

**ORDINANCE 2019-146**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT ALLOWING A RESTAURANT SERVING ALCOHOL FOR HAWTHORN MALL, 122 HAWTHORN CENTER IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY**

**WHEREAS**, representatives of Hawthorn LP, in regard to 122 Hawthorn Center, has petitioned the Village of Vernon Hills to request approval of a special use permit to allow for the operation of a restaurant to serve alcoholic beverages; and

**WHEREAS**, upon due notice and after a public hearing held on November 13, 2019 by the Planning and Zoning Commission of the Village of Vernon Hills, and pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the Planning and Zoning Commission has filed its report concerning said petition as listed above.

**WHEREAS**, based upon the evidence adduced at said hearing and in their application, the petitioner has entered into the record evidence and findings of fact that address the standards in Section 18.3 of the Zoning Ordinance.

**WHEREAS:** The Village Board, having considered the Planning and Zoning Commissions report and recommendation at its meeting on November 19, 2019, found that sufficient facts were presented which, in its judgment, would justify approving the Special Use Permit.

**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 the recommendation of the Planning and Zoning Commission, the Special Use Permit authorizing a restaurant serving alcohol for Hawthorn LP, 122 Hawthorn Center, is hereby granted. Said parcel is legally described in Exhibit A.

**SECTION II** Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendation of the Planning and Zoning Commission, the requested approval shall be in general compliance with the color renderings and plans titled “60 & 21 Café and Wine Bar,” consisting of four pages, dated October 7, 2019, as set forth in Exhibit B attached hereto.

**SECTION III** Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendation of the Planning and Zoning Commission, the Terms and Conditions of Approval as set forth in Exhibit C are hereby approved and are made a part of the approvals referenced herein.

**SECTION IV 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 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 SUCCESSORS AND ASSIGNS** All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of the petitioner and property owner.

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

**SECTION VIII ORDINANCE NUMBER** This ordinance shall be known as Ordinance Number 2019-146

Adopted by roll call vote as follows:

AYES: 7 – Oppenheim, Takaoka, Schultz, Marquardt, Koch, Brown, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 – None



Roger L. Byrne, Village  
President

PASSED: 11/19/2019

APPROVED: 11/19/2019

ATTEST: 11/19/2019



Mark Fleischhauer  
Village Manager

**Exhibit A**  
**Legal Description**

**Exhibit B  
Plans**

General Compliance with the following plans:

Compliance with the color renderings and plans titled “60 & 21 Café and Wine Bar,” consisting of four pages, dated October 7, 2019, except that the Liquor and License Commission may approve modifications to the designated drinking area and decorative fence/planter.

**Exhibit C**

**DEVELOPMENT PERMIT  
For  
Hawthorn LP, d/b/a Hawthorn Mall  
122 Hawthorn Center**

Conditions of Approval for the proposed use:

1. Receipt of a liquor license from the Liquor and License Committee.
2. Receipt of all required licenses from the Village and Lake County Health Department prior to issuance of a final certificate of occupancy.
3. The decorative fence/planter creating a partitioned area for drinking shall remain in place at all times alcoholic liquor is being served or consumed.
4. No customer will be permitted to leave the partitioned area designated for drinking while in possession of an alcoholic beverage.
5. Signs shall be placed at the café counter and at the gates to the partitioned area notifying customers that consumption of alcohol is restricted to that area.
6. A BASSETT trained employee shall be on site at all times that alcoholic liquor is served and consumed.