

**VILLAGE OF VERNON HILLS
ORDINANCE 2025-113R**

**AN ORDINANCE AMENDING ORDINANCE NO. 2013-013 AND NO. 2013-014 TO AMEND
THE SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AND CERTAIN
OTHER APPROVALS FOR PROPERTY COMMONLY KNOWN AS HAWTHORN MALL, IN
THE VILLAGE OF VERNON HILLS, LAKE COUNTY**

WHEREAS, Focus Development, Inc., on behalf of the Hawthorn Mall ownership (Hawthorn L.P., Hawthorn SP, LLC, Hawthorn CP, LLC, and USEF Centennial FA Hawthorn owner LLC [collectively, “Petitioners”]), d/b/a Hawthorn Mall located at 122 Hawthorn Center and legally described in **Exhibit A** (“Subject Property”), has petitioned the Village of Vernon Hills for the following:

1. Approval to amend Ordinance No. 2013-013, as amended, granting preliminary and final site plan approval, landscaping approval, and architectural approval; and
2. Approval to amend Ordinance No. 2013-014 as amended, authorizing revisions to a Special Use Permit granting a P.U.D. to allow for a mixed-use residential and commercial development, on the legally described property; and
3. Approval to amend Ordinance No. 2013-014 as amended, granting certain variations related to the Zoning Ordinance, Sign Code, and Building Code; and
4. Approval of the waiver of preliminary plat and approval of a final plat of resubdivision; and

WHEREAS, it is the intention of the Petitioners to replace and supersede the plans for the Phase II portion of the Hawthorn Mall Redevelopment Project approved in Ordinance No. 2020-134 and Ordinance No. 2022-105, and to relocate and reconfigure said Phase II portion in accordance with the plans referenced in this Ordinance No. 2025-113R (“Ordinance”); and

WHEREAS, it is the intention of the Petitioners to resubdivide a portion of the Subject Property, substantially in accordance with the six-lot plat of subdivision entitled, “Hawthorn Center Resubdivision No. 6”, prepared by Compass Surveying and last revised May 13, 2025, which plat is to be considered by the Village Board under Resolution 2025-053; and

WHEREAS, upon due notice and after a public hearing held on August 27, 2025, 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 and recommendation concerning said petition, a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, based upon the evidence adduced at said hearing and in their application, the Petitioners have entered into the record evidence and findings of fact that address the standards in Section 18.3 of the Zoning Ordinance; and

WHEREAS, the Village Board, having considered the Planning and Zoning Commission's report and recommendation at its meeting on September 16, 2025, found that sufficient facts were presented which, in its judgment, would justify approving an amendment to Ordinance No.2013-013; authorizing site plan, landscape plan, architectural plan and sign approvals related to the redevelopment of the Subject Property; and approving an amendment to Ordinance No. 2013-014, authorizing revisions to a Special Use Permit granting approval of a mixed-use residential and commercial development, and authorizing certain variations from the Zoning Ordinance and Sign Code. The Village Board also found that sufficient facts were presented which, in its judgment, would justify approval of certain variations related to the Building Code.

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 1. Incorporation of Recitals. The above listed recitals are incorporated into and made part of this Ordinance.

SECTION 2. Plan Approval. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of an amendment to Ordinance No. 2013-013, approving the preliminary and final site plan, the landscape plan package, the architectural plan package and the sign package listed in **Exhibit C**, is hereby granted, all of which are attached hereto as **Exhibit E**, subject to the Terms and Conditions of Approval set forth in **Exhibit C**.

SECTION 3. Planned Unit Development Approval. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of an amendment to Ordinance No. 2013-014, authorizing revisions to a Special Use Permit for a Planned Unit Development, to allow for the construction of a mixed-use residential and commercial development on the Subject Property pursuant to the plans attached as **Exhibit E** is hereby granted, subject to the Terms and Conditions of Approval set forth in **Exhibit C**.

SECTION 4. Zoning Code and Sign Code Relief. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of an amendment to Ordinance No. 2013-014, authorizing the variations from the Zoning Ordinance and Sign Code listed in **Exhibit D** is hereby granted, subject to the Terms and Conditions of Approval set forth in **Exhibit C**.

SECTION 5. Building Code Relief. Pursuant to the Vernon Hills Code of Ordinances, Chapter 5, Buildings and Building Regulations, approval of the variations from the Building Code listed in **Exhibit D** is hereby granted, subject to the Terms and Conditions of Approval set forth in **Exhibit C**.

SECTION 6. Conditions of Approval. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the Terms and Conditions of Approval set forth in **Exhibit C** are hereby approved and are made a part of the approvals as listed in the Sections above.

SECTION 7. Intent. It is the intent of the Petitioners and the Village to replace the plans for the Phase II mixed-use residential and commercial development approved in Ordinance No. 2020-134 and Ordinance No. 2022-105 with the plans attached hereto as **Exhibit E**. Plans and provisions

for and related to the Hawthorn Mall Redevelopment Project and the associated plan approvals described in Ordinance No. 2013-013, as amended, and Ordinance No. 2013-014, as amended, not expressly superseded and amended by this Ordinance are hereby reaffirmed.

SECTION 8. 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 9. 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. Specifically, but without limitation, parts of Ordinance No. 2013-013, as amended, and Ordinance No. 2013-014, as amended, which conflict with the provisions of this Ordinance are hereby repealed.

SECTION 10. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto, which are incorporated herein by reference, are binding on all successors and assigns of the Petitioners and the owners of the Subject Property.

SECTION 11. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 12. ORDINANCE NUMBER. This Ordinance shall be known as Ordinance No. 2025-113R.

Adopted by roll call vote as follows:

AYES: 7 – Marquardt, Oppenheim, Takaoka, Forster, Schenk, Lundeen, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 – None


Thom Koch, Jr., Village President

PASSED: 09/16/2025

APPROVED: 09/16/2025

ATTEST: 09/16/2025


Kevin Timony, Village Clerk



EXHIBIT A

Legal Description

Hawthorn Mall PUD Amendments

Relocation of Phase II Mixed-Use Development (Case 2025-12)

EXHIBIT B

Planning and Zoning Commission Report and Recommendation

Hawthorn Mall PUD Amendments

Relocation of Phase II Mixed-Use Development (Case 2025-12)

EXHIBIT C

AMENDED SPECIAL USE PERMIT Hawthorn Mall PUD Amendments - (Case No. 2025-12)

The Phase II Mixed-Use Residential and Commercial Development (800-845 Hawthorn Row, to be assigned) and Hawthorn Mall Improvements (122 Hawthorn Center) are to be developed in substantial conformance with the following plans (attached in Exhibit E), subject to the terms and conditions listed below:

- Part I. Project Introduction Letter, Focus Development, dated August 21, 2025
- Part II. Overall Site Plan exhibits, Kimley-Horn Associates, last revised August 5, 2025
 - Overall Plan
 - Zoning Variance Exhibit (Sheet Ex.)
 - Excerpts from civil engineering drawings (3 sheets)
 - Plat (for reference, approved under separate resolution). Six-lot plat of subdivision entitled, “Hawthorn Center Resubdivision No. 6”, prepared by Compass Surveying and last revised May 13, 2025.
 - Photometric Plan exhibits, Kimley-Horn Associates, last revised July 14, 2025
- Part III. Landscape Plan Package
 - Plant Palette, Clark Condon, dated May 22, 2025
 - Phase II plans, Clark Condon, last revised August 5, 2025
 - Hawthorn Mall Plans, Clark Condon, dated May 22, 2025
- Part IV. Architectural Plan Package
 - Phase II plans, SK+I Architecture, dated August 5, 2025
 - Hawthorn Mall II Elevations, Canon, dated May 22, 2025
 - Hawthorn Mall Plaza Landscape, Clark Condon, dated April 17, 2025
- Part V. Sign Package
 - Phase II Sign Plans, SK+I Architecture, March 4, 2025
 - Hawthorn Mall II Sign Plans, Canon, dated May 22, 2025
- Part VI. Tenant Storefront Design Criteria and Signage Criteria, consisting of 27 pages, dated September 9, 2020, cover sheet dated June 11, 2025 (**restated as approved in Ord. 2020-134 and Ord. 2022-105**).
- Part VII. Supporting Documents
 - Property Ownership Exhibits
 - Parking Distribution Site Plan
- Part VIII. Civil Engineering Drawings, Kimley-Horn Associates, last revised August 5, 2025

Terms and Conditions of Approval:

1. Final engineering is subject to review and approval by the Village Engineer prior to issuance of building permits (other than land development permits).
2. Final landscaping is subject to review and approval by the Village Landscape Technician prior to issuance of building permits (other than land development permits).
3. Building and site lighting is subject to review and approval by the Village Engineer and Community Development Director prior to issuance of building permits (other than land development permits).
4. The Village Board and Developer must reach agreement on a Third Amendment to the Redevelopment Agreement between the Village of Vernon Hills and Hawthorn L.P., Hawthorn SP, LLC, Hawthorn CP, LLC and USEF Centennial FA Hawthorn Owner, LLC, and such Third Amendment to Redevelopment Agreement must be approved by the Village Board and executed by all parties thereto, prior to the issuance of vertical building permits for any element of the Phase II development project described in this Ordinance.
5. The Petitioners shall work with Staff to address light levels at the Hawthorn Row / Mall Drive intersection, and adjust the curb radius at Ring Road / Mall Drive intersection. These improvements shall be completed prior to the residential occupancy of the Phase II building.
6. The Director of Community Development shall have the authority to approve revisions and modifications to the approved Phase II Mall Elevations (including revisions and modifications to the materials, color palettes, signage and canopies) provided he reasonably determines that the revised or modified elevations substantially conform, in character, quality and architectural expression, to the approved Mall Elevations and complement the overall design of the Redevelopment Project.
7. The center lane on Mall Drive shall be striped as shared left for both directions of traffic rather than an offset dedicated left for one direction.
8. The Petitioners shall consider alternative landscaping for the area west of the west building.
9. In the event that rooftop mechanical units will be closer than 12 ft to the exterior wall, the construction drawings with the initial permit application shall include screen details.
10. The site wayfinding signage plan shall be provided with the site development permit application.
11. The Petitioners shall provide a plan designating employee parking area(s), to be enforced in the event that employee parking is observed to limit customer access.
12. The Petitioners shall continue to work with the Village to provide connections to the adjacent Village sidewalk and path network.
13. The Petitioners are encouraged to revise the landscape plan to provide live plantings on the feature wall adjacent to the retail landing (retaining wall for upper level beer garden near lower level east entrance).
14. The Petitioners shall ensure that railings selected for the upper level beer garden are designed for the purpose of fall protection.
15. Compliance with all applicable ordinances and standards of the Village.

Exhibit D

Approved Variations for Centennial Real Estate/Focus Development/Atlantic Residential, d/b/a Hawthorn Mall, 122 Hawthorn Center

Part I. Zoning Variations applicable to both Phase I and Phase II:

Modifications to Ord. 2022-105 illustrated in **bold** and ~~strike-through~~

1. *Section 4.10.1:* Allowing a 1-bedroom dwelling unit to be 650 square feet in lieu of the minimum required size of 1,200 square feet; allowing a 2-bedroom dwelling unit to be 1,000 square feet in lieu of the minimum required size of 1,400 square feet and allowing a 3-bedroom dwelling unit to be ~~1,300~~ **1,250** square feet in lieu of the minimum required size of 1,600 square feet; and
2. *Section 19.7:* Allowing a blended parking ratio for all non-residential uses to be 4.16 parking spaces/1,000 square feet in lieu of the minimum required parking ratio of 5 parking spaces/1,000 square feet; and allowing a parking ratio for the residential use at ~~1.5~~ **1.4** parking spaces/dwelling unit in lieu of the minimum required ratio of 2.3 parking spaces/dwelling unit.
3. *Section 19.8.8:* Allowing parking stalls within the garage structure to have a length of 18 feet, in lieu of a minimum length of 20 feet.

Part II. Bulk Variations Associated with Phase I

See Zoning Summary Exhibit dated October 17, 2022), restated here as revised in Ord. 2020-105.

1. *Section 13.4.3:* Allowing a ratio of building coverage to be 56% in lieu of the maximum permitted coverage of 25%; and
2. *Section 13.6.1:* Allowing a front yard setback of 5.0 feet in lieu of the minimum required setback of 60 feet; and
3. *Section 13.6.2:* Allowing a side yard setback of 25.0 feet (west) and 0.0 feet (east/south) in lieu of the minimum required setback of 35 feet; and
4. *Section 13.6.1:* Allowing a rear yard setback of 25.0 feet in lieu of the minimum required setback of 40 feet; and
5. *Section 13.5.1:* Allowing a building height for the mixed-use building of 4 stories – 47 feet in lieu of the maximum permitted height of 2 stories – 35 feet.

Part III. Bulk Variations Associated with Phase II:

Modifications to Ord. 2022-105 illustrated in **bold** and ~~strike-through~~

1. *Section 13.4.3:* Allowing a ratio of building coverage to be 58.4% in lieu of the maximum permitted coverage of 25%; and

2. *Section 13.6.1*: Allowing a front yard setback of **16.0** ~~20.0~~ feet in lieu of the minimum required setback of 60 feet; and
3. *Section 13.6.2*: Allowing a side yard setback of ~~20.0~~ **7.0** feet (**east**) and ~~33.0 feet (west)~~ in lieu of the minimum required setback of 35 feet; and
4. *Section 13.5.1*: Allowing a building height for the Phase II mixed-use building of 4 stories – ~~63~~ **60** feet, **at the elevator towers**, in lieu of the maximum permitted height of 2 stories – 35 feet; and
5. *Section 13.5.1*: **Allowing a building height for the Phase II mixed-use building of 4 stories – 54 feet, at the architectural towers, in lieu of the maximum permitted height of 2 stories – 35 feet; and**
6. *Section 13.5.1*: Allowing a building height for the Hawthorn Mall building (renovations associated with Phase II) of 2 stories – 48 feet in lieu of the maximum permitted height of 2 stories – 35 feet.

Part IV. Sign Code Variations

Modifications to Ord. 2022-105 illustrated in **bold** and ~~strike-through~~

1. *Section 19-3(c)(6)a*: Allowing perpendicular blade signs not exceeding 5 square feet in size, which **do not** count toward the total sign area for individual tenant facades; and
2. *Section 19-3(c)(6)a*: Allowing more than one wall sign per tenant façade; and
3. *Section 19-3(c)(6)*: Allowing signage located on awnings; and
4. *Section 19-3(c)(4)*: Allowing logos that dominate a sign and are not limited by the sign lettering. Stand-alone logos may exceed 4 square feet in size. Note: Logos shall be counted toward the maximum permitted sign allowance for each façade; and
5. *Section 19-3(c)(6)*: Allowing adjacent tenant signage that is not the same or similar in size, letter style and color; and
6. *Section 19-4*: Allowing temporary “Sandwich Board” or “A-Frame” signs not exceeding 10 square feet per face, which are otherwise not permitted; and
7. *Section 19-3(c)(6)a*: Allowing the maximum permitted size of tenant wall signs to be 2 square feet/linear foot of tenant frontage rather than the maximum permitted size of 1 square foot/linear foot of tenant frontage. Note: Window signs not exceeding 20% of the glazed portion of windows shall be permitted and shall not be included in calculating allowable sign area per façade; and
8. *Section 19-3(c)(6)b*: Allowing the maximum permitted size of tenant wall signs located on the secondary façade to be 2 square feet/linear foot of tenant frontage rather than the maximum permitted size of 50% of the allowable size on the primary façade. Note: Window signs not

exceeding 20% of the glazed portion of windows shall be permitted and shall not be included in calculating allowable sign area per façade; and

9. *Section 19-8(f)*: Allowing open letter channel letter signs, which are otherwise not permitted; and
10. *Section 19-3(a)(2)*: Allowing apartment residential development signs (4 total) to be 50 square feet rather than the maximum permitted size of 12 square feet; and
11. *Section 19-4(4)*: Allowing the display of banners signs for 60 days; and
12. *Section 19-8(h)*: Allowing exposed neon signs; and
13. *Section 19-3(c)6a*:
 - a. Allowing the wall sign for Dave & Busters on the **east south** elevation to be 339 square feet rather than the maximum permitted size of 150 square feet;
 - b. Allowing the iconic place making sign reading “Hawthorn” located on the **east north** elevation to be **496 515** square feet rather than the maximum permitted size of 150 square feet;
 - c. Allowing the **north east** elevation “Hawthorn” sign to be mounted above the roofline;
 - d. Allowing the mall identification sign above the new south **and east** entrance to be 77 square feet rather than the maximum permitted size of 44 square feet.

Part V. Building Code Variations (revisions approved in this ordinance noted in bold text):
Modifications to Ord. 2022-105 illustrated in **bold** and ~~strike-through~~

1. *Section 5-24(b)*: Allowing type V construction for buildings greater than 3 stories (IBC, Table 504.4, Ord. 2020-134, item 3).
2. *Section 5-25(a)*: Allowing type V construction for buildings greater than 3 stories (IBC, Table 601, Ord. 2020-134, item 3).
3. *Section 5-26(a)*: Allowing firewalls to be constructed using other than concrete block/masonry materials (IBC, Section 706.3. Ord. 2020-134, item 4).
4. *Section 5-26(c)*: Allowing a 1-hour fire rated floor/ceiling separation assemblies between dwelling units (IBC, Section 706.13, documenting interpretation of Ord. 2020-134).
5. *Section 5-26(e)*: Allowing combustible wall and floor/ceiling separation assemblies between dwelling units (IBC, Section 711.2.1, Ord. 2020-134, item 2).
6. *Section 5-78(d)(1)*: Allowing exterior wall finish materials to be other than brick or stone (Article IV, Other Building Code Requirements, Ord. 2020-134, item 1).

7. **765 ILCS 1085: Allowing a reduction in the quantity of EV-Capable parking spaces for the multi-family apartment building, subject to Village Staff review and approval of the location, quantity, and shared usage policy.**

EXHIBIT E

Hawthorn Mall PUD Amendments

Relocation of Phase II Mixed-Use Development (Case 2025-12)

Plans and Exhibits

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2025-113R

AN ORDINANCE AMENDING ORDINANCE NO. 2013-013 AND NO. 2013-014 TO
AMEND THE SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AND
CERTAIN OTHER APPROVALS FOR PROPERTY COMMONLY KNOWN AS
HAWTHORN MALL, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

THE 16th AY OF SEPTEMBER 2025

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this
16th day of September, 2025

AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2025-113R AN ORDINANCE AMENDING ORDINANCE NO. 2013-013 AND NO. 2013-014 TO AMEND THE SPECIAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT AND CERTAIN OTHER APPROVALS FOR PROPERTY COMMONLY KNOWN AS HAWTHORN MALL, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM SEPTEMBER 16, 2025 TO SEPTEMBER 30, 2025.



Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 16th DAY OF SEPTEMBER, 2025



Notary Public

