

ORDINANCE NO. 2020-085

**AN ORDINANCE AUTHORIZING A
SPECIAL USE PERMIT FOR A PLANNED UNIT
DEVELOPMENT AND CERTAIN OTHER
APPROVALS FOR PROPERTY COMMONLY
KNOWN AS SOUTH LAKE INDUSTRIAL
CENTER, IN THE VILLAGE OF VERNON HILLS,
LAKE COUNTY**

WHEREAS, representatives of South Lake Industrial Center generally located on the west side of Milwaukee Avenue bounded by Corporate Woods Parkway to the north and Forest Edge Drive to the south, and legally described in Exhibit A, has petitioned the Village of Vernon Hills for approval of the following:

Petition #1- South Lake Industrial Center PUD

1. A Special Use Permit authorizing a Planned Unit Development allowing the construction of a light industrial center to be known as the South Lake Industrial Center; and
2. Certain variations related to the Sign and Zoning Ordinance; and
3. Preliminary and final site plan and landscape approvals; and
4. Preliminary and final architecture plan approvals, and;
5. Preliminary and final plats of subdivision approval.

Petition #2 - 998 Forest Edge Drive – Variation - MK Interests, LLC

Pursuant to section G1, Exhibit “F” of ordinance 544 and 545, requesting a variation to allow a landscape buffer that is less than 50 feet.

WHEREAS, upon due notice and after a public hearing held on May 27, 2020 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 referenced herein; and

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; and

WHEREAS, the Village Board, having considered the Planning and Zoning Commissions report and recommendation at its Committee of the Whole meeting on June 16, 2020, found that sufficient facts were presented which, in its judgment, would justify approving: 1) Petition #1 - a Special Use Permit for a Planned Unit Development; certain variations related to the Sign and Zoning Ordinance; preliminary and final site, landscape and architectural plan approvals; preliminary and final subdivision approval; and 2) Petition #2 - Pursuant to section G1, Exhibit “F” of ordinance 544 and 545, approving a variation to allow a landscape buffer that is 10 feet in depth rather than 50 feet as required.

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, approval of a Special Use Permit for a Planned Unit Development allowing the construction of a light industrial center to be known as the South Lake Industrial Center is hereby granted for petition #1 subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of certain variations from the Sign Code and Zoning Code, as listed in Exhibit C is hereby granted for petition #1, subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of preliminary and final site and landscape plans is hereby granted for petition #1, subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION IV. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of preliminary and final architectural plans is hereby granted for petition #1, subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION V. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of preliminary and final plat of subdivision is hereby granted for petition #1, subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION VI. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of a variation from section G1, Exhibit "F" of ordinance 544 and 545, as listed in Exhibit C is hereby granted for petition #2, subject to the Terms and Conditions of Approval set forth in Exhibit B.

SECTION VII. 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 as set forth in Exhibit B are hereby approved and are made a part of the approvals as listed in the Sections above.

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

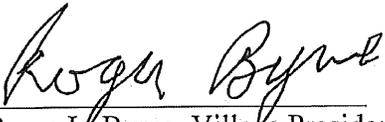
SECTION XII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2020-085.

Adopted by roll call vote as follows:

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

NAYS: 0 - None

ABSENT: 0 - None



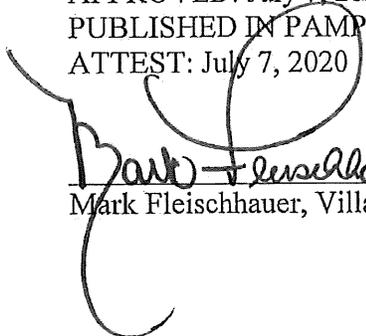
Roger L. Byrne, Village President

PASSED: July 7, 2020

APPROVED: July 7, 2020

PUBLISHED IN PAMPHLET FORM: July 7, 2020

ATTEST: July 7, 2020



Mark Fleischhauer, Village Clerk



Exhibit A
Legal Description

EXISTING PROPERTY DESCRIPTION:

PARCELS OF LAND FALLING IN SECTIONS 9 AND 10, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

(1) COMMENCING ON THE EAST LINE OF SECTION 9, 5 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID SECTION; THENCE WEST 3.53 CHAINS; THENCE NORTH 15.14 CHAINS; THENCE EAST 3.53 CHAINS TO THE SECTION LINE; THENCE SOUTH ON SAID SECTION LINE 15.14 CHAINS TO THE PLACE OF BEGINNING,

(2) COMMENCING ON THE WEST LINE OF SECTION 10, 6.70 CHAINS NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE EAST ALONG THE NORTH LINE OF LAND CONVEYED BY THERON PARSONS TO AMENZO LOOMIS 15.43 CHAINS TO THE SOUTHWEST CORNER OF LANDS CONVEYED BY LEVI WALKER TO MATTHEW HOFFMAN, THENCE NORTH ALONG SAID HOFFMAN'S WEST LINE 13.79 CHAINS TO A POINT 1.40 CHAINS NORTH OF THE NORTHWEST CORNER OF SAID HOFFMAN'S LOT; THENCE WEST 15.58 CHAINS TO THE SECTION LINE, THENCE SOUTH ALONG THE SECTION LINE 13.44 CHAINS TO THE PLACE OF BEGINNING,

(3) THAT PART OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE HOFFMAN FARM, WHICH POINT IS 19.09 CHAINS NORTH OF THE SOUTH LINE OF SAID SECTION 10 AND 15.58 CHAINS EAST OF THE WEST LINE OF SAID SECTION AND RUNNING THENCE SOUTH 86-1/2 DEGREES EAST ALONG THE NORTH LINE OF SAID HOFFMAN FARM, 25.70 CHAINS TO THE CENTER LINE OF THE CHICAGO AND MILWAUKEE ROAD; THENCE NORTH 17-1/2 DEGREES WEST ALONG THE CENTER LINE OF SAID ROAD, 4.26 CHAINS, THENCE NORTH 86-1/2 DEGREES WEST 24.42 CHAINS; THENCE SOUTH 4.01 CHAINS TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART LYING EAST OF THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 191 IN THE CORPORATE WOODS, BEING A SUBDIVISION OF PORTIONS OF SECTIONS 9, 10, 15 AND 16 ALL IN TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AUGUST 5, 1986 AS DOCUMENT 2468419 AND RERECORDED OCTOBER 22, 1986 AS DOCUMENT 2496355, IN LAKE COUNTY, ILLINOIS.

(4) THE SOUTH 6.70 CHAINS OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 10,

(5) COMMENCING AT THE SOUTHWEST CORNER OF THE FARM FORMERLY OWNED BY MATTHEW HOFFMAN AND AT A POINT 6.70 CHAINS NORTH OF THE SOUTH LINE OF SAID SECTION 10, AND 15.43 CHAINS EAST OF THE WEST LINE OF SAID SECTION AND RUNNING THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 12.35 CHAINS; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID HOFFMAN FARM, 11.91 CHAINS TO THE NORTH LINE OF SAID HOFFMAN FARM, THENCE NORTH 86 DEGREES AND 39-1/2 MINUTES WEST ALONG THE NORTH LINE OF SAID HOFFMAN FARM 12.36 CHAINS TO THE NORTHWEST CORNER OF SAID FARM, THENCE SOUTH ALONG THE WEST LINE OF SAID FARM, 12.39 CHAINS TO THE PLACE OF BEGINNING, SITUATED IN THE COUNTY OF LAKE IN THE STATE OF

Exhibit B

**DEVELOPMENT PERMIT
For South Lake Industrial Center**

Pursuant to the Entitlement Package dated 09/25/2020

General Compliance with the following plans:

1. General compliance with the civil engineering plans, consisting of 14 pages, prepared by Spaceco, Inc, dated December 20, 2019 with a revision date of March 3, 2020; and
2. General Compliance with the Landscape Plan, consisting of 12 pages, prepared by KM Talty Design, dated December 3, 2019 with a revision date of February 6, 2020; and
3. General compliance with the photometric plan consisting of 4 pages, prepared by ABCO Electrical Construction and Design, dated February 6, 2020; and
4. Compliance with the plat of subdivision, consisting of 3 pages, prepared by Spaceco, dated March 12, 2020; and
5. Compliance with the plat of dedication, consisting of 1 page, prepared by Spaceco, dated March 13, 2020; and
6. Architectural elevations for building A shall generally comply with the color renderings, consisting of 2 pages, prepared by Harris Architects, Inc, dated February 6, 2020; and
7. Architectural elevations for building B shall generally comply with the color renderings, consisting of 2 pages, prepared by Harris Architects, Inc, dated February 6, 2020; and
8. Architectural elevations for building C shall generally comply with the color renderings, consisting of 2 pages, prepared by Harris Architects, Inc, dated February 6, 2020; and
9. Architectural elevations for building D shall generally comply with the color renderings, consisting of 2 pages, prepared by Harris Architects, Inc, dated February 6, 2020.

Terms and Conditions of Approval:

1. Review and approval of landscaping plans by the Village Landscape Technician shall be required prior to issuance of a full building permit for the project. The Landscape Technician may require plant substitutions where, in his opinion, the substitution is appropriate for this project. Replacement of any trees lost due to construction shall; be based on one new tree planted for every tree lost. The trees shall comply with the approved trees as set forth in the Landscape Ordinance; and

2. Final engineering is subject to review and approval by the Village Engineer prior to issuance of building permit; and
3. Review and approval of site lighting and parking lot light fixtures by the Director of Public Works and Director of Community Development prior to issuance of building permit; and
4. The Director of Community Development shall review and approve the exterior lighting on the building prior to issuing any building or site development permit; and
5. Compliance with all ordinances and standards of the Village; and
6. The Gazebo shall be eliminated from the approved plan documents; and
7. Every effort shall be made to preserve existing mature trees located along the west property line of lot 4 and south property line of out-lot "C." If the trees cannot be preserved due to grading and/or storm water installations, quality replacement trees shall be installed sufficient to provide effective screening between the development and the residential property to the west. Said trees are subject to approval from the Village Landscape Technician; and
8. An ingress/agrees easement shall be provided along the south property line of lots 1, 2 and 3. Said easement shall extend from Darling Drive to the west property line of lot 1; and

Exhibit C
Zoning and Sign Code Variations
Pursuant to the Entitlement Package dated 09/25/2020

Petition #1 – South lake Industrial Center:

1. *Zoning Code - Section 16.4.3:* To allow an overall building coverage of .34 rather than the maximum permitted coverage of .30.
2. *Zoning Code - Section 19.7:* 1) To allow 187 parking spaces for lot A rather than the minimum required number of 275 spaces; 2) To allow 196 parking spaces for lot B rather than the minimum required number of 241 spaces; and 3) To allow 289 parking spaces for lot D rather than the minimum required number of 446 spaces.
3. *Sign Code – Section 19-3(c)7b.1:* To allow the display of two tenants rather than the maximum permitted of one tenant. Said variation is applies to four monument signs within the development.

Petition #2 – 998 Forest Edge Drive:

A variation from section G1, Exhibit “F” of ordinance 544 and 545 to allow a landscape buffer that is 10 feet rather than the minimum required depth of 50’.