

**VILLAGE OF VERNON HILLS
ORDINANCE 2022-104**

**AN ORDINANCE GRANTING LANDSCAPE PLAN APPROVAL FOR
TOWNLINe COMMONS SHOPPING CENTER, 555 TOWNLINe ROAD**

WHEREAS, the Village of Vernon Hills received a petition by GW Vernon Hills LLC, property owner, requesting preliminary and final landscape plan approval in accordance with Chapter 16, Article IV, and Appendix C, Zoning, Section 4.12, for Townline Commons Shopping Center, located on the property commonly known as 555 Townline Road and legally described in **Exhibit A**; and

WHEREAS, the Planning and Zoning Commission of the Village of Vernon Hills conducted a public hearing, duly noticed, on September 7, 2022, on a related sign variation on the subject property; and

WHEREAS, the Commission, after consideration of the materials and testimony provided by the petitioner, has recommended approval of the petition, subject to conditions, as described in **Exhibit B** (Planning and Zoning Commission report); and

WHEREAS, the Village Board, having considered the Planning and Zoning Commission report and recommendation at its Committee of the Whole meeting on September 20, 2022, found that sufficient facts were presented which, in its judgment, would justify approving the development referenced herein.

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

SECTION 2. Landscape Plan approval in accordance with Chapter 16, Article IV, and Appendix C, Zoning, Section 4.12, for the property located at 555 Townline Road and legally described in **Exhibit A**, is hereby granted, with the improvements to be made in substantial conformance with the following plans and exhibits, attached hereto as **Exhibit C**:

- Plan Set by Planned Environmental Associates, last revised August 22, 2022:
 - Sheet L100 Site Preparation Plan
 - Sheet L200 Landscape Plan
 - Sheet L201 Landscape Details and Notes

SECTION 3. The development described in the Ordinance is subject to the following terms and conditions:

1. The landscape plan is subject to final review and approval of the Village Engineer;
2. The petitioner shall evaluate the condition of the parking lot and drive aisles with Staff, and repair, resurface, and restripe as needed once a unit greater than 25,000 sq ft in area is leased for a period greater than six (6) months;
3. The development shall comply with all ordinances and standards of the Village except as may otherwise be provided.

SECTION 4. 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 5. 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 6. 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 7. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

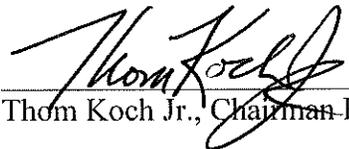
SECTION 8. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2022-104.

Adopted by roll call vote as follows:

AYES: 6 – Marquardt, Forster, Schenk, Takaoka, Oppenheim, Chairman Pro Tem Koch

NAYS: 0 – None

ABSENT AND NOT VOTING: 1 – Byrne


 Thom Koch Jr., Chairman-Pro Tem

PASSED: 10/06/2022

APPROVED: 10/06/2022

ATTEST: 10/06/2022

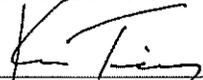

 Kevin Timony, Village Clerk



EXHIBIT A

Legal Description

Townline Commons Shopping Center, 555 Townline Road

LEGAL DESCRIPTION

555 TOWNLINE ROAD

LOT 7 IN CONTINENTAL EXECUTIVE PARK RESUBDIVISION NO. 1, BEING A RESUBDIISION OF LOT 6 IN CONTINENTAL EXECUTIVE PARK-PHASE 1, A RESUBDIVISION OF PART OF SECTIONS 3 AND 4, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THRID PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 19, 1989 AS DOCUMENT 2784615, IN LAKE COUNTY ILLINOIS

EXHIBIT B

**Planning and Zoning Commission Report (Landscaping)
Townline Commons Shopping Center, 555 Townline Road**

Planning and Zoning Commission Minutes
September 7, 2022
7:30 p.m.

I. Call to Order and Roll Call

Chairman Morris called the meeting to order at 7:30 pm.

Attendance: Chairman Morris, Commissioners Hezner, Mulcrone, Cotton and Heidner. A quorum was established.

Also attending: Andrew Jennings, Director of Community Development, and Recording Secretary Heavrin.

II. Public Hearings

Chairman Morris called for the opening of the following public hearing:

1. **Case #22-011** being a petition filed by Mitch Goltz, GW Vernon Hills LLC, 2211 N Elston Ave, Ste 400, Chicago IL 60614, pursuant to Appendix C of the Village of Vernon Hills Code of Ordinances, Article 4, Section 4.12, Article 21, Section 21.5 and Chapter 19, Signs, Section 19.3, requesting the following:
 1. Approval of preliminary and final landscape approvals; and
 2. Approval of certain variations related to the Sign Code.

The proposed location is the Townline Commons Shopping Center at 555 Townline Road on the south side of Route 60, Townline Road.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN

Mitch Goltz, GW Vernon Hills LLC

Discussion:

The petitioner is requesting variations from the sign code to facilitate renovations to the existing multi-tenant monument sign and the installation of a similar sign at the northwest corner of the site. The petitioner is also requesting landscape plan approval that includes removal of several trees that currently limit visibility of the shopping center. The petitioner also intends to trim lower branches of existing trees that will remain. The landscape plan indicates that a variety of deciduous shrubs, evergreen shrubs, and perennials will be planted along both Townline and Fairway.

The sign package includes the refurbishing of the existing multi-tenant sign near the main entrance on Townline Road and installation of an additional multi-tenant sign near the corner of Townline and Fairway. The petitioner is requesting variations from the sign code related to the total sign area, height, and number of tenant panels. The existing sign has a total of five panels. If the variation is approved, the refurbished sign and the new sign at the corner will each have nine panels (five full-width panels for the larger units and four half-width panels for smaller units). The sign panel area will increase slightly, but the overall size of the sign will not change. The center would be allowed to install an additional sign without a variation but it would be limited to a single tenant panel and the maximum height and square footage per the code.

The petitioner has revised the plans as requested by the Public Works Department, particularly in the area adjacent to the pond. In reference to the condition of the parking lot, the petitioner has agreed to resurface the lot and make improvements to the landscape islands once the larger units are permanently occupied.

PUBLIC NOTICE

Public notices were sent out and no responses were received.

THE HEARING WAS OPENED FOR PUBLIC COMMENT

No one from the public spoke.

Chairman Morris stated before the Commission that there is a standing motion to recommend approval. The following motions were made relating to the petition for sign variations and landscape plan approval for the property located at 555 Townline Road, Vernon Hills, Illinois:

Recommend approval of the following variations from Chapter 19, Signs, for the property located at 555 Townline Road, Vernon Hills, Illinois, as required by Appendix C, Zoning, Section 21.5 (Variations), as described in the application by GW Vernon Hills LLC, received August 23, 2022, and sign package by Olympik Signs, dated July 5, 2022, and received September 1, 2022:

1. Section 19-3 C(6c) to permit a monument sign with a total sign area of 168.81 sq ft (maximum of 50.0 sq ft permitted);
2. Section 19-3 C(7b)1 to permit a monument sign to display nine (9) tenant panels (maximum of one tenant panel permitted); and
3. Section 19-3 C(9)b to permit a monument sign with a height of 17.58' (maximum 8.0' permitted).

And with the following conditions of approval:

1. The sides of the sign cabinet shall match the color of the frame on the face; and
2. Tenant panels shall have a common background color.

Second by Commissioner Cotton

AYES: 5 – Heidner, Hezner, Cotton, Mulcrone, Chairman Morris

NAYS: 0 – None

ABSENT: 0 – None

Motion approved.

Recommend Approval of the Landscape Plan for the property located at 555 Townline Road, Vernon Hills, Illinois, as required by Chapter 16, Article IV, and Appendix C, Section 4.12, with the work to be completed in substantial accordance with the following plans:

- **Plan Set by Planned Environmental Associates, last revised August 22, 2022:**
 - Sheet L100 Site Preparation Plan
 - Sheet L200 Landscape Plan

- Sheet L201 Landscape Details and Notes

And with the following conditions of approval:

1. The landscape plan is subject to final review and approval of the Village Engineer;
2. The petitioner shall evaluate the condition of the parking lot and drive aisles with Staff, and repair, resurface, and restripe as needed once a unit greater than 25,000 sq ft in area is leased for a period greater than six (6) months;
3. The development shall comply with all ordinances and standards of the Village except as may otherwise be provided.

Second by Commissioner Hezner

AYES: 4 – Mulcrone, Cotton, Hezner, Chairman Morris

NAYS: 1 – Heidner

ABSENT: 0 – None

Motion approved.

THE PUBLIC HEARING WAS CLOSED AT 8:07

Chairman Morris called for the opening of the following public hearing:

2. **Case #22-006** being a petition filed by Mitch Goltz, GW Vernon Hills LLC, 2211 N Elston Ave, Ste 400, Chicago IL 60614, pursuant to Article 4, Section 4.12, Articles 13, Section 13.3, Article 18, Article 21, Sections 21.5 and 21.6 of Appendix C of the Village of Vernon Hills Code of Ordinances, requesting approval of a Special Use Permit to allow for a nursery school to be known as the Guidepost Montessori School, to be located on the legally described property, including the following actions:
 1. Approval of certain variations related to the Zoning Ordinance and Sign Code; and
 2. Approval of preliminary and final site plan and landscape approvals; and
 3. Approval of preliminary and final architecture plan approvals.

The proposed location of the Guidepost Montessori School is 2 East Phillip Road which is the former PNC Bank location.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN

Mitch Goltz, GW Vernon Hills LLC

Discussion:

The petitioner is requesting a special use, zoning variations, sign variations, and site plan/landscape/architectural approval to facilitate the construction of a day care facility. The facility would be located on the former PNC Bank site at the southeast corner of Deerpath Road and Townline Road. The development would consist of a 1-story, 11,000 sq ft structure with seven classrooms to serve toddlers, pre-K, and elementary school age children. The building would be located at the northwest corner of the property, with the main entrance facing the parking area to the south. The playground would be located to the east of the building, and the

trash enclosure would be located to the southeast of the playground. The entrance to the parking area would be near the east property line and the west driveway (closest to Deerpath) would be right-out only. The location of the playground and trash enclosure would be within the side setback and will require variations. Fifty-five parking spaces are required. The proposed number of 55 spaces complies with requirements.

The landscape plan includes technical review recommendations of removing dead/diseased trees. There is a fence proposed along the north elevation to allow access from classrooms to the playground. There are existing sidewalks on all three streets adjacent to the site.

The building code requires specific exterior materials. In order to construct the building with the cement fiber board panels as shown, the petitioner will need to request relief from this requirement during the review by the Board of Trustees. The rooftop mechanicals are screened by the parapet (range of 4'4" to 6'8"). Two pole lights (two luminaries each) are proposed in the parking lot islands.

The sign package indicates that two wall mounted signs, two monument, and two directional signs will be provided. The south elevation wall mounted sign requires a variation due to the width of the logo. The directional sign requires variations for total square footage and to include business identification.

A copy of the petitioner's responses to the Standards for a Special Use (Section 18.3 of the Zoning Ordinance) is attached. Staff has received a copy of the traffic study referenced in Standards 4 and 5. The consultant recommended "do not block driveway" signage to ensure left turn access into the site from eastbound traffic if the westbound queue approaching the intersection is observed to block the east driveway. The draft motion includes a condition of approval related to this sign. The other recommendations from the study have been incorporated into the site plan.

Staff concurs that the setback reductions for the playground and trash enclosure are unlikely to have a negative impact on the adjacent developed parcel. The variation for lot size is required because there is no provision in the Zoning Code for existing nonconforming lots in commercial districts. The Commission discussed fence conformity, matching color renderings with materials, EIFS, cement fiberboard usage, consideration of potential traffic impacts, and the freestanding sign will be a new sign.

PUBLIC NOTICE

Public notices were sent out and no responses were received.

THE HEARING WAS OPENED FOR PUBLIC COMMENT

No one from the public spoke.

Chairman Morris stated before the Commission that there is a standing motion to recommend approval. The following motions were made relating to the petition for a Special Use for a daycare facility, variations from Appendix C, Zoning, variations from Chapter 19, signs, and for approval of the site plan, landscaping and appearance approval for the property located at 2 Phillip Drive, Vernon Hills, Illinois:

Recommend approval of a Special Use for A Daycare Facility, for the property located at 2 Phillip Drive, Vernon Hills, Illinois, as required by Section 15.3 (Special Uses in the OR&D District), Article 18 (Special Use Standards), and Section 21.6 (Special Use Procedures), as described in the application by GW Vernon Hills LLC, received April 29, 2022, to be developed in accordance with Site Plan, Landscape Plan, and Appearance referenced under a separate motion, and with the following conditions of approval:

1. The petitioner shall install traffic control signage (“do not block intersection”) at the east driveway if Staff determines that the queue for the intersection is preventing left turn access from eastbound Phillip Drive; and
2. The floor plan shall be subject to a security review by the Police Department prior to permit issuance.

Second by Commissioner Hezner

AYES: 5 – Cotton, Mulcrone, Hezner, Heidner, Chairman Morris

NAYS: 0 – None

ABSENT: 0 – None

Motion approved.

Recommend approval of the following variations from Appendix C, Zoning, for the property located at 2 Phillip Drive, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by GW Vernon Hills LLC, received April 29, 2022, and plan set by Design Studio 24 LLC, last revised June 15, 2022:

1. Section 4.8, Fences, to allow fences to be constructed at distances of 60.0’ (north), 15.0’ (east), and 133.0’ (south) from the property line (maximum 12” permitted);
2. Section 15.4, Lot Area in the OR&D District, to permit development on a 87,122 sq ft lot (minimum 160,000 sq ft required);
3. Section 15.6, Yards in the OR&D District, to reduce the east side yard to 15.0’ (30.0’ required), for the proposed playground; and
4. Section 15.6, Yards in the OR&D District, to reduce the east side yard to 3.0’ (30.0’ required), for the proposed trash enclosure.

Second by Commissioner Cotton

AYES: 5 – Heidner, Cotton, Mulcrone, Hezner, Chairman Morris

NAYS: 0 – None

ABSENT: 0 – None

Motion approved.

Recommend approval of the following variations from Chapter 19, Signs, for the property located at 2 Phillip Drive, Vernon Hills, Illinois, as required by Appendix C, Zoning, Section 21.5 (Variations), as described in the application by GW Vernon Hills LLC, received April 29, 2022, and sign package by Signtech, last revised August 17, 2022:

1. Section 19-3 C(4), Logos, to permit the logo on the south elevation wall sign to exceed the width of two letters; and
2. Section 19-5 (3), Private Traffic Direction, to permit business identification on a traffic direction sign.

And with the Following Conditions of Approval:

1. The directional sign size is to be reduced to the maximum area allowed by the sign code.

Second by Commissioner Cotton

AYES: 5 – Heidner, Cotton, Mulcrone, Hezner, Chairman Morris

NAYS: 0 – None

ABSENT: 0 – None

Motion approved.

Recommend approval of Site Plan, Landscaping, and Appearance Approval, for the property located at 2 Phillip Drive, Vernon Hills, Illinois, as required by Chapter 16, Article IV, and Appendix C, Section 4.12, with the work to be completed in substantial accordance with the following plans:

- **Plan Set by Design Studio 24 LLC, last revised June 15, 2022**
 - Sheet A0.0 Title Sheet and Key Plan
 - Sheet A100-102 Color renderings and Elevations
 - Sheet A3.1-3.2 Elevations with material schedule
 - Sheet A3.3 Trash enclosure elevations and material schedule
 - Sheet A6.1 Trash enclosure details
 - Sheet A7.0 Floor plan and playground plan (for egress)
- **Landscape Plan (2 Sheets), by Planned Environment Associates, last revised August 11, 2022**
- **Photometric Plan and Light Fixture Specifications (2 pages), by WLS Lighting, dated April 20, 2022**

And with the Following Conditions of Approval:

1. The development shall comply with all requirements pertaining to site grading. The petitioner shall provide a site grading plan at the time of permit application that is subject to review and approval by the Village Engineer;
2. The materials illustrated on the building elevation plans are subject to approval of a waiver from the requirements of Section 5-78 (Special Architectural Provisions);
3. The development shall comply with all ordinances and standards of the Village except as may otherwise be provided;
4. The fence shall be black powder coated wrought iron;
5. The building materials shall be revised as follows: metal coping to be gray velvet; entry column bases to match the Ashen stacked stone on the building, with remainder of the column in the limestone material; the cement fiber board areas are to be shake style panels; the entry feature is to match the cement fiber board corner treatments, removing all EIFS; and stone headers matching the sills are to be added to the windows in the lighter brick portions of the façade;
6. Awnings are to be mounted above the windows in the darker brick portions of the façade, except for the east elevation facing the playground;
7. The wall sconces shall be black to match the fence;

8. The drive aisles in the parking lot shall be configured with one-way counterclockwise flow, maintaining the perpendicular parking as shown; and
9. Dense plantings shall be added to the landscape plan in the area to the east of the playground.

Second by Commissioner Cotton

AYES: 4 – Hezner, Cotton, Mulcrone, Chairman Morris

NAYS: 1 – Heidner

ABSENT: 0 – None

Motion approved.

THE PUBLIC HEARING WAS CLOSED AT 9:15

III. Approval of the August 10, 2022 and August 31, 2022 Planning & Zoning Commission minutes

Chairman Morris motioned, second by Commissioner Heidner to approve of the minutes of the August 10, 2022 meeting of the Planning & Zoning meeting.

All in favor vote.

Motion was unanimously approved.

Chairman Morris motioned, second by Commissioner Heidner to acknowledge minutes of the August 31, 2022 meeting of the Planning & Zoning meeting were not accomplished due to a quorum was unable to form.

All in favor vote.

Motion was unanimously approved.

IV. Development Review

DCD Jennings discussed a potential steakhouse being developed near Ring Road. The hearing is projected to be on October 12th. He conferred that Belle Tire is a new construction project with plans to go adjacent to Aldi in the Gregg's Landing shopping area. He reported on the progress of the mall development, noting that Phase I is expected to get residential occupancy in mid-April 2023, retail is anticipated to start build outs thereafter in early July 2023 and Phase II (Carson's site) will be presenting revisions of the façade as requested by the Village Board at an upcoming Board meeting.

V. General Public Comments

There were no comments.

VI. Adjournment

With no further items on the agenda, Chairman Morris motioned, second by Commissioner Cotton, to adjourn the meeting.

All in favor vote.
Motion was unanimously approved.

The meeting adjourned at 9:22 PM.

Respectfully submitted,

Andrew Jennings
Director of Community Development

Distribution:
President and Board of Trustees
Village Manager/Village Clerk
Commission Members

9-28-22

Approval Date


Chairperson Morris


Secretary Heidner

As Amended

EXHIBIT C

Plans and Exhibits (Landscaping)

Townline Commons Shopping Center, 555 Townline Road

