000
ACCT#	3320	Budget Amount	$80,000
		Variance	$0

RESOLUTION 2016-

RESOLUTION AUTHORIZING A CONTRACTUAL AGREEMENT WITH HEY AND ASSOCIATES, INC., TO PROVIDE ENGINEERING SERVICES RELATED TO THE STORMWATER MASTER PLAN UPDATE

WHEREAS, Hey and Associates, Inc., will provide the Village with engineering services related to the Stormwater Master Plan update.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby authorize the President or his designee of the Village of Niles to execute a contractual agreement with Hey and Associates, Inc.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Supporting a Class 6b Tax Classification for 7555 N. Caldwell LLC for the Property Located at 7555 N. Caldwell Avenue

Meeting Date	6/28/2016	Item Number	**12**
Requested by	Charles Ostman, Director of Community Development	Action Requested	RESOLUTION
Prepared by	Ross Klicker, Economic Development Coordinator	Assigned to:	Trustee LoVerde

ATTACHMENTS:

Type	Description
Resolution	Resolution
Backup Material	Full Finance Committee Packet
Backup Material	7555 Caldwell Site Map

MOTION

I move for Board approval of a Resolution Supporting a Class 6b Tax Classification for 7555 N. Caldwell LLC for the property located at 7555 N. Caldwell Avenue.

REASON FOR REQUEST / BACKGROUND

7555 N. Caldwell LLC proposes to demise the existing 149,000 square foot single tenant building into two leasable spaces. If the 6b is approved, 7555 N. Caldwell LLC has a lease with a medical manufacturing tenant who will occupy 81,000 square feet of this building. The Finance Committee reviewed this request at their May 18, 2016 meeting and recommended approval.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

RESOLUTION 2016-

RESOLUTION SUPPORTING A CLASS 6b TAX CLASSIFICATION FOR 7555 N. CALDWELL LLC FOR PROPERTY LOCATED AT 7555 N. CALDWELL AVENUE, NILES, ILLINOIS

WHEREAS, 7555 N. Caldwell LLC ("Petitioner"), would like to take advantage of the Cook County 6b Classification Tax Incentive Program to reoccupy and demise the 149,000 square foot building located at 7555 N. Caldwell Ave., Niles, Illinois; and

WHEREAS, the Petitioner's re-occupancy and demise will add value to the real property, resulting in an increased taxable value at full assessment; and

WHEREAS, the Petitioner intends to demise an industrial facility which will provide value to the community; and

WHEREAS, in order to obtain a Class 6b incentive abatement, Petitioner requires a resolution from the Village of Niles approving the property as appropriate for the Class 6b incentive reduction; and

WHEREAS, after staff review and recommendation, the President and Board of Trustees of the Village of Niles have determined that the proposed new facility will enhance employment opportunities and increase economic activity in the area; and

WHEREAS, the Village of Niles has determined that the incentive provided by a Class 6b classification is necessary for development to occur on the property and the President and Board of Trustees of the Village of Niles consent to the Class 6b application to the Cook County Assessor.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, hereby approve the following:

SECTION 1: That the planned reoccupancy and demise of 7555 N. Caldwell Ave., Niles, Illinois, is appropriate for incentive abatement pursuant to Class 6b of the Cook County Real Property Assessment Classification Ordinance as amended.

SECTION 2: That the Village of Niles supports and consents to this Class 6b tax abatement for the parcel and finds the Class 6b necessary for development to occur on the subject property.

SECTION 3: That this Resolution shall be in full force and effect from and after its adoption and passage in the manner provided by law.

SECTION 4: That the Village Clerk is directed to prepare a certified copy of this Resolution and to forward the same to Petitioner.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

THE VILLAGE OF
NILES
It's possible here

MAYOR
Andrew Przybylo

VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

TRUSTEES
George D. Alpogianis
John C. Jekot
Joe LoVerde
Danette O'Donovan Matyas
Denise McCreery
Dean Strzelecki

Memorandum

To: Finance Committee

From: Ross Klicker, Economic Development Coordinator

Date: 5/6/16

Re: 7555 N. Caldwell – 7555 N. Caldwell LLC 6b Tax Incentive Request

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We have reviewed the 6b Tax Incentive request from 7555 N. Caldwell LLC for the property located at 7555 N. Caldwell. Based upon this review we can state the following claims from the applicant submittals:

- 7555 N. Caldwell currently is a 149,000 + single tenant building that has been vacant since December 1, 2014. 7555 N. Caldwell LLC proposed demising this building to accommodate two tenant spaces. Once space would be approximately 81,000 square feet and the other would be approximately 68,000 square feet.

- 7555 N. Caldwell will spend approximately $350,000 to demise the current building into two leasable tenant spaces. This does not include the amount of investment that will be made by tenants to occupy the individual units.

- 7555 N. Caldwell has a proposed tenant for the approximately 81,000 square foot space. Summit Industries is a medical manufacturing business that makes radiographic systems for the medical, chiropractic and veterinary market segments. Summit Industries would bring 74 employees to this facility and have indicated that they will be adding to this number with the anticipated growth generated from this new facility.

- Summit has indicated that for their lease to go forward the property owner must obtain a 6b Tax Incentive from Cook County.

- The property currently has a full vacancy assessment from the Cook County Assessor that has lowered their 2015 assessment to 458,298 from 1,176,498 in 2014. With this vacancy Assessment they will pay $112,852 in property taxes if the property remains vacant.

- If the 6b incentive is approved they estimate that their property taxes will be $114,995.

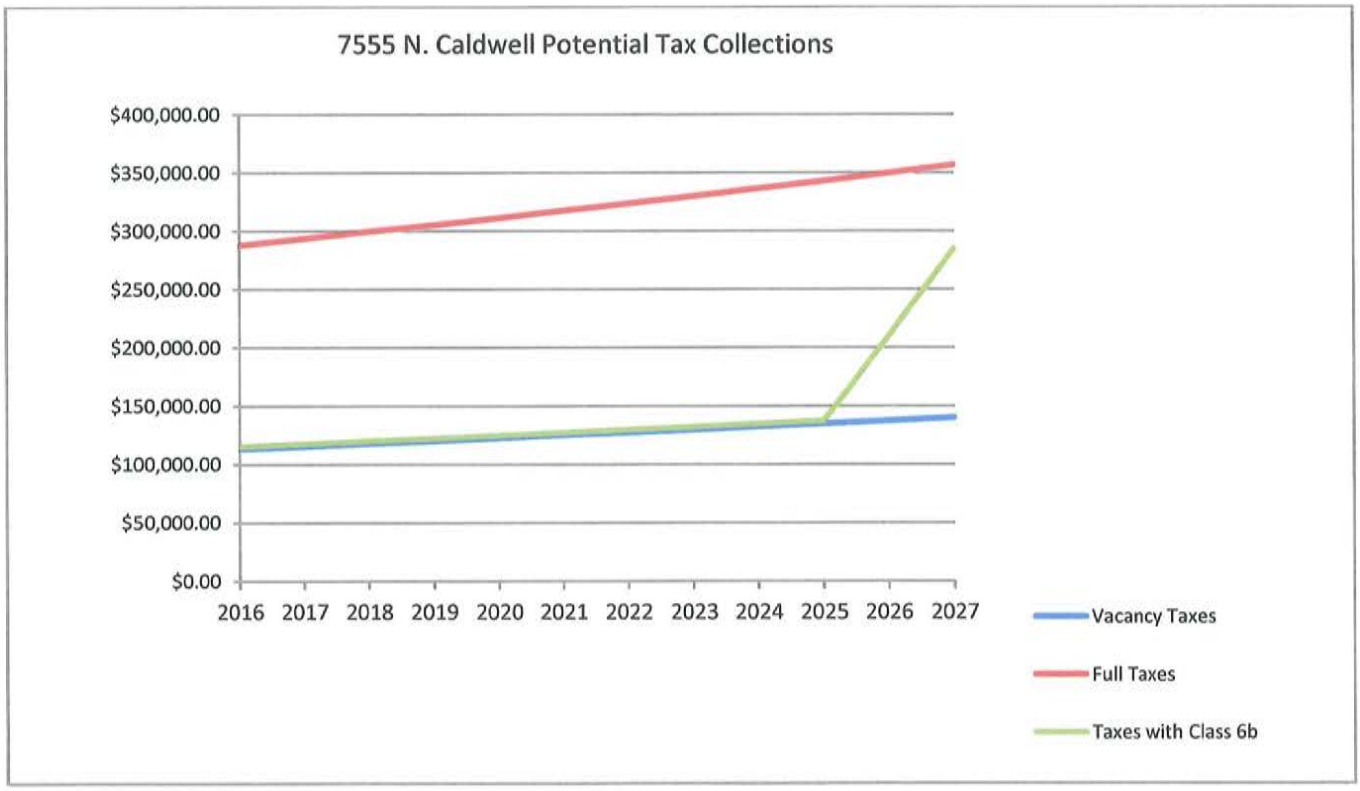
- If the property were able to be occupied at full occupancy and no 6b were needed it is estimated that the property taxes would be $287,488.

- If the Class 6b Tax Incentive is approved the net benefit to the applicant would be $3,563,922.

- The increase in property taxes paid by the property would be $240,538 versus the property remaining vacant. (Please see attached chart)

- The proposed use of this site is consistent with the Village of Niles 2030 Comprehensive Plan.

If the Finance Committee recommends approval of the Class 6b Tax Incentive the applicant will enter into an incentive agreement with the Village that will allow the Village to "claw back' the approval of this incentive should they fail to live up to their claims made in this application. A copy of the proposed Class 6b Incentive Agreement is attached to this memo.


7555 N. Caldwell Potential Tax Collections
$400,000.00
$350,000.00
$300,000.00
$250,000.00
$200,000.00
$150,000.00
$100,000.00
$50,000.00
$0.00
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
Vacancy Taxes
Full Taxes
Taxes with Class 6b

Niles's Cook County Class 6b Classification Eligibility Guidelines

Economic & Fiscal Impacts of Business on the Community:

Higher consideration to be given for:

- Retention of existing Niles business.
- Businesses looking to consolidate current facilities and/or expand to Niles – The proposed Tenant that will occupy 60% of the Building have outgrown current facility in Chicago.
- Businesses that build on the resources, materials and workforce of the local community.
- Potential for future growth of the business and of the industry the business is in. – The proposed tenant that will occupy 60% of the building is in the medical manufacturing sector. This sector is one of the strongest in the current economy.
- A greater increase in the assessed value of the property through the construction of building additions or making significant improvements to the site.
- Projects not requiring new public capital improvements. - The conversion of the building to a two tenant building and the addition of the proposed tenant will require no public capital improvements.
- A greater amount of sales tax base expansion or similar.
- Businesses that have a history of contributing to their communities through volunteer work, financial contributions or other means. If a new start-up business, the business demonstrates its commitment to becoming involved in the community.
- Start-up companies and expansions of existing local operations.

Existing Building/Site Conditions & Private Financial Contribution Compared to Public Relief Sought:

Higher Consideration to be given for:

- Buildings that have been vacant for two years or more applying for a Class 6b classification and that a vacancy appeal for the site has been granted by Cook County.- Although the building has only been vacant for 17 months the property has received a vacancy appeal from the Cook County Assessor.
- Sites which are difficult to lease or sell due to age, size, condition, or unique characteristics of the building. – The building is of an age and has lower ceiling heights that make it harder to lease to today's modern industrial users.
- A greater ratio of investment by the assisted business compared to the amount of 6b Classification relief.
- Quality of the case being made that the Class 6b Classification is necessary for the project to move forward. – Applicant has stated and proposed tenant has confirmed that the lease will not go forward without a 6b consideration.

Quality of Jobs to be Created:

Higher consideration to be given for:

- Higher wage rates – The proposed tenant being in the medical manufacturing sector pays their employees commensurate with the education and skills necessary to work in this field. Generally these are considered higher wage jobs.
- Number of Full-time; long-term, non-seasonal positions created. – The proposed tenant will bring in 74 employees to this facility and any future tenant will bring in additional employment into the community.

Environmental Impact

Higher consideration to be given for:

- The more environmentally sound the company's operation, including but not limited to:

    - Comprehensive energy and resource efficiency programs, including green buildings (e.g. LEED certification, building energy efficiency commitments, etc.)
    - Comprehensive waste reduction, waste exchange, and recycling programs.
- The more environmentally sound the company's products/services, including but not limited to:
    - Products/services that expand markets for recycled materials.
    - Development of renewable energy resources or products that conserve energy.

CLASS 6B INCENTIVE AGREEMENT

7555 N. Caldwell, Niles, Illinois 60714

THIS AGREEMENT is made as of the ____ day of _____, 2016 ("***Effective Date***"), and is by and between the **VILLAGE OF NILES**, an Illinois home rule municipal corporation ("***Village***") and 7555 N. Caldwell LLC, an Illinois limited liability company ("***Applicant***").

IN CONSIDERATION OF the recitals and the mutual covenants and agreements set forth in this Agreement, and pursuant to the Village's home rule powers, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Village is a home rule unit by virtue of the provisions of the 1970 Constitution of the State of Illinois located in Cook County, Illinois.

B. The Applicant is the owner of the property commonly known as 7555 N. Caldwell in Niles, Illinois ("***Property***") and legally described in ***Exhibit A.*** The property is improved with a 149,000 + square foot industrial building that has been vacant since December 1, 2014. The Applicant intends on leasing the Building to industrial users for warehousing, manufacturing and/or distribution (said industrial user or users will collectively be known hereto as the "***Business***") that will add value to the community.

C. After receiving the necessary approval from the Village, the Applicant plans to file an application for a Class 6b property tax classification ("***Class 6b Classification***") with the Office of the Assessor of Cook County under the Cook County Real Property Assessment Classification Ordinance ("***Application***"). If approved, the Class 6b Classification will reduce the property tax assessment for the property for a 12 year period ("***Class 6b Schedule***").

D. Cook County's Class 6b Classification approval process allows for the consideration by the Village of a resolution supporting and consenting to the Application.

E. Pursuant to the Village's policy requirements and standards for consenting to Class 6b Classification applications, each applicant for a Class 6b Classification must enter into an agreement with the Village to comply with certain terms and conditions.

F. The Applicant desires to evidence to the Village its agreement to accept and abide by each of the terms, conditions, and limitations set forth herein.

G. The President and the Board of Trustees have considered this Agreement and determined that it is in the best interest of the Village and the public and satisfies the Village's policy for consenting to Class 6b Classification applications.

SECTION 2. CONDITIONS OF CONSENT AND APPROVAL.

The Village's continuing approval of and consent to the Class 6b Classification for the Property is subject to and contingent upon the satisfaction by the Applicant of the following condition, restriction and provision:

A. Prior to the Applicant submitted an "***Incentive Appeal Form Real Estate Assessed Valuation Appeal***" for the Class 6b Classification to the Cook County Assessor's Office or the Cook County Board of Review to activate the Property's Class 6b Classification, the Applicant shall deliver to the Corporate Authorities written evidence demonstrating that the Applicant has spent a minimum of $350,000 to divide the existing building into two rental units.

B. Except as provided in this provision and in Section 5 below, during the term of this Agreement, the Applicant shall not intentionally file a property tax protest with the Cook County Assessor or any other entity with jurisdiction (the Cook County Assessor and foregoing jurisdictions defined collectively as "***Tax Appeal Jurisdictions***") that would result in the Property being assigned an assessed value less than the lesser of the following, which shall be referred to as the "***Base Value***": (i) the final 2015 tax year assessed value and (ii) the final assessed value established for the first year of the Class 6b Schedule (the "***Property's Initial Class 6b Year***"), either of which shall be as established pursuant to a final, non-appealable determination from any entity with jurisdiction. During the term of this Agreement, other than to appeal the 2015 assessed value, the Applicant in those tax years during a "***Real Estate Downturn***" (as defined below) may file a property tax protest with the Tax Appeal Jurisdictions for the purposes of seeking an assessed value for the Property in an amount less than the Base Value. A "***Real Estate Downturn***" is defined as when the total cumulative assessed value of at least five comparable properties (including such characteristics as comparable ages and physical features) located within a ten mile radius of the Property have decreased by an amount that is ten percent (10%) or more when compared to foregoing comparable properties' total cumulative assessed value for the Property's Initial Class 6b Year.

C. Pursuant to the provisions of Section 6 of this Agreement, the Applicant shall divide the Property into multi-tenant use in compliance with the Current CORR as defined in Section 6 of this Agreement. Any future renovations and tenant improvements which require a permit shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the time of said permit.

SECTION 3. NO RENEWAL OBLIGATION.

The Applicant acknowledges and agrees that the Village shall have no obligation to support or consent to the extension or renewal of the Property's Class 6b Classification beyond the original Class 6b Schedule.

SECTION 4. VILLAGE'S REMEDIES.

A. Upon receiving notice of the Applicant's noncompliance with any of the conditions set forth in Section 2 above, the Village shall notify the Applicant of the noncompliance. The Applicant shall have an initial 30 days to remedy the noncompliance to the satisfaction of the Village (the "***Initial 30 Day***

Remedy Period"), as determined in the reasonable discretion of the Corporate Authorities. If the Applicant fails to remedy the noncompliance within the Initial 30 Day Remedy Period and the Applicant is not actively attempting to cure the noncompliance, the Applicant will be considered in default of this Agreement (a "***Default***"). If the Applicant fails to remedy the noncompliance within the Initial 30 Day Remedy Period but the Applicant is actively attempting to cure the noncompliance within the Initial 30 Day Remedy Period, the Applicant will have an additional 60 days after the Initial 30 Day Remedy Period to remedy the noncompliance ("***Additional 60 Day Remedy Period***"). If the Applicant does not remedy the noncompliance by the end of the Additional 60 Day Remedy Period, the Applicant will be considered in Default. If the Applicant is in Default pursuant to the terms of this Agreement, the Village shall have the right, but not the obligation, as the Village's sole remedy, to adopt a resolution withdrawing its consent to the Class 6b Classification for the Property and to direct the Village Manager to deliver a copy of such resolution to the Office of the Cook County Assessor. In the event the Board of Trustees adopts such a resolution, the Applicant (a) shall, and does hereby, consent to the Cook County Assessor deactivating the Class 6b Classification for the Property, and (b) shall deliver such notifications to the Cook County Assessor's Office, and take such other actions as the Village Attorney deems necessary and appropriate to cause the Cook County Assessor to deactivate the Class 6b Classification ("***Village Event of Class 6b Deactivation***").

B. After the Village Event of Class 6b Deactivation, the Applicant may work with the Village to remedy the noncompliance. If the noncompliance has been corrected to the Village's satisfaction, the Village shall have the right, but not the obligation, to approve a resolution in a timely matter affirming its support and consent to reactivate the Class 6b Classification for the Property and to direct the Village Manager to deliver a copy of such resolution to the Office of the Cook County Assessor.

C. The Village shall not have the right to recover any property tax savings the Applicant or Business received as a result of the Property's Class 6b Classification for property tax years occurring prior to the Village Event of Class 6b Deactivation.

D. The parties agree that Section 2.D of this Agreement relates to the Applicant's compliance with the applicable codes and ordinances of the Village and not the Business's compliance with the applicable codes and ordinances. The Applicant will not be in Default of this Agreement if the Applicant is in compliance with the applicable codes and ordinances of the Village while the Business is in noncompliance with the applicable codes and ordinances of the Village.

SECTION 5. APPLICANT'S RIGHT TO PURSUE PROPERTY TAX RELIEF.

Nothing herein shall prevent the Applicant from seeking property tax relief in the event the Property is rendered partially or fully unusable due to casualty, or if a future Class 6b Incentive Agreement between the Village and other property applicants does not include a "***Base Value***" condition which is either tied to such property's then existing assessed value or contains a similar "***Base Value***" formulation as set forth in Section 2C hereof ("***Future Non-Compliance 6b Agreement***"). If the Village enters into a Future Non-Compliance 6b Agreement, it will notify the Applicant within 30 days of entering into such agreement.

SECTION 6. APPLICABLE CODES, ORDINANCES, RULES AND REGULATIONS OF THE VILLAGE.

Until the end of the term of this Agreement, the Property shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the date of this Agreement ("***Current CORR***"). Any future renovations and tenant improvements which require a permit shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the time of said permit.

SECTION 7. NATURE AND SURVIVAL OF OBLIGATIONS.

The provisions of this Agreement shall run with and bind the Property, and shall inure to the benefit of, and be enforceable by the Village, the Applicant, and any of its respective legal representatives, heirs, grantees, successors, and assigns. Upon execution by both parties, the Village is authorized to record this Agreement in the Office of the Cook County Recorder.

SECTION 8. TERM.

This Agreement shall be effective from the Effective Date of the Agreement until at such time as the Property's Classification is scheduled to expire, regardless of whether a renewal, deactivation or termination of the Property's Class 6b Classification occurs.

SECTION 9. GENERAL PROVISIONS

A. Notice. Any notice or communication required or permitted to be given under this Agreement shall be in writing and shall be delivered: (i) personally, (ii) by a reputable overnight courier, (iii) by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid. Unless otherwise expressly provided in this Agreement, notices shall be deemed received upon the earlier of (a) actual receipt; (b) one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (c) three business days following deposit in the U.S. mail, as evidenced by a return receipt. By notice complying with the requirements of this Subsection 9.A, each party shall have the right to change the address or the addressee, or both, for all future notices and communications to such party, but no notice of a change of addressee or address shall be effective until actually received.

Notices and communications to Village shall be addressed to, and delivered at, the following address:

Village of Niles
1000 Civic Center Drive
Niles, IL 60714
Attn: Village Manager

Notices and communications to the Applicant shall be addressed to, and delivered at, the following addresses:

7555 N. Caldwell LLC
c/o Eddie Jhin
3587 Oakcliff Road
Doraville, GA 30340

Seyfarth Shaw LLP
Attn: James FortCamp
131 S. Dearborn Street
Suite 2400
Chicago, Illinois 60603

B. Time of the Essence & Force Majeure. Time is of the essence of this Agreement; provided, however, a party shall not be deemed in material breach of this Agreement with respect to any obligations of this Agreement on such party's part to be performed if such party fails to timely perform the same and such failure is due in whole or in part to any strike, lock-out, labor trouble (whether legal or illegal), civil disorder, inability to procure materials, weather conditions, wet soil conditions, failure or interruptions of power, restrictive governmental laws and regulations, condemnations, riots, insurrections, war, fuel shortages, accidents, casualties, floods, earthquakes, fires, acts of God, epidemics, quarantine restrictions, freight embargoes, acts caused directly or indirectly by the other party (or the other party's agents, employees or invitees) or similar causes beyond the reasonable control of such party (***"Force Majeure"***). If one of the foregoing events shall occur or either party shall claim that such an event shall have occurred, the party to whom such claim is made shall investigate same and consult with the party making such claim and the party to whom such claim is made shall grant any extension for the performance of the unsatisfied obligation equal to the period of the delay, which period shall commence to run from the time of the commencement of the Force Majeure; provided that the failure of performance was reasonably caused by such Force Majeure.

C. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.

D. Exhibit. ***Exhibit A*** attached to this Agreement is, by this reference, incorporated in and made a part of this Agreement.

E. Amendments and Modifications. No amendment or modification to this Agreement shall be effective unless and until it is reduced to writing and approved and executed by all parties to this Agreement.

F. Non-Waiver. The Village shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the Village to exercise at any time any right granted to the Village shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the Village's right to enforce that right or any other right.

G. Severability. It is hereby expressed to be the intent of the parties hereto that should any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, entity, or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to

achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

H. No Third Party Beneficiaries. No claim as a third party beneficiary under this Agreement by any person, firm, or corporation shall be made, or be valid, against the Village or the Applicant.

I Business Days. For all purposes of this Agreement, a "***business day***" shall refer to all Mondays, Tuesdays, Wednesdays, Thursdays and Fridays with the exception of United States and State of Illinois legal holidays.

J. Assignment. This Agreement may be assigned by the Applicant without written prior consent of the Village. However, the Assignee is subject to the terms and conditions of this agreement.

K. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original document, which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date first above written.

VILLAGE OF NILES, an Illinois home rule municipal corporation

By:_____
Its: Village Manager

ATTEST:

By: _____
Its: Village Clerk

7555 N. Caldwell LLC, an Illinois limited liability company
By Eddie Jhin, its managing member

_____

By: Eddie Jhin
Its: Managing Member

ATTEST:

By: _____

Its: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)
The foregoing instrument was acknowledged before me on _____day of _____, 201_ by Steven C. Vinezeano, the Village Manager of the **VILLAGE OF NILES,** an Illinois home rule municipal corporation, and by Marlene J. Victorine, the Village Clerk of said municipal corporation.

_____
Signature of Notary

SEAL
My Commission expires: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

This instrument was acknowledged before me on _____, 20__, by Eddie Jhin, the managing member of **7555 N. Caldwell, LLC**, an Illinois limited liability company.

_____
Signature of Notary

SEAL
My Commission expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST FRACTIONAL 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE EAST LINE OF CALDWELL AVENUE, NORTH OF THE NORTH LINE AND SAID LINE EXTENDED OF THE SOUTH 2 ACRES OF THAT PART OF THE WEST 10 ACRES OF THE NORTH 30 ACRES OF THE EAST 1/2 OF THE SOUTH EAST FRACTIONAL 1/4 OF SECTION 30 LYING EAST OF THE EAST LINE OF CALDWELL AVENUE, AND LYING WEST OF A LINE DRAWN 125.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 10 ACRES AFORESAID, EXCEPTING THEREFROM THAT PART OF HOWARD STREET HERETOFORE DEDICATED PER PLAT RECORDED JUNE 19, 1950 AS DOCUMENT NUMBER 14829309 AND PER PLAT RECORDED OCTOBER 17, 1972 AS DOCUMENT NUMBER 22086873, ALL IN COOK COUNTY, ILLINOIS.

Property Address: 7555 North Caldwell Avenue, Niles, Illinois

PIN: 10-30-401-007-0000
10-30-401-013-0000

Jinny Beauty Supply (Atlanta)
3587 Oakcliff Rd.
Doraville, GA 30340
Tel 770-734-9222
Fax 770-734-0556

JBS Beauty Club (Atlanta)
4300 N.E. Expressway
Doraville, GA 30340
Tel 678-805-3297
Fax 770-734-9906

JBS Hair Corp. (Atlanta)
3001 McCall Dr.
Doraville, GA 30340
Tel 678-805-3000
Fax 678-805-3002

Jinny Beauty Supply (Baltimore)
8700 Larkin Rd.
Savage, MD 20763
Tel 240-294-1861
Fax 301-498-5120

Jinny Beauty Supply (Chicago)
3505 N. Kimball Ave.
Chicago, IL 60618
Tel 847-600-3030
Fax 773-267-1348

Jinny Beauty Supply (Dallas)
2527 Willowbrook Rd. Ste. 400
Dallas, TX 75220
Tel 214-261-3025
Fax 214-261-3026

Jinny Beauty Supply (Detroit)
22701 Trolley Industrial Dr.
Taylor, MI 48180
Tel 313-253-5410
Fax 313-292-5810

Jinny Beauty Supply (Houston)
3920 Dunvale Rd.
Houston, TX 77063
Tel 713-343-5636
Fax 713-343-5637

Jinny Beauty Supply (Los Angeles)
4545 Pacific Blvd.
Vernon, CA 90058
Tel 323-973-7007
Fax 323-973-7008

Jinny Beauty Supply (Memphis)
1645 Thomas St., Suite B
Memphis, TN 38107
Tel 901-379-5200
Fax 901-578-1246

Jinny Beauty Supply (Miami)
16241 N.W. 48th Ave.
Hialeah, FL 33014
Tel 786-248-3200
Fax 786-248-3218

Jinny Beauty Int'l Export (New York)
1181 Broadway, 2nd Flr
New York, NY 10001
Tel 646-884-9480
Fax 212-725-1584

Jinny Beauty Supply (Oakland)
1501 Doolittle Dr. Ste. D
San Leandro, CA 94577
Tel 510-924-3760
Fax 510-924-3765

Jinny Beauty Supply (St. Louis)
8921 Frost Ave.
Berkeley, MO 63134
Tel 314-227-1750
Fax 314-521-2842

Jinny Beauty Supply Co., Inc.

jinny.com dreamworldproducts.com jbshair.com

April 27, 2016

Mr. Ross Klicker
Village of Niles
1000 Civic Center Drive
Niles, IL 60714

Dear Mr. Klicker

The following is a summary of the request for Class 6B for the property located at 7555 N. Caldwell, Niles, Illinois (PINs: 10-30-401-007 & 013). The property is owned by 7555 N. Caldwell LLC. I am the managing member of 7555 N. Caldwell LLC and am also the president of Jinny Beauty Supply (a/k/a Jinny Corporation).

The above-referenced property was last occupied by the Jinny Beauty Supply and consists of a single tenant, one story, building which contains approximately 149,196 square feet of area. The building became vacant on December 1, 2014. We retained the firm of Avison Young to market the building for lease. Despite the best efforts of Avison Young to locate a tenant, the building has remained 100% vacant and unoccupied since that date.

Avison Young has recently presented, as a potential tenant, Summit Industries, LLC. Summit has expressed an interest in leasing approximately 80,870 square feet of the subject building (see the attached diagram). Summit's current business is located at 2901 W. Lawrence, in Chicago. Summit indicates that it wishes to stay in the Chicago area and wants to be in a new location by the end of calendar year 2016. A summary of Summit Industries is attached.

Any lease with Summit will be contingent on the subject property securing class 6B status. Summit is in the medical products business and has been in operation for 32+/- years. We have been informed by this tenant that they have outgrown their existing facility and need the subject property to support their growing business. Presently, Summit has approximately 74 +/- employees and indicated that it will be adding to this figure. We will need to convert the existing building into a two tenant building and will need to spend considerable sums of money (estimated at $350,000 to $400,000) to do so. Build out and conversion work cannot commence until a class 6b resolution (with special circumstances) is obtained from the Village of Niles.

(continued)

Jinny Beauty Supply Co., Inc.

jinny.com dreamworldproducts.com jbshair.com

Jinny Beauty Supply
(Atlanta)
3587 Oakcliff Rd.
Doraville, GA 30340
Tel 770-734-9222
Fax 770-734-0556

JBS Beauty Club
(Atlanta)
4300 N.E. Expressway
Doraville, GA 30340
Tel 678-805-3297
Fax 770-734-9906

JBS Hair Corp.
(Atlanta)
3001 McCall Dr.
Doraville, GA 30340
Tel 678-805-3000
Fax 678-805-3002

Jinny Beauty Supply
(Baltimore)
8700 Larkin Rd.
Savage, MD 20763
Tel 240-294-1861
Fax 301-498-5120

Jinny Beauty Supply
(Chicago)
3505 N. Kimball Ave.
Chicago, IL 60618
Tel 847-600-3030
Fax 773-267-1348

Jinny Beauty Supply
(Dallas)
2527 Willowbrook Rd. Ste. 400
Dallas, TX 75220
Tel 214-261-3025
Fax 214-261-3026

Jinny Beauty Supply
(Detroit)
22701 Trolley Industrial Dr.
Taylor, MI 48180
Tel 313-253-5410
Fax 313-292-5810

Jinny Beauty Supply
(Houston)
3920 Dunvale Rd.
Houston, TX 77063
Tel 713-343-5636
Fax 713-343-5637

Jinny Beauty Supply
(Los Angeles)
4545 Pacific Blvd.
Vernon, CA 90058
Tel 323-973-7007
Fax 323-973-7008

Jinny Beauty Supply
(Memphis)
1645 Thomas St., Suite B
Memphis, TN 38107
Tel 901-379-5200
Fax 901-578-1246

Jinny Beauty Supply
(Miami)
16241 N.W. 48th Ave.
Hialeah, FL 33014
Tel 786-248-3200
Fax 786-248-3218

Jinny Beauty Int'l Export
(New York)
1181 Broadway, 2nd Flr
New York, NY 10001
Tel 646-884-9480
Fax 212-725-1584

Jinny Beauty Supply
(Oakland)
1501 Doolittle Dr. Ste. D
San Leandro, CA 94577
Tel 510-924-3760
Fax 510-924-3765

Jinny Beauty Supply
(St. Louis)
8921 Frost Ave.
Berkeley, MO 63134
Tel 314-227-1750
Fax 314-521-2842

By passing a class 6b resolution, the Village of Niles will be relocating a stable business that will bring 74+/- jobs to the local community. This will help the local economy by boosting local purchasing. In addition, the subject building is presently receiving a 100% vacancy assessment. Occupancy in the building will tapper back the vacancy reduction being granted. Presently, our broker was told that Summit has approximately 5 employees that are residents of Niles. It is likely that with the move to Niles, several employees who presently do not reside in Niles could choose to reside in Niles. Therefore, it is likely that this figure will increase.

The attached schedule summarizes the tax impact on the subject property with Class 6b and without class 6b. Clearly there is a benefit to Niles by having the property occupied (with Class 6b) rather than having the building remain in a vacant, idle state.

Please call me or my attorney, James Fortcamp (at 312-460-5615) if you have any questions.

Respectfully submitted,

Eddie Jhin, President of Jinny Beauty Supply and
managing member of 7555 N. Caldwell LLC

NILES
It's possible here

Community Development
Request for Support of Cook County 6b Classification Tax Incentive

Business Name: 7555 N. CALDWELL, LLC

Owner or Chief Officer: EDDIE SHIN

Address: 3587 OAKCLIFF RD D

City, State & Zip: Doraville, GA 30340

Contact Person: STEVEN FISCHMAN

Address: 3587 OAKCLIFF RD

City, State & Zip: Doraville GA 30340

Telephone: 770 734 9222 Fax: _____

Email: SFISCHMAN@JIMMY.COM

Attach 1 set and 1 electronic copy of the following:

- ☐ Original Village application and applicable fee
- ☐ Copy of Cook Count's application
- ☐ Plat of survey of property, PIN number, tax bills for the current and previous years
- ☐ Purchase Price of the property, provide documentation
- ☐ Verification as to length of time property has been vacant
- ☐ Summary of the property taxes anticipated to be paid and saved during the term of the incentive
- ☐ Narrative as follows:
  - Why is the incentive necessary? This should be in quantifiable terms
  - Description of the business operation
  - Description of the property, existing improvement, proposed improvements with estimated cost
  - Describe and quantify what economic benefit the Village will receive during the term of the incentive.
  - Summarize the employment created by the business and how many of the employees are/will be Niles residents
  - How the community will benefit by the business being a corporate citizen?
  - How will the 6b classification benefit the community?

We hereby request consideration of our 6b Classification Tax Incentive Application and ask that the Village of Niles support our reduced assessed valuation. We have read and agree to the general conditions for a 6b application request.

Signed: _____ Date: 4/26/16

Printed Name: EDDIE SHIN

Title: MANAGER

COOK COUNTY ASSESSOR
JOSEPH BERRIOS

COOK COUNTY ASSESSOR'S OFFICE
118 NORTH CLARK STREET, CHICAGO, IL 60602
PHONE: 312.443.7550 FAX: 312.603.6584
WWW.COOKCOUNTYASSESSOR.COM

CLASS 6B
ELIGIBILITY APPLICATION

Carefully review the Class 6B Eligibility Bulletin before completing this Application. For assistance, please contact the Assessor's Office, Development Incentives Department (312) 603-7529. This application, ***a filing fee of $500.00***, and supporting documentation *(except drawings and surveys)* must be filed as follows:

This application must be filed **PRIOR TO** the commencement of New Construction or **PRIOR TO** the commencement of Substantial Rehabilitation Activities or **PRIOR TO** the commencement of Reoccupation of Abandoned Property.

Applicant Information

Name: 755 N. CALDWELL, LLC Telephone: (770) 734 9222
Address: 3587 OAKCLIFF RD
City: Doraville State: GA Zip Code: 70340

Contact Person (if different than the Applicant)

Name: JAMES FORTCAMP / SEYFARTH SHAW LLP Telephone: (312) 460-5615
Address: 131 S. Dearborn, Suite 2400
City: Chicago State: IL Zip Code: 60603
Email: JFORTCAMP@SEYFARTH.COM

Property Description (per PIN)

If you are applying for more than three different PINs, please submit the additional PIN information in an attachment.

Street Address: (1) 7555 N. Caldwell, Niles
Permanent Real Estate Index Number: 10-30-401-007
(2) 7555 N. Caldwell, Niles
Permanent Real Estate Index Number: 10-30-401-013
(3) _____
Permanent Real Estate Index Number: _____

City: Niles State: IL Zip Code: 60714
Township: Niles Existing Class: 5-93

Attach legal description, site dimensions and square footage and building dimensions and square footage.

SECTION B (ABANDONED PROPERTY WITH NO SPECIAL CIRCUMSTANCE)

If the proposed development consists of the reoccupation of abandoned property, purchased for value, complete (1) and (2) below:

1. Was the subject property vacant and unused for at least 24 continuous months prior to the purchase for value?

   [ ] YES [ ] NO

   When and by whom was the subject property last occupied prior to the purchase for value?

   _____

   _____

   Attach copies of the following documents:

   (a) Sworn statements from person having personal knowledge attesting to the fact and the duration of vacancy and abandonment

   (b) Information *(such as statements of utility companies)* which demonstrate that the property was vacant and unused and indicate duration of such vacancy

2. Application must be made to the Assessor prior to occupation:

   Estimated date of reoccupation: _____
   Date of Purchase: _____
   Name of purchaser: _____
   Name of seller: _____
   Relationship of purchaser to seller: _____

   Attach copies of the following documents:

   (a) Sale Contract
   (b) Closing Statement
   (c) Recorded Deed
   (d) Assignment of Beneficial Interest
   (e) Real Estate Transfer Declaration

SECTION C (SPECIAL CIRCUMSTANCES)

If the applicant is seeking special circumstances to establish that the property was abandoned for purposes of the Incentive where there was a **purchase for value**, but the period of ***abandonment prior to purchase was less than 24 months***, complete section (1).

If the applicant is seeking special circumstances to establish that the property was abandoned for purposes of the Incentive where there was **no purchase for value**, but the period of **abandonment prior to the application 24 continuous months or greater**, complete section (2).

If the applicant is seeking special circumstances to establish that the property was abandoned for purposes of the Incentive where there was **no purchase for value**, but the period of **abandonment prior to the application was greater than 12 continuous months and less than 24 continuous month**, complete section (2) and the **TEERM Supplemental Application.**

1. How long was the period of abandonment prior to the purchase for value? _____

   When and by whom was the subject property last occupied prior to the purchase for value?

   _____

   _____

   Attach copies of the following documents:

   (a) Sworn statements from persons having personal knowledge attesting to the fact and the duration of the vacancy and abandonment

   (b) Information *(such as statements of utility companies)* which demonstrate that the property was vacant and unused and indicate duration of vacancy

   (c) Include the finding of special circumstances supporting "abandonment" as determined by the municipality, or the County Board, if located in an unincorporated area. *Also include the ordinance or resolution from the Board of Commissioners of Cook County stating its approval for less than 24-month abandonment period.*

   Application must be made to the Assessor prior to the commencement of reoccupation of the abandoned property.

   Estimated date of Reoccupation: _____

   Date of purchase: _____

   Name of purchaser: _____

   Name of seller: _____

   Relationship of purchaser to seller: _____

   Attach copies of the following documents:

   (a) Sale Contract

   (b) Closing Statement

   (c) Recorded Deed

   (d) Assignment of Beneficial Interest

   (e) Real Estate Transfer Declaration

2. How long has the subject property been unused?

[ ] 24 or greater continuous months *(Eligible for Special Circumstance)*

[X] 12 continuous months but less than 24 continuous months *(Eligible for Special Circumstance under TEERM)* - **Complete TEERM Supplemental Application**

[ ] Less than 12 continuous months *(Not Eligible for Special Circumstance)*

When and by whom was the subject property last occupied prior to the filing of this application?

Jinny Beauty Supply- vacated building 11/30/14

Attach copies of the following documents:

(a) Sworn statements from persons having personal knowledge attesting to the fact and the duration of the vacancy and abandonment

(b) Information *(such as statements of utility companies)* which demonstrate that the property was vacant and unused and indicate duration of vacancy

(c) Include the finding of special circumstances supporting "abandonment" as determined by the municipality, or the County Board, if located in an unincorporated area. Also include the ordinance or resolution from the Board of Commissioners of Cook County stating its approval for lack of a purchase for value.

Application must be made to Assessor prior to the commencement of reoccupation of the abandoned property.

Estimated date of reoccupation: November 2016 +/-

TEERM SUPPLEMENTAL APPLICATION

(This form will ONLY be utilized for applicants who specifically elect for TEERM)

This supplemental eligibility application is for properties that have been abandoned (due to special circumstances) for at least 12 continuous months and less than 24 continuous months with no purchase taking place.

*Under the **TEERM** Program, qualifying industrial real estate would be eligible for the Class 6B level of assessment from the date of substantial re-occupancy of the abandoned property. Properties receiving Class 6B will be assessed at 10% of market value for the first 10 years, 15% in the 11th year and 20% in the 12th year. **The terms of this program are Not Renewable.***

No applications will be taken after November 30, 2018.

PRINT

I EDDIE JHIN applicant/representative hereby specifically elect to submit this **Supplemental Application** for the **TEERM** program.

Further affiant sayeth not.

Agent's Signature

EDDIE JHIN MANAGER
Agent's Name & Title

3587 OAKCLIFF RD
Agent's Mailing Address

770 734 9222
Agent's Telephone Number

Applicant's Name

Applicant's Mailing Address

Applicant's e-mail address

Subscribed and sworn before me this 27 day of MARCH, 20 16

Signature of Notary Public

MI SUN KIM
NOTARY PUBLIC
GEORGIA
GWINNETT COUNTY
MY COMMISSION EXPIRES NOVEMBER 2, 2018

EMPLOYMENT OPPORTUNITIES

How many construction jobs will be created as a result of this development? 3 +/-

How many new permanent full-time and part-time employees do you now employ in Cook County?

Full-time: _____ Part-time: _____

How many new permanent full-time jobs will be created as a result of this proposed development?
5 +/-

How many new permanent full-time jobs will be created as a result of this proposed development?

_____

LOCAL APPROVAL

A certified copy of a resolution or ordinance from the municipality in which the real estate is located *(or the County Board, if the real estate is located in an unincorporated area)* should accompany this Application. *The ordinance or resolution must expressly state that the municipality supports and consents to this Class 6B Application and that it finds Class 6B necessary for development to occur on the subject property.* If a resolution is unavailable at the time the application is filed, a letter from the municipality or the County Board, as the case may be, stating that a resolution or ordinance supporting the incentive has been requested may be filed with this application instead. If the applicant is seeking to apply based on the reoccupation of abandoned property and will be seeking a finding of "special circumstances" from the municipality, in addition to obtaining a letter from the municipality confirming that a resolution or ordinance supporting the incentive has been requested, the applicant must file a letter from the County Board confirming that a resolution validating a municipal finding of special circumstances has been requested. If, at a later date, the municipality or the County Board denies the applicant's request for a resolution or ordinance, the applicant will be deemed ineligible for the Class 6B incentive, whether or not construction has begun. In all circumstances, the resolution must be submitted by the time the applicant files an "Incentive Appeal".

I, the undersigned, certify that I have read this Application and that the statements set forth in this Application and in the attachments hereto are true and correct, except as those matters stated to be on information and belief and as to such matters the undersigned certifies that he/she believes the same to be true.

Signature _____ Date 4/29/16

EDDIE SHIN
Print Name

MANAGER
Title

10/4/13

INCENTIVES CLASS LIVING WAGE ORDINANCE AFFIDAVIT

PRINT NAME

(X) EDDIE JHIN as agent for the applicant set forth below, who is seeking a classification incentive as referenced below, I do hereby state under oath as follows:

1. As the agent for the applicant set forth below, I have personal knowledge as to the facts stated herein.

2. The property identified by PIN(s) with commonly known address(es), listed in Exhibit A attached and herein incorporated, are/is the subject of a pending application/renewal *(circle as appropriate)* for one of the following development incentives provided by the Code of Ordinances of Cook County, Chapter 74, Article II, Division 2, The Cook County Real Property Assessment Classification Ordinance, Sec.74-60 et seq., as amended:

   X Class 6B ____ Class 8 *(Industrial property)* ____ Class 9

3. I have reviewed the Code of Ordinances of Cook County, Chapter 34, Article IV, Division 1 and The Cook County Living Wage Ordinance, Sec. 34-127 et seq., as amended *(the "Ordinance")*, and certify that the applicant is in compliance with the above referenced Cook County Living Wage Ordinance, due to one of the following options *(check as appropriate)*:

   ____ Applicant is currently paying a living wage to its employees, as defined in the Ordinance.

   OR

   X Applicant is not required to pay a living wage, pursuant to the Ordinance.

Further affiant ~~sayeth~~ not.

(X) _____
Agent's Signature

(X) EDDIE JHIN MANAGER
Agent's Name & Title

(X) 3587 OAKCLIFF RD
Agent's Mailing Address

(X) 770 734 9222
Agent's Telephone Number

_____
Applicant's Name

_____
Applicant's Mailing Address

_____
Applicant's e-mail address

Subscribed and sworn before me this 29 day of APRIL, 20 16

(X) _____
Signature of Notary Public

MI SUN KIM
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 2, 2018

EXHIBIT A

(Please type or Print)

PIN(s)	Common Address
10-30-401-007	7555 N. Caldwell, Niles
10-30-401-013	7835 N. Caldwell, Niles

Class 6b Analysis
7555 N. Caldwell Tax Summary

	2016*	2017	2018	2019*	2020	2021	2022*	2023	2024*	2025*	2026	2027
Projected Tax w/o Class 6b	$287,488	$293,238	$299,102	$304,737	$310,832	$317,049	$323,022	$329,482	$336,071	$342,403	$349,251	$356,236
Projected Tax w/Class 6b	$114,995	$117,295	$119,641	$121,895	$124,333	$126,819	$129,209	$131,793	$134,428	$136,961	$209,550	$284,989
Projected taxes if continues as Vacant	$112,852	$115,109	$117,412	$119,624	$122,010	$124,956	$126,801	$129,337	$131,924	$134,409	$137,097	$139,839

Full M.V. used	$4,950,191	$4,950,191	$4,950,191	$5,247,201	$5,247,203	$5,247,203	$5,562,035	$5,562,035	$5,562,035	$5,895,757	$5,895,757	$5,895,757
Vacant M.V. used	$1,943,183	$1,943,183	$1,943,183	$2,059,775	$2,059,775	$2,059,775	$2,183,366	$2,183,366	$2,183,366	$2,314,368	$2,314,368	$2,314,368

Assumptions:

(1) Figures above are based on full occupancy - used 2015 full market value of $4,669,992. Assume 6% increase in market value with each reassessment.

(2) Triennial reassessment taxes are 2016, 2019, 2022, 2025 - designated by " * "

(3) Initial 2016 taxes based on last known tax rate of 8.524% and last known equalization of 2.7253 (both from 2014). Assume 2% increase in these, figures for non-reassessment years.

(4) 2015 vacant market value is $1,833,192 - Assume 6% increase in market value with each reassessment.

COOK COUNTY ASSESSOR'S OFFICE

118 NORTH CLARK STREET CHICAGO, IL 60602
PHONE: 312.603.5300 WEBSITE: WWW.COOKCOUNTYASSESSOR.COM

11/11/15

JAMES R FORTCAMP
SEYFARTH SHAW LLP
131 S DEARBORN #2400
CHICAGO IL 60603

2015 Assessment Appeal
Township: NILES
Appeal Number: 0150302
Property Index Number(s):
10-30-401-007-0000
10-30-401-013-0000

I am pleased to inform you that our appeals department has reviewed your appeal and determined that the assessed valuation of your property should be reduced. Your new assessed value is indicated below. This is the result of:

This is the result of the total vacancy of your property.

This reduction will be reflected on the second installment of your 2015 real estate tax bill payable in 2016 .

Your appeal result and any additional assessment information may also be found on our website at www.cookcountyassessor.com.

You may file a written request for a re-review of this decision. Please consult our website for the re-review deadline in your township. Given the high volume of appeals and the expedited nature of the assessment process, attorneys and representatives of taxpayers are admonished to file such petitions immediately according to the established procedures of this office.

Homeowners and taxpayers representing themselves are encouraged to file their written requests immediately upon receipt of this letter. For further information on the re-review process, you may call our Taxpayer Services Department at (312)443-7550. For your convenience, you may send your written request for re-review by facsimile tranmission to (312)603-5367, or you may deliver it to our office. You may also mail your request. However, we cannot guarantee that it will be received here before the deadline.

You also have the right to appeal your assessment further by filing with the Cook County Board of Review. The Board of Review is located in the County Building, 118 N. Clark Street, Room 601, Chicago, IL 60602. For appeal dates and additional information, contact the Board of Review at (312)603-5542.

Thank you for your participation in the assessment process.

Sincerely,

Joseph Berrios
Cook County Assessor

ORIGINAL CLASS	PROPERTY INDEX NUMBER	2014 PRIOR ASSESSED VALUE	PROPOSED 2015 ASSESSED VALUE	2015 CURRENT AV
593	10-30-401-007-0000	816,827	816,827	320,387
593	10-30-401-013-0000	350,671	350,671	137,911

458,298

THIS RESULT IS FOR ONE YEAR ONLY

JBC2

Vacancy/Occupancy Affidavit

Cook County Assessor's Office

2016 Appeal No: _____

}

I, Eddie Jhin, being first duly sworn, on oath depose and say that I am the owner/managing agent of the property located at 7555 N. Caldwell (PROPERTY INDEX NUMBER(S)) in Niles (CITY), subject of the above complaint, and that I have personal knowledge that the occupancy of the building(s) for the year 2014 is as follows:

Condos or Apartments (Please circle)

	Total Sq. Ft. of Commercial/Industrial Area Occupied *	Total Sq. Ft. of Commercial/Industrial Area Vacant *	Total Sq. Ft. of Commercial/Industrial Area *	Total Number of Residential Condos/Apartments Occupied	Total Number of Residential Condo/Apartments Vacant	Total Number of Residential Condo/ Apartments
January	100%	0%				
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December	0%	100%				
Total						

Total annual percent weighted vacancy of Industrial/commercial space _____

Total annual percent weighted vacancy of Residential condo/ apartments _____

*** Include Commercial condos here.**

(Please check all boxes that apply)

1. ☐ Photos of the vacant space are included with this appeal

2. ☐ Attempts to lease the vacant space were made._____
(list all attempts made to lease vacant space)

3. ☐ No attempts were made to lease the vacant space because:_____

For vacancy appeals, the following information is needed: Three preceding years of actual historical income and expense information and a current year rent roll.

Subscribed and sworn before me,

this 27 day of APR 20 16

Notary Public

[Notary Seal or Stamp]

MI SUN KIM NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMMISSION EXPIRES NOVEMBER 2, 2018

Further affiant sayeth not.

Affiant

Vacancy/Occupancy Affidavit

Cook County Assessor's Office

2016 Appeal No: _____

}

I, Eddie Jhin, being first duly sworn, on oath depose and say that I am the owner/managing agent of the property located at 7555 N. Caldwell (PROPERTY INDEX NUMBER(S)) in Niles (CITY), subject of the above complaint, and that I have personal knowledge that the occupancy of the building(s) for the year 2015 is as follows:

Condos or Apartments (Please circle)

	Total Sq. Ft. of Commercial/Industrial Area Occupied *	Total Sq. Ft. of Commercial/Industrial Area Vacant *	Total Sq. Ft. of Commercial/Industrial Area *	Total Number of Residential Condos/Apartments Occupied	Total Number of Residential Condo/Apartments Vacant	Total Number of Residential Condo/ Apartments
January	0%	100%				
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						
Total						

Total annual percent weighted vacancy of Industrial/commercial space _____

Total annual percent weighted vacancy of Residential condo/ apartments _____

*** Include Commercial condos here.**

(Please check all boxes that apply)

1. ☐ Photos of the vacant space are included with this appeal

2. ☐ Attempts to lease the vacant space were made._____
(list all attempts made to lease vacant space)

3. ☐ No attempts were made to lease the vacant space because:_____

For vacancy appeals, the following information is needed: Three preceding years of actual historical income and expense information and a current year rent roll.

Subscribed and sworn before me this 21 day of APRIL, 2016

Notary Public

[Notary Seal or Stamp]

MI SUN KIM
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 2, 2018

Further affiant sayeth not.

Affiant

Vacancy/Occupancy Affidavit

Cook County Assessor's Office

2016 Appeal No: _____

}

I, Eddie Jhin, being first duly sworn, on oath depose and say that I am the owner/managing agent of the property located at 7555 N. Caldwell (PROPERTY INDEX NUMBER(S)) in Niles (CITY), subject of the above complaint, and that I have personal knowledge that the occupancy of the building(s) for the year 2016 is as follows:

Condos or Apartments (Please circle)

	Total Sq. Ft. of Commercial/Industrial Area Occupied *	Total Sq. Ft. of Commercial/Industrial Area Vacant *	Total Sq. Ft. of Commercial/Industrial Area *	Total Number of Residential Condos/Apartments Occupied	Total Number of Residential Condo/Apartments Vacant	Total Number of Residential Condo/ Apartments
January	0%	100%				
February	↓	100%				
March		100%				
April		100%				
May						
June						
July						
August						
September						
October						
November						
December						
Total						

Total annual percent weighted vacancy of Industrial/commercial space _____

Total annual percent weighted vacancy of Residential condo/ apartments _____

*** Include Commercial condos here.**

(Please check all boxes that apply)

1. ☐ Photos of the vacant space are included with this appeal

2. ☐ Attempts to lease the vacant space were made._____
(list all attempts made to lease vacant space)

3. ☐ No attempts were made to lease the vacant space because:_____

For vacancy appeals, the following information is needed: Three preceding years of actual historical income and expense information and a current year rent roll.

Subscribed and sworn before me

this 27 day of April, 2016

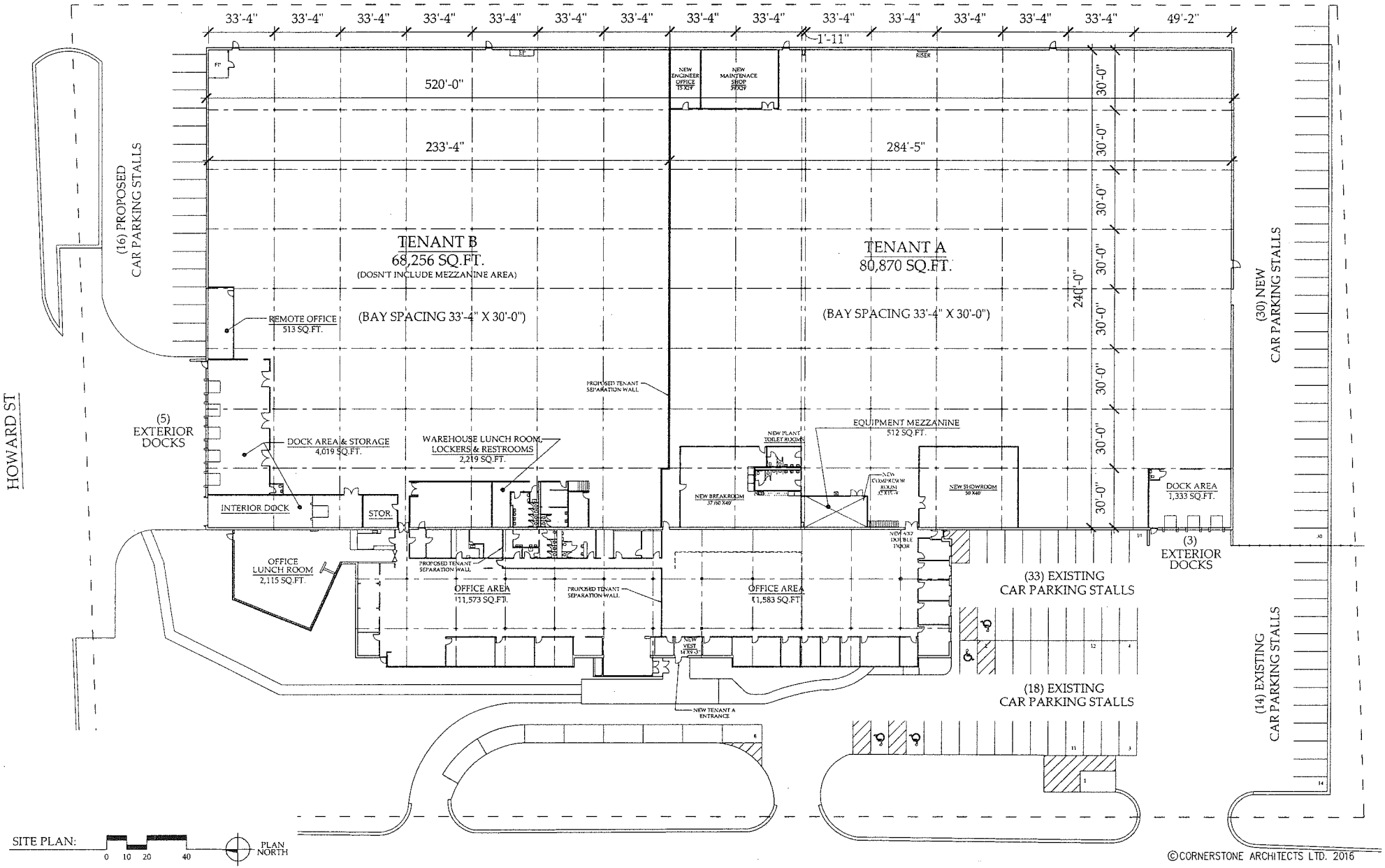
Notary Public

[Notary Seal or Stamp]

MI SUN KIM NOTARY PUBLIC GWINNETT COUNTY, GEORGIA MY COMMISSION EXPIRES NOVEMBER 2, 2018

Further affiant sayeth not.

Affiant



SITE PLAN: 0 10 20 40 PLAN NORTH

PROSED TENANT

7555 N. CALDWELL, NILES, ILLINOIS

APRIL 26, 2016 #16088

©CORNERSTONE ARCHITECTS LTD. 2016

Cornerstone Architects Ltd.

Summit Industries, LLC

Company Overview

SUMMIT

YOUR PARTNER IN RADIOGRAPHY SINCE 1984

WWW.SUMMITINDUSTRIES.NET

SUMMIT

- Privately held Company founded by Jim Walsh in 1984 – now retired
- Leadership team has over 140 years of industry experience
- Tom Boon – President
- Joe Flies – Executive Vice President Operations
- Kurt Peterson – Vice President Administration & CFO
- Don Matson – Chief Technical Officer & Co-founder of Summit
- Greg Oravec – Vice President Clinical Marketing & Sales
- Headquarters in Chicago, Illinois with 74 U.S. employees
- ISO 9001, FDA and UL certifications
- Acquired by Sedecal in March 2015

SUMMIT

- Develop and manufacture radiographic systems for the Medical, Chiropractic and Veterinary market segments
- Manufacture and distribute under the **AmRad Medical, Bennett and InnoVet** brands and **Americomp** products
- Medical market segments are non-acute care facilities such as orthopedic surgeons, urgent care and imaging centers & hospitals
- Veterinary market segments are vet practices, OEM's & vet schools
- Chiropractic market segments are doctor's offices & chiropractic schools

SUMMIT

- Market and distribute globally with domestic market ~85 to 90% of sales
- Sell through distributors, National Accounts and OEM's
- Relationships with major dealer channels throughout the U.S.
- Private label systems for large dealers, National Accounts and OEM's
- Many dealers have been with Summit over 20 years
- Average dealer relationship is over 10 years
- Expanding the international distribution channels
- Over 30,000 x-ray systems shipped and installed to date
- 6,253 generators and systems shipped in the last 5 years

SUMMIT

- > 40 AmRad Medical dealers
- Merry X-Ray is national in scope and coverage
- 34 NHD member dealers
- >40 InnoVet dealers
- >40 Bennett dealers
- >200 Americomp dealers
- >35 International dealers

SUMMIT

- X-Ray generators – Sedecal and CPI
- X-Ray tubes – Toshiba and Varian
- Collimators – Collimare and Ralco
- DR technology – Toshiba, Varian, Rayence and Vieworks
- Components – Claymount and Seibu

SUMMIT

Many Experienced Skilled

- 12 with more than 20 years of service
- 14 with 15 - 20 years service
- 14 with 10 – 15 years of service
- 17 with 5 – 10 years of service
- Diverse employee population with personnel with Mexico, Puerto Rico, Dominican Republic, Peru, Vietnam, Middle East, Philippines & South African heritage
- Above average benefits including healthcare, dental and life insurance, 401k, education allowance & vacation

29

ıipping - 10

- 7

/ IT - 5

SUMMIT

- Profitable and no debt
- Lowest cost U.S. producer of radiographic systems
- 12,000 engineering drawings
- 100's of product designs
- 25 FDA classified products & 3 FDA classified systems
- 5 Trademarks
- ISO 9001 certification since 2004

SUMMIT

- 32 years strong and growing
- Proudly manufactured and integrated in America
- Extensive domestic and international distribution infrastructure
- Over 30,000 installations worldwide
- Industry best value, warranty and cost of ownership
- Industry best Customer Service and Technical Support

7555 Caldwell

THE VILLAGE OF NILES
It's possible here

Legend

- Parcels
- Parcels - Outside Niles
- Village Limits
- Municipal Buildings
- Buildings
- Forest Preserves
- Parks - Outside Niles

Notes

Notes

N

1	:	4,001
1 inch	=	333 feet

Atlas

Village of Niles
1000 Civic Center Drive
Niles, IL 60714

www.vniles.com/gis
Email: gis@vniles.com
© Village of Niles

The Village of Niles has developed a geographic information systems (GIS) database from existing public records that The Village of Niles is mandated to maintain in order to carry out the normal functions of The Village of Niles. The Village of Niles makes no claims as to the reliability of the original data collection process and is not responsible for inaccuracies that could have occurred due to errors in the original data input or undetectable errors due to electronic transfer of the data from system to system or system to disk. The Village of Niles customarily uses this data for planning purposes and record keeping, and The Village of Niles is not responsible for the other use of this public information. The data are only designed to be displayed with GIS maps whose representational scale is no smaller than 1:1200. If it comes to the Village's attention that this information is being used for commercial purposes, we will retain the right to withhold this information from the requester. The Village of Niles has accumulated this data in pursuance of its governmental function. This information is provided as required under the Freedom of Information Act and the Village, its officers and employees assert their full legal rights under governmental immunity for any liability arising from any act of omission or commission with respect to the information furnished. The Village makes no claim as to the accuracy of the base maps and their associated data tables and assumes no responsibility for their positional or content accuracy. In providing data (or access to it) the Village assumes no obligation to assist the contractor in the use of the data, or in the development, use or maintenance of any applications applied to the data. The Village assumes no responsibility for the accuracy of any subsequent copies of the licensed data, made and distributed within the Licensee's organization

THIS MAP IS NOT TO BE USED FOR NAVIGATION

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Class 6b Incentive Agreement with 7555 N. Caldwell LLC for the Property Located at 7555 N. Caldwell Avenue

Meeting Date	6/28/2016	Item Number	**13**
Requested by	Charles Ostman, Director of Community Development	Action Requested	RESOLUTION
Prepared by	Ross Klicker, Economic Development Coordinator	Assigned to:	Trustee LoVerde

ATTACHMENTS:

Type	Description
Resolution	Resolution
Agreement	Incentive Agreement
Backup Material	7555 Caldwell Site Map

MOTION

I move for Board approval of a Resolution Authorizing a Class 6b Incentive Agreement with 7555 N. Caldwell LLC for the Property Located at 7555 N. Caldwell Avenue.

REASON FOR REQUEST / BACKGROUND

Pursuant to the Village's policy requirements and standard for consenting to Class 6b Classification applications, each applicant for a Class 6b Classification must enter into an agreement with the Village to comply with certain terms and conditions.

The Finance Committee has reviewed and recommended approval at their May 18, 2016 meeting.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

RESOLUTION 2016-

RESOLUTION AUTHORIZING A CLASS 6b INCENTIVE AGREEMENT WITH 7555 N. CALDWELL LLC FOR THE PROPERTY LOCATED AT 7555 N. CALDWELL AVENUE, NILES, ILLINOIS

WHEREAS, the planned re-occupancy and demise of 7555 N. Caldwell Ave., Niles, Illinois, is appropriate for incentive abatement pursuant to Class 6b of the Cook County Real Property Assessment Classification Ordinance as amended; and

WHEREAS, the Village of Niles supports and consents to this Class 6b tax abatement for the parcel and finds the Class 6b necessary for development to occur on the subject property as approved on June 28, 2016 by Resolution; and

WHEREAS, pursuant to the Village's policy requirements and standards for consenting to Class 6b Classification applications, each applicant for a Class 6b Classification must enter into an agreement with the Village to comply with certain terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, hereby authorize the President or his designee of the Village of Niles to execute this Class 6b Incentive Agreement with 7555 N. Caldwell LLC.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

CLASS 6B INCENTIVE AGREEMENT

7555 N. Caldwell, Niles, Illinois 60714

THIS AGREEMENT is made as of the ____ day of _____, 2016 ("***Effective Date***"), and is by and between the **VILLAGE OF NILES**, an Illinois home rule municipal corporation ("***Village***") and 7555 N. Caldwell LLC, an Illinois limited liability company ("***Applicant***").

IN CONSIDERATION OF the recitals and the mutual covenants and agreements set forth in this Agreement, and pursuant to the Village's home rule powers, the parties hereto agree as follows:

SECTION 1. RECITALS.

A. The Village is a home rule unit by virtue of the provisions of the 1970 Constitution of the State of Illinois located in Cook County, Illinois.

B. The Applicant is the owner of the property commonly known as 7555 N. Caldwell in Niles, Illinois ("***Property***") and legally described in ***Exhibit A.*** The property is improved with a 149,000 + square foot industrial building that has been vacant since December 1, 2014. The Applicant intends on leasing the Building to industrial users for warehousing, manufacturing and/or distribution (said industrial user or users will collectively be known hereto as the "***Business***") that will add value to the community.

C. After receiving the necessary approval from the Village, the Applicant plans to file an application for a Class 6b property tax classification ("***Class 6b Classification***") with the Office of the Assessor of Cook County under the Cook County Real Property Assessment Classification Ordinance ("***Application***"). If approved, the Class 6b Classification will reduce the property tax assessment for the property for a 12 year period ("***Class 6b Schedule***").

D. Cook County's Class 6b Classification approval process allows for the consideration by the Village of a resolution supporting and consenting to the Application.

E. Pursuant to the Village's policy requirements and standards for consenting to Class 6b Classification applications, each applicant for a Class 6b Classification must enter into an agreement with the Village to comply with certain terms and conditions.

F. The Applicant desires to evidence to the Village its agreement to accept and abide by each of the terms, conditions, and limitations set forth herein.

G. The President and the Board of Trustees have considered this Agreement and determined that it is in the best interest of the Village and the public and satisfies the Village's policy for consenting to Class 6b Classification applications.

SECTION 2. CONDITIONS OF CONSENT AND APPROVAL.

The Village's continuing approval of and consent to the Class 6b Classification for the Property is subject to and contingent upon the satisfaction by the Applicant of the following condition, restriction and provision:

A. Prior to the Applicant submitted an ***"Incentive Appeal Form Real Estate Assessed Valuation Appeal"*** for the Class 6b Classification to the Cook County Assessor's Office or the Cook County Board of Review to activate the Property's Class 6b Classification, the Applicant shall deliver to the Corporate Authorities written evidence demonstrating that the Applicant has spent a minimum of $350,000 to divide the existing building into two rental units.

B. Except as provided in this provision and in Section 5 below, during the term of this Agreement, the Applicant shall not intentionally file a property tax protest with the Cook County Assessor or any other entity with jurisdiction (the Cook County Assessor and foregoing jurisdictions defined collectively as "***Tax Appeal Jurisdictions***") that would result in the Property being assigned an assessed value less than the lesser of the following, which shall be referred to as the "***Base Value***": (i) the final 2015 tax year assessed value and (ii) the final assessed value established for the first year of the Class 6b Schedule (the "***Property's Initial Class 6b Year***"), either of which shall be as established pursuant to a final, non-appealable determination from any entity with jurisdiction. During the term of this Agreement, other than to appeal the 2015 assessed value, the Applicant in those tax years during a "***Real Estate Downturn***" (as defined below) may file a property tax protest with the Tax Appeal Jurisdictions for the purposes of seeking an assessed value for the Property in an amount less than the Base Value. A "***Real Estate Downturn***" is defined as when the total cumulative assessed value of at least five comparable properties (including such characteristics as comparable ages and physical features) located within a ten mile radius of the Property have decreased by an amount that is ten percent (10%) or more when compared to foregoing comparable properties' total cumulative assessed value for the Property's Initial Class 6b Year.

C. Pursuant to the provisions of Section 6 of this Agreement, the Applicant shall divide the Property into multi-tenant use in compliance with the Current CORR as defined in Section 6 of this Agreement. Any future renovations and tenant improvements which require a permit shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the time of said permit.

SECTION 3. NO RENEWAL OBLIGATION.

The Applicant acknowledges and agrees that the Village shall have no obligation to support or consent to the extension or renewal of the Property's Class 6b Classification beyond the original Class 6b Schedule.

SECTION 4. VILLAGE'S REMEDIES.

A. Upon receiving notice of the Applicant's noncompliance with any of the conditions set forth in Section 2 above, the Village shall notify the Applicant of the noncompliance. The Applicant shall have an initial 30 days to remedy the noncompliance to the satisfaction of the Village (the "***Initial 30 Day***

Remedy Period"), as determined in the reasonable discretion of the Corporate Authorities. If the Applicant fails to remedy the noncompliance within the Initial 30 Day Remedy Period and the Applicant is not actively attempting to cure the noncompliance, the Applicant will be considered in default of this Agreement (a "***Default***"). If the Applicant fails to remedy the noncompliance within the Initial 30 Day Remedy Period but the Applicant is actively attempting to cure the noncompliance within the Initial 30 Day Remedy Period, the Applicant will have an additional 60 days after the Initial 30 Day Remedy Period to remedy the noncompliance ("***Additional 60 Day Remedy Period***"). If the Applicant does not remedy the noncompliance by the end of the Additional 60 Day Remedy Period, the Applicant will be considered in Default. If the Applicant is in Default pursuant to the terms of this Agreement, the Village shall have the right, but not the obligation, as the Village's sole remedy, to adopt a resolution withdrawing its consent to the Class 6b Classification for the Property and to direct the Village Manager to deliver a copy of such resolution to the Office of the Cook County Assessor. In the event the Board of Trustees adopts such a resolution, the Applicant (a) shall, and does hereby, consent to the Cook County Assessor deactivating the Class 6b Classification for the Property, and (b) shall deliver such notifications to the Cook County Assessor's Office, and take such other actions as the Village Attorney deems necessary and appropriate to cause the Cook County Assessor to deactivate the Class 6b Classification ("***Village Event of Class 6b Deactivation***").

B. After the Village Event of Class 6b Deactivation, the Applicant may work with the Village to remedy the noncompliance. If the noncompliance has been corrected to the Village's satisfaction, the Village shall have the right, but not the obligation, to approve a resolution in a timely matter affirming its support and consent to reactivate the Class 6b Classification for the Property and to direct the Village Manager to deliver a copy of such resolution to the Office of the Cook County Assessor.

C. The Village shall not have the right to recover any property tax savings the Applicant or Business received as a result of the Property's Class 6b Classification for property tax years occurring prior to the Village Event of Class 6b Deactivation.

D. The parties agree that Section 2.D of this Agreement relates to the Applicant's compliance with the applicable codes and ordinances of the Village and not the Business's compliance with the applicable codes and ordinances. The Applicant will not be in Default of this Agreement if the Applicant is in compliance with the applicable codes and ordinances of the Village while the Business is in noncompliance with the applicable codes and ordinances of the Village.

SECTION 5. APPLICANT'S RIGHT TO PURSUE PROPERTY TAX RELIEF.

Nothing herein shall prevent the Applicant from seeking property tax relief in the event the Property is rendered partially or fully unusable due to casualty, or if a future Class 6b Incentive Agreement between the Village and other property applicants does not include a "***Base Value***" condition which is either tied to such property's then existing assessed value or contains a similar "***Base Value***" formulation as set forth in Section 2C hereof ("***Future Non-Compliance 6b Agreement***"). If the Village enters into a Future Non-Compliance 6b Agreement, it will notify the Applicant within 30 days of entering into such agreement.

SECTION 6. APPLICABLE CODES, ORDINANCES, RULES AND REGULATIONS OF THE VILLAGE.

Until the end of the term of this Agreement, the Property shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the date of this Agreement ("***Current CORR***"). Any future renovations and tenant improvements which require a permit shall be governed by the codes, ordinances, rules and regulations of the Village in effect at the time of said permit.

SECTION 7. NATURE AND SURVIVAL OF OBLIGATIONS.

The provisions of this Agreement shall run with and bind the Property, and shall inure to the benefit of, and be enforceable by the Village, the Applicant, and any of its respective legal representatives, heirs, grantees, successors, and assigns. Upon execution by both parties, the Village is authorized to record this Agreement in the Office of the Cook County Recorder.

SECTION 8. TERM.

This Agreement shall be effective from the Effective Date of the Agreement until at such time as the Property's Classification is scheduled to expire, regardless of whether a renewal, deactivation or termination of the Property's Class 6b Classification occurs.

SECTION 9. GENERAL PROVISIONS

A. Notice. Any notice or communication required or permitted to be given under this Agreement shall be in writing and shall be delivered: (i) personally, (ii) by a reputable overnight courier, (iii) by certified mail, return receipt requested, and deposited in the U.S. Mail, postage prepaid. Unless otherwise expressly provided in this Agreement, notices shall be deemed received upon the earlier of (a) actual receipt; (b) one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (c) three business days following deposit in the U.S. mail, as evidenced by a return receipt. By notice complying with the requirements of this Subsection 9.A, each party shall have the right to change the address or the addressee, or both, for all future notices and communications to such party, but no notice of a change of addressee or address shall be effective until actually received.

Notices and communications to Village shall be addressed to, and delivered at, the following address:

Village of Niles
1000 Civic Center Drive
Niles, IL 60714
Attn: Village Manager

Notices and communications to the Applicant shall be addressed to, and delivered at, the following addresses:

7555 N. Caldwell LLC
c/o Eddie Jhin
3587 Oakcliff Road
Doraville, GA 30340

Seyfarth Shaw LLP
Attn: James FortCamp
131 S. Dearborn Street
Suite 2400
Chicago, Illinois 60603

B. Time of the Essence & Force Majeure. Time is of the essence of this Agreement; provided, however, a party shall not be deemed in material breach of this Agreement with respect to any obligations of this Agreement on such party's part to be performed if such party fails to timely perform the same and such failure is due in whole or in part to any strike, lock-out, labor trouble (whether legal or illegal), civil disorder, inability to procure materials, weather conditions, wet soil conditions, failure or interruptions of power, restrictive governmental laws and regulations, condemnations, riots, insurrections, war, fuel shortages, accidents, casualties, floods, earthquakes, fires, acts of God, epidemics, quarantine restrictions, freight embargoes, acts caused directly or indirectly by the other party (or the other party's agents, employees or invitees) or similar causes beyond the reasonable control of such party (***"Force Majeure"***). If one of the foregoing events shall occur or either party shall claim that such an event shall have occurred, the party to whom such claim is made shall investigate same and consult with the party making such claim and the party to whom such claim is made shall grant any extension for the performance of the unsatisfied obligation equal to the period of the delay, which period shall commence to run from the time of the commencement of the Force Majeure; provided that the failure of performance was reasonably caused by such Force Majeure.

C. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any and all prior agreements and negotiations between the parties, whether written or oral, relating to the subject matter of this Agreement.

D. Exhibit. ***Exhibit A*** attached to this Agreement is, by this reference, incorporated in and made a part of this Agreement.

E. Amendments and Modifications. No amendment or modification to this Agreement shall be effective unless and until it is reduced to writing and approved and executed by all parties to this Agreement.

F. Non-Waiver. The Village shall be under no obligation to exercise any of the rights granted to it in this Agreement. The failure of the Village to exercise at any time any right granted to the Village shall not be deemed or construed to be a waiver of that right, nor shall the failure void or affect the Village's right to enforce that right or any other right.

G. Severability. It is hereby expressed to be the intent of the parties hereto that should any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, entity, or property shall not be impaired thereby, but the remaining provisions shall be interpreted, applied, and enforced so as to

achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

H. No Third Party Beneficiaries. No claim as a third party beneficiary under this Agreement by any person, firm, or corporation shall be made, or be valid, against the Village or the Applicant.

I Business Days. For all purposes of this Agreement, a "***business day***" shall refer to all Mondays, Tuesdays, Wednesdays, Thursdays and Fridays with the exception of United States and State of Illinois legal holidays.

J. Assignment. This Agreement may be assigned by the Applicant without written prior consent of the Village. However, the Assignee is subject to the terms and conditions of this agreement.

K. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original document, which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date first above written.

VILLAGE OF NILES, an Illinois home rule municipal corporation

By:_____
Its: Village Manager

ATTEST:

By: _____
Its: Village Clerk

7555 N. Caldwell LLC, an Illinois limited liability company
By Eddie Jhin, its managing member

_____

By: Eddie Jhin
Its: Managing Member

ATTEST:

By: _____

Its: _____

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The foregoing instrument was acknowledged before me on _____day of _____, 201_ by Steven C. Vinezeano, the Village Manager of the **VILLAGE OF NILES,** an Illinois home rule municipal corporation, and by Marlene J. Victorine, the Village Clerk of said municipal corporation.

_____
Signature of Notary

SEAL
My Commission expires: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

This instrument was acknowledged before me on _____, 20__, by Eddie Jhin, the managing member of **7555 N. Caldwell, LLC**, an Illinois limited liability company.

_____
Signature of Notary

SEAL
My Commission expires: _____

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

THAT PART OF THE EAST 1/2 OF THE SOUTH EAST FRACTIONAL 1/4 OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE EAST LINE OF CALDWELL AVENUE, NORTH OF THE NORTH LINE AND SAID LINE EXTENDED OF THE SOUTH 2 ACRES OF THAT PART OF THE WEST 10 ACRES OF THE NORTH 30 ACRES OF THE EAST 1/2 OF THE SOUTH EAST FRACTIONAL 1/4 OF SECTION 30 LYING EAST OF THE EAST LINE OF CALDWELL AVENUE, AND LYING WEST OF A LINE DRAWN 125.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE WEST 10 ACRES AFORESAID, EXCEPTING THEREFROM THAT PART OF HOWARD STREET HERETOFORE DEDICATED PER PLAT RECORDED JUNE 19, 1950 AS DOCUMENT NUMBER 14829309 AND PER PLAT RECORDED OCTOBER 17, 1972 AS DOCUMENT NUMBER 22086873, ALL IN COOK COUNTY, ILLINOIS.

Property Address: 7555 North Caldwell Avenue, Niles, Illinois

PIN: 10-30-401-007-0000
10-30-401-013-0000

7555 Caldwell

THE VILLAGE OF NILES
It's possible here

Legend

- Parcels
- Parcels - Outside Niles
- Village Limits
- Municipal Buildings
- Buildings
- Forest Preserves
- Parks - Outside Niles

Notes

Notes

N

1	:	4,001
1 inch	=	333 feet

Atlas

Village of Niles
1000 Civic Center Drive
Niles, IL 60714

www.vniles.com/gis
Email: gis@vniles.com
© Village of Niles

The Village of Niles has developed a geographic information systems (GIS) database from existing public records that The Village of Niles is mandated to maintain in order to carry out the normal functions of The Village of Niles. The Village of Niles makes no claims as to the reliability of the original data collection process and is not responsible for inaccuracies that could have occurred due to errors in the original data input or undetectable errors due to electronic transfer of the data from system to system or system to disk. The Village of Niles customarily uses this data for planning purposes and record keeping, and The Village of Niles is not responsible for the other use of this public information. The data are only designed to be displayed with GIS maps whose representational scale is no smaller than 1:1200. If it comes to the Village's attention that this information is being used for commercial purposes, we will retain the right to withhold this information from the requester. The Village of Niles has accumulated this data in pursuance of its governmental function. This information is provided as required under the Freedom of Information Act and the Village, its officers and employees assert their full legal rights under governmental immunity for any liability arising from any act of omission or commission with respect to the information furnished. The Village makes no claim as to the accuracy of the base maps and their associated data tables and assumes no responsibility for their positional or content accuracy. In providing data (or access to it) the Village assumes no obligation to assist the contractor in the use of the data, or in the development, use or maintenance of any applications applied to the data. The Village assumes no responsibility for the accuracy of any subsequent copies of the licensed data, made and distributed within the Licensee's organization

THIS MAP IS NOT TO BE USED FOR NAVIGATION

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Bid Award and Contract with Morton Salt Inc., to Provide Bulk Highway Deicing Road Salt for the 2016-2017 Winter Season for the Village of Niles

Meeting Date	6/28/2016	Item Number	**14**
Requested by	Mary Anderson, Director of Public Works	Action Requested	RESOLUTION
Prepared by	Bob Pilat, Admin. Asst.	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	Resolution
Exhibit	Contract
Backup Material	Morton Salt 2016 Bid
Minutes	Bid Minutes

MOTION

I move for Board approval of a bid award and contract with Morton Salt Inc., to provide bulk highway deicing road salt for the 2016-2017 winter season to the Village of Niles in the amount of $270,450.

REASON FOR REQUEST / BACKGROUND

Bids were received from three bidders on June 1, 2016. Morton Salt was the low responsible bidder at $270,450 ($54.09 per ton). This is $29,550 under budget. Last year salt cost $68.18 per ton.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	1430	Total Amount for Approval	$270,450
ACCT#	3620	Budget Amount	$300,000
		Variance	($29,550)

RESOLUTION 2016-

RESOLUTION AUTHORIZING A BID AWARD AND CONTRACT WITH MORTON SALT, INC., INC. TO PROVIDE BULK HIGHWAY DEICING ROAD SALT FOR THE 2016-2017 WINTER SEASON

WHEREAS, the Village sought bid proposals for the award of the bulk highway deicing road salt for the 2016-2017 winter season; and

WHEREAS, Morton Salt, Inc., of Chicago, Illinois, (*"Morton"*), submitted the lowest responsible bid proposal to the Village; and

WHEREAS, the President and Board of Trustees have determined that entering into the Contract with Morton will serve and be in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby approve the following:

SECTION 1: Recitals. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the President and Board of Trustees.

SECTION 2: Authorization of Contract. The Contract between the Village and Morton is attached to this Resolution as Exhibit A.

SECTION 3: Execution of Contract**.** The President is hereby authorized to execute and the Village Clerk shall attest, on behalf of the Village, the Contract upon receipt by the Village Clerk at least one original copy of the Contract executed by Morton; provided, however, that if the executed copy of the Contract is not received by the Village Clerk within 60 days after the effective date of this Resolution, then this authority to execute and attest shall, at the option of the President and Board of Trustees, be null and void.

SECTION 4: Effective Date**.** This Resolution shall be in full force and effect upon its passage and approval by a majority of the members of the Board of Trustees.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

VILLAGE OF NILES

MINUTES FOR BID OPENINGS
June 1, 2016

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

A public meeting for the purpose of opening bids for the above programs was called to order at 3:00 P.M. on June 1, 2016, in the Conference Room of the Administration Building, 1000 Civic Center Drive, Niles, Illinois.

Present:

Paul Lubanski	Joel Kennedy Construction
Debbie Jones	Morton Salt
Michelle Staunton	Morton Salt
Mike Loftus	Arrow Road Construction
Scott Witikko	Lenny Hoffman Excavating
Steve Vinezeano	Village Manager, VON
Mary Anderson	Public Services Director, VON
Susan Bus	Purchasing Agent, VON
Bob Pilat	Administrative Asst. to P/S Director, VON
Tom Powers	Engineer, VON
Dan Randolph	Engineer, VON
Jill Ostman	Purchasing Asst., VON

The Bids were opened and read as follows:

2016/2017 BULK HIGHWAY DEICING ROAD SALT

Morton Salt	**$ 270,450.00**
Compass Minerals	$ 270,650.00
Cargill	$ 326,750.00

2016 STREET IMPROVEMENT PROGRAM	**Base Bid**	**Alternate #1**
Arrow Road Construction Co.	**$ 1,021,145.93**	**$ 390,865.87**
ALamp Concret Contractors, Inc.	$ 1,123,495.50	$ 430,588.47
Schroeder Asphalt Services, Inc.	$ 1,123,594.58	$ 419,801.97
J.A. Johnson Paving	$ 1,185,273.53	$ 426,199.87
Peter Baker & Son Company	$ 1,198,849.93	$ 422,947.47

2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

ALamp Concrete Contractors	**$ 1,227,858.00**
Martam Constructions, Inc.	$ 1,297,650.00
Joel Kennedy Construction	$ 1,438,421.00
Lenny Hoffman Excavating Inc.	$ 1,714,777.00
J. Congdon Sewer Service, Inc.	$ 2,094,447.16

Those present were advised that the proposals would be reviewed by the Engineering Department and the contracts will be awarded at the Village of Niles Board Meeting on June 28, 2016.

Susan Bus

Susan Bus, CPPB

VILLAGE OF NILES

PUBLIC BID OPENING

June 1, 2016
3:00 P.M.

2016/2017 BULK HIGHWAY DEICING ROAD SALT

BIDDER	BID AMOUNT	BID BOND	CHECK
Cargill North Olmsted, OH	326,750.00	✓	
Compass Minerals Overland Park, KS	270,650.00	✓	
Independent Salt Company Kanopolis, KS	No Bid		
Morton Salt Chicago, IL	270,450.00	✓	

VILLAGE OF NILES

SIGN IN SHEET

Public Bid Opening
June 1, 2016
3:00 P.M.

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

Name	***(Please Print)***	***Company***
SUSAN BUS		VON
Jill Ostman		VON
TOM POWERS		VON
DAN RANDOLPH		VON
BOB PILAT		VON
Mary Anderson		VON
Paul Lukanski		Joel Kennedy Const.
Debbi Jones		Morton Salt
Michelle Staunton		Morton Salt
MIKE LOFTUS		ARROW ROAD
Scott Witikko		Lenny Hoffman Exc INC
SCV		VON

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Bid Award and Contract with Arrow Road Construction for the 2016 Street Resurfacing Program

Meeting Date	6/28/2016	Item Number	**15**
Requested by	Mary Anderson, Director of Public Services	Action Requested	BID AWARD
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	Resolution
Exhibit	Contract
Minutes	Bid minutes
Backup Material	Bid Tab

MOTION

I move for Board approval of a Resolution authorizing a bid award and contract with Arrow Road Construction for the 2016 Street Resurfacing Program in the amount of $ $1,412,011.80.

REASON FOR REQUEST / BACKGROUND

Bids were received from four firms for the 2016 Street Improvement Program. Arrow Road Construction Company provided the lowest base plus alternate contract price of $1,412,011.80 and has met all bid requirements.

The next lowest responsible bidder was $1,554,083.97. The bid price is approximately $487,988.20 below budget.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	2210	Total Amount for Approval	$1,412,011.80
ACCT#	3840	Budget Amount	$1,900,000.00
		Variance	($487,988.20)

RESOLUTION 2016-

RESOLUTION AUTHORIZING A BID AWARD AND CONTRACT WITH ARROW ROAD CONSTRUCTION COMPANY. FOR THE 2016 STREET RESURFACING PROGRAM

WHEREAS, the Village sought bid proposals for the award of the 2016 Street Resurfacing Program (*"Project"*); and

WHEREAS, Arrow Road Construction Company, of Mount Prospect, Illinois, (*"Arrow"*), submitted the lowest responsible bid proposal to the Village; and

WHEREAS, the President and Board of Trustees have determined that entering into the Contract with Arrow will serve and be in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby approve the following:

SECTION 1: Recitals. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the President and Board of Trustees.

SECTION 2: Authorization of Contract. The Contract between the Village and Arrow is attached to this Resolution as Exhibit A.

SECTION 3: Execution of Contract**.** The President is hereby authorized to execute and the Village Clerk shall attest, on behalf of the Village, the Contract upon receipt by the Village Clerk at least one original copy of the Contract executed by Arrow; provided, however, that if the executed copy of the Contract is not received by the Village Clerk within 60 days after the effective date of this Resolution, then this authority to execute and attest shall, at the option of the President and Board of Trustees, be null and void.

SECTION 4: Effective Date**.** This Resolution shall be in full force and effect upon its passage and approval by a majority of the members of the Board of Trustees.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

VILLAGE OF NILES

MINUTES FOR BID OPENINGS
June 1, 2016

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

A public meeting for the purpose of opening bids for the above programs was called to order at 3:00 P.M. on June 1, 2016, in the Conference Room of the Administration Building, 1000 Civic Center Drive, Niles, Illinois.

Present:

Paul Lubanski	Joel Kennedy Construction
Debbie Jones	Morton Salt
Michelle Staunton	Morton Salt
Mike Loftus	Arrow Road Construction
Scott Witikko	Lenny Hoffman Excavating
Steve Vinezeano	Village Manager, VON
Mary Anderson	Public Services Director, VON
Susan Bus	Purchasing Agent, VON
Bob Pilat	Administrative Asst. to P/S Director, VON
Tom Powers	Engineer, VON
Dan Randolph	Engineer, VON
Jill Ostman	Purchasing Asst., VON

The Bids were opened and read as follows:

2016/2017 BULK HIGHWAY DEICING ROAD SALT

Morton Salt	**$ 270,450.00**
Compass Minerals	$ 270,650.00
Cargill	$ 326,750.00

2016 STREET IMPROVEMENT PROGRAM	**Base Bid**	**Alternate #1**
Arrow Road Construction Co.	**$ 1,021,145.93**	**$ 390,865.87**
ALamp Concret Contractors, Inc.	$ 1,123,495.50	$ 430,588.47
Schroeder Asphalt Services, Inc.	$ 1,123,594.58	$ 419,801.97
J.A. Johnson Paving	$ 1,185,273.53	$ 426,199.87
Peter Baker & Son Company	$ 1,198,849.93	$ 422,947.47

2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

ALamp Concrete Contractors	**$ 1,227,858.00**
Martam Constructions, Inc.	$ 1,297,650.00
Joel Kennedy Construction	$ 1,438,421.00
Lenny Hoffman Excavating Inc.	$ 1,714,777.00
J. Congdon Sewer Service, Inc.	$ 2,094,447.16

Those present were advised that the proposals would be reviewed by the Engineering Department and the contracts will be awarded at the Village of Niles Board Meeting on June 28, 2016.

Susan Bus

Susan Bus, CPPB

VILLAGE OF NILES

PUBLIC BID OPENING

June 1, 2016
3:00 P.M.

2016 STREET IMPROVEMENT PROGRAM

BIDDER	BID AMOUNT	BID BOND	CHECK
ALamp Concrete Contractors, Inc. Schaumburg, IL	Base 1,123,495.50 / Alt 430,588.47	✓	
Arrow Road Construction Co. Mt. Prospect, IL	1,021,145.93 / 390,865.87	✓	
Peter Baker & Son Company Lake Bluff, IL	1,198,849.93 / 422,947.47	✓	
J.A. Johnson Paving Arlington Hts., IL	1,185,273.53 / 426,199.87	✓	
Schroeder Asphalt Services, Inc. Huntley, IL	1,123,594.58 / 419,801.97	✓	

VILLAGE OF NILES

SIGN IN SHEET

Public Bid Opening
June 1, 2016
3:00 P.M.

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

Name	***(Please Print)***	***Company***
SUSAN BUS		VON
Jill Ostman		VON
TOM POWERS		VON
DAN RANDOLPH		VON
BOB PILAT		VON
Mary Anderson		VON
Paul Lukanski		Joel Kennedy Const.
Debbi Jones		Morton Salt
Michelle Staunton		Morton Salt
MIKE LOFTUS		ARROW ROAD
Scott Witikko		Lenny Hoffman Exc INC
SCV		VON

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing the Use of Motor Fuel Tax Funds to Pay for the 2016 Street Improvement Program

Meeting Date	6/28/2016	Item Number	**16**
Requested by	Mary Anderson, Director of Public Services	Action Requested	RESOLUTION
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	MFT Resolution
Backup Material	IDOT Request

MOTION

I move for Board approval of a Resolution authorizing the use of Motor Fuel Tax (MFT) funds to pay for the 2016 Street Improvement Program.

REASON FOR REQUEST / BACKGROUND

The resolution is required to authorize the Village to use MFT funds to pay for the 2016 Street Improvement Program

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item? No

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

Illinois Department of Transportation

Resolution for Improvement by Municipality Under the Illinois Highway Code

BE IT RESOLVED, by the President and Board of Trustees of the
Council or President and Board of Trustees

Village of Niles Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Conrad Ave		Harlem Ave	Oketo Ave
Grace Ave		Dempster St	End
Natchez Ave		Gross Point Rd	Howard St
Nordica Ave		Fargo Ave	Jonquil Ter
Oak Ave		Grace Ave	Cumberland Ave
Oakton Ct		Waukegan Rd	New England Ave
Alley (east of Harlem)		End	Jarvis Ave
Alley (east of Odell)		Keeney St	Monroe St
Alternate Streets:			
Callero Dr		Maryland St	Lyons St
Catino Ter		Callero Dr	Lyons St
Loras Ln		Maryland St	Catino Ter
Maryland St		Milwaukee Ave	Loras Ln

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of HMA pavement resurfacing. Partial replacement of sidewalk and Curb and gutter. Repair of sewer structures.

and shall be constructed wide

and be designated as Section 16-00124-00-RS

2. That there is hereby appropriated the (additional ☐ Yes ☐ No) sum of One Million Four Hundred Twelve Thousand Eleven and 80/100 Dollars ($1,412,011.80) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by contract ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved

Date

Department of Transportation

Regional Engineer

I, Marlene Victorine, Village Clerk in and for the Village of Niles
City, Town or Village

County of Cook , hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the President and Board of Trustees
Council or President and Board of Trustees

at a meeting June 28, 2016
Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 28th day of June, 2016

(SEAL)

City, Town, or Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Bid Award and Contract with A Lamp Concrete Contractors Inc., for the Touhy Avenue Watermain Improvement Project

Meeting Date	6/28/2016	Item Number	**17**
Requested by	Mary Anderson, Director of Public Services	Action Requested	RESOLUTION
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	Resolution
Exhibit	Contract
Minutes	Bid minutes
Backup Material	Bid Tab
Backup Material	Letter from contractor

MOTION

I move for Board approval of a Resolution authorizing a bid award and contract with A Lamp Concrete Contractors Inc., for the Touhy Avenue Watermain Improvement Project in the amount of $1,227,858.

REASON FOR REQUEST / BACKGROUND

Pursuant to a bid opening on June 1, 2016, A Lamp is the responsive low bidder in the amount of $1,227,858. The next lowest responsible bidders price was $1,297,650, and a total of 5 firms bid on the work. The bid price came in under budget by $372,142.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	5030	Total Amount for Approval	$1,227,858
ACCT#	3840	Budget Amount	$1,600,000
		Variance	($372,142)

RESOLUTION 2016-

RESOLUTION AUTHORIZING A BID AWARD AND CONTRACT WITH A LAMP CONCRETE CONTRACTORS, INC. FOR THE TOUHY AVENUE WATERMAIN IMPROVEMENT PROJECT

WHEREAS, the Village sought bid proposals for the award of the 2016 Touhy Avenue Watermain Improvement project (*"Project"*) for the reconstruction of the watermain infrastructure; and

WHEREAS, A Lamp Concrete Contractors, Inc., of Schaumburg, Illinois, (*"A Lamp"*), submitted the lowest responsible bid proposal to the Village; and

WHEREAS, the President and Board of Trustees have determined that entering into the Contract with A Lamp will serve and be in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby approve the following:

SECTION 1: Recitals. The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the President and Board of Trustees.

SECTION 2: Authorization of Contract. The Contract between the Village and A Lamp is attached to this Resolution as Exhibit A.

SECTION 3: Execution of Contract**.** The President is hereby authorized to execute and the Village Clerk shall attest, on behalf of the Village, the Contract upon receipt by the Village Clerk at least one original copy of the Contract executed by A Lamp; provided, however, that if the executed copy of the Contract is not received by the Village Clerk within 60 days after the effective date of this Resolution, then this authority to execute and attest shall, at the option of the President and Board of Trustees, be null and void.

SECTION 4: Effective Date**.** This Resolution shall be in full force and effect upon its passage and approval by a majority of the members of the Board of Trustees.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

VILLAGE OF NILES

MINUTES FOR BID OPENINGS
June 1, 2016

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

A public meeting for the purpose of opening bids for the above programs was called to order at 3:00 P.M. on June 1, 2016, in the Conference Room of the Administration Building, 1000 Civic Center Drive, Niles, Illinois.

Present:

Paul Lubanski	Joel Kennedy Construction
Debbie Jones	Morton Salt
Michelle Staunton	Morton Salt
Mike Loftus	Arrow Road Construction
Scott Witikko	Lenny Hoffman Excavating
Steve Vinezeano	Village Manager, VON
Mary Anderson	Public Services Director, VON
Susan Bus	Purchasing Agent, VON
Bob Pilat	Administrative Asst. to P/S Director, VON
Tom Powers	Engineer, VON
Dan Randolph	Engineer, VON
Jill Ostman	Purchasing Asst., VON

The Bids were opened and read as follows:

2016/2017 BULK HIGHWAY DEICING ROAD SALT

Morton Salt	**$ 270,450.00**
Compass Minerals	$ 270,650.00
Cargill	$ 326,750.00

2016 STREET IMPROVEMENT PROGRAM	**Base Bid**	**Alternate #1**
Arrow Road Construction Co.	**$ 1,021,145.93**	**$ 390,865.87**
ALamp Concret Contractors, Inc.	$ 1,123,495.50	$ 430,588.47
Schroeder Asphalt Services, Inc.	$ 1,123,594.58	$ 419,801.97
J.A. Johnson Paving	$ 1,185,273.53	$ 426,199.87
Peter Baker & Son Company	$ 1,198,849.93	$ 422,947.47

2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

ALamp Concrete Contractors	**$ 1,227,858.00**
Martam Constructions, Inc.	$ 1,297,650.00
Joel Kennedy Construction	$ 1,438,421.00
Lenny Hoffman Excavating Inc.	$ 1,714,777.00
J. Congdon Sewer Service, Inc.	$ 2,094,447.16

Those present were advised that the proposals would be reviewed by the Engineering Department and the contracts will be awarded at the Village of Niles Board Meeting on June 28, 2016.

Susan Bus

Susan Bus, CPPB

VILLAGE OF NILES

PUBLIC BID OPENING

June 1, 2016
3:00 P.M.

2016 TOUHY AVENUE WATERMAIN IMPROVEMENT PROJECT

BIDDER	BID AMOUNT	Addendum #1	Addendum #2	Bid Bond	Check
ALamp Concrete Contractors Schaumburg, IL	1,227,858.00	✓	✓	✓	
J. Congdon Sewer Service, Inc. Carol Stream, IL	2,094,447.16	✓	✓	✓	
Lenny Hoffman Excavating Inc. Wilmette, IL	1,714,777.00	✓	✓	✓	
Joel Kennedy Construction Chicago, IL	1,438,421.00	✓	✓	✓	
Martam Construction, Inc. Elgin, IL	1,297,650.00	✓	✓	✓	

VILLAGE OF NILES

SIGN IN SHEET

Public Bid Opening
June 1, 2016
3:00 P.M.

2016/2017 BULK HIGHWAY DEICING ROAD SALT
2016 STREET IMPROVEMENT PROGRAM
2016 TOUHY AVE WATERMAIN IMPROVEMENT PROJECT

Name	***(Please Print)***	***Company***
SUSAN BUS		VON
Jill Ostman		VON
TOM POWERS		VON
DAN RANDOLPH		VON
BOB PILAT		VON
Mary Anderson		VON
Paul Lukanski		Joel Kennedy Const.
Debbi Jones		Morton Salt
Michelle Staunton		Morton Salt
MIKE LOFTUS		ARROW ROAD
Scott Witikko		Lenny Hoffman Exc INC
SCV		VON

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Contractual Agreement with Ciorba Group for Resident Engineering Construction Services

Meeting Date	6/28/2016	Item Number	**18**
Requested by	Mary Anderson, Director of Public Services	Action Requested	RESOLUTION
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	Resolution
Backup Material	Proposal
Agreement	Contract

MOTION

I move for Board approval of a Resolution authorizing a Contractual Agreement with Ciorba Group to provide resident engineering construction services for the Touhy Avenue Watermain Project in the amount of $126,964.90.

REASON FOR REQUEST / BACKGROUND

Pursuant to a review of proposals on June 8th, 2016 Ciorba Group was determined to be the most qualified firm providing the best overall value to the Village. Public Services staff are currently fully committed with construction projects throughout the Village. The cost for these services is under budget by $23,035.10.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	5030	Total Amount for Approval	$126,964.90
ACCT#	3840	Budget Amount	$150,000.00
		Variance	($23,035.10)

RESOLUTION 2016-

RESOLUTION AUTHORIZING A CONTRACTUAL AGREEMENT WITH CIORBA GROUP TO PROVIDE RESIDENT ENGINEERING CONSTRUCTION SERVICES FOR THE TOUHY AVENUE WATERMAIN PROJECT FOR THE VILLAGE OF NILES

WHEREAS, Ciorba Group will provide resident engineering construction services for the Touhy Avenue Watermain Project.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby authorize the President or his designee of the Village of Niles to execute a contractual agreement with Ciorba Group.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing an Intergovernmental Agreement with the Metropolitan Water Reclamation District of Greater Chicago for Design, Construction, Operation and Maintenance of a Bioswale and Permeable Pavement Parking Lot Near Oak Park

Meeting Date	6/28/2016	Item Number	**19**
Requested by	Mary Anderson, Director of Public Services	Action Requested	RESOLUTION
Prepared by	Tom Powers, Village Engineer	Assigned to:	Trustee LoVerde

ATTACHMENTS:

	Type	Description
🗋	Resolution	Resolution
🗋	Agreement	Intergovernmental Agreement
🗋	Backup Material	IGA Exhibit

MOTION

I move for Board approval of a Resolution authorizing an Intergovernmental Agreement with the Metropolitan Water Reclamation District (MWRD) of Greater Chicago for design, construction, operation and maintenance of a bioswale and permeable pavement parking lot stormwater facility near Oak Park.

REASON FOR REQUEST / BACKGROUND

Following negotiations with MWRD to participate in the construction of the Oak Park bioswale and permeable pavement "Green Street" project, MWRD requires the authorization of an Intergovernmental Agreement.

Will this action involve an expenditure of funds? No

If yes, is this a budgeted item? No

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

RESOLUTION 2016-

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO FOR DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF A BIOSWALE AND PERMEABLE PAVEMENT PARKING LOT NEAR OAK PARK IN NILES

WHEREAS, the Village proposes the construction of a bioswale and a 1,070 square yard rain permeable pavement parking lot to be located adjacent to Oak Park in the Village of Niles. The project will increase groundwater infiltration, capture stormwater, reduce CSO events, and offer volunteer opportunities. The bioswale and permeable pavement parking lot near a public park will serve to further the Metropolitan Water Reclamation District's goal of informing the public of the value of green infrastructure; and

WHEREAS, the Village's proposed plans to construct a bioswale and a 1,070 square yard rain permeable pavement parking lot with green infrastructure may be approached more effectively, economically, and comprehensively with the Village and Metropolitan Water Reclamation District cooperating and using their joint efforts and resources.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby authorize the President or his designee of the Village of Niles to execute an intergovernmental agreement with the Metropolitan Water Reclamation District of Greater Chicago (MWRD).

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Resolution Authorizing a Contractual Agreement with Garland/DBS, Inc. for Phase 4 of 6 Roof Repairs, Proceeding with Work at the Public Services Building at 6859 W. Touhy Avenue

Meeting Date	6/28/2016	Item Number	**20**
Requested by	Mary Anderson, Public Services Director	Action Requested	RESOLUTION
Prepared by	Fred Braun, Streets Superintendent	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Resolution	Resolution
Agreement	Contract
Agreement	Garland
Backup Material	USC Proposal and Bid Results

MOTION

I move for Board approval of a Resolution authorizing a contractual agreement with Garland/DBS, Inc. for Phase 4 of 6 roof repairs, proceeding with work at the Public Services Building at 6859 W. Touhy Avenue in the amount of $464,920.

REASON FOR REQUEST / BACKGROUND

Roof repairs have been scheduled at the Village of Niles facilities in six phases to reduce the yearly impact on the budget. The bids were received via U.S. Communities, a joint bidding process with the assistance of Garland/DBS, Inc. The bid is $35,080 below the budgeted amount.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	1460	Total Amount for Approval	$464,920
ACCT#	3810	Budget Amount	$500,000
		Variance	($35,080)

RESOLUTION 2016-

RESOLUTION AUTHORIZING A CONTRACTUAL AGREEMENT WITH GARLAND/DBS, INC. FOR PHASE 4 OF 6 ROOF REPAIRS, PROCEEDING WITH WORK AT THE PUBLIC SERVICES BUILDING AT 6859 W. TOUHY AVENUE

WHEREAS, Garland/DBS, Inc., will provide the Village with roof repairs at the Public Services Building at 6859 W. Touhy Avenue.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Niles, Cook County, Illinois, do hereby authorize the President or his designee of the Village of Niles to execute a contractual agreement with Garland/DBS, Inc.

PASSED: This 28th day of June, 2016
YEAS:
NAYS:
ABSENT:
ABSTAIN:

APPROVED by me this 28th day of June, 2016.

_____
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 28th day of June, 2016, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

_____
Village Clerk

BOARD AGENDA ITEM EXPLANATION FORM

Authorization of Use of the MPI Contractual Pricing Pursuant to Government Joint Purchasing Act, 30 ILCS 525/0.01, et. seq. with Insituform Technologies for Sewer Lining

Meeting Date	6/28/2016	Item Number	**21**
Requested by	Mary Anderson, Public Services Director	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Jack Grana, Utilities Superintendent	Assigned to:	Trustee Matyas

ATTACHMENTS:

Type	Description
Backup Material	Bid Tab
Backup Material	Insituform Documents
Backup Material	Bid Specs

MOTION

I move for Board approval to authorize the use of the Municipal Partnering Initiative (MPI) contractual pricing pursuant to the Government Joint Purchasing Act, 30 ILCS 525/0.01, et. seq., with Insituform Technologies, for sewer lining in the amount of $100,000.

REASON FOR REQUEST / BACKGROUND

Cured-in-place pipe (CIPP) is a trenchless rehabilitation method used to repair existing sewer pipes. CIPP is a jointless, seamless, pipe-within-a-pipe with the capability to rehabilitate sewer pipes and restore structural integrity. The finished product has a 50-year design life, the same as that of a brand new sewer pipe.

Will this action involve an expenditure of funds? Yes

If yes, is this a budgeted item? Yes

ORG#	5040	Total Amount for Approval	$100,000
ACCT#	3810	Budget Amount	$100.000
		Variance	$0

INVITATION FOR BIDS

Project SS16.1

BID DOCUMENTS AND SPECIFICATIONS

2016 SANITARY AND STORM SEWER LINING

FOR THE MUNICIPALITIES OF:

GLENVIEW, NORTHBROOK, NILES, KENILWORTH & SKOKIE

VILLAGE OF SKOKIE
5127 OAKTON STREET
SKOKIE, IL 60077
(847) 673-0500

LEGAL NOTICE

Official notice is hereby given that sealed bids will be received at the Village of Skokie, 5127 Oakton Street, Skokie, IL 60077 until 11:00 a.m. local time on April 21, 2016, and then at said office publicly opened and read aloud for the following:

RFB ON: 2016 SANITARY AND STORM SEWER LINING FOR
THE MUNICIPALITIES OF: GLENVIEW, NORTHBROOK, NILES, KENILWORTH, AND SKOKIE

A MANDATORY PRE-BID MEETING WILL BE HELD ON APRIL 14, 2016 AT 10:00AM AT **THE VILLAGE OF SKOKIE, 5127 OAKTON STREET, SKOKIE, IL 60077.**

Scope of work includes approximately 40,854 linear feet of sanitary and storm sewer lining in various sizes of cured-in-place pipe (CIPP) lining, and 2,000 linear feet of heavy cleaning.

Plans, specifications and bid forms may be obtained at the Village of Skokie, 5127 Oakton Street, Skokie, IL 60077, or by calling **(847) 933-8240**.

There is a $60.00 non-refundable charge for the bid documents. Checks or money orders, made payable to the Village of Skokie are the only accepted method of payment. We do not accept cash or credit cards.

All bids shall be accompanied by a Bid Bond, Certified or Cashier's Check made payable to the Village of Skokie for not less than five percent (5%) of the bid amount. The successful bidder must furnish a satisfactory performance and payment bond in the full amount of the bid.

All work under this contract shall comply with the Prevailing Wage Act of the State of Illinois, 820 ILCS 130/0.01 *et seq*. & the Employment of Illinois Workers on Public Works Act (30 ILCS 570/0.01 *et. seq*).

Offers may not be withdrawn for a period of ninety (90) days after the bid date without the consent of the Board of Trustees.

Any Bid submitted unsealed, unsigned, fax transmissions or received subsequent to the aforementioned date and time, will be disqualified and returned to the bidder.

The Villages reserve the right to reject any and all bids or parts thereof, to waive any irregularities or informalities in bid procedures and to award the contract in a manner best serving the interest of the Village.

Dated: April 7, 2016
Erik Cook
Director of Engineering

Any and all exceptions to these specifications MUST be clearly and completely indicated on the bid sheet. Attach additional pages if

Schedule of Prices

Company Name: _____

Address: _____

City, State, Zip Code:_____

PROJECT: 2016 MPI Sewer Lining
SS16.1

Item No.	Description	Unit	Quantity	Unit Price	TOTAL
1	8" CURED IN PLACE PIPE	FOOT	21,167		
2	8" CURED IN PLACE PIPE (EASEMENT)	FOOT	488		
3	9" CURED IN PLACE PIPE	FOOT	2,666		
4	10" CURED IN PLACE PIPE	FOOT	2,349		
5	10" CURED IN PLACE PIPE (EASEMENT)	FOOT	153		
6	12" CURED IN PLACE PIPE	FOOT	6,162		
7	12" CURED IN PLACE PIPE (EASEMENT)	FOOT	475		
8	15" CURED IN PLACE PIPE	FOOT	2,097		
9	15" CURED IN PLACE PIPE (EASEMENT)	FOOT	150		
10	18" CURED IN PLACE PIPE	FOOT	1,474		
11	18" CURED IN PLACE PIPE (EASEMENT)	FOOT	151		
12	20" CURED IN PLACE PIPE	FOOT	608		
13	24" CURED IN PLACE PIPE	FOOT	246		
14	30" CURED IN PLACE PIPE	FOOT	1,876		
15	33" CURED IN PLACE PIPE	FOOT	792		
16	REINSTATEMENT OF SERVICE LATERALS – SANITARY SEWER	EACH	527		
17	REINSTATTEMENT OF SERVICE LATERALS – STORM SEWER	EACH	72		
18	PROTRUDING TAP REMOVAL	EACH	36		
19	HEAVY CLEANING (8"-18" PIPE)	FOOT	1,000		
20	HEAVY CLEANING (21"-33" PIPE)	FOOT	1,000		
				TOTAL BID:	

Any and all exceptions to these specifications MUST be clearly and completely indicated on the bid sheet. Attach additional pages if necessary. **NOTE TO BIDDERS:** Please be advised that any exceptions to these specifications may cause your bid to be disqualified. Submit bids by SEALED BID ONLY. Fax and e-mail bids are not acceptable and will not be considered.

THE SECTION BELOW MUST BE COMPLETED IN FULL AND SIGNED

The undersigned hereby certifies that they have read and understand the contents of this solicitation and agree to furnish at the prices shown any or all of the items above, subject to all instructions, conditions, specifications and attachments hereto. Failure to have read all the provisions of this solicitation shall not be cause to alter any resulting contract or to accept any request for additional compensation. By signing this bid document, the bidder hereby certifies that they are not barred from bidding on this contract as a result of a violation of either Section 33E-3 or 33E-4 of the Illinois Criminal Code of 1961, as amended.

Authorized Signature: _____ **Company Name:** _____

Typed/Printed Name: _____ **Date:** _____

Title: _____ **Telephone Number:** _____

E-Mail: _____

1. **INTENT**
The Village of Glenview ("Glenview"), the Village of Northbrook("Northbrook"), the Village of Niles ("Niles"), the Village of Kenilworth ("Kenilworth"), and the Village of Skokie ("Skokie"), (collectively, "Municipalities") intend to jointly bid sanitary and storm sewer lining and award to a primary contractor ("Contractor")

Through this joint bid process, the Municipalities are presenting an economy of scale to potential bidders, providing them with opportunities for increased revenues as well as reduced costs, which the bidders will in turn extend to the Municipalities via lower pricing. The Village of Skokie is conducting the bidding process on behalf of the Municipalities. Each Village's municipal manager or board of trustees as the case may be, will have the right to review and independently approve or reject the bid award and execute the Agreement Acceptance.

The work performed shall be in accordance with the provisions of the Illinois Prevailing Wage Act 820 ILCS 130/0.01 *et seq*. and Employment of Illinois Workers on Public Works Act (30 ILCS 570/).

Submissions shall include, at a minimum, five (5) references that indicate the bidder's ability to successfully perform similar work within the last three (3) years. At a minimum reference submissions shall include municipal references.

2. **BID PRICE**
The Contractor shall provide pricing per the specifications identified herein.

3. **PRE-BID CONFERENCE**
A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON APRIL 14, 2016 AT 10:00AM AT THE VILLAGE OF SKOKIE, 5127 OAKTON STREET, SKOKIE, IL 60077.

Contractors interested in bidding this work are required to attend the pre-bid conference. Attendance at this meeting is mandatory and Contractors are warned that no allowance will be granted to bidders unfamiliar with the work.

4. **AWARD**
Award shall be made to the lowest responsive and responsible bidder (s) who best meets the specifications including financial capacity to perform, experience and qualifications performing similar work, and scheduling based upon the evaluation criteria specified herein.

The Village of Skokie reserves the right to award in part or in whole, not to award any portion of the bid, to award through multiple contracts based on communities fiscal year cycles, to cancel or reduce contracts due to funding constraints, and to award to multiple contractors (see 1. Intent), whatever is deemed to be in the best interest of the Municipalities.

No work shall be awarded to a Bidder that is in arrears or is in default to any of the municipalities for any debt or contract, or that has defaulted, as surety or otherwise, upon any obligation to the municipality, or that has failed to perform satisfactorily any previous contract with, or work for, the municipality.

5. **VOLUME/ESTIMATED QUANTITY**
The volumes identified herein are estimated quantities. The Municipalities do not guarantee any specific amount and shall not be held responsible for any deviation. This contract shall cover the Municipalities' requirements whether more or less than the estimated amount.

The Municipalities reserve the right to increase and/or decrease quantities regardless of size, length, location, or ease of access, and add or delete locations or Municipalities during the term of the Agreement, whatever is deemed to be in the best interest of the Municipalities, at no additional cost to the contract.

In the event awarded Contractor(s) is unavailable, the Municipalities reserve the right to use whatever contractor is available to minimize and/or mitigate damages to their Municipality.

6. **JOINT PURCHASING/PURCHASING EXTENSION**
The purchase of goods and services pursuant to the terms of this Agreement shall also be offered for purchases to be made by the Municipalities, as authorized by the Governmental Joint Purchasing Act, 30 ILCS 525/0.01, *et seq.* (the "Act"). All purchases and payments made under the Act shall be made directly by and between each Municipality and the successful bidder. The bidder agrees that the Village of Skokie shall not be responsible in any way for purchase orders or payments made by the other Municipalities. The bidder further agrees that all terms and conditions of this Agreement shall continue in full force and effect as to the other Municipalities during the extended term of this Agreement.

Bidder and the other Municipalities may negotiate such other and further terms and conditions to this Agreement ("Other Terms") as individual projects may require. In order to be effective, Other Terms shall be reduced to writing and signed by a duly authorized representative of both the successful bidder and the other Municipality.

The bidder shall provide the other Municipalities with all documentation as required in the RFB, and as otherwise required by the Village of Skokie, including, but not limited to:

- 100% performance and payment bonds for the project awarded by other Municipalities
- Certificate of insurance naming each other Municipality as an additional insured
- Certified payrolls to the other Municipality for work performed

7. **WAIVER OF WORKERS COMPENSATION/OCCUPATIONAL DISEASE EXPENSE REIMBURSEMENT**
The Contractor agrees to waive any and all rights to reimbursement of workers' compensation expenses under Section 1(a)(4) of the Illinois Workers' Compensation Act (820 ILCS 305), and as amended; and the Contractor agrees to waive any and all rights to reimbursement of occupational disease expenses under Section 1(a)(3) of the Illinois Occupational Diseases Act (820 ILCS 310), and as amended.

8. **UNBALANCED BIDS**
Any bid which is materially unbalanced as to prices for the Base Bid and/or Optional Bid Items may be rejected. An unbalanced bid is one which is based on the prices significantly less than the cost for some work and/or prices which are significantly overstated for other work.

The Village of Skokie will review all unit prices submitted by the apparently lowest responsible bidder and will decide whether any of the unit prices are excessively above or below a reasonable cost analysis value determined by the Engineer.

In the event any unit prices are determined to be unbalanced and contrary to the interest of the Village of Skokie, the right is reserved to reject such bid at the discretion of the Village of Skokie.

9. **DISCREPANCIES**
In all cases of discrepancies between the drawings and specifications, the municipality's Purchasing Manager or designee shall be notified in the manner as identified in the General Terms and Conditions. The specifications shall govern over the drawings. If work proceeds without obtaining proper interpretations of the conflicting drawings and specifications from the owner or their designee, the installed work that is not in accordance with the design and best practices must be replaced at no

additional cost.

10. **OMISSIONS/HIDDEN CONDITIONS**
The drawings and specifications are intended to include all work and materials necessary for completion of the work. Any incidental item of material, labor, or detail required for the proper execution and completion of the work and omitted from either the drawings or specifications or both, but obviously required by governing codes, federal or state laws, local regulations, trade practices, operational functions, and good workmanship, shall be provided as a part of the contract work at no additional cost to the owner, even though not specifically detailed or mentioned.

11. **FIELD MODIFICATIONS**
A field modification is written by the owner or his designee to the contractor for purposes of clarification of the specifications or plans. A field modification is limited to items that do not change the scope of the project.
Field modifications do not affect either the project cost or completion date.

Field modifications become part of the Contract Documents and become binding upon the contractor if he fails to object within three (3) working days after receiving the modification. A field modification may be used as the basis of a project cost change or contract extension if all parties agree on the field modification form to a potential future claim of either party, or that the field modification will be compiled with, but under protest.

Any bid which is materially unbalanced as to prices for the Base Bid and/or Optional Bid Items may be rejected. An unbalanced bid is one which is based on the prices significantly less than the cost for some work and/or prices which are significantly overstated for other work.

The Village will review all unit prices submitted by the apparently lowest responsible bidder and will decide whether any of the unit prices are excessively above or below a reasonable cost analysis value determined by the Engineer.

In the event any unit prices are determined to be unbalanced and contrary to the interest of the Village, the right is reserved to reject such bid at the discretion of the Village.

12. **RESERVATION OF RIGHTS**
Each Municipality reserves the right to accept the Bidder's Proposal that is, in their judgment, the best and most favorable to the interests of the Municipality and the public; to reject the low Price Proposal; to accept any item to any Bidder's Proposal; to reject any and all Bidder's Proposals; to accept and incorporate corrections, clarifications or modifications following the opening of the Bidder's Proposals when to do so would not, in Municipalities opinion, prejudice the bidding process or create any improper advantage to any Bidder; and to waive irregularities and informalities in the bidding process or in any Bidder's Proposal submitted; provided, however, that the waiver of any prior defect or informality shall not be considered a waiver of any future or similar defects or informalities, and Bidders should not rely upon, or anticipate, such waivers in submitting the Bidder's Proposals. The enforcement of this Reservation of Rights by one or more of the Municipalities shall not be considered an alteration of the bids.

13. **DOCUMENT OBTAINED FROM OTHER SOURCES**
The Village of Skokie is the only official source for bid packages and supporting materials. Registration with the Village of Skokie is the only way to ensure bidders receive all Addenda and other Notices concerning this project. The Village of Skokie cannot ensure that bidders who obtain bid packages from sources other than the Village of Skokie will receive Addenda and other Notices. All bidders are advised that bids that do not conform to the requirements of this bid package, including compliance with and attachment of all Addenda and other Notices, may, at the Village of Skokie's discretion, be rejected as non-responsive and/or the bidder disqualified. **In such cases, the Village of Skokie will NOT rebid the project absent extraordinary circumstances.**

14. **SECURITY GUARANTEE**
Each bidder shall submit a Bid Bond, Certified or Cashier's Check in the amount of 5% to serve as a guarantee that the bidders shall enter into a contract with the Municipalities to perform the work identified herein, at the price bid. As soon as the bid prices have been compared, the Village of Skokie will return the bonds of all except the three lowest responsible bidders. When the Agreement is executed the bonds of the two remaining unsuccessful bidders will be returned. The bid bond of the successful bidder will be retained until the payment bond and performance bond have been executed and approved, after which it will be returned.

Any bid not complying with the Security requirement will be rejected as non-responsive.

15. **CONTRACT BONDS**
The successful Contractor shall furnish within ten (10) calendar days after being notified of the acceptance of bid:

15.1 A performance bond satisfactory to each municipality, executed by a surety company authorized to do business in the State of Illinois, in an amount equal to 100 percent (100%) of the contract price as security for the faithful performance of the municipality's contract; and

15.2 A payment bond satisfactory to each municipality, executed by a surety company authorized to do business in the State of Illinois, for the protection of all persons supplying labor and materials to the Contractor of Subcontractors for the performance of work provided for in the contract, in an amount equal to 100 percent (100%) of the contract price.

15.3 Documents required by this section must be received and approved by the Owner before a written contract will be issued.

All bonds must be from companies having a rating of at least A-minus and of a class size of at least X as determined by A.M. Best Ratings.

16. **ADDITIONAL INFORMATION**
Should the bidder require additional information about this bid, submit questions via email to: erik.cook@skokie.org. Questions are required **no later than 4:00 P.M. on April 15, 2016.**

ANY and ALL changes to these specifications are valid only if they are included by written Addendum from the Village of Skokie to All Bidders. No interpretation of the meaning of the plans, specifications or other contract documents will be made orally. Failure of any bidder to receive any such addendum or interpretation shall not relieve the bidder from obligation under this bid as submitted. All addenda so issued shall become part of the bid documents. Failure to request an interpretation constitutes a waiver to later claim that ambiguities or misunderstandings caused a bidder to improperly submit a bid.

The Village of Skokie recognizes that in some cases the information conveyed in this RFB may provide an insufficient basis for performing a complete analysis of the RFB requirements. Prospective bidders are, therefore, requested to make the best possible use of the information provided, without the expectation that the Village of Skokie will be able to answer every request for further information or that the schedule for receipt and evaluation of proposals will be modified to accommodate such request.

17. **CONTACT WITH VILLAGE PERSONNEL**
All bidders are prohibited from making any contact with the municipalities' Presidents, Trustees, or any other official or employee of the municipalities (collectively, "Municipal Personnel") with regard to the Project, other than in the manner and to the person(s) designated herein. The Village of Skokie reserves the right to disqualify any bidder found to have contacted Municipal Personnel in any manner with regard to the Project. Additionally, if the Village of Skokie determines that the contact with Municipal Personnel was in violation of any provision of 720 ILCS 5/33E, the matter will be

turned over to the Cook County State's Attorney for review and prosecution.

18. **DISCLOSURE OF POTENTIAL OR ACTUAL CONFLICT OF INTEREST**
Each Municipality's Code of Ethics prohibits public officials or employees from performing or participating in an official act or action with regard to a transaction in which he has or knows he will thereafter acquire an interest for profit, without full public disclosure of such interest. This disclosure requirement extends to the spouse, children and grandchildren, and their spouses, parents and the parents of a spouse, and brothers and sisters and their spouses.

To ensure full and fair consideration of all bids, the Municipalities require all Bidders including owners or employees to investigate whether a potential or actual conflict of interest exists between the Bidder and any Municipality, their officials, and/or employees. If the Bidder discovers a potential or actual conflict of interest, the Bidder must disclose the conflict of interest in its bid, identifying the name of the municipal official or employee with whom the conflict may exist, the nature of the conflict of interest, and any other relevant information. The existence of a potential or actual conflict of interest does NOT, on its own, disqualify the disclosing Bidder from consideration. Information provided by Bidders in this regard will allow the Village of Skokie to take appropriate measures to ensure the fairness of the bidding process.

The Village of Skokie requires all bidders to submit a certification, enclosed with this bid packet, that the bidder has conducted the appropriate investigation and disclosed all potential or actual conflicts of interest.

By submitting a bid, all Bidders acknowledge and accept that if and Municipality discovers an undisclosed potential or actual conflict of interest, that Municipality may disqualify the Bidder and/or refer the matter to the appropriate authorities for investigation and prosecution.

19. **SILENCE OF SPECIFICATIONS**
The apparent silence of specifications as to any detail or apparent omission from a detailed description concerning any portion shall be interpreted as meaning that only the best commercial material or practice shall prevail and that only items of the best material or workmanship to be used.

20. **NEW PARTS AND MATERIALS: TITLE**
Equipment and materials must be of current date (latest model or supply) and meet specifications. This provision excludes the use of surplus, re-manufactured or used products, whether in part or in whole, except where specifications explicitly provide therefore. Further, the bidder warrants that it has lien free title to all equipment, supplies, or materials purchased under the terms of this contract.

21. **PREVAILING WAGE**
All contracts, for work herein are subject to the provisions of the Prevailing Wage Act, 820 ILCS 130/0.01 et. seq.); providing for the payment of the prevailing rate of wage to all laborers, workmen and mechanics engaged on the work. This shall include payment of the general prevailing rate for legal holiday and overtime work. Any revisions to the enclosed prevailing wage information prior to the date of the contract shall be in force for the duration of the contact.

For municipalities located within Cook County, work shall be pursuant to the Prevailing Wage Schedule for Cook County. For municipalities located in Lake County, work shall be pursuant to the Prevailing Wage Schedule for Lake County.

22. **CERTIFIED PAYROLL REQUIREMENTS** (Public Act 94-0515)
Effective August 10, 2005 Contractors and subcontractors on public works projects must submit certified payroll records on a monthly basis to the public body in charge of the project, along with a statement affirming that such records are true and accurate, that the wages paid to each worker are not less than the required prevailing rate and that the contractor is aware that filing records he or she knows to be false is a Class B misdemeanor.

The certified payroll records must include for each worker employed on the public works project the name, address, telephone number, social security number, job classification, hourly wages paid in each pay period, number of hours worked each day, and starting and ending time of work each day. These certified payroll records are considered public records and public bodies must make these records available to the public under the Freedom of Information Act, with the exception of the employee's address, telephone number and social security number. Any contractor who fails to submit a certified payroll or knowingly files a false certified payroll is guilty of a Class B misdemeanor.

Increased penalties for Prevailing Wage Violations (Public Act 94-0488)

Effective January 1, 2006, penalties for violations for the Prevailing Wage Act will increase from 20% to 50% of the underpaid amounts for second or subsequent violations. An additional penalty of 5% of the underpayment penalty must be paid to workers each month the wages remain unpaid (put from the current 2% penalty).

For violations that occur after January 1, 2006, the debarment period – during which contracts are ineligible for public works contracts – increases from 2 years to 4 years if two notices of violation are issued/serious violation occur within a 5-year period. In addition, a new monetary penalty of $5,000 may be assessed against contractors who retaliate against employees who report violations or file complaints under the Prevailing Wage Act.

23. **EMPLOYMENT OF ILLINOIS WORKERS ON PUBLIC WORKS ACT (30 ILCS 570/0.01 et.seq.)**
Pursuant to 30 ILCS 570/0.01 et. seq., any month immediately following 2 consecutive calendar months during which the level of unemployment in the State of Illinois has exceeded 5% as measured by the United States Department of Labor, the Contractor shall employ only Illinois laborers on this project unless Illinois laborers are not available, or are incapable of performing the particular type of work involved, which the contractor much certify with the Village of Skokie's Village Manager or designee.

24. **ILLINOIS HUMAN RIGHTS ACT (775 ILCS 5/)**
In the event of the Contractor's non-compliance with the provisions of the Equal Employment Opportunity Clause, the Illinois Human Rights Act or the Applicable Rules and Regulations of the Illinois Department of Human Rights ("Department"), the contractor may be declared ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be cancelled or voided in whole or part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.

25. **SUBSTANCE ABUSE PREVENTION ON PUBLIC WORK PROJECT ACT**
Contractor shall comply with the provisions of 820 ILCS 265/1, *et seq.,* which include prior to commencement of work on a municipal project, having in place a written substance abuse program for the prevention of substance abuse among its employees which meets or exceeds the program requirements identified in this Act. The substance abuse policy shall be submitted in writing to the municipality and shall be made available to the general public.

26. **TOXIC SUBSTANCES DISCLOSURES**
All bidders must comply with the requirements of the Toxic Substance Disclosure to Employees Act, for any materials, supplies, and covered by said Act.

27. **DEFINITIONS**
    27.1 **Base Bid** is the sum stated in the Bid for which the Bidder offers to perform the Work described in the Bidding Documents as the base, to which Work may be added or from which Work may be deleted for sums stated in Option Bids or Unit Prices.

    27.2 **Option Bid** is an amount stated in the Bid for each item to be added to or deducted from the amount of the Base Bid if the corresponding changes in the Work, as described in the Bidding Documents, if accepted.

27.3 **Unit Price** is an amount stated in the bid as a price per unit of measurement for materials, equipment or services, including all overhead and profit for a portion of the Work as described in the Bidding Documents.

The Owner may reject or negotiate any unit price which is considered excessive or unreasonable.

In the event of a conflict or calculation error between the total base bid pricing, and/or extension pricing, the Unit Price shall prevail.

27.4 **Option Price** is a base bid price that may be accepted in lieu of the base bid.

28. **RESPONSIVE BID**

28.1 A "Responsive Bid" is defined as a "bid which conforms in all material respects to the requirements set forth in the invitation for bids." Bidders are hereby notified that any exceptions to the requirements of this bid may be cause for rejection of the bid.

28.2 Bidders shall promptly notify the Village of Skokie of any ambiguity, inconsistency or error which they may discover upon examination of the bidding documents. Interpretations, corrections and changes will be made by addendum. Each bidder shall ascertain prior to submitting a bid that all addenda have been received and acknowledged in the bid.

29. **MODIFICATIONS**

BIDDERS shall be allowed to modify/withdraw their bids prior to opening. Once BIDS have been received and opened they cannot be changed or withdrawn unless requested in writing and approved by the Village of Skokie.

30. **INSURANCE**

The Contractor shall maintain for the duration of the contract, including warranty period, insurance purchased from a company or companies lawfully authorized to do business in the state of Illinois and having a rating of at least A-minus and a class size of at least X as rated by A.M. Best Ratings. Such insurance as will protect the Contractor from claims set forth below which may arise out of or result from the Contractor's operations under the contract and for which the Contractor may be legally liable, whether such operations be by the Contractor or by a Subcontractor or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable:

30.1 **Workers' Compensation Insurance** covering all liability of the Contractor arising under the Workers' Compensation Act and Occupational Diseases Act; limits of liability not less than statutory requirements.

30.2 Employers Liability covering all liability of contractor as employer, with limits not less than: $1,000,000 per injury – per occurrence; $500,000 per disease – per employee; and $1,000,000 per disease – policy limit.

30.3 **Comprehensive General Liability** in a broad form on an occurrence basis, to include but not be limited to, coverage for the following where exposure exists; Premises/Operations, Contractual Liability, Products/Completed Operations for 2 years following final payment, Independent Contractor's coverage to respond to claims for damages because of bodily injury, sickness or disease, or death of any person other than the Contractor's employees as well as claims for damages insured by usual personal injury liability coverage which are sustained (1) by a person as a result of an offense directly or indirectly related to employment of such person by the contractor, or (2) by another person and claims for damages, other than to the Work itself, because of injury to or destruction of tangible property, including loss of use there from; Broad Form Property Damage Endorsement; Railroad exclusions shall be deleted if any

part of the project is within 50 feet of any railroad track

General Aggregate Limit	$ 2,000,000
Each Occurrence Limit	$ 1,000,000

30.4 **Automobile Liability Insurance** shall be maintained to respond to claims for damages because of bodily injury, death of a person or property damage arising out of ownership, maintenance or use of a motor vehicle. This policy shall be written to cover any auto whether owned, leased, hired, or borrowed.

Each Occurrence Limit	$ 1,000,000

30.5 Contractor agrees that with respect to the above required insurance:

30.5.1 The CGL policy shall be endorsed for the general aggregate to apply on a "per Project" basis;

30.5.2 To provide separate endorsements: to name **each Municipality** as additional insured as their interest may appear, and; to provide thirty (30) days' notice, in writing, of cancellation or material change.

30.5.3 The Contractor's insurance shall be primary in the event of a claim.

30.5.4 **Each Municipalit**y shall be provided with Certificates of Insurance and endorsements evidencing the above required insurance, prior to commencement of this Contract and thereafter with certificates evidencing renewals or replacements of said policies of insurance at least thirty (30) days prior to the expiration of cancellation of any such policies.

30.5.5 A **Certificate of Insurance** that states that **each Municipality** has been endorsed as an "additional insured" by the Contractor's **insurance carrier**. **Specifically, this Certificate must include the following language: "The (municipality's name inserted), and their respective elected and appointed officials, employees, agents, consultants, attorneys and representatives, are, and have been endorsed, as an additional insured under the above reference policy number_____ on a primary and non-contributory basis for general liability and automobile liability coverage for the duration of the contract term."**

30.6 **Failure to Comply**: In the event the Contractor fails to obtain or maintain any insurance coverages required under this agreement, the Village of Skokie may purchase such insurance coverages and charge the expense thereof to the Contractor.

31. **HOLD HARMLESS**

The Contractor agrees to indemnify, save harmless and defend the Villages of Glenview, Northbrook, Niles, Kenilworth and Skokie, and their respective elected and appointed officials, employees, agents, consultants, attorneys and representatives and each of them against and hold it and them harmless from any and all lawsuits, claims, injuries, demands, liabilities, losses, and expenses; including court costs and attorney's fees for or on account of any injury to any person, or any death at any time resulting from such injury, or any damage to property, which may arise or which may be alleged to have arisen out of, or in connection with the work covered by this project. The foregoing indemnity shall apply except if such injury is caused directly by the willful and wanton conduct of Villages of Glenview, Northbrook, Niles, Kenilworth and Skokie, its agents, servants, or employees or any other person indemnified hereafter. The obligations of the Contractor under this provision shall not be limited by the limits of any applicable insurance required of the Contractor.

32. **CHANGE IN STATUS**
The Contractor shall notify the Village of Skokie and each Municipality immediately of any change in its status resulting from any of the following: (a) vendor is acquired by another party; (b) vendor becomes insolvent; (c) vendor, voluntary or by operation law, becomes subject to the provisions of any chapter of the Bankruptcy Act; (d) vendor ceases to conduct its operations in normal course of business. The Village of Skokie and each Municipality shall have the option to terminate its contract with the vendor immediately on written notice based on any such change in status.

33. **SUBCONTRACTORS**
If any Bidder submitting a bid intends on subcontracting out all or any portion of the engagement, that fact, and the **name of the proposed subcontracting firm(s) must be clearly disclosed in the bid on the form provided herein** (use additional sheets if necessary)

In the event the Contractor requires a change of the subcontractor (s) identified a written request from the Contractor and a written approval from the Village of Skokie is required.

Notwithstanding written consent to subcontract approved by the Villages, the Contractor shall perform with the Contractor's own organization, work amounting to not less than fifty (50%) percent of the total contract cost, and with materials purchased or produced by the Contractor.

The subcontracting, if any, shall be done by the Contractor in accordance with applicable Article 108.01 of the IDOT Standard Specifications.

Failure to identify subcontractors could result in disqualification.

34. **CHANGE ORDERS**
The Owner believes that the project is fully defined in the Contract Documents and that Change orders will not be necessary. However, **in the event that a Change Order is required, the Contractor shall review the scope of work to be performed under the contract to suggest alternatives that can be implemented to offset the cost increase of any necessary changes without sacrificing the quality and/or scope of the contract specifications**. All Change Orders and alternative suggestions must be approved by the Village of Skokie prior to execution.

34.1. Change Orders shall comply with 720 ILCS 5/33E-9.

34.2 In case of an increase in the Contract Sum, there will be an allowance for overhead and profit.

34.3. The allowance for the combined overhead and profit, including premiums for all bonds and insurance, shall be based on the percentage as bid. This same percentage shall apply to **both extras and credits and for work** performed by the Contractor, a Subcontractor, or Sub-subcontractor.

34.4. Detailed written Requests for Change Orders must be submitted to the Owner's Representative on the form provided by the Owner. (Request furnished in any other format or lacking sufficient information will be rejected). In order to facilitate checking of quotations for extras or credits, all requests for change orders shall be accompanied by a complete itemization of costs including labor, materials and Subcontracts. Where major cost items are Subcontracts, they shall also be itemized. Requests will be reviewed by the affected Municipality's Purchasing Manager.

34.5. Each written Request for a Change Order must be accompanied by written suggestions where costs can be reduced to offset the Change Order increase requested or a written certification stating that the Contractor has reviewed the work to be performed and cannot identify areas where costs can be reduced.

34.6. A written Change Order must be issued by the affected Municipality's Purchasing Manager

prior to commencing any additional work covered by such order. Work performed without proper authorization shall be the Contractor's sole risk and expense.

35. **INVOICES AND PAYMENTS**
The Contractor shall submit invoices to each Municipality detailing the services provided directly to the respective Municipality. All services shall be invoiced based on unit pricing and quantities used. The Municipalities shall only pay for quantities used or ordered. Quantities may be adjusted up or down based on the needs of the Municipality. Payment shall be made in accordance with the Local Government Prompt Payment Act.

Invoices shall be delivered to:

Village of Glenview	**Village of Northbrook**	**Village of Niles**	**Village of Kenilworth**	**Village of Skokie**
Attn: Chris Gray	Attn: Ken Gardner	Attn: Jack Grana	Attn: Scott Moe	Erik Cook
2500 East Lake Ave.	655 Huehl Road	6849 West Touhy	347 Ivy Court	5127 Oakton Street
Glenview, IL 60026	Northbrook, IL 60062	Niles, IL 60714	Kenilworth, IL 60043	Skokie, IL 60077

36. **PRECEDENCE**
Where there appears to be variances or conflicts, the following order of precedence shall prevail: The Village of Skokie Project Specifications; the Village of Skokie General Terms & Conditions, The Village of Skokie Invitation for Bids, General Terms & Specifications and the Contractor's Bid Response.

37. **JURISDICTION, VENUE, CHOICE OF LAW**
This contract shall be governed by and construed according to the laws of the State of Illinois. Jurisdiction and venue shall be exclusively found in the Circuit Court of Cook County, State of Illinois for the Municipalities whose office is in Cook County and in the Circuit Court of Lake County, Illinois for Municipalities whose office is in Lake County.

38. **NON-ENFORCEMENT BY THE VILLAGE**
The Contractor shall not be excused from complying with any of the requirements of the Contract because of any failure on the part of the Municipalities, on any one or more occasions, to insist on the Contractor's performance or to seek the Contractor's compliance with any one or more of said terms or conditions.

39. **INDEPENDENT CONTRACTOR**
The Contractor is an independent contractor and no employee or agent of the Contractor shall be deemed for any reason to be an employee or agent of the Municipalities.

40. **TERMINATION**
The Municipalities reserve the right to terminate their respective portion of this contract, or any part thereof, upon thirty (30) days written notice. In case of such termination, the Contractor(s) shall be entitled to receive payment from the terminating Municipalities for work completed to date in accordance with the terms and conditions of this contract. In the event that this Contract is terminated due to Contractor's default, the Municipalities shall be entitled to purchase substitute items and/or services elsewhere and charge the Contractor with any or all losses incurred, including attorney's fees and expenses.

41. **NON APPROPRIATIONS**
The Municipalities reserve the right to terminate their respective part of this contract or to reject bids, in the event that sufficient funds to complete the contract are not appropriated by either the Village Board of Trustees or City Council of the affected Municipality.

42. **PROTEST PROCEDURE**
Any bidder wishing to file a protest regarding the proposal process may do so by giving written notice to the Village of Skokie Purchasing Manager within seven calendar days of the closing time and date.

This notice should include the title of the requirement, the bid number, the closing date and the nature of the protest.

Any disputes concerning a question of fact under this procurement which is not disposed of by agreement shall be decided by the Village Manager of the Village of Skokie or her designee. The decision of the Village of Skokie Village Manager or her duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as necessary to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the Contractor shall be afforded an opportunity to be heard and offer evidence in support of his appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the Village Manager.

43. **AFFIDAVITS**
The following affidavits included in these contract documents must be executed and submitted with the bid:

A) References
B) Disqualification of Certain Bidders (Affirmation by signing Bid Form)
C) Affidavit/Anti-collision
D) Conflict of Interest Form
E) Tax Compliance
F) Identification of Subcontractors

44. **ALTERNATE AND MULTIPLE BIDS**
Unless otherwise indicated in these documents, the bidder may not submit alternate or multiple bids as part of this package. The submission of more than one bid within a single package may be cause for rejection of any or all of the bids of that bidder.

45. **CONTRACTOR'S LICENSES:**
The bidder to which the contract is awarded (including subcontractors), prior to commencing any work, must have a valid Contractor's License or other required license on-file with the Municipality in which the work is performed.

46. **AUDIT/ACCESS TO RECORDS**

A) The contractor shall maintain books, records, documents and other evidence directly pertinent to performance of the work under this agreement consistent with generally accepted accounting standards in accordance with the American Institute of Certified Public Accountants Professional Standards. The contractor shall also maintain the financial information and data used by the contractor in the preparation or support of any cost submissions required under this subsection, (Negotiation of Contract Amendments, Change Orders) and a copy of the cost summary submitted to the owner. The Auditor General, the owner, the Agency, or any of their duly authorized representatives shall have access to the books, records, documents, and other evidence for purposes of inspection, audit, and copying. The contractor will provide facilities for such access and inspection.

B) If this contract is a formally advertised, competitively awarded, fixed price contract, the contractor agrees to include access to records as specified in above. This requirement is applicable to all negotiated change orders and contract amendments in excess of $25,000, which affect the contract price. In the case of all other prime contracts, the contractor also agrees to include access to records as specified above in all his contracts and all tier subcontracts or change orders thereto directly related to project performance, which are in excess of $25,000.

C) Audits conducted pursuant to this provision shall be consistent with generally accepted auditing standards in accordance with the American Institute of Public Accountants Professional

Standards.

D) The contractor agrees to the disclosure of all information and reports resulting from access to records pursuant to the subsection above. Where the audit concerns the contractor, the auditing agency will afford the contractor an opportunity for an audit exit conference and an opportunity to comment on the pertinent portions of the draft audit report. The final audit report will include the written comments, if any, of the audited parties.

E) Records under the subsections above shall be maintained and made available during performance of the work under this agreement and until three years from the date of final audit for the project. In addition, those records which relate to any dispute or litigation or the settlement of claims arising out of such performance, costs or items to which an audit exception has been taken, shall be maintained and made available for three years after the date of resolution of such dispute, appeal, litigation, claim or exception.

F) The right of access conferred by this clause will generally be exercised (with respect to financial records) under:

i. negotiated prime contractors;
ii. negotiated change orders or contract amendments in excess of $25,000 affecting the price of any formally advertised, competitively awarded, fixed price contract; and
iii. subcontracts or purchase orders under any contract other than a formally advertised, competitively awarded, fixed price contract.

G) This right of access will generally not be exercised with respect to a prime contract, subcontract, or purchase order awarded after effective price competition. In any event, the right of access shall be exercised under any type of contract or subcontract:

i. with respect to records pertaining directly to contract performance, excluding any financial records of the contractor; and
ii. if there is any indication that fraud, gross abuse, or corrupt practices may be involved.

47. **WITHDRAWL OF BID**

Upon written request, bids may be withdrawn at any time prior to the advertised bid opening. Bidders withdrawing their bid prior to the date and time set for the bid opening may still submit another bid if done so in accordance with these instructions. After the bid opening time, no bid shall be withdrawn or canceled for a period of ninety (90) calendar days thereafter. The successful Bidder shall not withdraw or cancel its bid after having been notified that the respective Villages Board of Trustees have accepted said bid.

48. **COMPETENCY OF BIDDER**

If requested in writing by a municipality, the Bidder must present within three (3) working days, satisfactory evidence of its ability and possession of the necessary facilities, experience, financial resources and adequate insurance to comply with the terms of the Contract Documents.

Additionally, bidders shall provide, at a minimum, five (5) references that indicate the bidder's ability to successfully perform similar work on the form identified herein.

LABOR STATUTES, RECORDS AND RATES

CONSTRUCTION CONTRACTS

for

MUNICIPALITIES - STATE OF ILLINOIS **FEBRUARY, 2016**

All Contractors shall familiarize themselves with all provisions of all Acts referred to herein and in addition shall make an investigation of labor conditions and all negotiated labor agreements which may exist or are contemplated at this time. Nothing in the Acts referred to herein shall be construed to prohibit the payment of more than the prevailing wage scale.

In the employment and use of labor, the Contractor and any subcontractor of the Contractor shall conform to all Illinois Constitutional and statutory requirements including, but not limited to, the following:

1.0 Equal Employment Opportunity:

1.1 Illinois Constitution, Article I, Section 17, which provides: "All persons shall have the right to be free from discrimination on the basis of race, color, creed, national ancestry and sex in the hiring and promotion practices of any employer or in the sale or rental of property."

1.2 Illinois Constitution, Article I, Section 18, which provides: "The equal protection of the laws shall not be denied or abridged on account of sex by the state of its units of local government and school districts."

1.3 The Public Works Employment Discrimination Act, 775 ILCS 10/1, provides in substance that no person may be refused or denied employment by reason of unlawful discrimination, nor may any person be subjected to unlawful discrimination in any manner in connection with contracting for or performance of any work or service of "any kind by, for, on behalf of, or for the benefit of the State, or of any department, bureau, commission, board or other political subdivision or agency thereof."

1.4 Contractor shall comply with the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., as amended and any rules and regulations promulgated in accordance therewith, including, but not limited to the Equal Employment Opportunity Clause, Illinois Administrative Code, Title 44, Part 750 (Appendix B), which is incorporated herein by reference. Furthermore, the Contractor shall comply with the Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended.

2.0 The Veterans Preference Act, 330 ILCS 55/1, provides: "In the employment and appointment to fill positions in the construction, addition to, or alteration of all public works undertaken or contracted for by the State, or any of its political subdivisions thereof, preference shall be given to persons who have been members of the Armed Forces of the United States...in times of hostilities with a foreign country..."

3.0 The Servicemen's Employment Tenure Act, as amended, 330 ILCS 60/2, "safeguarding the employment and the rights and privileges inhering in the employment contract, of servicemen."

4.0 The Prevailing Wage Act, 820 ILCS 130/0.01 et seq., provides: "It is the policy of the State of Illinois that a wage of no less than the general prevailing hourly rate as paid for work of a similar character in the locality in which the work is performed, shall be paid to all laborers, workers and mechanics employed by or on behalf of any and all public bodies engaged in public works." The current Schedule of Prevailing Wages for Cook County and/or Lake County must be prominently posted at the project site by the Contractor.

4.1 The Prevailing Wage Act, 820 ILCS 130/4, provides: "All bid specifications shall list the specified rates to all laborers, workers and mechanics in the locality for each craft or type of worker or mechanic needed to execute the contract. If the Department of Labor revises the prevailing rate of hourly wages to be paid by the public body, the revised rate shall apply to such contract, and the public body shall be responsible to notify the Contractor and each subcontractor of the revised rate."

4.1.1 The Village shall notify the Contractor of any revised rates as determined by the Department of Labor and as received by the Village. It shall be the responsibility and liability of the Contractor to promptly notify each and every subcontractor of said revised rates.

4.1.2 Unless otherwise specified in the Contract Documents, the Contractor shall assume all risks and responsibility for any changes to the prevailing hourly wage which may occur during the Contract Time. A revision to the prevailing rate of hourly wages shall <u>not</u> be cause for any adjustment in the Contract Sum.

4.2 The Prevailing Wage Act, 820 ILCS 130/5 provides that the Contractor and each Sub Contractor shall, “submit monthly, in person, by mail or electronically a certified payroll to the public body in charge of the project.”

4.2.1 The Contractor shall submit to the Village by the tenth day, monthly, a certified payroll list including all workers, laborers and mechanics employed by the Contractor and each of the Sub Contractors.

4.2.2 The certified payroll records shall include each worker’s name, address, telephone number, social security number, classification, number of hours worked each day, the hourly wage and starting and ending times each day.

4.2.3 Included with the payroll records, the Contractor and each Sub Contractor shall attest, in writing, to the veracity and accuracy of the records and that the hourly rate paid is not less than the general prevailing wages required.

5.0 The Child Labor Law, as amended, 820 ILCS 205/1, which provides: "No minor under 16 years of age...at any time shall be employed, permitted or suffered to work in any gainful occupation...in any type of construction work within this state."

The Contractor will include verbatim or by reference the provisions contained herein in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so that such provisions will be binding upon such subcontractor. The Contractor will be liable for compliance with these provisions by such subcontractors.

The Contractor and each subcontractor shall keep or cause to be kept an accurate record of names, occupations and actual wages paid to each laborer, workman and mechanic employed by him in connection with the contract. This record shall be open at all reasonable hours for inspection by any representative of the Village or the Illinois Department of Labor and must be preserved for four (4) years following completion of the contract.

The current Prevailing Wages Rates for Cook County and Lake County can be found at:

<u>http://www.state.il.us/agency/idol/rates/EVENMO/COOK9999.htm</u>

2016 MUNICIPAL PARTNERING INITIATIVE
SEWER LINING
SUMMARY OF WORK

General

Wherever the word "Owner" or "Engineer" appears in this document, it shall be interpreted to mean each municipality's representative.

Wherever the word "Contractor" appears in this document, it shall be interpreted to mean the firm, partnership, joint venture, or corporation contracting with each municipality for performance of prescribed work.

Scope of Project

This project includes quantities for 40,854 linear feet of sanitary and storm sewer lining in various sizes of cured-in-place pipe lining (CIPP), rehabilitation and restoration of structural integrity of the existing sanitary and storm sewer pipes by the Inversion and Curing of a Resin-Impregnated Tube process, and 2,000 linear feet of heavy cleaning, and all related and appurtenant work. The work contained on this project is located within easements, license areas, or right-of-ways of the Village of Glenview, the Village of Northbrook, the Village of Niles, the Village of Kenilworth and the Village of Skokie.

Each municipality has the right to delete from or add to the contract quantities without placing penalty to the contract unit costs for construction.

The Village of Northbrook further reserves the right to reject any and all bids or parts thereof, to waive any irregularities or informalities in bidding procedures and to award the contract in a manner best serving the interest of the municipality. Work included is shown on drawings prepared by the Village of Northbrook which has been supplied by each municipality. The lining work shown on the drawings is not conclusive and is subject to change.

Maintenance Bond

The Contractor is required to furnish a maintenance bond approved by the municipality in the amount equal to ten percent (10%) of the contract price. This bond shall provide a guarantee against defective materials and workmanship on all materials, items and work furnished under this contract, including contract changes and additions **for a period of one year** from date of written final acceptance and final payment. If within the guarantee one (1) year period, any defects or signs of deterioration are noted which, in the opinion of the municipality, are due to the faulty installation, workmanship, or materials, the municipality shall notify the Contractor. At the Contractor's expense, the Contractor agrees to make any and all repairs, adjustments or replacements to correct the condition/s to the complete satisfaction of the municipality work has been completed in.

Contract Completion Date and Interim Completion Dates

The Contractor shall execute the contract within ten working days after contract award by each individual municipality. The Contractor shall start the work to be performed under the contract not later than ten calendar days after the execution of the contract by the municipality.

The Contractor shall complete all work under this Contract on or before, but no later than, 180 calendar days after the date of execution of the Contract by each municipality. The contract completion date for the Village of Glenview is December 1, 2016.

Design for Minimum CIPP Liner Thickness

Product, Manufacturer / Installer Qualification Requirements:

Since sewer products are intended to have a 50-year design life, and in order to minimize the Engineer's risk, only proven products with substantial successful long-term track records will be approved. All trenchless rehabilitation products and installers must be pre-approved prior to the formal opening of proposals.

Products and Installers seeking approval must meet all of the following criteria to be deemed Commercially Acceptable:

A. For a Product to be considered Commercially Proven, a minimum of 1,000,000 linear feet or 4,000 manhole-to-manhole line sections of successful wastewater collection system installations in the U.S. must be documented to the satisfaction of the Engineer to assure commercial viability.

B. For a Contractor to be considered as Commercially Proven, the Contractor must satisfy all insurance, financial, and bonding requirements of the Engineer, and must have had at least 5 (five) years active experience in the commercial installation. In addition, the Contractor must have successfully installed at least 200,000 feet of the product bid in wastewater collection systems. Acceptable documentation of these minimum installations must be submitted to the Engineer.

C. Sewer rehabilitation products submitted for approval must provide third party test results supporting the structural performance (short-term and long-term) of the product and such data shall be satisfactory to the Engineer. Test samples shall be prepared so as to simulate installation methods and trauma of the product. No product will be approved without independent third party testing verification.

D. Both the rehabilitation manufacturing and installation processes shall operate under a quality management system which is third-party certified to ISO 9000 or other recognized organization standards. Proof of certification shall be required for approval.

Documentation for products and installers seeking pre-approved status must be submitted no less than two weeks prior to proposal due date to allow time for adequate consideration. The Engineer will advise of acceptance or rejection a minimum of three days prior to the due date. All required submittals must be satisfactory to the Engineer.

Materials

A. Tube - The sewn Tube shall consist of one or more layers of absorbent non-woven felt fabric and meet the requirements of ASTM F1216, Section 5.1 or ASTM F1743, Section 5.2.1 The tube shall be constructed to withstand installation pressures, have sufficient strength to bridge missing pipe, and stretch to fit irregular pipe sections. Additional requirements for the Tube include:

1. The wet out Tube shall have a relatively uniform thickness that when compressed at installation pressures will equal or exceed the calculated minimum design thickness.
2. The Tube shall be manufactured to a size that when installed will tightly fit the internal circumference and length of the original pipe. Allowance should be made for circumferential stretching during inversion. Overlapped layers of felt in longitudinal seams that cause lumps in the final product shall not be utilized.
3. The outside layer of the Tube shall be coated with an impermeable, flexible membrane that will contain the resin and all the resin impregnation (wet out) procedure to be monitored.
4. The Tube shall be homogeneous across the entire wall thickness containing no intermediate or encapsulated elastomeric layers. No material shall be included in the Tube that may cause delamination in the cured CIPP. No dry or unsaturated layers shall be evident.
5. The wall color of the interior pipe surface of CIPP after installation shall be a relatively light reflective color so that a clear detailed examination with closed circuit television inspection equipment may be made.

6. Seams in the Tube shall be stronger than the non-seamed felt material.
7. The Tube shall be marked for distance at regular intervals along its entire length, not to exceed 5 ft. Such markings shall include the Manufacturer's name or identifying symbol. The tubes must be manufactured in the USA.

B. Resin - The resin system shall be a corrosion resistant polyester, vinyl ester, or epoxy system including all required catalysts, initiators or hardeners that when cured within the tube create a composite that satisfies the requirements of ASTM F1216 and ASTM F1743, the physical properties herein, and those which are to be utilized in the design of the CIPP for this project. The resin shall produce a CIPP that will comply with the structural and chemical resistance requirements of this specification.

Structural Requirements

A. The CIPP shall be designed as per ASTM F1216. The CIPP design shall assume no bonding to the original pipe wall.

B. The Contractor must have performed long-term testing for flexural creep of the CIPP pipe material installed by his Company. Such testing results are to be used to determine the long-term, time dependent flexural modulus to be utilized in the product design. This is a performance test of the materials (Tube and Resin) and general workmanship of the installation and curing. A percentage of the instantaneous flexural modulus value (as measured by ASTM D790 testing) will be used in design calculations for external buckling. The percentage, or the long-term creep retention value utilized, will be verified by this testing. Retention values exceeding 50% of the short-term test results shall not be applied unless substantiated by qualified third party test data to the Engineer's satisfaction. The materials utilized for the contracted project shall be of a quality equal to or better than the materials used in the long-term test with respect to the initial flexural modulus used in the CIPP design.

C. The Enhancement Factor 'K' to be used in 'Partially Deteriorated' Design conditions shall be assigned a value of 7. Application of Enhancement (K) Factors in excess of 7 shall be substantiated through independent test data to the satisfaction of the Engineer.

The layers of the cured CIPP shall be uniformly bonded. It shall not be possible to separate any two layers with a probe or point of a knife blade so that the layers separate cleanly or the probe or knife blade moves freely between the layers. If the layers separate during field sample testing, new samples will be required to be obtained from the installed pipe. Any reoccurrence may cause rejection of the work.

The following are the minimum nominal required CIPP (resin liner) thicknesses:

A. Existing sanitary and storm sewer pipe diameter eight (8), ten (10) and (12) inch pipe- minimum nominal liner thickness six (6.0) millimeter.
B. Existing sanitary and storm sewer pipe diameter fifteen (15) inch to eighteen (18) inch pipe- minimum nominal liner thickness seven and one half (7.5) millimeter.
C. Existing sanitary and storm sewer pipe diameter twenty one (21) inch - minimum nominal liner thickness nine (9.0) millimeter.
D. Existing sanitary sewer pipe diameter twenty four (24) inch - minimum nominal liner thickness ten and one half (10.5) millimeter.

The Contractor shall calculate and verify the above referenced liner thickness requirements based on the fully deteriorated host pipe condition with a safety factor of two (2) as indicated in ASTM F 1216 design considerations. The existing pipe *shall not* be considered as providing any structural support to the liner pipe. In the liner thickness calculations, the enhancement factor (K) shall not be greater than 7.0, the minimum safety factor shall be 2.0, and the flexural modulus of elasticity shall be reduced 50% to account for long term effects and used in the design

equation E_L. Actual values of pipe ovality and depth shall be used whenever possible. If ovality cannot be obtained, the minimum ovality of the host pipe shall be 5 percent. No liner will be approved for installation until liner thickness calculations have been submitted and reviewed for conformance with the specifications and installation requirements.

Only if the calculated liner thickness exceeds the above referenced requirements the Contractor shall notify the municipality Engineer and a determination shall be made as to which liner thickness shall control.

Testing Requirements

A. Chemical Resistance - The CIPP shall meet the chemical resistance requirements of ASTM F1216. CIPP samples for testing shall be of tube and resin system similar to that proposed for actual construction. It is required that CIPP samples with and without plastic coating meet these chemical-testing requirements.

B. Hydraulic Capacity - Overall, the hydraulic cross-section shall be maintained as large as possible. The CIPP shall have a minimum of the full flow capacity of the original pipe before rehabilitation. Calculated capacities may be derived using a commonly accepted roughness coefficient for the existing pipe material taking into consideration its age and condition.

C. CIPP Field Samples - When requested by the Engineer, the Contractor shall submit test results from field installations in the USA of the same resin system and tube materials as proposed for the actual installation. These test results must verify that the CIPP physical properties specified herein have been achieved in previous field applications. Samples for this project shall be made and tested as Follows:

   CIPP samples shall be prepared for each installation designated by the Owner/Engineer or approximately 20% of the project's installations. Pipe physical properties will be tested in accordance with ASTM F1216 or ASTM F1743, using either sampling method proposed. The flexural properties must meet or exceed the values listed in Table 1 of ASTM F1216 or the values submitted to the Owner/Engineer by the Contractor for this project's CIPP wall design, whichever is greater.

Required Submittals

Submit to the Engineer, for approval, product data and catalogue cuts for all materials used in the installation of the CIPP, prior to ordering of material. Submittals shall contain:

1. Date of submittal and dates of previous submittals.
2. Project title and number.
3. Contract identification.
4. Names of:
   a. Contractor
   b. Supplier
   c. Manufacturer
5. Identification of product, with identification numbers, and drawing and specification section numbers.
6. Field dimensions, clearly identified.
7. Identify details required on drawings and in specifications.
8. Show manufacturer and model number, give dimensions, and provide clearances.
9. Relation to adjacent or critical features of work or materials.
10. Applicable standards, such as ASTM or Federal Specification numbers.
11. Identification of deviations from Contract Documents.
12. Identification of revisions on resubmittals.
13. Eight-inch by 3-inch blank space for Contractor and Engineer stamps.
14. Contractor's stamp, signed, certifying to review of submittal, verification or products, field measurement, field

construction criteria, and coordination of information within submittal with requirements of work and Contract Documents.

All of the above noted submittal process is incidental to work performed.

Sequence of Operations

The contractor shall coordinate his work in a manner that will cause as little inconvenience to traffic as possible. The Contractor shall work closely with municipality Officials, Fire, Police Departments and other Contractors in coordinating interruption to normal traffic and parking facilities, access to homes and businesses, and inconvenience to the public.

The proposed work sequence for the Contractor follows:

1. The proposed sewer main pipe locations and conditions have been determined from the available records. It is the Contractor's responsibility to review the available records, obtain additional new video records for evaluation of existing sewer system condition, field verify locations, elevations and diameters of all to be lined sewer pipes prior to ordering the appropriate materials.
2. Clean existing manholes and sewer lines to condition necessary for proper installation of lining material, including root cutting, removal of debris and other protruding obstructions.
3. Rehabilitate existing sewer systems.
4. Reinstate and reconnect active sewer service connections

If the Contractor proposes a different work schedule than outlined above, the Engineer's written approval of the modified schedule must be obtained in advance.

Material Storage and Removal

The Contractor shall not deliver and store any material on the project site more than one week in advance before commencing with this work. Paved portions of the street may be used for material storage and the exact material storage location shall be approved by the Engineer.

Any remnants of construction materials, debris and litter generated by the Contractor shall be collected and removed off the jobsite periodically (every week) or the same day if requested by the Engineer. Any required pavement repair and parkway restoration (sodding), due to the damage caused by on-site material storage, shall be borne by the Contractor and be considered incidental to the contract.

Quality Assurance

Codes and Standards references:

1. Illinois Department of Transportation
   a. Standard Specifications for Road and Bridge Construction (Current Edition) (IDOTSPECS).
   b. Illinois Department of Transportation. Bureau of Design. Highway Standards (ILHWSTDS).
   c. Illinois Department of Transportation. Bureau of Local Roads.
   d. BLR Standard 17-3 - Standard Design Typical Application of Traffic Control Devices for Day Labor Construction on Rural Local Highways.
   e. BLR Standard 21-6 - Standard Design Typical Application of Traffic Control Devices for Contract Construction on Rural Local Highways.
2. Standard Specifications for Water & Sewer Main Construction in Illinois, latest edition (SS W&S).
3. Metropolitan Water Reclamation District of Greater Chicago (MWRD) requirements if applicable to Municipality.

4. American Society for Testing and Materials (ASTM) F 1743, latest edition.
5. ASTM Standard F 1216 "Rehabilitation of Existing Pipelines and Conduits by the Inversion and Curing of a Resin-Impregnated Tube" latest edition.
6. Local municipal improvement codes.

Work Quality Inspection

As part of post lining testing, the Contractor may be requested by the Engineer to open manholes for field inspection and/or "punch list" generation at no additional cost to the municipality when project is complete.

Existing Sewer System condition evaluation-Prior to lining work

The existing sewer main pipe condition and sewer service pipe locations have been determined from the available records. Each municipality will provide manhole to manhole lengths, pipe sizes and location maps. However, it is the Contractor's responsibility to re-inspect the condition of the existing sewer system. The interior of the sewer pipe and service connections shall be carefully inspected to determine the location of any conditions that may prevent proper installation of the impregnated tube, such as defective (protruding) service connections collapsed or crushed pipe and reductions in ovality of more than ten (10%) percent. These conditions shall be recorded and brought to the attention of each municipality so that they may be corrected prior to lining. The Owner reserves the right to review pre-lining recordings prior to lining.

The Contractor shall use an experienced personnel trained in the use of closed circuit television in existing sewer systems, which shall furnish the necessary labor, tools, equipment, and appurtenances to perform the sewer televising services as specified. The television inspection equipment and procedures used shall comply, but are not limited, with the following:

1. The sewer inspections shall be recorded digitally directly on the DVD (not on VHS transposed over to DVD). Recording playback shall be at the same speed that it was recorded. Cost of supplying two DVD's and reports to the municipality shall be included in the bid's unit price. A complete recording shall be made of each line televised. A voice recording shall be done on the DVD.
2. Location of sewer lines inspected using manhole number (sanitary sewer) and street addresses (storm sewer)
3. Quadrant location of all leaks and cracks.
4. Size (diameter) of sewer line televised.
5. Location of building service connections
6. The footage and manhole numbers shall appear on the screen at all times.
7. Television Inspection logs shall be reported in the sequence as they appear on the DVD's.
8. The sewer televising camera shall have the capability of a rotating lens. While televising the sewer pipe, the Contractor will rotate the camera so as to look in the service and determine if the service is capped or active (in service). This shall also be reflected in the reports. (i.e. capped or live)
9. The Contractor will increase the skids on the camera to the proper size so that camera is in the center of the sewer pipe.
10. Deep sags are to be dewatered so that proper television inspection can be performed.
11. Any point repairs necessary prior to lining shall either be handled by the municipality directly or shall be considered a change order.

Any deviation from the location and/or quantity indicated in bid documents shall be noted and brought to the attention of the Engineer, so that the bid quantities may be adjusted prior to commencing with any sewer repair/lining work.

Sewer Pipe Cleaning

The existing sewer pipes shall be cleaned with hydraulically powered equipment, high velocity jet cleaners or mechanically powered equipment. All internal debris, tree roots and other obstructions shall be removed from the existing (to be lined) sewer pipe. The Contractor shall intercept all debris from the pipe cleaning process at a point within the work zone so that no debris is allowed to travel downstream through the sewer system. Debris captured and removed from the sewer system shall be transported and disposed of in a lawful manner.

Cleaning, including capture, removal, disposal of debris shall be included in the base (sewer lining) unit price, and shall be performed by the Contractor at no additional cost to each municipality.

Sewer Flow Bypassing

Sewer flows will occur during the sewer pipe repair/lining work. It shall be the responsibility of the Contractor to plan and execute, where necessary, sewer bypass pumping operations sufficient to avoid causing sewer back-ups for each municipality residential and commercial customers and to avoid illegal discharge onto land or into waterways.

Contractor shall ensure that all bypass hoses are in good, working condition, not damaged, i.e., leaking. The contractor shall also supply adequate hose length to reach the next downstream manhole prior to commencing such work. In the event that bypass hoses need to cross the roadway, the contractor will need to furnish traffic ramp and bump signage in both directions along with standard Traffic Control and Protection.

The pump and bypass lines shall be of adequate capacity and size to handle the sewer flow. The Contractor shall be responsible for proper scheduling of all work, taking into consideration the possibility of rapid increases in flow resulting from rainfall and other natural events, and shall be fully prepared for all adverse conditions that may arise.

Each municipality approval is required for any bypass pumping operation that goes beyond normal working hours. The contractor is responsible for maintaining the pump, and all appurtenances including lines at all times during a bypass operation.

The cost associated with sewer bypassing shall be considered incidental to the cost of the contract. The Contractor shall bear all costs arising from failure to anticipate bypass pumping needs, including, but not limited to the emergency stoppage of work, remobilization, removal and replacement of damaged work, emergency response by municipality personnel and compensation for damage to public and private property.

Corrective work

Any lining installation that fails to meet performance standards as identified herein, or contains other significant defects shall be subjective to corrective action.

Each municipality shall notify in writing of any work that is rejected, and shall specify the reasons for rejection. Within 10 days of receiving notice of rejected work, the Contractor shall submit a written proposal to the municipality detailing the proposed corrective action for each item of rejected work. The Contractor shall not proceed with corrective action until the Engineer has approved the proposed corrective action. All corrective work must meet the standards and specifications set forth in this contract.

If determined that the existing sewer service is damaged by cutting of the liner, the municipality will allow the use of Performance Pipelining Tee-Liner process or the municipality Engineer approved equal for service restoration.

If it appears that there is no acceptable alternative for sewer repair, the municipality may require the Contractor to remove all or a portion of the defective lining and install new lining in place. All expenses for a defective sewer repair/relining work and material shall be borne by the Contractor.

Prosecution and Progress
The Contractor shall complete all work under this Contract within 180 calendar days of signed contract. Failure to complete the work will result in liquidated damages as specified in Section 108 of the Standard Specifications (IDOTSPECS).

Contractor's Use of Premises

1. Coordinate use of premises under direction of Engineer.
2. Assume full responsibility for protection and safekeeping of products under this Contract.
3. Obtain and pay for use of additional storage or work areas needed for operations at no additional cost to Owner.
4. Conduct operations to ensure least inconvenience to general public.
5. See Appendix A for each municipality's additional input on local parking plan.

Pre-construction Meeting

A pre-construction meeting with the Contractor will be held with each municipality to discuss all issues pertaining to this project. The contractor is requested to bring the following information to this meeting:

1. The Contractor's proposed construction schedule.
2. Name of sub-contractors (if applicable) involved in these projects.
3. Name of Project Manager.
4. Name of individual responsible for traffic control and maintenance
5. Emergency Contact.

Weekly Meetings

Regular weekly meetings between the Contractor Project Manager and the Engineer are required. The proposed Contractor's working schedule for the next two (2) weeks shall submitted to the Engineer during each meeting. If any modifications to the proposed schedule are requested by the Engineer, the Contractor shall adjust his proposed schedule accordingly.

Protection of Trees

Every effort shall be made by the Contractor when working near trees and shrubs to preserve same from harm. No trees or shrubs shall be removed unless so indicated on the Plans or as authorized in the field by the Engineer. The Contractor shall be responsible for damage to or loss of any tree or shrub not specifically designated to be removed.

Damage to tree limbs shall be held to a minimum. Shrubs and tree limbs shall be tied back wherever necessary to prevent their loss or damage. Wherever damage by construction equipment to limbs and branches is unavoidable, they shall be pruned before starting work and sealed in accordance with best forestry practice.

No pruning of tree limbs or branches will be allowed without the written permission from the Engineer. If pruning is necessary and approved, it will be done by an approved licensed landscape contractor, if the Engineer deems it is necessary. The Contractor shall contact the Engineer at least 24 hours prior to his need to prune. Tree protection shall be incidental to the Contract.

Safety

The Contractor shall comply with State, Local, MWRD and Federal Safety and Health regulations applicable to the work being performed including OSHA approved confined space entry procedures. Prior to entering access areas such as manholes, and performing inspection or cleaning operations, an evaluation of the atmosphere to determine the presence of toxic or flammable vapors or lack of oxygen must be undertaken in accordance with Local, State, or Federal Safety regulations.

The cost associated with the above referenced safety precautions shall be considered incidental to the cost of the contract.

Water Usage

See Appendix A for each municipality's additional input on local water usage plan.

Pay Estimates

Each municipality will provide a spreadsheet that will list the segments and sewer pipe lengths to be lined. The contractor shall submit any changes at time of submittal of pay estimates, and two week schedules. The spreadsheet shall include at a minimum, the following items: street name (from – to); segment (from manhole to manhole); actual length; size of pipe; unit cost; service connections reinstated; protruding taps. The items mentioned above are in addition to other required submittals, i.e., certified payroll, waivers of lien, invoice, and electronic payout form (provided by each municipality). Pay estimates shall be submitted by the Contractor once a month.

Payout Procedures

Each municipality payout procedure schedule will be submitted to the contractor at the preconstruction meeting. A monthly pencil draw meeting must be held between the contractor's representative and each municipality project manager to agree on the quantities to be submitted for payment. If a pencil draw meeting is not held, the project manager will submit to the contractor the latest quantities measured by municipality staff and those numbers must be used for the current billing period. If the contractors submitted quantities are different than those agreed to or submitted to each municipality, the municipality will proceed with the invoice approval of the lesser amount per line item (either the contractor's itemized invoice or the inspected and approved item quantity by the municipality inspectors) for payment. In no case, will the line item invoice payment exceed the inspected and approved quantity per municipality inspection requirements.

Applications for payment must be submitted on a municipality approved itemized invoicing form that includes pay item descriptions, original contract quantities and unit prices, previous, current and total quantity summaries, and approved change orders. Other required submissions include the current waivers of lien, contractor's affidavits, contractor's sworn statement, certified payroll report, and any other documents or invoice paperwork as requested by each municipality.

Any questions pertaining to payments are to be forwarded to the municipal project manager or the Engineer. Contractors shall not call each municipality Finance Department with questions regarding pay applications. The pay application process is approximately six weeks from the pencil draw meeting to the issuance of checks. All checks will be mailed and no allowances will be made to hold checks for pickup.

Payment for Extra Work

The methods for measurements and payments for Extra work shall be in accordance with the applicable articles of Section 109 of the Standard Specifications.

Extra work shall not be started until authorization from the Engineer is received. Extra work will be paid for at either the contract price, a lump sum price or agreed unit prices, or on a force account basis.

If a force account basis method for payment is used, than the procedures outlined in the Illinois Department of Transportation Construction Memorandum 08-09: Force Account Billing, dated January 1, 2008 shall be followed by the Contractor.

As indicated in the above referenced Memorandum particular attention should be paid to the following:

1. Each day the force account is being performed Form BC 635; Extra Work shall be completed and submitted to the Engineer.
2. The most recent edition of Equipment Watch's Rental Rate Blue Book will be used as the source of equipment rates for force account billing.

MWRD

The MWRD Permit section field office (708/222-4055) must be notified at least two days prior to commencement of work.

When access to MWRD manhole is required the MWRD manhole opening shall be coordinated with Mr. Roscoe Hardeman (312-497-9472) of MWRD. Any MWRD manholes shall be identified at the pre-bid meeting.

Public Advisory

A minimum of two weeks prior to commencing with sewer repair/lining work the Contractor shall coordinate with each municipality to provide general public notice of the work to be done.

Public advisory services will be required to notify all parties whose sewer services will be out of commission and to advise against water usage until the sewer service is back in service. This is the responsibility of the Contractor. Written notices must be approved by each municipality prior to publication, and must contain specific information as to when the sewer service disruption will begin and end. Notices shall be delivered not less than 48 hours before service interruption.

No customer shall be deprived of sanitary sewer service for more than twelve consecutive hours unless approved by the Engineer.

The Contractor shall assume responsibility and liability for any sewer backups or other damages sustained by residents or businesses as a result of testing, cleaning, lining or any other part of the work. The Contractor shall arrange and pay for professional cleaning and/or repair services where required at no additional cost to the municipality. The foregoing assumption of responsibility and liability will be waived by the Owner in the case of backups caused by the failure to reinstate laterals erroneously determined to be abandoned by the Owner.

"No Parking - Police Order" signs are available upon request at the office of the Engineer. All such notices shall be removed by the Contractor immediately upon the completion of work in each block. The cost associated with public advisory shall be considered incidental to the cost of the contract.

Hours of Construction

See Appendix A for each municipality's hours of construction.

Protection of Environment

The protection of environment shall include:

1. Contractor, in executing work, shall maintain work areas on- and off-site free from environmental pollution that would be in violation of any federal, state or local regulations.
2. Take adequate measures to prevent impairment of operation of existing sewer systems. Prevent construction material, earth, or other debris from entering sewers or sewer structures.
3. Observe rules and regulations of State of Illinois and agencies of U.S. government prohibiting pollution of any lake, stream, river or wetland by dumping of refuse, rubbish, dredge material or debris therein.
4. Comply with procedures outlined in U.S. EPA manuals entitled, "Guidelines for Erosion and Sedimentation Control Planning and Implementation," Manual EPA-R2-72-015 and "Processes, Procedures, and Methods to Control Pollution Resulting from All Construction Activity," Manual EPA 430/9-73-007.
5. Dispose of excess excavated material and other waste material in a lawful manner.
6. Minimize air pollution by wetting down bare soils during windy periods, requiring use of properly operating combustion emission control devices on construction vehicles and equipment used by Contractors, and encouraging shutdown of motorized equipment not actually in use.
7. Trash burning will not be permitted on construction site.
8. Chemicals used during project construction or furnished for project operation, whether herbicide, pesticide, disinfectant, polymer, reactant, or of other classification, must show approval of either U.S. EPA or U.S. Department of Agriculture or any other applicable regulatory agency.
9. Use of such chemicals and disposal of residues shall be in conformance with manufacturer's instructions.
10. Conduct operations to cause lease annoyance to residents in vicinity of work, and comply with applicable local ordinances.
11. Equip compressors, hoists, and other apparatus with such mechanical devices as may be necessary to minimize noise and dust.
12. Equip gasoline or oil operated equipment with silencers or mufflers on intake and exhaust lines
13. Line storage bins and hoppers with material that will deaden sounds.
14. Conduct operation of dumping rock and of carrying rock away in trucks so as to cause minimum of noise and dust.

Clarification

All here-in referenced conditions and items: Pre-Construction and Weekly Coordination Meetings, Maintenance Bond, Notifications, Coordination with other Contractors, Work Scheduling and Phasing, Sewer Flow bypassing, Dirt and Dust Control, Safety, Pre-lining and Post lining sewer evaluation, 2 DVD copies with 2 reports, Corrective work, etc. are considered incidental to the contract and shall be included in the sewer lining work unit price.

SPECIAL PROVISION FOR
CURED-IN-PLACE PIPE

It is the Contractor's responsibility to inspect the condition of the existing sewer system after all sewer repair/lining work is complete.

The Contractor shall use an experienced personnel trained in the use of closed circuit television in existing/repaired sewer systems, which shall furnish the necessary labor, tools, equipment, and appurtenances to perform the sewer televising services as specified. The television inspection equipment and procedures used shall comply, but are not limited, with the following:

1. The sewer inspections shall be recorded digitally by DVD. Recording playback shall be at the same speed that it was recorded. A complete recording shall be made of each line televised. A voice recording shall be done on the DVD.
2. Location of sewer lines inspected using manhole number (sanitary sewer) and street addresses (storm sewer)
3. Post lining television inspection shall include rotating the lens to inspect all reinstated sewer services. Inspection of service opening shall be of the liner cutting to determine if opening is sufficient. If determined that the existing service is damaged by cutting of the liner, the municipality will allow the use of Performance Pipelining Tee-Liner process or municipality Engineer approved equal for restoration.
4. Location of building service connections.
5. The footage and manhole numbers shall appear on the screen at all times.
6. Television Inspection logs shall be reported in the sequence as they appear on the DVD's.
7. The Contractor will increase the skids on the camera to the proper size so that camera is in the center of the sewer pipe.
8. Deep sags are to be dewatered so that proper television inspection can be performed.

Other incidental and measure of payment requirements to the cured-in-place pipe lining include:

1. Mobilization and site preparation.
2. Existing sewer system televising and cleaning before lining process
3. Televising of sanitary and storm sewer to determine installed conditions.
4. Placement of lining material within sanitary and/or storm sewer.
5. All manhole connections shall be water tight.
6. Flow control, including bypass pumping, if required.
7. Reinstatement and reconnection of active sewer service connections.
8. CCTV Examination: Televise interior of pipe after completion of work and provide DVD to Engineer. Use pan and tilt color 3 lux camera to view the sewer service lateral connections.
9. Sewer testing and internal inspections of installation.
10. Pavement damage and restoration.
11. Parkway damage and restoration.
12. Cleanup.
13. Other appurtenant and incidental work.
14. Full-time traffic control surveillance by contractor.
15. Each DVD will be permanently labeled with the following information.
    a. Job/Work Order No.:
    b. Contractor Name:
    c. CD No.:
    d. Date Televised:
    e. Date Submitted:
    f. Street/Easement (Location):

g. Upstream MH
h. Downstream MH

16. Data shall be configured according to the definitions and database structures included in this specification. Video must be able to be viewed using Windows Media Player 9 Series and have the ability to use all features of the video player including fast forward capability.
17. Measure sewer in linear feet (lf) on straight horizontal line along centerline of sewer. Do not include distance through manholes in measurement.

The prior to lining sewer condition evaluation information and the post lining sewer condition evaluation information shall be recorded on the same DVD. Cost of supplying two DVD copies and reports to each municipality shall be included in the sewer lining work unit price.

Basis of Payment – Cured-In-Place Pipe

Payment shall be made for the contract unit price per lineal foot for CURED IN PLACE PIPE, of the diameter specified, which price shall be in full for labor, material, testing and equipment required for complete and operational existing sewer main rehabilitation.

SPECIAL PROVISION FOR
CURED-IN-PLACE PIPE (EASEMENT)

The work under this pay item shall be identical to the work under CURED-IN-PLACE PIPE. This pay item shall be applied for lining of sewers in off-road areas or on private property where additional notice, coordination may be required and operations may be delayed due to access issues. The Municipalities will work with the Contractor to coordinate with residents and minimize disruption to private property while allowing the work to proceed.

Basis of Payment – Cured-In-Place Pipe (Easement)

Payment shall be made for the contract unit price per lineal foot for CURED IN PLACE PIPE (EASEMENT), of the diameter specified, which price shall be in full for labor, material, testing and equipment required for complete and operational existing sewer main rehabilitation.

SPECIAL PROVISION FOR
REINSTATEMENT OF SERVICE LATERALS –
STORM OR SANITARY SEWER

The reinstatement of service laterals shall include the costs of:

1. Site Preparation.
2. Protecting existing utilities, site objects and new work.
3. Contractor shall certify a minimum of two complete functional cutters plus key spare components are on the job site before each installation.
4. Re-open branch connections without excavation, utilizing a remotely controlled cutting device, monitored by a CCTV.
5. Branch (service) connections shall be re-established at a minimum of 95% of the flow capacity and shall be wire brushed smooth, without damaging PVC services, to full diameter of openings.
6. If it is determined that the existing service is damaged by cutting of the liner, the Engineer will allow the use of Performance Pipelining Tee-Liner process, or approved equal method, for service restoration. No additional compensation will be provided for the required service repair work.
7. No additional payments will be made for excavations for the purpose of reopening connections and the Contractor shall be responsible for all costs and liability associated with such excavation and restoration work.
8. Cleanup.
9. Collect all reinstatement coupons at the next downstream manhole. All excess lining material is to be removed from the sewer system.
10. Other appurtenant and incidental work.
11. General requirements of sections listed.
12. Traffic control and protection.
13. Unless otherwise directed by the Owner or his authorized representative, all active laterals will be reinstated. The Owner reserves final authority to determine if laterals are active or abandoned, and to omit the reinstatement of laterals determined to be abandoned.

Basis of Payment – Reinstatement of Service Laterals

Include cost of work listed herein in unit price each for REINSTATEMENT OF SERVICE LATERALS – STORM OR SANITARY SEWER.

SPECIAL PROVISION FOR
PROTRUDING TAP REMOVAL

The protruding tap removal shall include the costs of:

1. Site Preparation.
2. Protecting existing utilities, site objects and new work.
3. Removal of protruding taps utilizing a remotely controlled cutting device.
4. CCTV record image of before and after tap removal.
5. Cleanup.
6. Other appurtenant and incidental work.
7. General requirements of sections listed.
8. Traffic control.

Basis of Payment – Protruding Tap Removal

Include cost of work listed herein in unit price each for PROTRUDING TAP REMOVAL.

SPECIAL PROVISION FOR
HEAVY CLEANING

This item shall include all labor, material and equipment necessary to clean existing sanitary sewer mains where marked by the Engineer.

The existing sewer pipes shall be cleaned with hydraulically powered equipment, high velocity jet cleaners or mechanically powered equipment. All internal debris shall be removed from the existing sewer pipe. The Contractor shall intercept all debris from the pipe cleaning process at a point within the work zone so that no debris is allowed to travel downstream through the sewer system. The Contractor shall properly remove and dispose of all waste material extracted during the sewer cleaning operation in a proper waste disposal facility. **No on-site disposal location shall be provided by the Village.**

As indicated by the pre-bid videotaping inspection, line obstructions necessitating root cutting equipment will be required at various locations.

The Contractor shall, during cleaning operations, take precautions so as to not damage existing pipe sections. Damaged portions of the system, if determined by the Engineer to be the result of careless operations, shall be repaired at the expense of the Contractor and to the satisfaction of the Engineer.

This work will be measured in place and paid for at the contract unit price per foot for HEAVY CLEANING, of the diameter specified, which shall include all labor, equipment, and materials as specified herein.

Appendix A:
Additional Municipality-Specific Information

Glenview

Project Manager – Adriana Webb, Community Development, (847) 904-4414, awebb@glenview.il.us

Hours of Construction – No work shall be done Monday thru Friday between 7:00 PM and 7:00 AM, nor on Saturdays, Sundays, or legal holidays within written permission of the Owner. Permission to work the day before a holiday must be granted two (2) weeks in advance of work. However, emergency work may be done with the permission of the Engineer. Work activity, as intended herein, includes warming or starting up of any machinery or equipment.

Local Parking Plan – overnight parking is available at the Public Works Facility, 1333 Shermer Road.

Local Water Plan – the Village of Glenview will allow water to be obtained from Village-owned hydrants, as approved by the water department superintendent. The Contractor must obtain a permit and make a refundable deposit ($750), install portable water meter and maintain a record of water quantity used (no cost for water).

Maps – see segment list and maps attached.

Northbrook

Project Manager – Ken Gardner, Utilities Superintendent, 847/664-4113, ken.gardner@northbrook.il.us

Hours of Construction - The work hours in the Village as per our ordinance are: 7:00/AM to 7:00/PM Monday thru Friday and 9:00/AM to 5:00/pm on Saturday and no work on Sunday. Authorizing work outside of these hours is possible, but granting permission is not likely. This would be reviewed on a case by case method.

Holidays and Religious Observance – Prior to commencement of work the Village and Contractor will review proposed work schedule to identify any dates or periods that may require limited or no amounts work.

Local Parking Plan – Equipment storage will be allowed at our Public Works Center, but be advised that space is limited.

Local Water Plan – Water usage and deposits for water-meters/back-flow devices are waived (no cost), but we will provide the equipment and it must be returned in working order before final contract payment. If any contractors have any questions on this please contact Mike Bukolt, at the Public Works Center, 847/664-4121 directly or through the main number at 847/272-4711.

Contractor will be required to enter into agreement with Village of Northbrook using Village's standard contract documents. Those documents are available for inspection from Ken Gardner, Utilities Superintendent, 847/664-4113, ken.gardner@northbrook.il.us.

Maps – see segment list and maps attached.

Niles

Project Manager – Jack Grana, Utilities Superintendent, (847) 588-7900, gg@vniles.com

Hours of Construction - All construction related activity shall be confined to the hours of 7:00 AM and 6:00 PM, Monday through Friday; 8:00 AM and 5:00 PM on Saturdays; no work on Sundays or legal holidays without written permission of the Owner.

Local Parking Plan – overnight parking is available at the Public Services Facility, 6849 West Touhy Avenue.

Local Water Plan – A refundable deposit is required and the total amount of water used.

Maps – see segment list and maps attached.

Kenilworth

Project Manager – Scott Moe, Superintendent of Public Works, (847) 251-9210, smoe@kenilworthil.org

Hours of Construction - All construction related activity shall be confined to the hours of 7:00 AM and 7:00 PM, Monday through Friday; no work on Saturdays, Sundays or legal holidays without written permission of the Owner.

Local Parking Plan – limited parking is available at the Public Works Facility, 347 Ivy Court.

Local Water Plan – only one designated hydrant may be used. A refundable deposit is required.

Maps – see segment list and maps attached.

Skokie

Project Manager – Erik Cook, (847) 933-8231, erik.cook@skokie.org

Hours of Construction - All construction related activity shall be confined to the hours of 7:00 AM and 7:00 PM, Monday through Friday; no work on Saturdays, Sundays or legal holidays without written permission of the Owner.

Local Parking Plan – limited parking is available at the Public Works Facility, 9050 Gross Point Road.

Local Water Plan – only designated new hydrants may be used. A refundable $1000 deposit is required. No charge for water use.

Maps – see segment list and maps attached.

APPENDIX B

DOCUMENTS TO RETURN WITH BID SUBMISSION
(PAGES 39-45)

CONTRACTOR REFERENCES

Please list below five (5) references for which your firm has performed similar work for municipalities as identified in Bidder Qualifications.

Municipality: _____

Address: _____

City, State, Zip Code: _____

Contact Person/ Telephone Number: _____

Dates of Service/Award Amount: _____

Municipality: _____

Address: _____

City, State, Zip Code: _____

Contact Person/Telephone Number: _____

Dates of Service/Award Amount: _____

Municipality: _____

Address: _____

City, State, Zip Code: _____

Contact Person/ Telephone Number: _____

Dates of Service/Award Amount: _____

Municipality: _____

Address: _____

City, State, Zip Code: _____

Contact Person/ Telephone Number: _____

Dates of Service/Award Amount: _____

Municipality: _____

Address: _____

City, State, Zip Code: _____

Contact Person/ Telephone Number: _____

Dates of Service/Award Amount: _____

DISQUALIFICATION OF CERTAIN BIDDERS

PERSONS AND ENTITIES SUBJECT TO DISQUALIFICATION

No person or business entity shall be awarded a contract or subcontract, for a stated period of time, from the date of conviction or entry of a plea or admission of guilt, if the person or business entity,

1. has been convicted of an act committed, within the State of Illinois or any state within the United States, of bribery or attempting to bribe an officer or employee in the State of Illinois, or any State in the United States in that officer's or employee's official capacity;

2. has been convicted of an act committed, within the State of Illinois or any state within the United States, of bid rigging or attempting to rig bids as defined in the Sherman Anti-Trust Act and Clayton Act 15 U.S.C.;

3. has been convicted of bid rigging or attempting to rig bids under the laws of the State of Illinois, or any state in the United States;

4. has been convicted of bid rotating or attempting to rotate bids under the laws of the State of Illinois, or any state in the United States;

5. has been convicted of an act committed, within the State of Illinois or any state in the United States, of price-fixing or attempting to fix prices as defined by the Sherman Anti-Trust Act and Clayton Act 15 U.S.C. Sec. 1 et seq.;

6. has been convicted of price-fixing or attempting to fix prices under the laws of the State of Illinois, or any state in the United States;

7. has been convicted of defrauding or attempting to defraud any unit of state or local government or school district within the State of Illinois or in any state in the United States;

8. has made an admission of guilt of such conduct as set forth in subsection (A) through (F) above which admission is a matter of record, whether or not such person or business entity was subject to prosecution for the offense or offenses admitted to;

9. has entered a plea of nolo contendere to charges of bribery, price fixing, bid rigging, bid rotating, or fraud; as set forth in subparagraphs (A) through (F) above.

Business entity, as used herein, means a corporation, partnership, limited liability company trust, association, unincorporated business or individually owned business.

(Please sign bid form indicating compliance)

ANTI-COLLUSION AFFIDAVIT AND CONTRACTOR'S CERTIFICATION

_____, being first duly sworn,

deposes and says that he is _____
(Partner, Officer, Owner, Etc.)

of _____
(Contractor)

The party making the foregoing proposal or bid, that such bid is genuine and not collusive, or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person; to fix the bid price element of said bid, or of that of any other bidder, or to secure any advantage against any other bidder or any person interested in the proposed contract.
The undersigned certifies that he is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating.

_____
(Name of Bidder if the Bidder is an Individual)
(Name of Partner if the Bidder is a Partnership)
(Name of Officer if the Bidder is a Corporation)

The above statements must be subscribed a sworn to before a notary public.
Subscribed and Sworn to this _____day of _____, 2015

_____
Notary Public

Failure to complete and return this form may be considered sufficient reason for rejection of the bid.

CONFLICT OF INTEREST

_____, hereby certifies that it has conducted an investigation into whether an actual or potential conflict of interest exists between the bidder, its owners and employees and any official or employee of a Municipality identified herein.

Bidder further certifies that it has disclosed any such actual or potential conflict of interest and acknowledges if bidder has not disclosed any actual or potential conflict of interest, the Village of Glenview may disqualify the bid or the affected the Municipality may void any award and acceptance that the Municipality has made.

_____

(Name of Bidder if the Bidder is an Individual)
(Name of Partner if the Bidder is a Partnership)
(Name of Officer if the Bidder is a Corporation)

The above statements must be subscribed a sworn to before a notary public.
Subscribed and Sworn to this _____ day of _____, 2015

_____

Notary Public

Failure to complete and return this form may be considered sufficient reason for rejection of the bid.

TAX COMPLIANCE AFFIDAVIT

_____, being first duly sworn,

deposes and says that he is _____
(Partner, Officer, Owner, Etc.)
of _____ _____
(Contractor)

The individual or entity making the foregoing proposal or bid certifies that he is not barred from contracting with the any of the Municipalities identified herein because of any delinquency in the payment of any tax administered by the Department of Revenue unless the individual or entity is contesting, in accordance with the procedures established by the appropriate revenue act. The individual or entity making the proposal or bid understands that making a false statement regarding delinquency in taxes is a Class A Misdemeanor and, in addition, voids the contract and allows the municipality to recover all amounts paid to the individual or entity under the contract in civil action.

_____
(Name of Bidder if the Bidder is an Individual)
(Name of Partner if the Bidder is a Partnership)
(Name of Officer if the Bidder is a Corporation)

The above statements must be subscribed and sworn to before a notary public.

Subscribed and Sworn to this _____day of _____, 2015

_____
Notary Public

Failure to complete and return this form may be considered sufficient reason for rejection of the bid.

SUB-CONTRACTOR INFORMATION

(**ATTACH ADDITIONAL PAGES AS NEEDED**)

Name: _____ **# Years in Business:** _____

Address: _____ # Years used by Contractor: _____

Services provided by Sub-Contractor: _____

_____

_____

Name: _____ **# Years in Business:** _____

Address: _____ # Years used by Contractor: _____

Services provided by Sub-Contractor: _____

_____

_____

Name: _____ **# Years in Business:** _____

Address: _____ # Years used by Contractor: _____

Services provided by Sub-Contractor: _____

_____

_____

APPENDIX C:
AGREEMENT ACCEPTANCE

RFB #2015-001
2015 SANITARY AND STORM SEWER LINING

ACCEPTANCE

The Contract/Proposal attached hereto and by this reference incorporated herein and made a part hereof is hereby accepted by the order of **[*insert Municipality name*]** ("Owner") this _____day of _____**, 20**__.

This Acceptance, together with the Contract/Proposal attached hereto, constitutes the entire and only agreement between the parties relating to the accomplishment of the Work and the compensation therefore and supersedes and merges any other prior or contemporaneous discussions, agreements, or understandings, whether written or oral, and shall prevail over any contradictory or inconsistent terms or conditions contained in any purchase order, acceptance, acknowledgement, invoice, or other standard form used by the parties in the performance of the Contract/Proposal. Any such contradictory or inconsistent terms or conditions shall be deemed objected to by Owner without further notice of objection and shall be of no effect nor in any circumstances binding upon Owner unless accepted by Owner in a written document plainly labeled "Amendment to Contract/Proposal." Acceptance or rejection by Owner or any such contradictory or inconsistent terms or conditions shall not constitute acceptance of any other contradictory or inconsistent terms or conditions.

By: _____

Title: _____

Contract Quantities and Maps
Village of Glenview

Contract Quantities and Maps
Village of Northbrook

Contract Quantities and Maps
Village of Niles

Contract Quantities and Maps
Village of Kenilworth

Contract Quantities and Maps
Village of Skokie

BOARD AGENDA ITEM EXPLANATION FORM

Treasurer's Report - May 2016

Meeting Date	6/28/2016	Item Number	
Requested by	Finance Director Neukirch	Action Requested	REQUEST FOR BOARD APPROVAL
Prepared by	Finance Director Neukirch	Assigned to:	Trustee LoVerde

ATTACHMENTS:

	Type	Description
	Report	5/2016 Treasurer's Report

MOTION

First motion is to approve the accounts payable and payroll for the month of May, 2016.

Second motion to approve the ending cash balances for the month of May, 2016.

REASON FOR REQUEST / BACKGROUND

Monthly approval of the Village's accounts payable, payroll and ending cash balances.

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG#		Total Amount for Approval	
ACCT#		Budget Amount	
		Variance	

Village of Niles
Treasurer's Report

May 31, 2016

ACCOUNTS PAYABLE

ORG	FUND		AMOUNT
10000	General	$	641,054
22000	Motor Fuel Fund	$	649
23000	Street & Bridge		
25000	Debt Serv 1/4%	$	3,229
30000	DUI Fund		
31000	Drug Asset Forfeiture		
32000	Fed Equity Sharing		
33000	Art 36 Asset Forfeitture		
41000	Milwaukee/Touhy TIF	$	17,989
43000	Cap Projects	$	27,818
45000	Gross Pt/Touhy TIF		
46000	Milwaukee TIF		
50000	Water	$	1,161,457
52000	Fitness	$	27,611
55000	Municipal Waste	$	160,561
61000	Automotive	$	8,884
62000	Risk Management	$	57,848
	Total A/P	$	2,107,100
	Total Payroll	$	2,125,946
	Grand Total	**$**	**4,233,047**

CHANGES IN CASH/INVESTMENT BALANCES

FUND		BEGINNING BALANCE CASH/INVESTMENTS		RECEIPTS		DISBURSEMENTS		ENDING BALANCE CASH/INVESTMENTS
GENERAL(plus)	$	24,851,586	$	3,433,565	$	3,248,314	$	25,036,837
WATER	$	10,290,667	$	674,332	$	1,132,062	$	9,832,937
MOTOR FUEL TAX	$	3,484,770	$	68,628	$	-	$	3,553,398
DEBT SERVICE 1/4%	$	41,326	$	-	$	3,229	$	38,097
DUI FUND	$	159,227	$	500	$	-	$	159,727
DRUG ASSET (STATE)	$	71,714	$	3.13	$	-	$	71,718
ARTICLE 36	$	651	$	0.03	$	-	$	651
DRUG ASSET (FED)	$	-	$	-	$	-	$	-
FITNESS	$	14,165	$	71,601	$	2,030	$	83,736
CAP PRJCT (POLICE BUILDING & SSAs)	$	550,329	$	166.23	$	27,818	$	522,678
GROSS PT/TOUHY TIF	$	-	$	-	$	-	$	-
MILW/TOUHY TIF	$	6,813,414	$	1,376	$	17,989	$	6,796,801
TOTAL	$	46,277,850	$	4,250,171	$	4,431,441	$	46,096,580

Scot Neukirch
Treasurer

Statement of Investments

May 31, 2016

Fund	Current Book Value	Market Value	Unrealized gain/(losses)	% of Total Portfolio (Mkt)	Bank	Purch. Date	Matur. Date	Weighted Life(months)	Description	Annualized Yield
GENERAL, STREET & BRIDGE, MUNICIPAL WASTE, RISK MANAGEMENT AND AUTOMOTIVE	8,060,929	8,060,929	0	17.41%	Illinois Funds			0.24	Ill Funds (mmkt)	0.34%
	60,419	60,419	0	0.13%	Illinois Funds(epay credit card not online payments)			0.002	Ill Funds (mmkt)	0.34%
	20,000	20,000	0	0.04%	PNC (Underground Storage Tanks)			0.00	DDA (earnings credits)	0.25%
	1,541,678	1,541,678	0	3.33%	PNC			0.05	DDA (earnings credits)	0.25%
	13,829,656	13,829,656	0	29.86%	Amalgamated			0.41	Money Market	0.43%
	45,340	45,340	0	0.10%	Fifth Third (IPMG)			0.00	Checking	0.34%
	91,464	91,464	0	0.20%	Fifth Third (Claims Mgmt)			0.00	Checking	0.34%
	325,796	325,796	0	0.70%	PNC(E911)	3/1/2014		0.0097	Emergency Telephone	0.25%
	11,648	11,648	0	0.03%	Wintrust			0.000	Amb Billing Lock Box	0.00%
	8,305	8,305	0	0.02%	IMET (Iwood Restricted)	12/15/2010		0.00	Convenience Fund (mmkt)	0.00%
	90,114	90,114	0	0.19%	IMET(Restricted)	12/15/2010		0.00	Convenience Fund (mmkt)	0.00%
	103,432	128,569	25,137	0.28%	Amalgamated	1/6/2006	8/25/2035	21.54	CWHL	17.87%
	2,642	3,297	655	0.01%	Amalgamated	7/1/2003	7/25/2033	0.49	FNMA	12.91%
	553,542	653,689	100,147	1.41%	Amalgamated	1/31/2005	8/25/2023	43.36	FNMA	8.61%
	28,095	37,794	9,699	0.08%	Amalgamated	9/30/2003	4/15/2033	5.13	FHLMC	18.81%
	66,099	93,787	27,688	0.20%	Amalgamated	9/30/2003	5/15/2033	12.14	FMNA	18.70%
	66,370	95,130	28,760	0.21%	Amalgamated	8/12/2003	5/15/2033	12.19	FHLMC	18.89%
	25,027	36,114	11,087	0.08%	Amalgamated	10/17/2003	5/15/2033	4.60	FHLMC	19.36%
	106,283	114,319	8,036	0.25%	Amalgamated	11/3/2004	4/20/2034	20.59	GNMA	8.57%
FUND TOTAL	25,036,837	25,248,045	211,208	54.52%				6.35	Weighted Avg	0.80%
WATER	3,280,570	3,280,570	0	7.08%	Amalgamated			0.10	Money Market	0.43%
	261,101	261,101	0	0.56%	Illinois Funds			0.01	Ill Funds (mmkt)	0.34%
	31,060	31,060	0	0.07%	Illinois Funds(epay credit card not online payments)			0.001	Ill Funds (mmkt)	0.34%
	6,159,754	6,159,754	0	13.30%	PNC			0.18	DDA (earnings credits)	0.25%
	1,286	1,286	0	0.00%	JP Morgan			0.000	Water Bill Lock Box	0.00%
	83,408	83,408	0	0.18%	Illinois Funds(online water)	7/23/2010		0.01	Ill Funds (mmkt)	0.34%
	5,000	5,000	0	0.011%	Ill Funds (INB)			0.0000	Credit Card Deposit	0.00%
	10,757	10,757	0	0.02%	IMET(Restricted)	12/15/2010		0.00	Convenience Fund (mmkt)	0.00%
FUND TOTAL	9,832,937	9,832,937	0	21.23%				0.04	Weighted Avg	0.31%
DUI FUND	159,727.19	159,727	0	0.34%	PNC			0.0047	DUI Enforcement	0.25%
DRUG ASSET FORFEIT FUND (STATE)	71,718	71,718	0	0.15%	PNC(SEIZURE)			0.0021	Drug Seizure	0.25%
ART. 36 ASSET FORFEIT FUND	651	651	0	0.00%	PNC			0.0000	Drug Seizure	0.25%
DRUG ASSET FORFEIT FUND (FEDERAL)	0	0	0	0.00%	PNC			0.0000	Drug Seizure	0.25%
MOTOR FUEL TAX	3,160,945	3,160,945	0	6.83%	Illinois Funds			0.09	Ill Funds (mmkt)	0.34%
	365,787	365,787	0	0.79%	PNC			0.01	DDA (earnings credits)	0.25%
	26,666.47	26,666	0	0.06%	IMET(Restricted)	12/15/2010		0.00	Convenience Fund (mmkt)	0.00%
FUND TOTAL	3,553,398	3,553,398	0	7.67%				0.04	Weighted Avg	0.33%
DEBT SERV 1/4 %	38,097	38,097	0	0.08%	PNC			0.001	Money Market	0.25%
FITNESS	75,339	75,339	0	0.16%	PNC			0.002	DDA (earnings credits)	0.25%
	3,373	3,373	0	0.007%	Ill Funds (INB)			0.0001	Credit Card Deposit	0.00%
	5,025	5,025	0	0.011%	Ill Funds (E-Pay)			0.0001	Credit Card Deposit	0.00%
FUND TOTAL	83,736	83,736	0	0.18%				0.0008	Weighted Avg	0.22%
CAPITAL PROJ	522,678	522,678	0	1.13%	PNC			0.02	DDA (earnings credits)	0.25%
MILWAUKEE TOUHY TIF	1,310,661	1,310,661	0	2.83%	PNC			0.04	DDA (earnings credits)	0.25%
	79,303	79,303	0	0.17%	IMET(Restricted)	12/15/2010		0.00	Convenience Fund (mmkt)	0.00%
	5,406,837	5,406,837	0	11.68%	Illinois Funds			0.16	Ill Funds (mmkt)	0.34%
FUND TOTAL	6,796,801	6,796,801	0	14.68%				0.07	Weighted Avg	0.32%
GRAND TOTAL	46,096,580	46,307,788	211,208	100.00%				2.96	Weighted Avg	0.58%
							Investment Policy Limit (2):	84	**90 Day Treasury (3):**	0.25%
									24 Month Treasury (4):	0.69%

Institution	Amount	Percent of Portfolio	Investment Policy Limit (1)
Illinois Funds	16,994,688	36.7%	40%
PNC	10,591,886	22.9%	50%
Amalgamated	17,110,227	36.9%	50%
IMET	298,553	0.6%	40%
Others	149,737	0.3%	
Securities	1,162,698	2.5%	
Total Portfolio	46,307,788	100.0%	

Notes

(1) The percent of the total Niles portfolio that is allowed to be invested in the institution exclusive of any securities held for safe keeping.
(2) The average weighted life of the portfolio is not to exceed 84 months
(3) The Village will use the 90 day treasury as its benchmark per the investment policy.
(4) We included the 24 month treasury since it more closely matches the current duration of our portfolio than the 90 treasury.