

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-024

AN ORDINANCE AMENDING ORDINANCE 2007-31 GRANTING CERTAIN
APPROVALS FOR PROPERTY COMMONLY KNOWN AS VERNON HILLS TOWN
CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND
MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

THE 6TH DAY OF APRIL 2010

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 7th
Day of April 2010

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2007-31 GRANTING CERTAIN APPROVALS
FOR PROPERTY COMMONLY KNOWN AS
VERNON HILLS TOWN CENTER PUD
LOCATED AT THE INTERSECTION OF
ROUTE 45 AND MILWAUKEE AVENUE, IN
THE VILLAGE OF VERNON HILLS, LAKE
COUNTY.**

WHEREAS, Stacy Taxman of The Taxman Corporation representing VHTC.LLC, in regard to property commonly known as Vernon Hills Town Center PUD and legally described in Exhibit A, have petitioned the Village of Vernon Hills to amend to the PUD and development agreement previously granted pursuant to Ordinance 2007-31 for the Vernon Hills Town Center PUD to allow the following:

1. Amendment of the approved Plat of Subdivision to re-subdivide Lots 1, 2, 3 & Outlot 5
2. Amendment of the approved site, architectural and landscape plans for Lot 1 (being proposed Lots 7 & 9)
3. Approval of a Special Use Permit to allow a bank with a drive-thru facility on Lot 1 (being proposed new Lot 9)
4. Amendment of the approved signage plans for Lot 3 (being proposed Lot 10) to allow an additional monument sign along Town Center Road and wall mounted signage on the mixed use building known as "The Commons at Town Center."

WHEREAS, upon due notice and after public hearing held March 3, 2010 and continued from time to time by the Planning and Zoning Commission of the Village of Vernon Hills, and pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition as listed above.

WHEREAS, it has been determined that the granting of approval to the proposed amendments and amending the Planned Unit Development will have no serious and depreciating effect upon the value of surrounding property and will have no adverse effect upon the character of the neighborhood, public utility facilities or other matters pertaining to the public health, public safety and general welfare;

WHEREAS, based upon the evidence adduced at said hearings and in their application, the petitioner has entered into the record evidence and findings of fact that addresses the conditions in Section 18.3 of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and Ordinance 2007-31, the following amendments, as set forth below, to the special use permit for the Planned Unit Development and Development Permit, are hereby granted:

1. Amendment of the approved Plat of Subdivision to re-subdivide Lots 1, 2, 3 & Outlot 5
2. Amendment of the approved site, architectural and landscape plans for Lot 1 (being proposed Lots 7 & 9)
3. Approval of a Special Use Permit to allow a bank with a drive-thru facility on Lot 1 (being proposed new Lot 9)
4. Amendment of the approved signage plans for Lot 3 (being proposed Lot 10) to allow an additional monument sign along Town Center Road and wall mounted signage on the mixed use building known as "The Commons at Town Center."

These approvals are subject to the conditions listed below in Exhibit B. Said Conditions of Approval are made a part of the Development Permit for the site.

SECTION II. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION IV. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of VHTC, LLC.

SECTION V. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

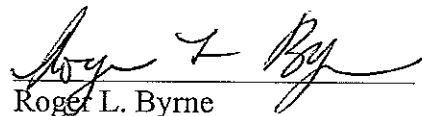
SECTION VI. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010-024.

Adopted by roll call vote as follows:

AYES: 6-Schwartz, Williams, Hebda, Koch, Marquardt, Schultz

NAYS: 0-None

ABSENT AND NOT VOTING: 0-None



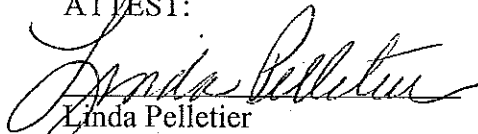
Roger L. Byrne
Village President

PASSED: 4/06/2010

APPROVED: 4/06/2010

PUBLISHED IN PAMPHLET FORM: 4/07/2010

ATTEST:



Linda Pelletier
Village Clerk



AFFIDAVIT OF SERVICE

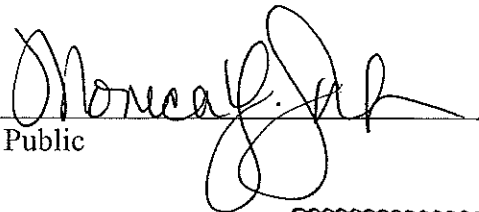
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2010-024, AN ORDINANCE AMENDING ORDINANCE 2007-31 GRANTING CERTAIN APPROVALS FOR PROPERTY COMMONLY KNOWN AS VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 22 day of April, 2010



Notary Public

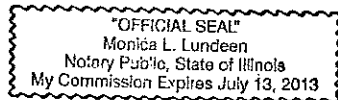


Exhibit A
Legal Description

Exhibit B

Development Permit – Additional Terms and Conditions of Approval

- a. General compliance with the plans prepared by Antunovich Associates dated February 16, 2010 and consisting of 11 pages.
- b. General Compliance with the amended plat entitled First Resubdivision of Vernon Hills Town Center prepared by Spaceco Inc. dated February 15, 2010 and consisting of two (2) pages.
- c. The exterior building materials and exterior colors for the new buildings shall be generally consistent with the existing buildings within the VHTC properties and the plans setforth in (a) above. The Building Commissioner shall determine whether the materials are consistent and may require changes to any plan to make it more consistent when necessary.
- d. Review and approval of the final site and landscaping plans and building elevation for the bank building located on proposed Lot 9 by the Planning and Zoning Commission and Village Board shall be required prior to issuance of a building permit for the bank.
- e. The portion of the Special Use Permit, as granted in Ordinance 2007-031, allowing the bank with drive-thru facility on Lot 4 is hereby revoked.
- f. Review and approval of revised engineering and landscaping plans by the Village Engineer and Landscape Technician shall be required prior to issuance of a building permit for any of the proposed buildings.
- g. Compliance with all previous conditions as setforth in Ordinance 2007-31 and the Development Permit.