

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-019

AN ORDINANCE AMENDING ORD. 2009-039 GRANTING A ONE-YEAR
EXTENSION OF TIME FOR THE VARIOUS APPROVALS GRANTED FOR THE
PROPERTY COMMONLY KNOWN AS THE OAKS OF VERNON HILLS PUD
LOCATED ON THE NORTH SIDE OF ROUTE 45 BETWEEN CORPORATE
WOODS AND WOODLANDS PARKWAY, IN THE VILLAGE OF VERNON HILLS,
LAKE COUNTY.

THE 16TH DAY OF FEBRUARY 2010

Published in pamphlet form by the
Authority of the President and Board
Of Trustees of the Village of Vernon
Hills, Lake County, Illinois, this 17th
Day of February 2010

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**AN ORDINANCE AMENDING ORD. 2009-039
GRANTING A ONE-YEAR EXTENSION OF
TIME FOR THE VARIOUS APPROVALS
GRANTED FOR THE PROPERTY
COMMONLY KNOWN AS THE OAKS OF
VERNON HILLS PUD LOCATED ON THE
NORTH SIDE OF ROUTE 45 BETWEEN
CORPORATE WOODS AND WOODLANDS
PARKWAY, IN THE VILLAGE OF VERNON
HILLS, LAKE COUNTY.**

WHEREAS, Michael J. Rolfs, representing Hamilton Partners, Inc, in regards to property commonly known as The Oaks of Vernon Hills PUD and legally described in Exhibit A, had petitioned the Village of Vernon Hills for approval of:

1. Approval to amend the zoning classification from R-1 Single Family Residential and B-1 General Business to OR&D Office Research & Development for the legally described property; and
2. Approval of a Special Use Permit for a Planned Unit Development to allow development of a mixed use development consisting of multi-story office buildings, commercial buildings and undeveloped property along with certain variations, including but not limited to, building height and setbacks, signage and parking requirements.
3. Approval of certain Special Use Permits to allow a restaurant with carry-out and fast food (coffee) with drive-thru, or a bank with a drive-thru facility in Commercial Building E.
4. Preliminary and final site and landscaping plan approvals.
5. Preliminary and final approval of the architectural elevations and signage plans
6. Preliminary and final approval of the Plat of Subdivision

WHEREAS, said approvals would allow Michael J. Rolfs, partner representing Hamilton Partners to develop the Oaks of Vernon Hills PUD, an office and retail development, on property generally located on the north side of Route 45 between Corporate Woods and Woodlands Parkways; and

WHEREAS, the Village Board of Trustees reviewed the Planning and Zoning Commission's report and recommendations regarding the Oaks of Vernon Hills PUD and approved Ordinance 2009-039 to allow the office and retail development; and

WHEREAS, Michael J. Rolfs, partner representing Hamilton Partners, due to the poor economy, failed to commence construction of the Oaks of Vernon Hills PUD within one year of the approval of Ordinance 2009-039; and

WHEREAS, Ordinance 2009-039 will expire on March 3, 2010; and

WHEREAS, Michael J. Rolfs, partner representing Hamilton Partners, continues to work through issues related to the Oaks of Vernon Hills PUD with the intention of starting construction once the economy begins to improve; and

WHEREAS, Michael J. Rolfs, partner representing Hamilton Partners, has requested a one year extension of time for the Oaks of Vernon Hills PUD as setforth in Ordinance 2009-039; and

WHEREAS, the Village Board, being fully apprised of the conditions of Ordinances 2009-039, found that in this case the conditions under which Ordinance 2009-039 were approved have remained unchanged and, in its judgment, would justify extending the various approvals and the conditions outlined in Ordinance 2009-039 until March 3, 2011.

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.

- A. That all of the foregoing paragraphs are hereby made part of this ordinance.
- B. That the above-requested one year time extension for the Special Use Permit is hereby granted, subject to the conditions as previously setforth in Ordinance 2009-039.
- C. The new expiration date for said Oaks of Vernon Hills PUD shall be March 3, 2011.

SECTION II. 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.

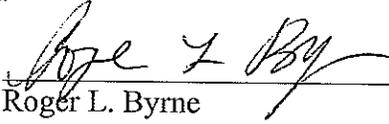
SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

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

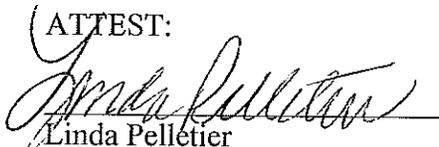
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010-019.

Adopted by roll call vote as follows:

AYES: 5-Marquardt, Schultz, Schwartz, Williams, Koch
NAYS: 0-None
ABSENT AND NOT VOTING: 1-Hebda


Roger L. Byrne
Village President

PASSED: 2/16/2010
APPROVED: 2/16/2010
PUBLISHED IN PAMPHLET FORM: 2/17/2010

ATTEST:

Linda Pelletier
Village Clerk



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, LINDA PELLETIER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE 2010-019, AN ORDINANCE AMENDING ORD. 2009-039 GRANTING A ONE-YEAR EXTENSION OF TIME FOR THE VARIOUS APPROVALS GRANTED FOR THE PROPERTY COMMONLY KNOWN AS THE OAKS OF VERNON HILLS PUD LOCATED ON THE NORTH SIDE OF ROUTE 45 BETWEEN CORPORATE WOODS AND WOODLANDS PARKWAY, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 4 day of March, 2010



Notary Public

“OFFICIAL SEAL”
Monica L. Lundeen
Notary Public, State of Illinois
My Commission Expires July 13, 2013