

ORDINANCE NO. 2018-028

**AN ORDINANCE AMENDING ORDINANCE 2016-045 AND
ORDINANCE 2017-124 GRANTING CERTAIN APPROVALS
FOR PROPERTY COMMONLY KNOWN AS MELLODY
FARM LOCATED AT THE INTERSECTION OF
MILWAUKEE AVENUE AND TOWNLINE ROAD, IN THE
VILLAGE OF VERNON HILLS, LAKE COUNTY**

WHEREAS, representatives of Regency Centers, in regard to property commonly known as Melody Farm, have petitioned the Village of Vernon Hills to amend the Melody Farm PUD previously granted pursuant to Ordinance 2016-045 and 2017-124 to remove the requirement of Regency Centers to install roadway lighting at the Route 60/21 intersection and associated transitional lighting; and

WHEREAS, Exhibit E of the Ordinance 2016-045 contained outstanding Technical Review comments that Regency Centers and Focus agreed to address as part of the permit approval process; and

WHEREAS, Exhibit E required the lighting of Route 60/21 intersection and IDOT required transitional lighting; and

WHEREAS, It has been determined that it is not feasible to complete the intersection lighting and transitional lighting and in lieu thereof, Regency Centers has offered to provide the Village \$200,000 for the construction of public improvements along Milwaukee Avenue between Uncle Julio's and Ring Drive; and

WHEREAS, the Board of Trustees, having reviewed and considered the revisions at their Committee of the Whole meeting on February 6, 2018, found that the amendment sufficiently complies with the requirements of Ordinance 2016-045 authorizing a Special Use Permit for a PUD and which, in its judgment, would justify granting approval of the revisions.

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

SECTION I: Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and Ordinance 2016-045 and 2017-124, the proposed amendment to Exhibit E is hereby approved and the requirement from the Technical Review Memo dated November 15, 2016 requiring the lighting of the Route 60/21 intersection is stricken.

SECTION II: The approval of the amendment to Exhibit E is subject to the conditions of approval as set forth in Ordinance 2016-045 and the following:

1. Regency Centers provides the Village a one-time payment of \$200,000 in-lieu of the roadway and transitional lighting condition stated in Ordinance 2016-045 prior to issuance of the first retail certificate of occupancy.

SECTION III: PENALTY. Any person violating the terms and conditions of this Ordinance shall be subject to a penalty as provided in Appendix C of the Village Code of Ordinance.

SECTION IV: SEVERABILITY. In the event that any section, clause, provision or part of this Ordinance shall be found and finally 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 applications, all valid applications that are severable from the invalid applications shall remain in effect.

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

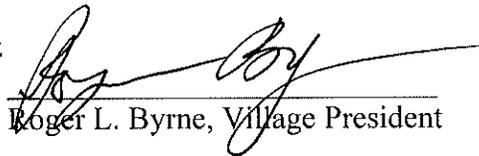
SECTION VII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2018-028.

Adopted by roll call vote as follows:

AYES: 4 – Marquardt, Oppenheim, Takaoka, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Hebda, Schultz

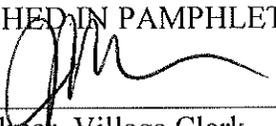


Roger L. Byrne, Village President

PASSED: 2/20/2018

APPROVED: 2/20/2018

PUBLISHED IN PAMPHLET FORM: 2/21/2018



John Kalmar, Village Clerk

