

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2011-042

AN ORDINANCE GRANTING APPROVAL TO AMEND ORDINANCE 2010-047 TO
ALLOW PLACEMENT OF A PARKING LOT AND ITS RELATED IMPROVEMENTS ON
LOT 7 IN THE SHOPPES OF GREGG'S LANDING SUBDIVISION GENERALLY
LOCATED AT SOUTH OF GREGG'S PARKWAY, IN THE VILLAGE OF VERNON HILLS,
LAKE COUNTY

THE 20TH DAY OF SEPTEMBER, 2011

Published in pamphlet form by the Authority of the
President and Board of Trustees of the Village of
Vernon Hills, Lake County, Illinois, this 6th Day of
October, 2011

ORDINANCE 2011-042

**AN ORDINANCE GRANTING APPROVAL
TO AMEND ORDINANCE 2010-047 TO
ALLOW PLACEMENT OF A PARKING
LOT AND ITS RELATED
IMPROVEMENTS ON LOT 7 IN THE
SHOPPES OF GREGG'S LANDING
SUBDIVISION GENERALLY LOCATED
AT SOUTH OF GREGG'S PARKWAY, IN
THE VILLAGE OF VERNON HILLS,
LAKE COUNTY**

WHEREAS, Matthew Knopf of COR Consulting, representing Bradford Real Estate Services Corp and the property owner, Bank of America, N.A. as Trustee under Trust Agreement #1331214 and dated November 12, 2007, in regards to Lot 7 of the Shoppes of Gregg's Landing Subdivision, said property legally described in Exhibit A, has petitioned the Village of Vernon Hills to grant approval to amend Ordinance 2010-047, to amend the existing special use permit for The Shoppes of Gregg's Landing PUD to allow the following:

1. Placement of a parking lot and its related improvements on Lot 7 of the Shoppes of Gregg's Landing Subdivision; and
2. A variation to allow a reduction in the parking stall lengths on Lot 7 from 20' to x 18' for only the interior 60 parking spaces; and
3. Preliminary and final approval of the site and landscaping plans.

WHEREAS, approval of the proposed plans would allow the placement of a new 118 space parking lot directly north of Mariano's Fresh Market on Lot 7; and

WHEREAS, the new parking lot will be located on approximately 1.8 acres and will be used as additional parking for employees and customers of the store; and

WHEREAS, Bradford Real Estate Services Corp has agreed to purchase Lot 7 from the property owner, construct the parking lot and lease it to Mariano's in a manor generally consistent with the original terms and conditions of the 20 years Mariano's building lease; and

WHEREAS, upon due notice and after a public hearing held August 31, 2011 by the Planning and Zoning Commission of the Village of Vernon Hills, pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition and recommended approval to amend the approved Ordinance 2010-047 being the existing special use permit for The Shoppes of Gregg's Landing PUD to allow placement of a parking lot and its related improvements on Lot 7 of the Shoppes of Gregg's Landing Subdivision along

with certain variation and preliminary and final site and landscape plan approvals, subject to certain conditions; and

WHEREAS, based upon the evidence adduced at said hearings and in their application, the petitioner has entered into the record evidence and findings of fact that addresses the conditions in Section 18.3.

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, the amendment of Ordinance 2010-047, to amend the special use permit for The Shoppes of Gregg's Landing PUD to allow placement of a parking lot and its related improvements on Lot 7 of the Shoppes of Gregg's Landing Subdivision and the variation to allow a reduction in the parking stall lengths on Lot 7 from 20 feet to 18 feet for only the interior 60 parking spaces are hereby granted. Said parcel is legally described in Exhibit A. The approval is subject to the Plans, Terms and Conditions listed below in Section III and as set forth in Exhibit B.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, approval of the preliminary and final site and landscaping plans for parking lot located on Lot 7 of Shoppes of Gregg's Landing Subdivision is hereby granted subject to the Plans, Terms and Conditions listed below in Section III.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the Plans, Terms and Conditions as set forth in Exhibit B are hereby approved and are made a part of the approvals as listed in the Sections above.

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

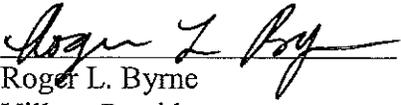
SECTION VII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2011-042.

Adopted by roll call vote as follows:

AYES: 4 – Schultz, , Hebda, Koch, Marquardt

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Williams, Schwartz



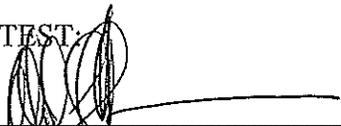
Roger L. Byrne
Village President

PASSED: 9/20/2011

APPROVED: 9/20/2011

PUBLISHED IN PAMPHLET FORM: 10/06/2011

ATTEST:



Michael S. Allison
Village Clerk

EXHIBIT A
Legal Description

LOT 7 IN THE FINAL PLAT OF RESUBDIVISION OF LOTS 6 AND 7 IN THE SHOPPES AT GREGG'S LANDING BEING A SUBDIVISION OF PART OF SECTION 28 AND 33, TOWNSHIP 44 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 2010 AS DOCUMENT NUMBER 6642615 IN LAKE COUNTY, ILLINOIS

EXHIBIT B
Plans, Terms and Conditions of Approval

General Compliance with the following plans:

- Mariano's Fresh Market - Parking Lot Expansion Plans prepared by COR Consulting and V3 Consultants with a stamped received date of 8/22/11 and consisting of 3 pages (front sheet, colored Parking Lot Option 3 plan and Parking Lot Option 3 plan with parking lot dimensions).
- Landscaping Plans prepared by Hitchcock Design Group with a revised date of 8/25/11 and consisting of 1 page (L1.0).

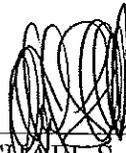
Conditions of Approval for the Site:

1. Final approval of plans by the Village Engineer and Landscape Architect
2. All signage shall comply with the Village's sign ordinance, being Chapter 19 of the Code of Ordinances
3. Direct access from the Lot 7 to the entry drive magazines and Gregg's Parkway is prohibited.
4. If cart corrals are placed within this lot, they are to be consistent with the design and size of the existing cart corrals located on Lot 6.
5. If cart corrals are placed within this lot, the signage for said corrals shall be informational and shall not contain the store name or advertising.
6. The REA Document shall specify that the berm located along the west property line shall be maintained in a manner free from trash or other debris. This maintenance activity shall occur on a weekly basis or when directed by the Village.
7. No parking spaces on site shall be converted to compact car size spaces so as to increase the total number of parking spaces without review and approval by the Village Board.
8. Compliance with all ordinance and standards of the Village except as otherwise noted.
9. Petitioner will work with the Village Engineer on the sidewalk realignment and pedestrian crossing at the southeast corner of the lot.

AFFIDAVIT OF SERVICE

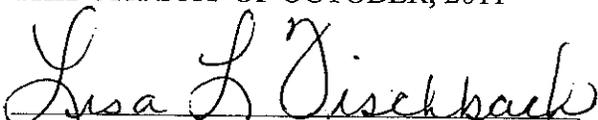
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL S. ALLISON, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2011-042, AN ORDINANCE GRANTING APPROVAL TO AMEND ORDINANCE 2010-047 TO ALLOW PLACEMENT OF A PARKING LOT AND ITS RELATED IMPROVEMENTS ON LOT 7 IN THE SHOPPES OF GREGG'S LANDING SUBDIVISION GENERALLY LOCATED AT SOUTH OF GREGG'S PARKWAY, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 6TH DAY OF OCTOBER, 2011



Notary Public

