

**VILLAGE OF VERNON HILLS
ORDINANCE 2022-105**

**AN ORDINANCE AMENDING ORDINANCE 2013-013 AND 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, representatives of Centennial Real Estate, Focus Development, and Atlantic Residential (collectively, “Petitioners”), d/b/a, Hawthorn Mall located at 122 Hawthorn Center and legally described in Exhibit A, has petitioned the Village of Vernon Hills for the following:

1. Approval to amend Ordinance 2013-013, as amended, granting preliminary and final site plan approval; and
2. Approval to amend Ordinance 2013-013 as amended, granting preliminary and final landscaping approval, and
3. Approval to amend Ordinance 2013-013 as amended, granting preliminary and final architectural approval; and
4. Approval to amend Ordinance 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
5. Approval to amend Ordinance 2013-014 as amended, granting certain variations related to the Zoning Ordinance and Sign Code; and
6. Approval to amend Ordinance 2013-014 as amended, granting approval of a plat of resubdivision; and
7. Approval of certain variations related to the Building Code.

WHEREAS, it is the intention of the Petitioners to revise the plans for the redevelopment of the Hawthorn Mall approved in Ordinance No. 2020-134, to relocate and reconfigure the Phase II portion of the project as illustrated in this Ordinance No. 2022-105; and

WHEREAS, upon due notice and after a public hearing held on May 25, 2022, 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 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 Committee of the Whole meeting on August 16, 2022, found that sufficient facts were presented which, in its judgment, would justify approving an amendment to Ordinance 2013-013; authorizing site plan, landscape plan and architectural plan approvals related to the redevelopment of the former Carson's parcel; and approving an amendment to Ordinance 2013-014, authorizing revisions to a Special Use Permit granting approval of a mixed-use residential and commercial development, authorizing certain variations related to the Zoning Ordinance and Sign Code, and a plat of resubdivision. 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 I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, approval of an amendment to Ordinance 2013-013 authorizing approval of preliminary and final site plans is hereby granted, 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 an amendment to Ordinance 2013-013 authorizing approval of preliminary and final landscape plans is hereby granted, 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 an amendment to Ordinance 2013-013 authorizing approval of preliminary and final architectural plans is hereby granted, 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, granting approval to amend Ordinance 2013-014, authorizing revisions to a Special Use Permit granting a Planned Unit Development allowing a mixed-use residential and commercial development is hereby granted, 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 an amendment to Ordinance 2013-014, authorizing certain variations related to the Zoning Ordinance and Sign Code listed in Exhibit C is hereby granted, 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 an amendment to Ordinance 2013-014, granting approval of a plat of subdivision, subject to the Terms and Conditions of Approval set forth in Exhibit B.

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

SECTION VIII. 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 IX. Ordinance 2020-134 is hereby amended by repealing approval of the previously approved Phase II development, consisting of a two hundred forty nine (249)-unit apartment building located on Lot 2 of Hawthorn Resubdivision Number 3, recorded as document number 7798889, dated June 17, 2021.

SECTION X. 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 XI. 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 XII. 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 property legally described herein.

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

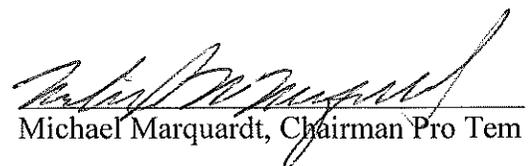
SECTION XIV. ORDINANCE NUMBER. This Ordinance shall be known as Ordinance Number 2022-105.

Adopted by roll call vote as follows:

AYES: 4 – Forster, Oppenheim, Schenk, Marquardt

NAYS: 0 - None

ABSENT AND NOT VOTING: 3 – Koch, Takaoka, Byrne


Michael Marquardt, Chairman Pro Tem

PASSED: 10/06/2022

APPROVED: 10/06/2022

ATTEST: 10/06/2022

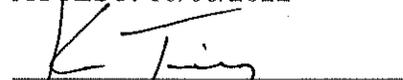

Kevin Timony, Village Clerk



EXHIBIT A
Legal Description

LEGAL DESCRIPTION

PARCEL 1:

LOT 2 IN HAWTHORN CENTER SUBDIVISION, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977, AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2 (EXCEPTING THAT PART OF SAID LOT 2 CONVEYED TO J.C. PENNY PROPERTIES INC., BY DEED DATED JUNE 26, 1997 AND RECORDED JULY 10, 1997 AS DOCUMENT NO. 3991225, DESCRIBED AS FOLLOWS):

COMMENCING AT THE NORTHEAST CORNER OF LOT 6 IN SAID HAWTHORN CENTER, BEING ALSO A CORNER OF SAID LOT 2; THENCE SOUTH 03 DEGREES, 53 MINUTES, 56 SECONDS WEST ALONG THE LINE BETWEEN SAID LOTS 2 AND 6, A DISTANCE OF 267.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 27 DEGREES, 41 SECONDS 04 MINUTES EAST, A DISTANCE OF 323.15 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 253.50 FEET; THENCE SOUTH 27 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 67.00 FEET; THENCE NORTH 27 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 88.36 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2; THENCE NORTHERLY ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING SEVEN (7) COURSES:

NORTH 27 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 47.02 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 81.08 FEET;
SOUTH 72 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 16.97 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 38.00 FEET;
NORTH 17 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 16.97 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 96.02 FEET;
NORTH 03 DEGREES, 53 MINUTES 56 SECONDS EAST, A DISTANCE OF 324.14 FEET TO THE PLACE OF BEGINNING), IN LAKE COUNTY, ILLINOIS.

PERMANENT TAX NO.: 11-33-401-020

PARCEL 2:

LOT 7 IN HAWTHORN CENTER SUBDIVISION, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977, AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2, IN LAKE COUNTY, ILLINOIS.

PERMANENT TAX NO.: 11-33-401-004

PARCEL 3:

THAT PART OF LOT 6 IN HAWTHORN CENTER, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977 AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREE, 38 MINUTES, 22 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 6, A DISTANCE OF 354.00 FEET TO A CORNER OF SAID LOT 6, BEING ALSO THE NORTHWEST CORNER OF LOT 2 IN SAID HAWTHORN CENTER; THENCE EASTERLY ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING TWO (2) COURSES:

SOUTH 45 DEGREES, 08 MINUTES, 22 SECONDS EAST, A DISTANCE OF 172.78 FEET; SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 515.00 FEET AN ARC DISTANCE OF 11.08 FEET TO THE POINT OF BEGINNING, THE CHORD OF SAID ARC, HAVING A LENGTH OF 11.08 FEET AND A BEARING OF SOUTH 46 DEGREES, 50 MINUTES, 36 SECONDS WEST; THENCE SOUTH 64 DEGREES, 58 MINUTES, 01 SECOND EAST, A DISTANCE OF 137.66 FEET; THENCE NORTH 05 DEGREES, 00 MINUTE, 07 SECONDS WEST, A DISTANCE OF 36.26 FEET; THENCE SOUTH 64 DEGREES, 58 MINUTES, 01 SECOND EAST, A DISTANCE OF 552.72 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 7.23 FEET TO A POINT OF COMPOUND CURVATURE, THE CHORD OF SAID ARC, HAVING A LENGTH OF 7.23 FEET AND BEARING OF SOUTH 04 DEGREES, 16 MINUTES 41 SECONDS WEST; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.48 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 31.82 FEET AND A BEARING OF SOUTH 33 DEGREES, 10 MINUTES, 04 SECONDS EAST; THENCE SOUTH 72 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 31.06 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 17.15 FEET AN ARC DISTANCE OF 13.47 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 13.13 FEET AND A BEARING OF NORTH 84 DEGREES, 48 MINUTES, 56 SECONDS EAST; THENCE NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 60.14 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 6; THENCE ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING NINE (9) COURSES:

SOUTH 27 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 24.60 FEET; SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 78.00 FEET; NORTH 72 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 71.42 FEET; SOUTH 61 DEGREES, 47 MINUTES, 22 SECONDS WEST, A DISTANCE OF 56.74 FEET TO A POINT OF CURVATURE; WESTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 85.71 FEET AN ARC DISTANCE OF 43.42 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 42.96

FEET AND BEARING OF SOUTH 76 DEGREES 18 MINUTES, 08 SECONDS WEST;
NORTH 89 DEGREES, 11 MINUTES, 04 SECONDS WEST, A DISTANCE OF 38.41 FEET;
NORTH 03 DEGREES, 23 MINUTES, 23 SECONDS WEST, A DISTANCE OF 92.07 FEET;
NORTH 64 DEGREES, 58 MINUTES, 01 SECOND WEST, A DISTANCE OF 545.28 FEET;
NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A
RADIUS OF 515.00 FEET AN ARC DISTANCE OF 28.85 FEET TO THE PLACE OF
BEGINNING, THE CHORD OF SAID ARC, HAVING A LENGTH OF 28.85 FEET AND A
BEARING OF NORTH 44 DEGREES, 37 MINUTES, 19 SECONDS EAST, IN LAKE
COUNTY, ILLINOIS, AS CONVEYED BY QUIT CLAIM DEED DATED JUNE 26, 1997
AND RECORDED JULY 10, 1997 AS DOCUMENT NO. 3991224 FROM J.C. PENNEY
PROPERTIES, INC., A DELAWARE CORPORATION ("GRANTOR"), TO LASALLE
NATIONAL TRUST N.A., NOT PERSONALLY, BUT AS SUCCESSOR TRUSTEE UNDER
THAT CERTAIN TRUST AGREEMENT DATED MARCH 1, 1971 AND KNOWN AS
TRUST NO. 41999 ("GRANTEE").

PERMANENT TAX NO.: 11-33-401-019

EXHIBIT B

AMENDED SPECIAL USE PERMIT Centennial Real Estate/Focus Development/Atlantic Residential, d/b/a Hawthorn Mall, 122 Hawthorn Center

General Compliance with the following plans:

1. Civil engineering plans, consisting of 41 pages, prepared by Kimley-Horn, dated March 25, 2022;
2. Landscape Plan, consisting of 7 pages, package by SK + I Architecture (landscape architect, Clark Condon), dated March 25, 2022;
3. Softscape and hardscape plan, consisting of 3 pages, prepared by Clark Condon, dated April 28, 2022;
4. Lighting and photometric plan consisting of 2 pages, prepared by Kimley Horn, dated March 25, 2022;
5. Lighting fixture design package consisting of 14 pages, prepared by Hinkley, dated March 25, 2022;
6. Plat of subdivision, Hawthorn Center Resubdivision No. 6, consisting of 4 pages, prepared by Compass Surveying, LTD, dated most recently June 20, 2022;
7. Architectural elevations and color renderings of the mixed-use buildings, consisting of 29 pages, prepared by SK+I Architecture, dated August 3, 2022;
8. Architectural elevations and color renderings of the Hawthorn Mall east façade titled, "City Submittal", consisting of 16 pages, prepared by CallisonRTKL, dated September 10, 2020;
9. "Hawthorn Mall Phase II Plaza Special Use Permit Submittal," including the signage area and location plan consisting of 13 pages, prepared by 505 Design, dated May 25, 2022;
10. Tenant storefront design criteria plan, consisting of 19 pages, dated March 25, 2022; and
11. Signage criteria plan, consisting of 27 pages, dated September 9, 2020 (**restated as approved in Ord. 2020-134**).
12. Phase II Ordinance Exhibit (Zoning Variation Summary), by Kimley-Horn, dated October 14, 2022

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 existing parking field located south of Phase I and east of Phase II shall be temporarily painted and repaired. As a condition of approval, the Petitioners agree to install updated parking lot lighting consistent with the design approved for Phase I and Phase II and permanent curbed islands that are fully landscaped in accordance with Village requirements if the parking field is not otherwise developed within three years from issue date of the certificate of occupancy for Phase II. The Petitioners further agree to resurface and/repair the pavement as needed. As security, the Petitioners agree to execute a performance bond in the amount not to exceed 100% of the engineer's probable cost to perform the lighting, site and landscape work;
5. The Village Board and Developer must reach agreement to restate or amend the Redevelopment Agreement between the Village of Vernon Hills and Hawthorn LP; Hawthorn SP, LLC; Hawthorn CP, LLC and USEF Centennial FA Hawthorn Owner, LLC, and such restated redevelopment agreement or 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 2022-105; and
6. Compliance with all applicable ordinances and standards of the Village.

Exhibit C

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

Zoning Variations applicable to both Phase I and Phase II:

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 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 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.

Bulk Variations Associated with Phase I (see Zoning Summary Exhibit dated October 14, 2022), revisions from Ord. 2020-134 noted in bold and strikethrough:

1. *Section 13.4.3:* Allowing a ratio of building coverage to be ~~52%~~ **56%** in lieu of the maximum permitted coverage of 25%; and
2. *Section 13.6.1:* Allowing a front yard setback of 5 feet in lieu of the minimum required setback of 60 feet; and
3. *Section 13.6.2:* Allowing a side yard setback of ~~30~~ **25** feet (**west**) in lieu of the minimum required setback of 35 feet; and
4. *Section 13.6.1:* Allowing a rear yard setback of ~~0~~ **25** 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 – ~~45~~ **47** feet in lieu of the maximum permitted height of 2 stories – 35 feet.

Bulk Variations Associated with Phase II (see Zoning Summary Exhibit dated October 14, 2022), revisions from Ordinance 2020-134 noted in bold and strikethrough::

1. *Section 13.4.3:* Allowing a ratio of building coverage to be **58.4%** ~~51%~~ in lieu of the maximum permitted coverage of 25%; and

2. *Section 13.6.1*: Allowing a front yard setback of ~~23.9~~ 50 feet in lieu of the minimum required setback of 60 feet; and
3. *Section 13.6.2*: Allowing a side yard setback of ~~0.0~~ 20.0' feet (**east**) and **33.0'** (**west**) in lieu of the minimum required setback of 35 feet; and
4. ~~*Section 13.6.1*: Allowing a rear yard setback of 35 feet in lieu of the minimum required setback of 40 feet; and~~
5. *Section 13.5.1*: Allowing a building height **for the Phase II mixed-use building** of 4 stories – **60** feet in lieu of the maximum permitted height of 2 stories – 35 feet.
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.

Sign Code Variations (revisions approved with this ordinance in bold text)

1. *Section 19-3(c)(6)a*: Allowing perpendicular blade signs not exceeding 5 square feet in size, which 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 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 north elevation to be 496 square feet rather than the maximum permitted size of 150 square feet;**
 - c. **Allowing the north elevation “Hawthorn” sign to be mounted above the roofline;**
 - d. **Allowing the mall identification sign above the new south entrance to be 77 square feet rather than the maximum permitted size of 44 square feet.**

Building Code Variations (revisions approved in this ordinance noted in bold text):

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**).