

ORDINANCE NO. 2010 - 012

**AN ORDINANCE ADOPTING A
MORATORIUM FOR BUILDING PERMIT,
SITE PLAN AND/ OR ARCHITECTURAL
APPROVALS FOR NON-RETAIL PROJECTS
IN THE ZONING DISTRICTS ALLOWING
RETAIL USES ON PROPERTIES WITHIN
THE MAJOR RETAIL CORRIDORS ALONG
MILWAUKEE AVENUE (ROUTE 21) AND
TOWNLINER ROAD (ROUTE 60) WITHIN
THE VILLAGE OF VERNON HILLS**

WHEREAS, the Village of Vernon Hills (“Village”) is a municipal corporation organized and existing under the Statutes of the State of Illinois and empowered by statutes; and,

WHEREAS, the Village does not maintain a real estate tax on properties located in the Village; and,

WHEREAS, in lieu of real estate taxes, the Village relies almost exclusively on retail sales taxes generated from stores located within the major retail corridors located along Milwaukee Avenue and Townline Road, as identified in Exhibit A, to fund Village operational costs and services; and,

WHEREAS, retail sales tax revenues in the Village have historically been sufficient to fund all necessary and required Village operational costs and services for its residents; and,

WHEREAS, the Village has recently experienced a serious reduction in retail sales taxes being generated from the commercial stores located within the major retail corridors in the Village; and,

WHEREAS, the reduction in sales tax receipts to the Village has severely impacted the Village’s ability to provide essential services to the Village residents; and,

WHEREAS, the next year’s Village budget was in danger of experiencing a shortfall of over 2 million dollars until a major reduction in Village services, reductions in capital expenditures, reductions of equipment replacement and a reduction in the number of Village employees were utilized to mitigate the severe economic gap; and,

WHEREAS, some of the reduction in retail sales tax is attributable to the general downturn in the economy; and,

WHEREAS, in addition to the downturn in the economy, the Village has experienced a disturbing trend in that former retail sales tax generating stores are being filled with non-

retail sale tax generating uses; and,

WHEREAS, some of the proposed non-retail sale tax generating uses might be considered to be permitted uses under the existing zoning ordinance and some of the proposed non-retail sale tax generating uses might be considered to be special uses; and,

WHEREAS, in either case, the loss of retail sales tax generating uses will cause a severe impact on the Village budget from which Village may not be able to recover financially; and,

WHEREAS, the Village understands that the landlords within the major retail corridors and the core retail shopping center properties within the Village are changing their leasing strategies to fill spaces with non-retail sales tax generating uses; and,

WHEREAS, this trend threatens the very economic viability of the Village; and,

WHEREAS, the Village deems it necessary to adopt a moratorium on approvals of all activity related to establishing non-retail sale tax generating uses on the ground floor in commercial properties located along Townline Road and Milwaukee Avenue, the major retail routes in the Village that have traditionally been the source of retail sales taxes for the Village; and,

WHEREAS, the Village Board hereby directs the Village staff to conduct a study to seek to identify the appropriate balance between retail sales tax generating uses and non-retail sales tax generating uses necessary to maintain the Village's economic viability and the economic viability of the Village's shopping areas along Townline Road and Milwaukee Avenue.

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: The Village Board of Trustees hereby adopts a moratorium for a period of six (6) months from the date of this ordinance on any and all approvals that relate to all non-retail sale tax generating uses on the ground floor in commercial buildings located along Townline Road and Milwaukee Avenue, i.e. the major retail shopping areas of the Village, regardless of the zoning district and regardless of whether the uses would be deemed to be permitted or special uses under the existing zoning classifications.

SECTION II: The Village Board of Trustees further directs, within the moratorium period, that the Village staff conduct a study of the properties along Townline Road and Milwaukee Avenue, i.e. the major retail shopping areas of the Village, to analyze the types

of commercial uses within specific developments and to formulate specific recommendations on how to protect the retail sales tax base of the community.

SECTION III: This Ordinance shall be in full force and effect from and after its adoption as provided by law.

SECTION IV. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010-012.

Adopted by roll call vote as follows:

AYES: 5-Koch, Marquardt, Schwartz, Williams, Hebda

NAYS: 0-None

ABSENT AND NOT VOTING: 1-Schultz


Roger L. Byrne
Village President

PASSED: 1/19/2010

APPROVED: 1/19/2010

PUBLISHED IN PAMPHLET FORM: 1/20/2010

ATTEST:


Linda Pelletier, Village Clerk



EXHIBIT A

Map identifying the major retail shopping areas of the Village dated January 19, 2010

