

VILLAGE OF LONG GROVE

SUBMITTED MARCH 24TH; (AMENDED APRIL 12TH)

PREAPPLICATION MEETING

RESULTS

AND

**PLAN COMMISSION ZONING BOARD OF APPEALS GENERAL
ZONING APPLICATION**

INCLUDING:

**REQUEST TO AMEND THE *SAVANNE OF LONG GROVE PUD*
SITE PLAN FOR LOT 46 (TEMPLE CHAI)**

AND

**REQUEST FOR VARIANCES FROM SECTION 5-9-6 (B) 1. AND
SECTION 5-9-6 (B) 5. (d)**

Submitted By:
Richard Connor Riley
Attorney for Petitioner
123 N. 4th street
Chesterton, IN 46304
(312) 953-5664

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COMMITMENT FOR TITLE INSURANCE



Chicago Title Insurance Company

CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation, herein called the Company, for valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the Land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 6 months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Issued By:

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

Refer Inquiries To:
(312) 223-3025



CHICAGO TITLE INSURANCE COMPANY

By

Authorized Signatory

Commitment No.: 1401 008978766 D1

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO.: 1401 008978766 D1

FOURTH MODIFICATION OF MORTGAGE AND OTHER SECURITY DOCUMENTS RECORDED MAY 22, 2009 AS DOCUMENT NUMBER 6475955.

FIFTH MODIFICATION OF MORTGAGE AND LOAN DOCUMENTS RECORDED FEBRUARY 22, 2012 AS DOCUMENT NUMBER 6822088.

FIFTH MODIFICATION OF MORTGAGE AND LOAN DOCUMENTS RECORDED JUNE 3, 2014 AS DOCUMENT NUMBER 7103323.

(AFFECTS FEE ESTATE)

- C 10. ASSIGNMENT OF RENTS DATED JANUARY 10, 2002 AND RECORDED JANUARY 25, 2002 AS DOCUMENT NO. 4846557 MADE BY TEMPLE CHAI TO MB FINANCIAL BANK, NA.

(AFFECTS FEE ESTATE)

- D 11. MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, AND SECURITY AGREEMENT DATED NOVEMBER 9, 2007 AND RECORDED MARCH 19, 2008 AS DOCUMENT NO. 6319895 MADE BY TEMPLE CHAI, AN ILLINOIS NOT FOR PROFIT CORPORATION, TO MB FINANCIAL BANK, N.A., TO SECURE AN INDEBTEDNESS OF \$1,000,000.00.

(AFFECTS FEE ESTATE)

- E 12. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.

- F 13. WE SHOULD BE FURNISHED A STATEMENT THAT THERE IS NO PROPERTY MANAGER EMPLOYED TO MANAGE THE LAND, OR, IN THE ALTERNATIVE, A FINAL LIEN WAIVER FROM ANY SUCH PROPERTY MANAGER.

- G 14. WE SHOULD BE FURNISHED A CERTIFIED COPY OF THE DIRECTORS' RESOLUTIONS AUTHORIZING THE CONVEYANCE OR MORTGAGE TO BE INSURED. SAID RESOLUTIONS SHOULD EVIDENCE THE AUTHORITY OF THE PERSONS EXECUTING THE CONVEYANCE OR MORTGAGE. IF THEY DO NOT, A CERTIFIED COPY OF THE CORPORATE BY-LAWS ALSO SHOULD BE FURNISHED.

IF SAID CONVEYANCE OR MORTGAGE COMPRISES ALL OR SUBSTANTIALLY ALL THE CORPORATION'S ASSETS, WE ALSO SHOULD BE FURNISHED A CERTIFIED COPY OF THE SHAREHOLDER/MEMBER RESOLUTIONS WHICH AUTHORIZE SAID CONVEYANCE OR MORTGAGE. THIS COMMITMENT IS SUBJECT TO SUCH FURTHER EXCEPTIONS, IF ANY, AS MAY BE DEEMED NECESSARY AFTER OUR REVIEW OF THESE MATERIALS.

- H 15. WE SHOULD BE FURNISHED A CURRENT CERTIFICATE OF GOOD STANDING FROM THE ILLINOIS SECRETARY OF STATE FOR TEMPLE CHAI, A CORPORATION OF ILLINOIS.

- I 16. WE SHOULD BE FURNISHED (A) CERTIFICATION FROM THE ILLINOIS SECRETARY OF STATE THAT PI TELECOM INFRASTRUCTURE T, LLC HAS PROPERLY FILED ITS ARTICLES ORGANIZATION, (B) A COPY OF THE ARTICLES OF ORGANIZATION, TOGETHER WITH ANY AMENDMENTS THERETO, (C) A COPY OF THE OPERATING AGREEMENT, IF ANY, TOGETHER WITH ANY AMENDMENTS THERETO, (D) A LIST OF INCUMBENT MANAGERS OR OF INCUMBENT MEMBERS IF MANAGERS HAVE NOT BEEN APPOINTED, AND (E) CERTIFICATION THAT NO EVENT OF DISSOLUTION HAS OCCURRED.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

YOUR REFERENCE: NBU#14150211

ORDER NO.: 1401 008978766 D1

EFFECTIVE DATE: JUNE 29, 2015

1. POLICY OR POLICIES TO BE ISSUED:

OWNER'S POLICY: ALTA OWNERS 2006
AMOUNT: \$10,000.00
PROPOSED INSURED: PI TELECOM INFRASTRUCTURE I, LLC

2. THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO IN THIS COMMITMENT IS FEE SIMPLE, UNLESS OTHERWISE NOTED.

3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS AT THE EFFECTIVE DATE VESTED IN:
TEMPLE CHAI, AN ILLINOIS NOT-FOR-PROFIT CORPORATION

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO. : 1401 008978766 D1

4A. LOAN POLICY 1 MORTGAGE OR TRUST DEED TO BE INSURED:

NONE

4B. LOAN POLICY 2 MORTGAGE OR TRUST DEED TO BE INSURED:

NONE



CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO.: 1401 008978766 D1

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:
THE ESTATE OR INTEREST IN THE LAND DESCRIBED BELOW AND COVERED HEREIN IS:

THE LEASEHOLD ESTATE (SAID LEASEHOLD ESTATE BEING DEFINED IN PARAGRAPH 1.c. OF THE ALTA LEASEHOLD ENDORSEMENT(S) ATTACHED HERETO), CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: ~, AS LESSOR, AND ~, AS LESSEE, DATED ~, WHICH LEASE WAS RECORDED ~ AS DOCUMENT ~, WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS BEGINNING ~ AND ENDING ~.

LOT 46 IN SAVANNE OF LONG GROVE, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 1978 AS DOCUMENT NO. 1916809, IN BOOK 65 OF PLATS, PAGES 33 AND 34, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 19, 1978 AS DOCUMENT 1947501, IN LAKE COUNTY, ILLINOIS.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B

ORDER NO.: 1401 008978766 D1

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

GENERAL EXCEPTIONS

1. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
2. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
3. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
4. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
5. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
6. IF EXTENDED COVERAGE OVER THE FIVE GENERAL EXCEPTIONS IS REQUESTED, WE SHOULD BE FURNISHED THE FOLLOWING:
 - A. A CURRENT ALTA/ACSM OR ILLINOIS LAND TITLE SURVEY CERTIFIED TO CHICAGO TITLE INSURANCE COMPANY;
 - B. A PROPERLY EXECUTED ALTA STATEMENT;

MATTERS DISCLOSED BY THE ABOVE DOCUMENTATION WILL BE SHOWN SPECIFICALLY.

NOTE: THERE WILL BE AN ADDITIONAL CHARGE FOR THIS COVERAGE.

7. NOTE FOR INFORMATION: THE COVERAGE AFFORDED BY THIS COMMITMENT AND ANY POLICY ISSUED PURSUANT HERETO SHALL NOT COMMENCE PRIOR TO THE DATE ON WHICH ALL CHARGES PROPERLY BILLED BY THE COMPANY HAVE BEEN FULLY PAID.
8. TAXES FOR THE YEAR 2015, A LIEN NOT YET DUE OR PAYABLE.

THE GENERAL TAXES FOR 2014 ARE MARKED EXEMPT ON THE COLLECTOR'S WARRANTS. UNLESS SATISFACTORY EVIDENCE IS SUBMITTED TO SUBSTANTIATE SAID EXEMPTION, OUR POLICY, IF AND WHEN ISSUED, WILL BE SUBJECT TO SAID TAXES.

PERMANENT INDEX NUMBER: 15-31-201-048

9. MORTGAGE DATED JANUARY 10, 2002 AND RECORDED JANUARY 25, 2002 AS DOCUMENT NO. 4846556 MADE BY TEMPLE CHAI TO MB FINANCIAL BANK, NA, TO SECURE AN INDEBTEDNESS OF \$2,500,000.00.

MODIFICATION OF MORTGAGE AND OTHER SECURITY DOCUMENTS RECORDED FEBRUARY 17, 2003 AS DOCUMENT NUMBER 5126986 AND RECORDED DECEMBER 4, 2003 AS DOCUMENT NUMBER 5446373.

SECOND MODIFICATION OF MORTGAGE AND OTHER SECURITY DOCUMENTS RECORDED DECEMBER 4, 2003 AS DOCUMENT NUMBER 5446374.

THIRD MODIFICATION OF MORTGAGE AND OTHER SECURITY DOCUMENTS RECORDED OCTOBER 20, 2003 AS DOCUMENT NUMBER 5407211 AND RECORDED DECEMBER 16, 2003 AS DOCUMENT NUMBER 5456591.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO.: 1401 008978766 D1

NOTE: IN THE EVENT OF A SALE OF ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF THE L.L.C. OR OF A SALE OF L.L.C. ASSETS TO A MEMBER OR MANAGER, WE SHOULD BE FURNISHED A COPY OF A RESOLUTION AUTHORIZING THE TRANSACTION ADOPTED BY THE MEMBERS OF SAID L.L.C.

J 17. AN EXECUTED COPY OF THE LEASE CREATING THE TITLE TO THE LEASEHOLD ESTATE DESCRIBED IN SCHEDULE A SHOULD BE FURNISHED (TO BE RETAINED BY THE COMPANY), AND THIS COMMITMENT IS SUBJECT TO SUCH FURTHER EXCEPTIONS, IF ANY, AS MAY THEN BE DEEMED NECESSARY.

K 18. THE LEASE CREATING THE LEASEHOLD ESTATE DESCRIBED IN SCHEDULE A HEREOF, OR A PROPER MEMORANDUM THEREOF, SHOULD BE RECORDED, AND THIS COMMITMENT IS SUBJECT TO SUCH FURTHER EXCEPTIONS, IF ANY, AS MAY THEN BE DEEMED NECESSARY.

IF A MEMORANDUM OF LEASE IS TO BE RECORDED, SAID MEMORANDUM SHOULD CONTAIN THE NAMES OF THE PARTIES THERETO, A DESCRIPTION OF THE DEMISED PREMISES, THE COMMENCEMENT AND TERMINATION DATES OF SAID LEASE AND WORDS OF ACTUAL DEMISE.

L 19. A WRITTEN STATEMENT SHOULD BE FURNISHED FROM THE OWNER OF THE FEE IN THE LAND, STATING THAT THERE HAS BEEN NO DEFAULT IN THE PAYMENT OF THE RENTS; THAT THERE ARE NO DEFAULTS UNDER ANY OTHER COVENANTS OF THE LEASE TO BE PERFORMED BY THE LESSEE; AND THAT THERE ARE NO CHARGES WHICH THE OWNERS CLAIM TO BE ADDITIONAL LIENS UPON THE LEASEHOLD ESTATE.

M 20. BUILDING LINE(S) AS SHOWN ON THE PLAT OF SUBDIVISION RECORDED AS DOCUMENT NO. 1947501, AFFECTING THE EAST, WEST AND NORTH 10 FEET OF THE LAND.

N 21. EASEMENTS FOR PUBLIC UTILITIES AND DRAINAGE OVER, UPON AND UNDER THE NORTH, EAST AND WEST 10 FEET OF THE LAND AS CONTAINED IN DOCUMENT RECORDED AS NO. 1916815.

Q FOR ALL ILLINOIS PROPERTY: FOR COMMITMENT ONLY

EFFECTIVE JUNE 1, 2009, PURSUANT TO PUBLIC ACT 95-988, SATISFACTORY EVIDENCE OF IDENTIFICATION MUST BE PRESENTED FOR THE NOTARIZATION OF ANY AND ALL DOCUMENTS NOTARIZED BY AN ILLINOIS NOTARY PUBLIC. SATISFACTORY IDENTIFICATION DOCUMENTS ARE DOCUMENTS THAT ARE VALID AT THE TIME OF THE NOTARIAL ACT; ARE ISSUED BY A STATE AGENCY, FEDERAL GOVERNMENT AGENCY, OR CONSULATE; BEAR THE PHOTOGRAPHIC IMAGE OF THE INDIVIDUAL'S FACE; AND BEAR THE INDIVIDUAL'S SIGNATURE.

R "BE ADVISED THAT THE "GOOD FUNDS" SECTION OF THE TITLE INSURANCE ACT (215 ILCS 155/26) BECOMES EFFECTIVE 1-1-2010. THIS ACT PLACES LIMITATIONS UPON THE SETTLEMENT AGENT'S ABILITY TO ACCEPT CERTAIN TYPES OF DEPOSITS INTO ESCROW. PLEASE CONTACT YOUR LOCAL CHICAGO TITLE OFFICE REGARDING THE APPLICATION OF THIS NEW LAW TO YOUR TRANSACTION."

S 22. NOTE FOR INFORMATION (ENDORSEMENT REQUESTS):

ALL ENDORSEMENT REQUESTS SHOULD BE MADE PRIOR TO CLOSING TO ALLOW AMPLE TIME FOR THE COMPANY TO EXAMINE REQUIRED DOCUMENTATION.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B (CONTINUED)

ORDER NO. : 1401 008978766 D1

(THIS NOTE WILL BE WAIVED FOR POLICY).

T 23. INFORMATIONAL NOTE:

TO SCHEDULE ANY CLOSINGS IN THE CHICAGO COMMERCIAL CENTER, PLEASE CALL
(312)223-2707.

** END **

VILLAGE OF LONG GROVE

MARCH 24TH, 2016

AMENDED

PREAPPLICATION MEETING

RESULTS

REGARDING:

TEMPLE CHAI

1670 CHECKER ROAD

Submitted By:
Richard Connor Riley
Attorney for Petitioner
123 N. 4th street
Chesterton, IN 46304
(312) 953-5664

PREAMBLE: On Wednesday January 20th a Pre-Application meeting with the Village of Long Grove took place:

Attending this meeting on behalf of the Village was: Angie Underwood, Village President; David Lothspeich, Village manager; Michael Sarlitto, Village Trustee; and, James M. Hogue, Village planner. Attending this meeting on behalf of the Petitioner, PI Telecom Infrastructure T, LLC was Richard Riley Petitioner's Attorney.

A number of issues were raised, and the Petitioner has taken further steps and has made certain modifications in response thereto. These issues will be addressed individually as follows:

1) The site, 1670 Checker Road, is part of the SAVANNE OF LONG GROVE Planned Unit Development, (ORDINANCE No. 78-O-6 and 2000-O-26) and will have to amend the site plan for lot 46. It was agreed that the PUD amendment process and the Special Use process could proceed together to minimize the timeline and necessary hearings. The Petitioner is appreciative of this.

2) The question was raised whether Lot 46 is part of an active Home Owners Association. We have reviewed the Title Policy issued by Chicago Title Insurance Company (**See EXHIBIT A**) and it contains no mention of a Home Owners Association. However, the Petitioner was informed that there is a "defacto" Home Owners Association and that Mr. Fred Phillips is the contact person. Therefore, Petitioner will contact Mr. Phillips and schedule a meeting with the Association members.

3) There were concerns that we had located the wireless facility in a storm water detention area. Although a preliminary review of available site plans and surveys did not reveal the existence of a detention area, further inquiry and a review of documents not previously seen revealed that indeed there was a detention area where we had unknowingly located the facility. Accordingly we have relocated the facility to the South outside of the retention area. **(See Exhibit B)**

4) The Village of Long Grove Zoning Code requires at SECTION 5-9-6(B) 1. that a tower be setback 500' from "the nearest outside wall of any single family dwelling" and further requires at SECTION 5-9-6(B) 5 that a tower be separated from any building on an adjoining lot by a distance that is not less than one hundred ten percent (110%). Petitioner has tried to favor the 500' residential setback in the siting of this facility **(SEE EXHIBIT C)**. It should be noted that Petitioner complies with the 500' setback from all residences except three (3) and with regard to those three residences, significant tree cover will shield any ground views of this facility from sight. In order to favor/protect the residences it was necessary to locate the tower at a distance that is less than the 110% required separation from other buildings. Therefore the Petitioner is requesting a variance from Sections 5-9-6(B) 1, and Section 5-9-6(B) 5 to the extent necessary.

5) At the Pre-Application meeting much time was spent discussing Petitioner's RF engineering documentation. One of Petitioner's exhibits depicted an existing T-Mobile site to the North of the subject site contained an error: The existing T-Mobile site designated as CH66497B (1190 OLD MCHENRY, Long Grove, IL – 60047) was shown as having a 54' Rad Center instead of a 120' RAD Center. The Village Planner stated that that T-Mobile had re-permitted this site and their new Rad Center was at 120', and questioned whether this change in height would alter our Search Area and chosen site location. Attached hereto as collective **EXHIBIT D** are three coverage maps: the first D1 depicts coverage with the 54' antenna height for site CH66497B; the second D2 depicts coverage at the new 120' height for the same CH66497B Site. Note that this increase in height makes a significant difference to the North and West, but clearly shows gaps in coverage to the south. D3 depicts the new coverage that the proposed site at 1670 Checker Road (Temple Chai) will deliver, thus providing seamless coverage to the residents of Long Grove.

6) Originally, when Petitioner met with James Hogue, the Village Planner on August 7th, he asked that I eliminate the possibility of locating on Lake County Forest Preserve property just to the South of Lake Cook Road. Likewise, Mr. Hogue had suggested a specific site owned by the Village to the West at the intersection of Route 53 and Lake Cook Road. Both of these sites were eliminated during the Pre-Application meeting: one because of unavailability and one because it was too far removed from the Search Area.

There was one other site put forth at the Pre-Application meeting for our consideration and it is in Petitioner's search area. This property is located at 1847 Schaeffer Road and owned by James Keiser. Petitioner's site Acquisition Agent contacted Mr. Keiser who was not interested in hosting a wireless facility, and was kind enough to sign a letter to that effect (**See EXHIBIT E**).

EXHIBIT C

RESIDENTIAL / ADJACENT BUILDING / SIDE-YARD SETBACKS

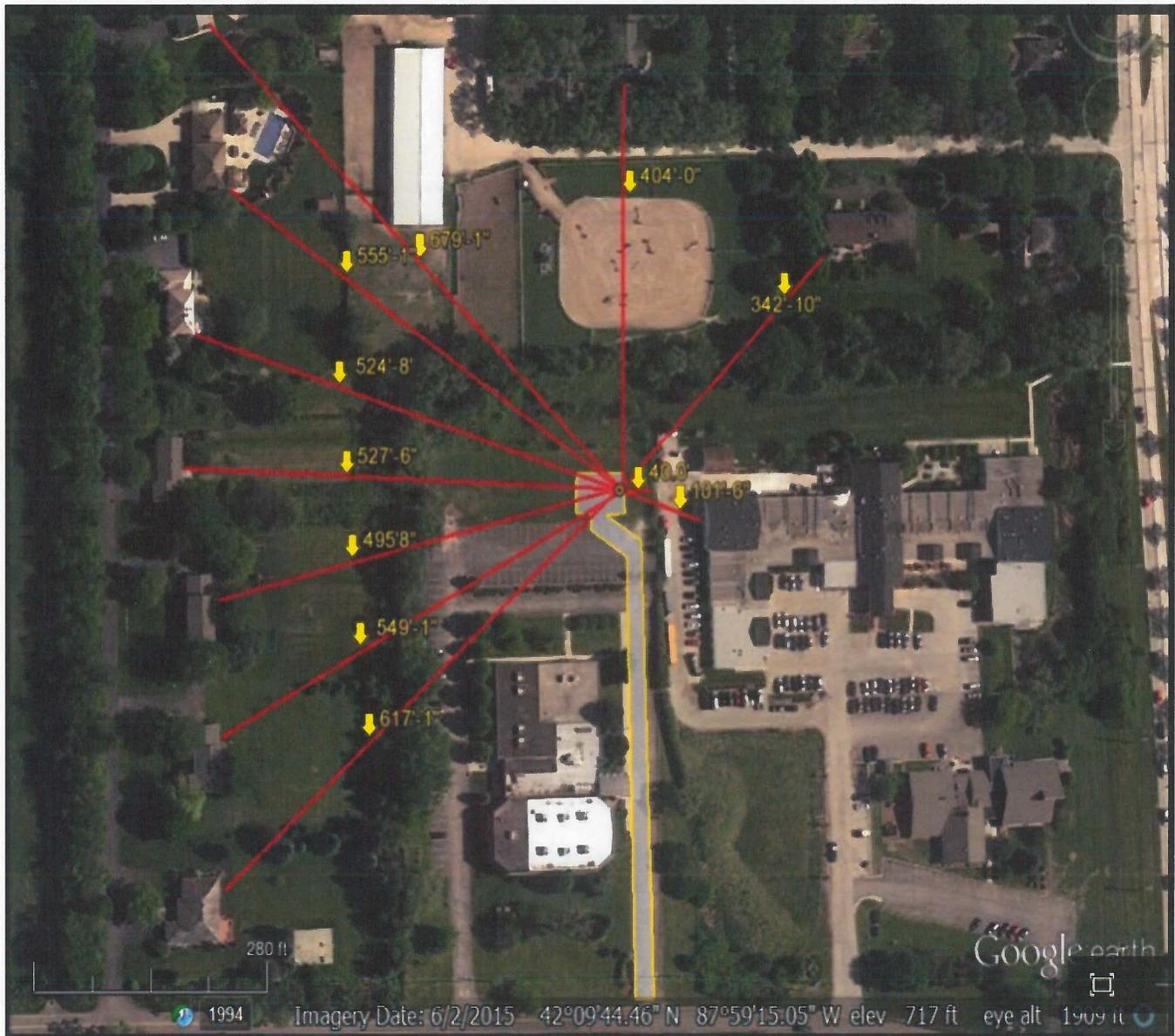


EXHIBIT D 1

(Site 66497B at 45')

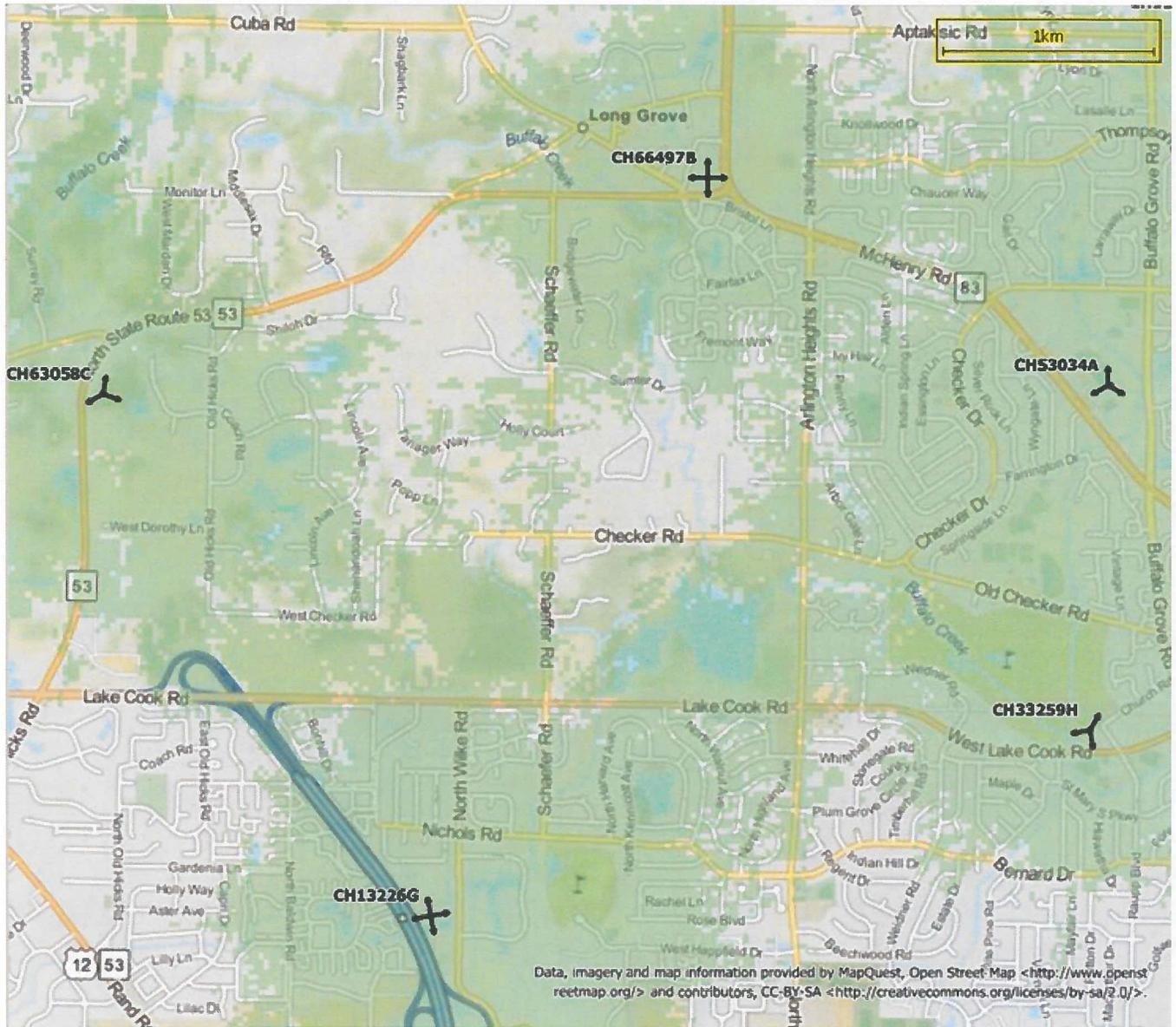


EXHIBIT D₂

(SITE CH66497B 120')

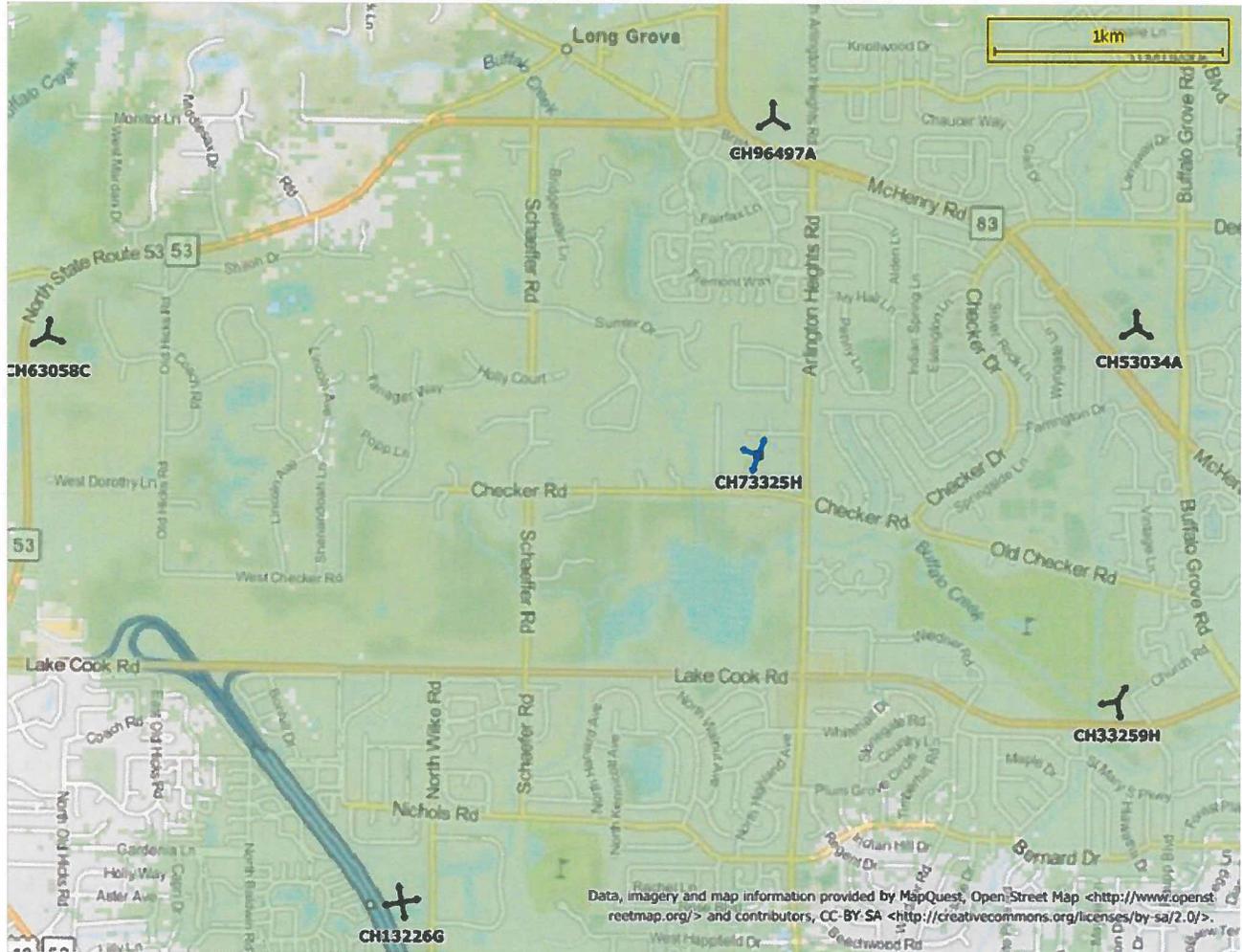
T-Mobile Existing Coverage



Indoor coverage without New Site

EXHIBIT D₃

T-Mobile Proposed Coverage



Indoor coverage with New Site

EXHIBIT E

Friday, January 29, 2016

James Keiser
1847 Schaeffer Road
Long Grove, IL 60047

RE: Property Inquiry for a Wireless Tower Lease

Dear James,

We represent T-Mobile and Parallel Infrastructure in the procurement of property for Wireless Tower Facilities.

We were directed to you by the Village of Long Grove to investigate the interest in placing a 150' tall monopole structure on your property.

The proposal would be for a 60' x 60' fenced compound with a 150' tall monopole structure. We are proposing an initial rent of \$12,000.00 per year for a 5-year lease with Five additional 5-year renewal options.

All costs associated with the development of this project would be the responsibility of Parallel Infrastructure.

Should this not be of interest to you, I need documentation of that position.

If you could please either fax back this letter with the indication of no interest or email it back to me at Darren@TNGEnterprisesllc.com. A simple email indicating interest or no interest would also suffice.

Thanks you in advance for your time.

Best Regards,



Darren S. Snodgrass
TNG Wireless
317-979-1212
Fax: 317-209-0934
Darren@TNGEnterprisesllc.com

Yes we are interested in this proposal

No we are not interested in this proposal



James Keiser or representative



TNG Wireless - 1829 Fortner Drive, Indianapolis, IN 46231



Page 1

VILLAGE OF LONG GROVE

SPECIAL USE APPLICATION

MARCH 24TH, 2016

NOTIFICATION DOCUMENTATION

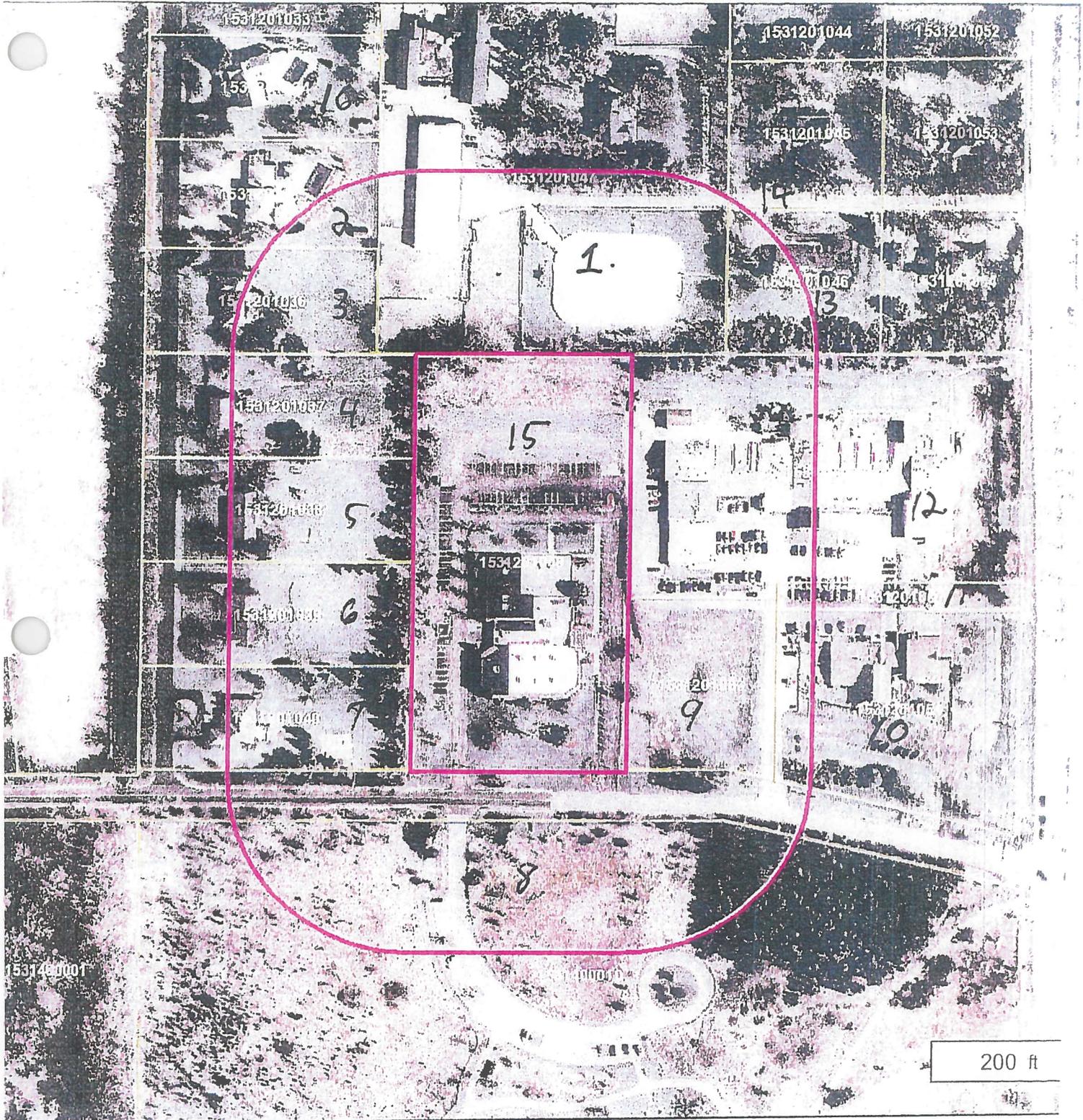
REGARDING:

TEMPLE CHAI

1670 CHECKER ROAD

**Submitted By:
Richard Connor Riley
Attorney for Petitioner
123 N. 4th street
Chesterton, IN 46304
(312) 953-5664**

Lake County, Illinois



Lake County
Geographic Information System

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



Map Printed on 8/6/2015
Parcel 1531201048 is outlined.

Tax Parcels

Trails

	P.I.N.	Property Owner	Address
1	1531201047	Standard Bank and Trust	1650 Bernay Ln. Long Grove, IL 60047
2	1531201035	Demetrios & Maria Koutsopanagos	1690 Bourdeaux Ln. Long Grove, IL 60047
3	1531201036	Fred E. & Beverly I. Phillips	1688 Bourdeaux Ln. Long Grove, IL 60047
4	1531201037	Rhett & Gina Starr	1686 Bourdeaux Ln. Long Grove, IL 60047
5	1531201038	Chunmei Ding	1684 Bourdeaux Ln. Long Grove, IL 60047
6	1531201039	Venkat Gopikanth	1682 Bourdeaux Ln. Long Grove, IL 60047
7	1531201040	James & Maria Powell	1680 Bourdeaux Ln. Long Grove, IL 60047
8	1531400010	Lake County Forest Preserve District	18163 W. Checker Rd. Lake Zurich, IL 60047
9	1531201083	Kedzie Home L.L.C.	0 Checker Rd. Long Grove, IL 60047
10	1531201055	Hope Lutheran Church	1660 Checker Rd. Long Grove, IL 60047
11	1531201057	Hope Lutheran Church	0 Arlington Heights Rd. Long Grove, IL 60047
12	1531201082	Kedzie Home L.L.C.	1666 Checker Rd. Long Grove, IL 60047
13	1531201046	William R. Blackburn & Sarah J. Murphy	1647 Bernay Long Grove, IL 60047
14	1531201045	Michael A Ditallo	1648 Bernay Long Grove, IL 60047
15	1531201048	Temple Chai	1670 Checker Rd. Long Grove, IL 60047
16	1531201034	Patricia E. Voller	1692 Bordeaux Ln. Long Grove, IL 60047



3110 Old McHenry Road 60047-9635
Phone: 847-634-9440 Fax: 847-634-9408
www.longgrove.net

PLAN COMMISSION ZONING BOARD OF APPEALS GENERAL ZONING APPLICATION

1.0 General Information (See Subsection 5-11-8(E) of the Long Grove Zoning Code).

1.1 **Applicant Name:** PI Telecom Infrastructure T, LLC, a Delaware limited liability company

Address: c/o TNG Wireless, 1829 Fortner Drive, Indianapolis, IN 46231

Telephone Number: 317-979-1212 E-mail Address: Darren@TNGEnterprisesllc.com

Fax number: 317-203-0940

Applicant's Interest in Property: Leasehold Interest

1.2 **Owner (if different from Applicant).**

Name: Temple Chai, an Illinois not for Profit Corporation

Address: 1670 Checker Road, Long Grove, IL 60047

Telephone Number: 847-534-1771 E-mail Address: dgreenswag@templechai.org

Fax number: 847-537-8075

1.3 **Property.**

Address of Property: 1670 Checker Road, Long Grove, IL 60047

Legal Description: Please attach Parcel Index Number(s): 15-31-201-048

Present Zoning Classification R2 Size of Property (in acres) 4.31

Has any zoning reclassification, variation, or special use permit/PUD been granted for the Property?

Yes: X No:

If yes, please identify the ordinance or other document granting such zoning relief: ORDINANCE 78-0-6, AND ORDINANCE No.2004-0-19.

Describe the nature of the zoning relief granted: Ordinance 78-0-6: Original PUD for 46 Lots; Ordinance NO. 2004-0-19: Minor Admendment for Lot 46 modification of parking.

Present use of Property:

Residential _____ Commercial _____ Office _____ Open Space _____ Vacant _____

Other (explain): RELIGIOUS ORGANIZATION

Present zoning and land use of surrounding properties within 250' of Property:

	Zoning Classification	Land Use
North:	R2	Residential / Equestrian
South:	Lake County	Forest Preserve
East:	R2	Religious Organization
West:	R2	Residential

1.4 Trustees Disclosure.

Is title to the Property in a land trust? Yes _____ No: X

If yes, full disclosure of all trustees, beneficiaries and their legal and equitable interests is required. Attach a copy of all documents showing ownership of the Property and the Applicant's and/ or Owner's control of or interest in the Property.

1.5 Requested Action (Check as many as are applicable).

- | | |
|---|----------------------------------|
| _____ Appeal | _____ Code Interpretation |
| X Variation | X Special Use Permit (non-PUD) |
| _____ Zoning Map Amendment (rezoning) | _____ Zoning Code Text Amendment |
| _____ Preliminary PUD Plat | _____ Final PUD Plat |
| X Amendment to existing PUD (Ordinance NO.78-0-6) to allow Wireless Telecommunication Facility. | |

1.6 Supplemental Information (General): SEE ATTACHED EXHIBITS & STATEMENTS**

Every Application filed shall, in addition to the data and information required above, provide the following general information when applicable to the use or development for which approval is being sought:

- (a) A description or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.
- (b) A table showing the following, as applicable:
 - the total lot area of the lot, in acres and in square feet; and
 - the total existing and proposed lot area, expressed in acres, in square feet and as a percent of the total development area, devoted to: residential uses, business uses; office uses; college uses; institutional uses; open space; rights-of-way; streets; and off-street parking and loading areas; and
 - the existing and proposed number of dwelling units; and gross and net floor area devoted to residential uses, business uses, office uses, college uses, and institutional uses.
- (c) A table listing all bulk, space, and yard requirements; all parking requirements; and all loading requirements applicable to any proposed development or construction and showing the compliance of such proposed development or construction with each such requirement. When any lack of compliance is shown, the reason therefore shall be stated and an explanation of the village's authority, if any, to approve the Application despite such lack of compliance shall be set forth.
- (d) The certificate of a registered architect or civil engineer licensed by the State of Illinois, or of an owner-designer, that any proposed use, construction, or development complies with all provisions of this code and other village ordinances or complies with such provisions except in the manner and to the extent specifically set forth in said certificate.
- (e) A landscape development plan, including the location, size and species of plant materials.

1.7 Supplemental Information (per specific request):

- X Appeals, Code Interpretations, and Variations: See 5-11-8(E)3, 4, & 5 of the Zoning Code and Form "A"
- X Special Use Permit (non-PUD): See 5-11-8(E)7 of the Zoning Code and Form "B"
- _____ Zoning Map Amendment (rezoning): See 5-11-8(E) 8 of the Zoning Code and Form "C"
- _____ Zoning Code Text Amendment: See Form "D"
- _____ Preliminary PUD Plat: See 5-11-18(D)(2) of the Zoning Code and Form "E"

Final PUD Plat: See 5-11-18(D)(3) of the Zoning Code and Form "F"

** The scope and detail of information shall be appropriate to the subject matter of the Application, with special emphasis on those matters likely to be affected or impacted by the approval being sought in the Application. Information required in the application shall be considered the minimum information required for filing an application. Additional information including but not limited to graphic depictions, environmental impacts, plans for sewer and water service and storm water management, photometric plans, traffic studies and effects on property values, among others, should also be considered and may be helpful in detailing the Application.

Special Data Requests. In addition to the data and information required pursuant to this Application, every Applicant/Owner shall submit such other additional data, information, or documentation as the building superintendent or any board or commission before which the Application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular Application.

1.8 Consultants.

Please provide the name, address, and telephone number of each professional or consultant advising Applicant with respect to this Application, including architects, contractors, engineers or attorneys:

Name: <u>CelluSite, LLC</u>	Name: <u>Irish Tower</u>
Professional: <u>A&E / Site Acquisition</u>	Professional: <u>Professional Engineer</u>
Address: <u>103 Wilshire CT Noblesville, IN 46062</u>	Address: <u>4603 Bermuda Dr. Sugarland, TX 77479</u>
Telephone: <u>317-507-4541</u>	Telephone: <u>281-796-2651</u>
E-mail: <u>Derek@Cellusite.net</u>	E-mail: _____

Name: <u>Richard C Riley</u>	Name: <u>Xcel Consultants</u>
Professional: <u>Attorney</u>	Professional: <u>Surveyor</u>
Address: <u>123 N 4th Street, Chesterton, IN 46304</u>	Address: <u>8300 42nd Street Rock Island, IL 61201</u>
Telephone: <u>312-244-3792</u>	Telephone: <u>309-787-9968</u>
E-mail: <u>rcriley@siting-advisors.com</u>	E-mail: <u>bholland@xcelconstantsinc.com</u>

1.9 Village Officials or Employees.

Does any official or employee of the Village have an interest, either directly or indirectly, in the Property? Yes: _____ No: X

If yes, please identify the name of such official or employee and the nature and extent of that interest. (Use a separate sheet of paper if necessary.)

1.10 Successive Applications (5-11-9).

Second Applications Without New Grounds Barred. Whenever any Application filed pursuant to this code has been finally denied on its merits, a second Application seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought unless in the opinion of the officer, board, or commission before which it is brought there is substantial new evidence available or a mistake of law or fact significantly affected the prior denial.

New Grounds to Be Stated. Any such second Application shall include a detailed statement of the grounds justifying consideration of such Application.

Summary Denial With or Without Hearing. Any such second Application may be denied by the building superintendent summarily, and without hearing, on a finding that no grounds appear that warrant a new hearing. In any case where such Application is set for hearing, the owner shall be required to establish grounds warranting reconsideration of the merits of its Application prior to being allowed to offer any evidence on the merits. Unless such grounds are established, the Application may be summarily dismissed for such failure.

Exception. Whether or not new grounds are stated, any such second Application filed more than two years after the final denial of a prior Application shall be heard on the merits as though no prior Application had been filed. The Applicant or Owner shall, however, be required to place in the record all evidence available concerning changes of conditions or new facts that have developed since the denial of the first Application. In the absence of such evidence, it shall be presumed that no new facts exist to support the new petition that did not exist at the time of the denial of the first Application.

2.0 Required Submittals (See Specific Supplemental Information Form for filing Fees).

- | | | |
|---|---|--------------------|
| X | Fully completed Application with applicable supplementary information | |
| X | Non-refundable Filing Fee. | Amount: \$300.00 |
| X | Planning Filing Fees. | Amount: \$1,150.00 |
| X | Minimum Professional Fee/deposit Escrow. | Amount \$5,500.00 |

- 3.0 **Certifications.** The Applicant and Owner certify that this Application is filed with the permission and consent of the Owner of the Property and that the person signing this Application is fully authorized to do so.
- 3.1 The Applicant certifies that all information contained in this Application is true and correct to the best of Applicant's knowledge.
- 3.2 The Applicant acknowledges that the Village may seek additional information relating to this Application and agrees to provide the Village with such information in a timely manner. Failure to provide such information may be grounds for denying an Application.
- 3.3 The Applicant and Owner agree to reimburse the Village for any and all costs relating to the processing of this Application, including any consultants' fees. By signing this Application, Applicant and Owner agree to be jointly and severally liable for such costs, and Owner further agrees to the filing and foreclosure of a lien against the Property for all such costs plus all expenses relating to collection, if such costs are not paid within 30 days after mailing of a demand for payment.
- 3.4 The Applicant agrees that the Village and its representatives have the right, and are hereby granted permission and a license, to enter upon the Property, and into any structures located there on, for purposes of conducting any inspections that may be necessary in connection with this Application.
- 3.5 **The Owner, Applicant, and/or designated representative is required to be present during the meeting.**

Name of Owner:

Temple Chai, An Illinois
Not-For-Profit Corp.

Signature of Owner

Date

Name of Applicant:

PI Telecom Infrastructure T, LLC, a
Delaware L.L.C. By their Attorney
Richard Connor Riley

Signature of Applicant

Date

3/24/14



**Village of Long Grove - Plan Commission Zoning Board of Appeals
Supplemental Application Information for Variations, Appeals, or Code Interpretations**

RESPONSE TO FORM "A"

In addition to the information required by the General Zoning Application, the Applicant must provide specific supplemental information as required below for Applications for a Variation, Appeal, or Code Interpretation.

Applications for Variations. In addition to the information required in the General Zoning Application, every Application for a **Variation** shall provide the following supplemental information:

(a) The specific feature or features of the proposed use, construction, or development that require a variation.

RESPONSE: Petitioner seeks to construct a Wireless Telecommunication Facility consisting of an unmanned equipment shelter and a tower structure. It is this tower structure that requires a variance due to its height.

(b) The specific provision of this code from which a variation is sought and the precise variation therefrom being sought.

RESPONSE: The Village of Long Grove Zoning Code requires at SECTION 5-9-6(B) 1. that a tower be setback 500' from "the nearest outside wall of any single family dwelling" and further requires at SECTION 5-9-6(B) 5 that a tower be separated from any building on an adjoining lot by a distance that is not less than one hundred ten percent (110%) of the height of the antenna support structure and further, be designed to withstand a wind force of one hundred twenty (120) miles per hour without the use of supporting guywires. For the purposes of this requirement, this distance shall be measured horizontally from the center of the base of the antenna support structure to the point where the ground meets a vertical wall of such building; Therefore, the site needed to be a minimum of 137.5' from the nearest structure to the east.

(c) A statement of the characteristics of the lot that prevent compliance with the provisions of this code.

RESPONSE: These setback requirements create a difficulty for the property as a whole, as there are no locations on the property whereby this regulation can be satisfied from all surrounding residential structures and structures on adjacent lots. At present the location selected places the site closer to the other non-residential usage surrounding the property and thereby further from the multiple residential structures to the west.

(d) A statement of the minimum variation of the provisions of this code that would be necessary to permit the proposed use, construction, or development.

RESPONSE: (Please refer to Exhibit "C") Petitioner meets the residential setback requirement with regard to all Residential properties to the West except one (Short 4 feet 4 inches); they do not meet the Residential setback from two residential properties to the North (Short 96 feet) and North East (Short 157'-2"). Nor does this tower meet the required setback from structures on adjacent properties (Short 36.0 feet).

(e) A statement of how the variation sought satisfies the standards set forth in section 5-11-15 of this code.

Section 5-11-15 (F) Standards For Variations: Provides that:

1. General Standards: No variation shall be recommended or granted pursuant to this section unless the owner shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this subsection (F):

(a) That the lot 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 it is located;

RESPONSE: The purpose of the Wireless Communication zoning regulations is to provide specific regulations and standards for the placement and siting of wireless telecommunications antennas and related facilities to provide wireless telecommunications services in the village. The goal of this section is to provide regulations that will facilitate the location of various types of wireless communication facilities in permitted locations so that they are consistent with the

countryside and estate character of the village. This section is intended to allow wireless telecommunication facilities that are sufficient to allow adequate service to citizens, the traveling public, and others within the village, while maintaining the unique character of the village as described in the village comprehensive plan.

It is also understood that these wireless communication facilities are secondary uses on property and are generally not the primary source of financial return for the property owner. To eliminate this site on the basis of this standard would thwart the purpose of the Wireless Communication zoning regulations.

(b) That the plight of the owner is due to unique circumstances;

RESPONSE: It is understood today that wireless telecommunications is the ONLY telecommunication system and municipalities are faced with the traditional "utility" struggle of balancing this need for wireless telecommunication service with the impact of the wireless infrastructure, namely towers. It is the necessity of locating these wireless facilities on a "grid" and the inevitable resulting sensitive areas where these facilities have to be located that causes unique circumstances to arise and which are not caused by the owner. Restated, it is the exact locational requirements of the wireless technology that create a unique circumstance/hardship.

(c) That the variation, if granted, will not alter the essential character of the locality.

RESPONSE: The subject property is larger property consisting of approximately 4.3 Acres; its current use is that of a Religious Organization and is located next to other quasi commercial usage. Another Church to the east and a Equine property to the north. The property is owned by Temple Chai. The new structure will be built deep into the property at the rear behind the temple to minimize the impact on surrounding properties. There will be a 60' x 60' shadowbox privacy fenced compound that will host the structure and all equipment shelters/cabinets. An access road will be improved upon running from Checker Road using the existing parking lot and drive as much as possible. That access easement will also include enough space to accommodate the utilities that will need to go back to the facilities. This compound, once constructed, will house the ground radio equipment. The proposed structure will have a height of approximately 125' plus lightning rod and will not require lighting. The compound will have landscaping installed surround all sides of the site. The type

of structure being proposed is that of a Monopine and will be designed to accommodate up to three additional tenants. The use of the Monopine will minimize the impact to the surround property character and therefore will not alter the essential character of the locality.

(f) A survey, certified by a registered land surveyor, showing existing lot lines and dimensions, lot area, all easements, all public and private rights-of-way, and all streets across and adjacent to the lot.

RESPONSE: Petitioner has provided said survey.

(g) A statement concerning the conformity or lack of conformity of the approval being requested to the official comprehensive plan and the official map of the village. When the approval being requested does not conform to the official comprehensive plan or the official map, reasons justifying the approval despite such lack of conformance.

RESPONSE: It is understood today that wireless telecommunications is the ONLY telecommunication system and municipalities are faced with the traditional “utility” struggle of balancing this need for wireless telecommunication service with the impact of the wireless infrastructure, namely towers. It is the necessity of locating these wireless facilities on a “grid” and the inevitable resulting sensitive areas where these facilities have to be located that causes unique circumstances to arise and which are not caused by the owner.

The subject location, namely a larger property consisting of approximately 4.3 Acres is currently used as a Religious Organization Place of Worship and is located next to other quasi commercial usage. Another Church is located to the east and an Equine property is located to the north. The new structure will be built deep into the property at the rear behind the temple to minimize the impact on surrounding properties. There will be a 60’ x 60’ shadowbox privacy fenced compound that will host the structure and all equipment shelters/cabinets. The property is owned by Temple Chai and offers the ability in conjunction with the use of the monopine stealth tower (See picture following) design to provide necessary wireless service to the residents the Village of Long Grove with little or no aesthetic impact.

It is also important to realize that this facility will accommodate up to three additional wireless tenants whose telecommunication services provide enhanced coverage both in vehicular and in building service in this area of Long Grove including enhanced E911 capabilities as well as improved data and voice services.

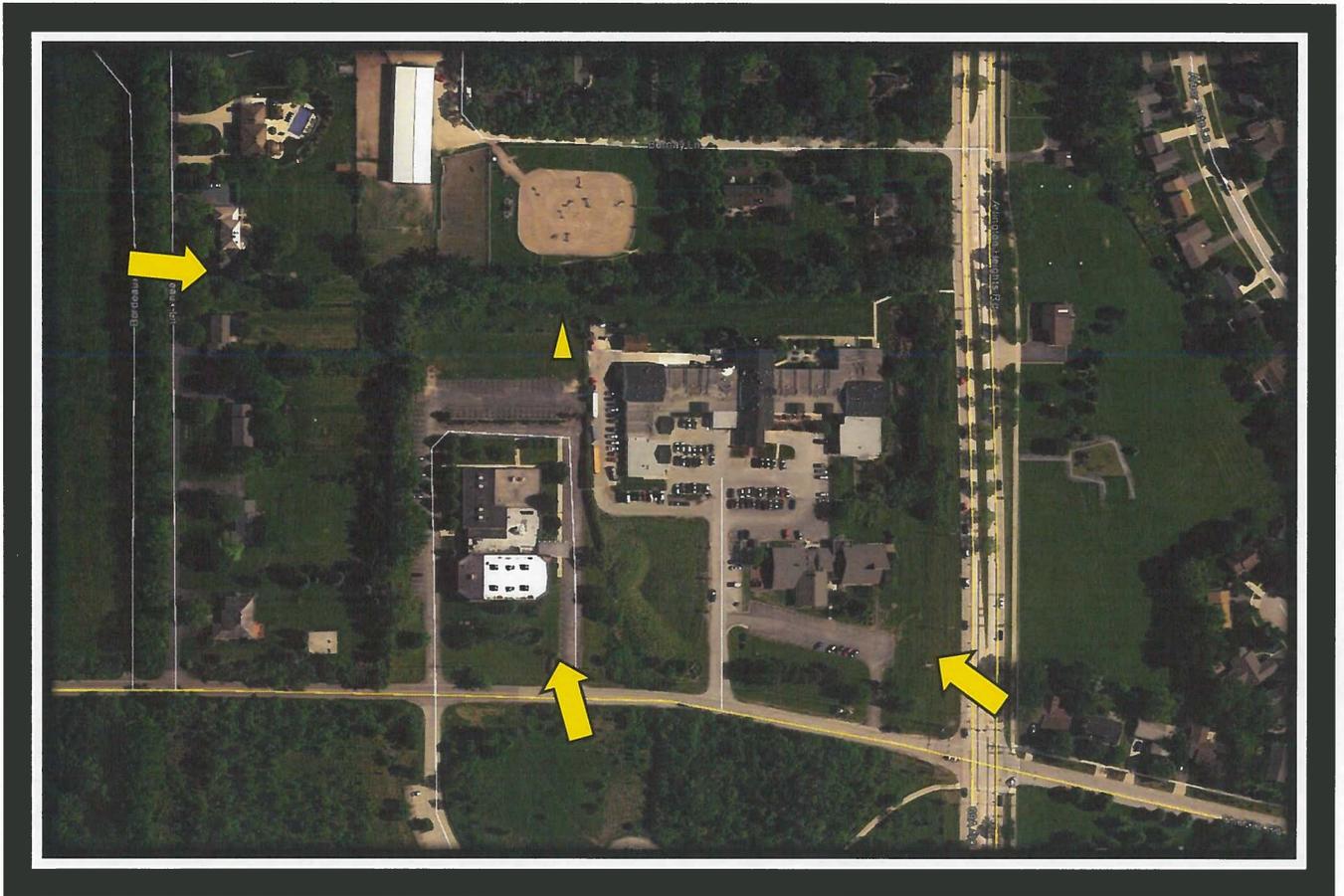


Photo Locations

T-Mobile / Parallel Infrastructure

Project: CH73325H IL Long Grove Chai

1670 Checker Road, Long Grove, IL



Current – From South



Proposed



Current - From West



Proposed



Current - From Southeast



Proposed



RESIDENTIAL DEVELOPMENT SURROUNDING PROPOSED WIRELESS FACILITY

