

ORDINANCE NO. 2004-109

AN ORDINANCE AMENDING THE APPROVED FINAL SITE, LANDSCAPING, AND SIGNAGE PLANS FOR SAM'S CLUB LOCATED AT 335 NORTH MILWAUKEE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

WHEREAS, Benchmark Group, representing Sam's Club, pursuant to Village of Vernon Hills Code of Ordinances, has petitioned the Village of Vernon Hills to request approval to amend the final site, landscaping and signage plans, to allow for the construction of a drive through loading canopy addition for the property and building located at 335 North Milwaukee Avenue, said property legally described in Exhibit A; and

WHEREAS, on October 19, 2004, the Committee of the Whole being fully advised of the premises, found that the proposed planned improvements would be in harmony with the general intent and purpose of the Zoning Ordinance and consistent with the public interest for the residents of the Village; and

WHEREAS, based upon the plans and colored elevations presented at the meeting on October 19, 2004, the Committee of the Whole unanimously recommended amending the final site, landscaping and signage plans for the property and building located at 335 North Milwaukee Avenue.

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

SECTION I. Pursuant to the Village of Vernon Hills Zoning Ordinance adopted in 1982, and as amended, the final site, landscaping, and signage for the facility known as Sam's Club is hereby approved, subject to the following conditions:

1. Compliance with all applicable ordinances and standards of the Village.
2. Compliance with the colored elevations and building plan dated September 23, 2004 consisting of five pages and the engineering plans dated September 30, 2004, consisting of four pages, said plans attached as Exhibit B.
3. The tag line consisting of an arrow and the words "It's a Big Deal" is not permitted on the signage.
4. Final approval of plans by the Village Engineer and the Village Landscaping Architect.

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

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2004-109.

Adopted by roll call vote as follows:

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AYES: 4-Hebda, Koch, Marquardt, Williams

NAYS: 0-None

ABSENT AND NOT VOTING: 1-Duros

Roger L. Byrne, Village President

PASSED: 11/01/2004

APPROVED: 11/01/2004

PUBLISHED IN PAMPHLET FORM: 11/02/2004

ATTEST:

Jeanne M. Schwartz, Village Clerk