

EXHIBIT F
ZONING, USE, BULK, SUBDIVISION AND OTHER REGULATIONS
AND STANDARDS APPLICABLE TO THE PROPERTY

- A. Provisions not Applicable. The provisions of the Village Zoning Ordinance, Subdivision Ordinance or other Village ordinances to the extent that they are modified by, amended by or made inapplicable by the regulations and standards set forth below, and except as set forth and limited in Paragraph 24 of this Agreement, shall not apply to the development of the Property.
- B. Definitions. The following definitions shall be used in interpreting the Zoning standards set forth below. In the event of any conflict between these definitions and the provisions of the Village Zoning Ordinance, the Village Subdivision Ordinance or any other Village ordinance, these definitions will control.
1. Accessory Use, Building or Structure.
 - a. An "accessory use" is one which:
 - (1) Is subordinate to and serves a principal building or principal use; and
 - (2) Is subordinate in area, extent or purpose to the principal building or principal use served; and
 - (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
 - (4) Is located on the same zoning lot as the principal building or principal use served with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.
 - b. An "accessory building or structure" is a building or structure devoted to an accessory use and includes, but is not limited to, the following:
 - (1) A garage, shed, or building for domestic storage;
 - (2) Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities,

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unless storage is excluded by the district regulations;

- (3) Off-street motor vehicle parking area, and loading and unloading facilities;
 - (4) Public utility communication, electric, gas, water, and sewer lines, their supports, and incidental equipment; and
 - (5) Central heating or air-conditioning facilities, solar energy collectors for the purpose of providing energy for heating and/or cooling whether as part of a structure or incidental to a group of structures in the nearby vicinity;
- c. No accessory buildings shall be used for residential living quarters.
2. Building. Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows, or openings; and which is designed or intended for the shelter, enclosure, or protection of persons, animals, or chattels.
 3. Building Height. The vertical distance measured from the surface of the first finished floor of a building to the highest point of a building, excluding chimneys, mechanical appurtenances and other rooftop structures, which structures shall not exceed fifteen (15) feet in height; provided, however, that such structures shall be adequately screened from view.
 4. Building, Setback Line. A line parallel to the street line at a distance from it, regulated by the front yard requirements set forth in these Zoning Standards.
 5. Child Care Centers. Day care centers which receive pre-school or school-age children, or both, for short term or extended hours of care, or out of school hours, and which provide essential personal care, protection, supervision, training and programs to meet the needs of the children served.
 6. Clinic, Medical and Dental. An establishment where patients are admitted for study or treatment by two or more licensed physicians or dentists and their professional associates, practicing medicine or dentistry together.

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7. Club or Lodge, Private. An association of persons who are bona fide members paying annual dues, which owns, hires, or leases a building or portion thereof. Food and alcoholic beverages may be served on its premises, provided they are secondary and incidental to the principal use and appropriate licenses are obtained from the Village.
8. Commercial Vehicle. Any vehicle other than a passenger vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, For-Hire or Not-For-Hire, not including, however, a recreational vehicle not being used commercially.
9. Corner Lot. See Lot, Corner.
10. Court. An open unoccupied space other than a required yard on the same lot with a building, which is totally or partially enclosed by a building or buildings and completely open to the sky.
11. Court, Inner. A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.
12. Court, Outer. A court enclosed on not more than three sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.
13. Coverage, Lot. See Lot Coverage.
14. Curb Level. See Grade.
15. Driveway. The paved area located between the curb of the roadway in the public street and the open or enclosed parking area or building.
16. Floor Area Ratio. The floor area of the building or buildings on that zoning lot divided by the area of such zoning lot. The "Floor area ratio" requirements shall determine the maximum floor area allowable for the building or buildings in direct ratio to the gross area of the zoning lot. The "Floor area" of a building is defined as total gross floor space. Any space devoted to off-street parking or loading, mechanical penthouses, and courts, lobbies and atriums shall not be included in the floor area.

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17. Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
18. Gross Floor Space. The sum of the gross horizontal areas of all the floors, including basement space (if occupiable in connection with the principal use of the building but not if used for storage or maintenance of mechanical equipment), in a building, which areas shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating buildings, as the case may be, but not including mechanical penthouses, floor area devoted to off-street parking or loading and lobbies, court or atriums.
19. Hotel or Motel. A building in which rooms or suites are reserved to provide living and sleeping accommodations for temporary guests.
20. Laboratory, Commercial. A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly, or packaging of products as a principal use is not included within this definition.
21. Loading and Unloading Space, Off-Street. An open hardsurfaced area of land other than a street or public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors, and trailers to avoid undue interference with the public use of streets and alleys.
22. Lot. The word "lot" when used alone shall mean a zoning lot unless the context of these Zoning Standards clearly indicates otherwise.
23. Lot, Corner. A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.
24. Lot Line, Front. That boundary of a lot which is along a street right-of-way. For land-locked or partially land-locked land, the front lot line is that lot line that faces the access to the lot.
25. Lot Line, Rear. The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.

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26. Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.
27. Lot, Zoning. See Zoning Lot.
28. Manufacture. The making of anything by an agency or process.
29. Octave Band. An "octave band" is a means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.
30. Parking Area. A hard-surfaced area other than a street, driveway or public way, designed, arranged, and made available for the storage of private passenger automobiles, recreational vehicles and commercial vehicles of occupants of the building or buildings for which the parking area is developed and is accessory.
31. Parking Area, Underground. A building or portion of a building designed, arranged, and made available for storage of private passenger automobiles and commercial vehicles under the one and one-half tons capacity, of occupants of the building under which the parking is developed.
32. Parking Space, Automobile. Space within a public or private parking area for the storage of one passenger automobile or commercial vehicle under one and one-half ton capacity.
33. Public Utility Facilities. Poles, towers, wires, cables, conduits, vaults, laterals, transformers, pedestals, switchgear and other similar transmission or distribution equipment of a public utility.
34. Public Way. A thoroughfare for travel or transportation from place to place which is accessible to the public.
35. Ringelmann Number. The number of the area on the Ringelmann Chart published and used by the U.S. Bureau of Mines that coincides most nearly with the visual density of emission or the light-obscuring capacity of smoke.
36. Setback Line, Building. See Building Setback Line.
37. Sign(s). Any identification, description, illustration or illuminated device which is visible from any public place or is located on private property and

exposed to the public and which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, pennant, placard, or temporary sign designed to advertise, identify or convey information, with the exception of national flags. For the purpose of removal, signs shall also include all sign structures.

38. Smoke Units. The number obtained by multiplying the smoke density in Ringelmann numbers by the time of emission in minutes. For the purpose of this chart, Ringelmann density reading is made at least once every minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed, and the various products are added together to give the total number of "smoke units" observed during the total period under observation.
39. Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.
40. Street. The width of the right-of-way or easement, whether public or private, and shall not be considered as the width of pavement or other improvement on the right-of-way.
41. Street Line. A dividing line between a lot, tract, or parcel of land and a contiguous street.
42. Structure. Anything built, constructed or placed, which requires location in or on the ground or is attached to something having a location on the ground.
43. Structural Alterations. Any change other than incidental repairs which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.
44. Terrace, Open. A level plane or platform which is located abutting one or more faces of the principal structure and which is constructed not more than four feet in height above the average level of the adjoining ground.
45. Unified Retail Center. A development of ten (10) or more acres which is devoted principally to retail sale and/or retail service businesses. A "unified retail

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center" may consist of one or more principal buildings and may contain one or more lots which are devoted to separate uses that are owned by different entities. A Unified Retail Center may be developed in stages or phases and shall initially be under either unified control or single ownership.

46. Use. The purpose for which land or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let, or leased.
47. Yard, Front. A yard extending across the full width of the zoning lot and lying between the front line of the lot and the nearest line of the building.
48. Yard, Rear. A yard extending across the full width of the zoning lot and lying between the rear line of the lot and the nearest line of the principal building which is unobstructed and unoccupied from its lowest level upward except as otherwise permitted in these Zoning Standards.
49. Yard, Side. That part of the yard lying between the nearest line of the principal building and a side lot line, and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in these Zoning Standards.

C. Permitted Uses. Only the following uses shall be permitted on the Property:

1. North Parcel:

- a. Card Shops
- b. Clinics (Eye, Medical and Dental)
- c. Cocktail Lounges
- d. Consumer Credit Offices
- e. Engraving and Printing Establishments
- f. Equipment Rental (indoor)
- g. Financial Offices
- h. General Retail Sales
- i. Gunsmiths and gun shops
- j. Insurance Sales
- k. Lithography Shops
- l. Medical/Dental/Optometric Offices
- m. Movie Theatres and entertainment complexes
- n. Package Liquor Stores
- o. Pet Shops
- p. Professional, Business and General Offices

- q. Real Estate Title Offices
- r. Real Estate Brokerage Offices
- s. Restaurants (including those serving alcoholic beverages)
- t. Video Stores
- u. All other uses designated as permitted uses as of the date of this Agreement under the B-1 General Business District regulations of the Zoning Ordinance.
- v. Any use determined by the Board of Trustees to be similar and compatible to the uses listed herein.

2. South Parcel: The uses permitted under C(1) above, hotels, motels and office buildings of every description shall be permitted throughout the South Parcel. The following uses shall be permitted only on that part of the South Parcel which is at least three hundred (300) feet distant from the center line of Illinois State Route 21 (which uses shall be subject to the performance standards set forth in Paragraph (L) below):

- a. Light manufacturing, fabricating, processing, assembly, repairing, storing, servicing or testing of materials, goods or products and office uses related thereto
- b. Research Laboratories
- c. All other uses designated as permitted uses as of the date of this Agreement under the L-I Limited Industrial District regulations of the Zoning Ordinance.
- d. Any use determined by the Board of Trustees to be similar and compatible to the uses listed herein.

D. Special Uses. Only the following special uses may be permitted on the Property pursuant to the procedure established in the Zoning Ordinance for the approval of special uses:

1. North Parcel:

- a. Business and Trade Schools
- b. Equipment Rental (outdoor)
- c. Government Offices
- d. Properly Screened Outdoor sales
- e. Wholesale Sales
- f. All uses permitted as special uses under the B-1 General Business District Regulations of the Zoning Ordinance, as of the date of this Agreement, which are not permitted under C(1) above
- g. Any use determined by the Board of Trustees to be similar and compatible to the uses listed herein.

2. South Parcel:

- a. The uses referred to in D(1) above
- b. Convalescent Care Facilities
- c. Private Clubs
- d. All uses permitted as special uses under the L-I Limited Industrial District regulations of the Zoning Ordinance, as of the date of this Agreement
- e. Any use determined by the Board of Trustees to be similar and compatible to the uses listed herein.

E. Required Conditions. The following conditions shall be required:

1. Accessory uses shall be customarily incidental to principal uses and shall be for the convenience of the tenants and employees of the building or structure in which or next to which they are located.
2. Any production, processing, cleaning, servicing, testing, repair, or storage of goods, materials, or products shall take place without creating disturbing influences to the use and occupancy of adjoining properties.
3. All refuse collection or pick-up areas shall be screened from vision on three sides.

F. Lot Area. The Village recognizes that the North Parcel is to be developed, and portions of the South Parcel may be developed, as Unified Retail Centers. In order to provide flexibility with respect to ownership of individual building pads, no minimum lot size or width or ratio of building coverage will be applicable to any individual in-line store within a Unified Retail Center.

With respect to other development of the Property, the following requirements shall be applicable:

1. Lot Size:

- a. North Parcel: 40,000 square feet
- b. South Parcel: 40,000 square feet

2. Lot Width:

- a. North Parcel: 200 feet; provided that one (1) outlot may be 160 feet wide if no more than five (5) outlots are developed.

b. South Parcel: 200 feet

3. Building Coverage: A ratio of building coverage of not more than sixty (60) percent of the total site area for the principal building or buildings shall be provided.
4. No more than one building may be maintained on any single outlot which is part of a Unified Retail Center.

G. Height Regulations.

1. North Parcel: 50 feet
2. South Parcel: 12 stories.

H. Floor Area Ratio. On the North Parcel, the floor area ratio shall not exceed .35. Developments on the South Parcel submitted for Preliminary or Final Plan approval pursuant to Exhibit G shall have a floor area ratio that does not exceed 1.0 provided, however, that the aggregate floor area ratio on the South Parcel shall not exceed 0.8.

I. Ingress and Egress Systems. The provisions of Sections 13.7.2, 15.7.2 and 16.7.2 of the Zoning Ordinance shall not be applicable to development on the Property; provided, however, that all building and uses maintained on the Property shall have access to a public right-of-way either directly or indirectly through shared ingress, egress and parking facilities.

J. Building Setbacks and Yards.

1. Street Setbacks: No building shall be maintained within sixty (60) feet, plus one foot for each foot of building height in excess of thirty-five (35) feet, of the right of way of either Illinois State Route 21 or Illinois State Route 60 or within thirty (30) feet of any other street.
2. Side and Rear Setbacks: No building shall be maintained within thirty-five (35) feet of any side lot line or within forty (40) feet of any rear lot line, provided, however, that with respect to buildings which are developed for uses permitted under paragraphs C(2)(a),(b) and (c) above, said side and rear yard requirements shall be reduced to twenty-five (25) feet.
3. No building shall be maintained within ten (10) feet of any other separate building. For purposes of this

provision, any two or more user spaces sharing one or more common walls, or separated solely by an outdoor sales area being maintained in conjunction with one of the adjacent uses, shall be considered to be a single building, regardless of form of ownership of such user spaces.

4. A landscaped buffer strip shall be provided in any yard abutting a public right-of-way but no such buffer strip need exceed twenty-five (25) feet in depth measured from the lot line abutting said public right-of-way.
5. Accessory off-street parking, open to the sky, shall not be maintained within ten (10) feet of any side or rear lot line or within the landscaped buffer strip required by paragraph (4) above, but may be maintained in any other setback area. The aforesaid ten (10) foot portion of any side or rear yard shall be attractively landscaped by Owner or Purchaser except where driveways for ingress and egress are located.
6. Notwithstanding any provision of the Zoning Ordinance to the contrary, no berm in any setback area adjacent to Illinois State Route 21, Illinois State Route 60 or any residential district need exceed four (4) feet in height unless the Corporate Authorities reasonably determine, in connection with their review of preliminary and final plans and based upon grade conditions at the site, that a greater berm is required in order to effectively screen parking in which event said greater berms shall be provided. Notwithstanding the foregoing, no berm shall be required to exceed eight (8) feet in height.

K. Accessory Buildings and Structures.

1. Accessory buildings or structures shall be subject to and must conform to all regulations applicable to the principal building.
2. Height Restrictions: No accessory building shall exceed twenty-five (25) feet in height except parking structures which shall not exceed the height of the principal building or structure. The height of any accessory radio television antenna shall not exceed the height of the building being served by said antenna by more than eight (8) feet.

L. Performance Standards. All industrial activities shall be established and maintained in accordance with the following performance standards.

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It is the intent of these standards to provide that industrial activities shall be established and maintained in order that each permitted use shall be a good neighbor to adjoining properties by the control of emission of noise, odor, glare, vibration, smoke, dust, liquid wastes, and other nuisances.

The architectural and engineering plans shall bear the signature and seal of the appropriate qualified professional and the certification that all performance standards will be complied with based upon the submitted plans and documents. The Village shall have the right to conduct its own investigation to determine compliance with the performance standards.

1. Compliance. The performance standards set forth herein shall be complied with and any use which fails to comply with these standards shall be in violation of the Village Zoning Ordinance and be subject to penalties provided for such violation. It shall be deemed a violation of these standards for any qualified professional to falsely certify as to the compliance of submitted plans and documents with the performance standards specified herein.

2. Landscaping. Those portions of property not devoted to buildings, pavement or other permanent improvements shall be landscaped and well maintained. Landscaping shall mean at a minimum, the use of trees and a ground cover defined as grass, decorative stone, shrubs or other plant material allowing water to seep through the ground. Grass may be seeded rather than sodded to achieve the necessary ground cover. Berming can also be used effectively. Berm profile shall not exceed a slope of one (1) foot of elevation in three (3) horizontal feet unless other approved methods of slope stabilization are utilized.
 - a. Landscaping may include:
 - (1) Trees planted in conformance with this Agreement and with applicable Village Ordinances.
 - (2) Combination of berming and tree planting.
 - (3) Combination of berming and shrub planting.
 - (4) Berming with low ground cover.
 - b. No plants shall be placed in such a way as to obstruct pedestrian or vehicular sight of a

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public right-of-way and no plant shall be placed so as to interfere or cause damage to roadways, utilities or other public works. Species of trees known to cause damage to roadways, underground utilities or other public works shall not be used in an area where such damage could occur.

- c. Parking areas, building exteriors and all other parts of the tract visible from the public way shall be maintained in a sightly, well-kept condition.
 - d. All landscape plans must show the proposed land slope with a one (1) foot contour interval, all proposed plantings, drainage facilities, pavements, and other proposed facilities.
3. Noise. At no point on the property line on which the operation is located shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation vehicles) exceed the levels shown in the following table:

Table of Maximum Permitted Sound Level (Decibels)

<u>Octave Bank (Frequency) Cycles per Second</u>	<u>Industrial or Commercial Adjoining Same District</u>	<u>Industrial or Commercial Adjoining Residential Properties</u>
0 to 75	79	72
75 to 150	74	67
150 to 300	66	59
300 to 600	59	52
600 to 1200	53	46
1200 to 2400	47	42
2400 to 4800	41	38
above 4800	39	38

Noise testing is to be accomplished at the property line of the noise emitting source, with an octave band analyzer operated by an independent testing authority trained and skilled in the operation of this equipment.

4. Odors. The emission of odorous matter in such quantities as to be readily detectable at any point along a property line or which is unwholesome, offensive, harmful or injurious to the public health, comfort or welfare, is prohibited. The measurement of the threshold of odor shall be in accordance with the

American Society for Testing and Materials Method D1391-57 "Standard Method for Measurement of Odor in Atmosphere (Dilution Method)" Philadelphia: American Society of Testing and Materials, 1957, (which is hereby adopted by reference). Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a building permit.

5. Glare or Heat. Any operation producing intense glare or heat shall be performed within a completely enclosed building in such manner as not to create a public nuisance or hazard. Exposed sources of light shall be controlled so that direct or indirect illumination from any source within the property line shall not cause illumination in excess of one half of one (0.5) foot candle when measured at any zoning lot line. The measurement of glare or light shall be made at the property line using a light meter operated by a trained operator through an independent testing agency. Any lights used for exterior illumination shall be planned, erected and maintained to direct light away from adjoining properties or public right-of ways.
6. Vibration. Any operation or activity shall not cause earthborn vibrations in excess of the following values. Column I shall apply at or beyond the property line, Column II shall apply at or beyond a residence district boundary line. Vibration shall be expressed as displacement in inches and shall be measured with a three-component measuring system:

Frequency (Cycles per second)	I Displacement Inches	II Displacement Inches
0 to 10	.0008	.0004
10 to 20	.0005	.0002
20 to 30	.0002	.0001
30 to 40	.0002	.0001
40 and over	.0001	.0001

Impact vibrations (descrete pulses that do not exceed one hundred (100) impulses per minute), shall not cause in excess of twice the displacement values above.

Any use or portion thereof creating intense earth-shaking vibrations such as are caused by heavy drop forges or heavy hydraulic surges, shall be set back at least five hundred (500) feet from all property lines.

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7. Smoke and Particulate Matter. In addition to the performance standards specified herein, the emission of smoke or particulate matter in such manner or quantity as to endanger or be detrimental to the public health, safety, comfort or welfare is hereby declared to be a public nuisance.

For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines (hereby adopted by reference), shall be employed. The evaluation of smoke by the Ringelmann Chart must be accomplished by a State of Illinois Certified Smoke Reader. Particulate matter size shall be determined by measurement through a 325 mesh sieve which will, in fact, accumulate all +44 micron particles and prove helpful in the measurement process. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringelmann Chart is prohibited.

The emission from all sources within any property of particulate matter containing more than 10% by weight of particles having a particulate diameter larger than +44 microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads and the like within property boundaries, shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitation herein specified is hereby prohibited.

The emission of more than ten (10) smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, during one (1) one-hour period each day, stack may emit up to twenty (20) smoke units when blowing soot or cleaning fires. Only during firecleaning periods, however, shall smoke of Ringelmann No. 3 be permitted, and then for not more than four (4) minutes.

The rate of emission of particulate matter from all sources within the boundaries of any property shall not exceed a net figure of one (1) pound per acre during any one (1) hour, after deducting from the gross hourly emission per acre the corrective factors set forth in the following tables for height, velocity, and temperature of emission, respectively. Determination of the total net rate of emission of particulate matter within the boundaries of any property shall be made as follows:

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- a. Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of property area, thereby obtaining the gross hourly rate of emission in pounds per acre.
- b. From each gross hourly rate of emission derived in (a) above deduct the appropriate correction factor (interpolating as required) for height, velocity and temperature of emission set forth in the following corresponding tables, thereby obtaining the net rate of emission from all sources of emission within the boundaries of the property. Such total shall not exceed one (1) pound per acre of property area during any one (1) hour.

Allowance for Height of Emission*

Height of Emmission Above Grade (feet)	Correction Pounds/Hours/Acre
50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

Allowance for Temperatures of Emission*

Temperature of Emission (Degrees Fahrenheit)	Correction Pounds/Hours/Acre
200	0.000
300	0.001
400	0.002
500	0.003
1000	0.010
1500	0.040
2000	0.100

*Interpolate for intermediate value not shown in table.

8. Gases, Toxic or Noxious matter. No toxic materials shall be detectable at any point beyond the lot line, either at ground level or habitable elevation, whichever is more restrictive. Within the lot line, toxic materials which are released shall not exceed the maximum permissible airborne concentration allowed as safe for an industrial worker contained in the most

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recent list of "Threshold Limit Values" published by the American Conference of Governmental Industrial Hygienists (hereby adopted by reference). The applicant shall satisfy the Zoning Administrator that proposed levels will be safe to the general population.

9. Radiation Hazards. The release of radioactive gases or particulate matter shall not exceed the maximum allowable concentration permitted the general population under applicable federal, state, and local laws and regulations when measured at or beyond the lot line at ground level or habitable elevation.

No activity involving radiation hazards shall be permitted which causes exposure to persons at or beyond the lot lines in excess of the maximum allowable concentration permitted the general population under applicable federal, state, and local laws and regulations.

10. Fire and Explosion Hazard. The storage, utilization or manufacture of materials or products ranging from incombustible to moderate-burning, as determined by the Village, in accordance with generally accepted standards, is permitted, subject to compliance with all other performance standards and provided the following conditions are met:

Said materials or products shall be stored, utilized or produced within completely enclosed structures having fire-resistive construction in accordance with the 1981 BOCA Code or any subsequent BOCA Code adopted by the Village.

Manufacturing or processing of materials or products which produce flammable or explosive vapors or gases at ordinary weather temperatures shall not be permitted, except when such materials are used in secondary processes or are required in emergency or standby equipment. Their storage for use as power or heating fuels shall be permitted if in conformity with standards prescribed by the National Fire Protection Association and with applicable requirements embodied in the regulations promulgated by the State, of Illinois Department of Public Safety.

11. Register of Pollutants. It shall be unlawful for any person to install, erect, construct, reconstruct, alter or add to, or cause to be installed, erected, constructed, reconstructed, altered or added to, any fuel burning, combustion or process equipment or

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device or any equipment pertaining thereto, or any stack or chimney connected therewith, within the Village excepting domestic heating plants, domestic refuse-burning equipment, locomotives and internal combustion engines until there has been filed in duplicate by the owner, contractor, installer or other person, or his agent with the Village, an application for a permit accompanied by a complete listing of emissions into the atmosphere that results from the operation of the aforesaid equipment or processes, both as to kind and quantity and, in addition thereto, a listing of the type and capacity of the equipment used for the collection, absorption, or suppression of each and an estimate of its efficiency, and until a permit therefor has been granted. Said submitted register of pollutants shall be accompanied by an affidavit of a qualified person stating that it is complete and correct and that the proper operation of the plant or process, as designed, will not result in any violation of these provisions.

12. Waste. All sewage and industrial wastes shall be treated and disposed of in such manner as to comply with the standards of the Lake County Public Works Department. Approval by the Illinois Environmental Protection Agency of all plans for waste disposal facilities shall be required before issuance of any building permit.

M. Trash Collection Areas. Notwithstanding any provision of the Zoning Ordinance to the contrary, refuse and trash collection areas shall be deemed to be adequately screened so long as they are screened from view on three sides.

N. Off-Street Parking and Loading.

1. Scope of regulations.

a. Off-street parking and off-street loading facilities shall be provided as required by the regulations of this Section, for all buildings and structures erected, altered, or enlarged and all uses of land established in the Property.

b. When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement, such increase shall be permitted only if the required parking and loading facilities for the addition are also provided.

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- c. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use.
- d. Nothing in this Section shall be deemed to prevent the voluntary establishment of off-street parking and loading facilities in excess of the minimum requirements to serve any existing use of land or buildings, provided that all regulations herein governing the location, design, and operation of such facilities are adhered to.

2. Use of parking and loading facilities.

- a. Off-Street parking facilities shall be solely for the parking of motor vehicles of the employees, patrons or occupants of the permitted use and their guests.
- b. Off-street loading facilities shall be used only for loading or unloading of goods; for the use of which such loading facilities are accessory, for the storage of vehicles (not to exceed twenty-four (24) hours) and shall not be used for repair of vehicles.

3. Location of parking.

- a. All off-street parking spaces serving buildings or uses maintained within a Unified Retail Center shall be located with said Unified Retail Center. The Village recognizes, however, that Unified Retail Centers are developed as a single interrelated unit and that, as such, off-street parking spaces serving an individual use need not be located on the same lot as the use to be served. Notwithstanding the fact that parking for the uses and buildings to be maintained within said Unified Retail Center to be provided collectively, the total number of spaces provided shall not be less than the sum of the separate requirements for each use or building served.
- b. Except as specifically provided in (a) above, off-street parking spaces shall be located on the same lot as the use served, except when the Planning and Zoning Commission recommends and the Board of Trustees authorizes, for a specific use, all or part of the required off-street parking spaces to be located on a lot that does not contain the principal use or structure, provided

such facilities are within one thousand (1,000) feet, measured along the shortest line of a public access, of said building. In cases where parking facilities are permitted on a lot other than the lot on which the structure or use served is located, the owner of record of such lot shall be the same as the owner of record of the lot occupied by the structure or use in which the parking facilities are accessory, or the right of use of such lot may be granted for the duration of the structure or use served. In either case, a covenant running with the land must be recorded in the office of the Recorder of Deeds of Lake County, Illinois, for the lot upon which the accessory off-street parking is located, with the same requirements and conditions attaching to such substitute accessory use lot as would otherwise apply for such facilities. Copies of the recorded covenants and the lease agreements, if any, shall be deposited at the office of the zoning administrator. The covenants shall not be released and the lease agreement shall not be terminated, until such time as either one of the following conditions occur:

- (1) The structure on the lot containing the principal use is terminated; or
 - (2) Another lot of the required size, within the required distance, is properly developed and used for the required off-street parking, in place of the initial lot used for off-street parking, with the same requirements, covenants, and conditions attaching to such substitute accessory use lot, as approved by the same authority as required for approval of such initial use lot.
- c. Off-Street parking facilities for different buildings, structures or uses, or for mixed uses on the same lot or parcel, may be provided collectively; provided, that the total number of spaces so located together shall not be less than the sum of the separate requirements for each use, and that such facilities are maintained in the same ownership as the use or uses served.
4. Location of Required Parking.
No required parking spaces shall be located within any required landscaped buffer strip.
 5. Computation of parking requirements.

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In determining the number of off-street parking spaces required:

- a. Floor area shall mean the gross floor area of the specific use, excluding any floor or portion thereof used for storage of goods sold at retail or for parking.
 - b. Where fractional spaces result, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one (1) parking space;
 - c. Areas designated for loading and unloading, and driveways shall not be considered as parking spaces;
 - d. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
6. Parking requirements for permitted and special uses. The parking requirements for the Property shall be those set forth in the Zoning Ordinance except as modified by the following:
- a. Manufacturing and Industrial Uses (other than warehousing): 2.5 spaces per 1,000 square feet of floor area.
 - b. Warehousing: 1.0 space per 1,000 square feet of floor area and 3.0 spaces per 1,000 square feet of office space within any warehouse.
 - c. Retail and Wholesale Trade.
 - (1) General commercial/retail - 1.0 space per 200 square feet of floor area (except that in a Unified Retail Center there shall be not less than 1.0 space per 250 square feet of floor area).
 - (2) Eating and drinking establishments - 1.0 space per 3 seats. Establishments with a drive-thru window shall provide a minimum of 5 stacking spaces per window.
 - (3) Household appliance stores, furniture stores, motor vehicle sales - 2.0 spaces per 1,000 square feet of floor area.
 - d. Services and Institutions.

(1) Business and professional offices, Corporate headquarters - 1.0 space per 333 square feet of floor area (unless the use contains 100,000 square feet of floor area or less, in which event the parking requirement shall be not less than 1.0 space per 300 square feet of floor area).

(2) Bank, savings and loans, and financial institutions - 1.0 space per 300 square feet of floor area.

Drive-in establishments shall provide 3 stacking spaces per teller or customer service area.

(3) Hotel, motel - 1.0 space per dwelling unit; with additional parking spaces for the retail/service/entertainment areas per these regulations.

(4) Convalescent Care Facilities: 1.0 space per 3 patient beds plus 2.0 spaces per staff doctor.

(5) Dental and medical clinic or office - 4.0 spaces per 1,000 square feet of floor area.

(6) Day care center, child care center, nursery school, pre-school - 2.0 spaces per 1,000 square feet of floor area.

(7) Business school, commercial school, trade school, vocational school - 1.0 space per employee plus 1.0 space per student based on rated design capacity.

(8) Dance school, music school, vocal school - 1.0 space per employee plus 1.0 space per each three (3) students based on rated design capacity.

(9) Governmental services - 1.0 spaces per 333 square feet of floor area.

e. Cultural Uses, Entertainment and Sports.

(1) Art gallery, historic site, library, museum - 2.0 spaces per 1,000 square feet of floor area, plus 1.0 space for every 3 persons of auditorium design capacity.

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(2) Community center, convention hall, exhibition hall, meeting hall, recreation building - 1.0 space per 1,000 square feet of floor area, plus 1.0 space for every 3 persons of auditorium design capacity.

(3) Theater - 1.0 space per 3.5 seats.

7. Design and maintenance of parking facilities.

- a. Every parking lot shall be graded for proper drainage and provided with an all-weather surface, as designed by registered engineer, maintained at all times in such manner as to prevent the release of dust, and shall be kept free of dust, trash and debris. The required maintenance shall include snow removal during the winter season.
- b. Every parking area shall be so designed that each parking space shall open directly upon an aisle or driveway, of such width and design as to provide safe and efficient means of vehicular access to such space(s).
- c. Every parking area shall be designed with appropriate means of vehicular access to a street, in such manner as to minimize interference with traffic movement.
- d. Entrances and exits to and from a parking area shall be not less than sixteen (16) feet and not more than thirty-six (36) feet in width.
- e. The perimeter of all parking areas and all landscaped islands within parking areas shall be curbed. No wheel guards or bumper stops are required.
- f. Where hazards exist which can be minimized or eliminated by lighting, or where parking use extends into hours of darkness, the corporate authorities may require lighting of the parking area, in such manner and during such hours as may be deemed necessary in the interest of public safety and security. Such lighting facilities shall be so arranged and operated that they neither unreasonably disturb occupants of adjacent properties, nor interfere with traffic. Parking area light levels shall be deemed adequate if:

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- (1) a minimum average of 1.0 footcandles per square foot (for retail uses) and 0.6 footcandles per square foot (for all other uses) is maintained for the entire parking area; and
 - (2) a minimum of 0.33 footcandles per square foot (for retail uses) and 0.25 footcandles per square foot (for all other uses) is maintained in all locations within the parking area; and
 - (3) shielded luminaries are utilized adjacent to residential areas.
- g. No public parking area shall be used for the sale, repair, storage, dismantling or servicing of any vehicles, equipment materials or supplies.
- h. Off-street parking spaces and aisles shall be designed as described below:

(i) Retail Uses.

<u>Stall Angle</u>	<u>Stall Width</u>	<u>Stall Length*</u>	<u>Aisle Width</u>
90°	9'	18'	24'
60°	9'	18'	18'
45°	9'	18'	16'

(ii) Office Uses.

<u>Stall Angle</u>	<u>Stall Width</u>	<u>Stall Length*</u>	<u>Aisle Width</u>
90°	9'	18'	22'
60°	9'	18'	18'
45°	9'	18'	16'

* Parking spaces along end aisles may be two (2) feet less to account for overhang.

- i. Landscaping within every parking lot shall be provided in accordance with a plan, as approved by the Village Building Commissioner, specifying the location, type and size of all plant materials to be used. All landscaped islands shall be properly drained to effectively drain the granular subbase pursuant to plans approved by the Village Engineer.

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- j. Handicapped parking spaces shall be provided in accordance with the Village building codes.
 - k. The minimum standards for automobile parking lots and drives shall be 10" of Aggregate Base Course, crushed Type CA6, or equal thereto, and 2 1/2" of Bituminous Concrete Surface, which shall be applied in two (2) lifts. The minimum standards for main traffic lanes and truck drives shall be 12" of Aggregate Base Course, crushed Type CA6, or equal thereto, and 3" of Bituminous Concrete Surface, which shall be applied in two lifts. The minimum standard for truck maneuvering areas shall be 12" of Aggregate Base Course, crushed Type CA6, or equal thereto, and 4" of Bituminous Concrete Surface which shall be applied in two (2) lifts.
 - l. Subject to Village approval, a lesser number of parking spaces than required herein may be provided so long as the owner of the parcel in question provides sufficient landscaped area to satisfy the minimum requirements set forth herein. Additional parking spaces, up to the minimum requirement set forth herein, shall be provided if the Village determines that such additional parking is necessary within six (6) months of notice of such determination.
8. Location of off-street loading spaces.
- a. Off-street loading spaces, when required by the provisions of Section N.9. below, shall be located on the same lot or parcel as the use served.
 - b. No off-street loading space shall be located within forty (40) feet of the closest point of intersection of two (2) or more public rights of way.
 - c. No loading space shall be located in any required yard adjacent to a public street. Access lanes to enclosed loading docks within the building are permitted in all yards. Loading space adjacent to any street must be totally enclosed within a building.
9. Required off-street loading spaces.
- a. For hotels or apartment-hotel buildings wherein there are contained exhibition halls, convention

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- halls, auditoriums, office facilities or retail shops, one (1) off-street loading and unloading space for the first one hundred and fifty thousand (150,000) square feet of gross floor area, plus one (1) additional off-street loading space for each one hundred and fifty thousand (150,000) square feet of gross floor area or fraction thereof in excess thereof.
- b. For buildings containing eating and drinking establishments exceeding ten thousand (10,000) square feet of gross floor area, one (1) off-street loading and unloading space;
- c. For retail shops exceeding thirty thousand (30,000) square feet, one off-street loading space. None shall be required for movie theatres.
- d. For banks, business, or professional offices or public administration buildings containing forty thousand (40,000) to two hundred thousand (200,000) square feet of gross floor area, one (1) off-street loading and unloading space, plus one (1) additional such space for each additional two hundred thousand (200,000) square feet of gross floor area or fraction thereof in excess of two hundred thousand (200,000) square feet.
- e. For buildings containing furniture and appliance stores, wholesale stores, or machinery sales and having eight thousand (8,000) to thirty thousand (30,000) square feet of gross floor area, one (1) off-street loading and unloading space, plus one (1) additional space for each additional thirty thousand (30,000) square feet of gross floor area or fraction thereof in excess of thirty thousand (30,000) square feet.
- f. For buildings containing manufacturing uses, research and testing laboratories, laundry and dry-cleaning establishments, printing, binding, publishing, and issuing of newspapers, periodicals, books, and other reading matter, warehouse and storage facilities, engraving shops, assembly of materials and products, processing and distribution of materials and products, and other similar uses having more than ten thousand (10,000) square feet of gross floor area, exclusive of basement area, and less than forty thousand (40,000) square feet of gross floor area, one (1) off-street loading and unloading

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space, plus one(1) additional such space for each additional sixty thousand (60,000) square feet of gross floor area in excess of forty thousand (40,000) square feet.

10. Design and maintenance of off-street loading facilities.

- a. Except as otherwise provided herein, off-street loading spaces may be internal or external. A required off-street loading space for all uses other than those set forth in subsection M.9.e. shall be at least eight (8) feet in width and at least twenty (20) feet in length, exclusive of access drives, aisles, ramps, maneuvering space, columns, and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. A required off-street loading space for uses specified in subsection N.9.e. above shall be at least ten (10) feet in width and at least thirty (30) feet in length, exclusive of access drives, aisles, ramps, maneuvering space, columns and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. Off-street loading spaces in a yard adjacent to a street shall be enclosed and shall be at least ten (10) feet in width and at least fifty (50) feet in length, exclusive of access drives, aisles, ramps, maneuvering spaces, columns and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. Where a use is not required to have a loading space, according to Section N.9., provisions shall be made for incidental deliveries and refuse pickup, following the same general rules as provided in Section N.10., excepting subsection N.10.a.
- b. Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or drive, in a manner which will least interfere with traffic movements, and no area allocated to any off-street loading spaces shall be used to satisfy the space requirements for any off-street parking facilities or emergency access drive or portions thereof.
- c. All open off-street loading spaces, access drives, aisles, and maneuvering space shall be improved with a compacted base and a permanent wearing surface, as approved by the Village.

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- d. Open off-street loading spaces facing Milwaukee Avenue or State Route 60 shall be screened from adjacent uses by a fence, wall or door, or any combination thereof or a densely planted screen consisting of trees and/or hedge.
11. In the calculation of the required turning radius for trucks and other vehicles, the Village shall include area falling within dedicated streets and right of ways.

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