

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-028

AN ORDINANCE GRANTING CERTAIN APPROVALS TO AMEND THE ZONING
ORDINANCE AND FOR A SPECIAL USE PERMIT TO ALLOW A BANQUET
FACILITY AND RELATED IMPROVEMENTS FOR PROPERTY COMMONLY
KNOWN AS LOYOLA UNIVERSITY CUNEO CAMPUS LOCATED AT 1350
MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

THE 20TH DAY OF APRIL 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 21st
Day of April 2010

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WHEREAS, Steve Bergfeld, representing Loyola University Chicago, in regard to property commonly known as Loyola University Cuneo Campus and legally described in Exhibit A, has petitioned the Village of Vernon Hills for the following:

1. To amend Article 17, of Appendix C of the Code of Ordinances, being the Vernon Hills Zoning Ordinance of 1982, as amended from time to time, by adding a new Section 17.9 regarding the "Cuneo Museum & Gardens property."
2. To amend Article 12, Section 12.3 of Appendix C of the Code of Ordinances, being the Vernon Hills Zoning Ordinance of 1982, as amended from time to time, by adding "Cuneo Museum & Gardens" to the list of special uses permitted in the R-7 Multiple (Family) Dwelling District.
3. Pursuant to Articles 12, 18 and 21 and Sections 12.3 and 21.6 of Appendix C of the Village of Vernon Hills Code of Ordinances approval of a Special Use Permit to allow for the expansion of the Cuneo Museum to add a banquet facility and remodel existing space related to this addition on the legally described property.
4. Preliminary approvals of architectural, site and landscaping plans.

WHEREAS, the requested approvals would be in general compliance with the following plans:

- a) General compliance with the Renovation and New Addition plans prepared by Nevin Hedlund Architects, Inc with a date of 3/23/10 and consisting of 7 pages (XA0.00, XA1.11-.12, XA2.10, XA3.11-.12).
- b) General Compliance with the Landscape Site Plans prepared by JJR, LLC as modified and presented to staff and consisting of one page and dated 2/19/10.

WHEREAS, the plans include rehabilitation and expansion of the Cuneo Mansion and Museum related to providing handicap accessibility to the museum with the addition of a new elevator and restrooms, renovation and conversion of the existing pool house into a commercial kitchen and restrooms and replacement of the existing tent with a permanent, 300-seat banquet room.

WHEREAS, upon due notice and after public hearing held March 17, 2010 and continued from time to time 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 concerning said petition as listed above.

WHEREAS, it has been determined that the granting of approval of the zoning ordinance amendments and special use permit will have no serious and depreciating effect upon the value of surrounding property and will have no adverse effect upon the character of the neighborhood, public utility facilities or other matters pertaining to the public health, public safety and general welfare;

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 Sections 18.3 of the Zoning Ordinance.

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 the Vernon Hills Zoning Ordinance of 1982, Article 17 by adding a new Section 17.9, as setforth in Exhibit B, regarding the "Cuneo Museum & Gardens" property is hereby granted subject to the terms and conditions listed below in Section V.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the amendment the Vernon Hills Zoning Ordinance of 1982, Article 12, Section 12.3 by adding, as setforth in Exhibit B, "Cuneo Museum & Gardens" to the list of special uses permitted in the R-7 Multiple (Family) Dwelling District is hereby granted. The approval is subject to the terms and conditions listed below in Section V.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the Special Use Permit to allow for the expansion of the Cuneo Museum to add a banquet facility and remodel existing space related to this addition, on the legally described property, is hereby approved subject to the terms and conditions listed below in Section V.

SECTION IV. Pursuant to the Vernon Hills Zoning Ordinance of 1982, the preliminary site, architectural elevations and landscaping plans are hereby approved subject to the terms and conditions listed below in Section V.

SECTION V. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the terms and

conditions as set forth in Exhibit C are hereby approved and are made a part of the approvals as listed in the Sections above.

SECTION VI. 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 VII. 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 VIII. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of Loyola University Chicago.

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

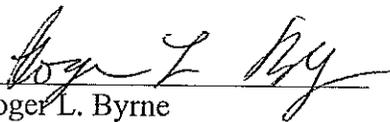
SECTION X. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010- 028.

Adopted by roll call vote as follows:

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

NAYS: 0-None

ABSENT AND NOT VOTING: 1-Hebda



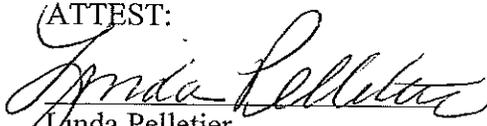
Roger L. Byrne
Village President

PASSED: 4/20/2010

APPROVED:4/20/2010

PUBLISHED IN PAMPHLET FORM: 4/21/2010

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 2010-028, AN ORDINANCE GRANTING CERTAIN APPROVALS TO AMEND THE ZONING ORDINANCE AND FOR A SPECIAL USE PERMIT TO ALLOW A BANQUET FACILITY AND RELATED IMPROVEMENTS FOR PROPERTY COMMONLY KNOWN AS LOYOLA UNIVERSITY CUNEO CAMPUS LOCATED AT 1350 MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



Linda Pelletier

LINDA PELLETIER, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 5th day of may, 2010

Lisa L. Duschba

Notary Public

Exhibit A
Legal Description

Exhibit B
**Approved Amendments to the Code of Ordinances, Appendix C -
Zoning**

ARTICLE SEVENTEEN Nonconforming Structures and Uses

Add New Section 17.9

Section 17.9 Cuneo Museum and Gardens Property.

Notwithstanding the provisions of Article 17 regarding nonconforming uses and structures, the Village acknowledges that the Cuneo Museum and Gardens property, located on approximately 90 acres on the west side of Milwaukee Avenue, south of the EJ&E railroad tracks, east of Museum Boulevard and north of Ring Drive is a unique asset to the Village as well as to the larger Lake County community. The Village recognizes its unique characteristics and acknowledges that it would be in the best interest of Village, its residents and the greater Lake County Community that every effort should be made to preserve this special asset.

Due to its historical significance, its significant architectural, cultural and landscape features, the Cuneo Museum and Gardens structures shall not be subject to the strict provisions of the nonconforming provisions of Article 17. During the period of time that the property is owned and controlled by a not for profit entity whose mission is to preserve the mansion/museum structures, the museum and mansion structures shall be allowed to remain and shall be allowed to be expanded subject to the review and approval of the Village Board of Trustees. Such review and approval shall require Plan and Zoning Commission review as setforth in Section 12.3 Special Uses.

The uses permitted to exist in the mansion/ museum structures shall be those uses that relate to the preservation of the artifacts maintained in the buildings as well as those uses similar and compatible to artistic and museum purposes, whether or not such uses have existed in the buildings to date.

It is further recognized that the property was subject to an Annexation Agreement which has since expired. The Agreement allowed for certain uses such as the conduct of concerts, musical attractions, dance recitals, lectures seminars, school or other academic or educational activities, the serving of food and beverages incidental to any use including but not limited to weddings, parties, banquets and other private or public social events. Due to the uniqueness of the property, these uses are permitted to continue within the property subject to receipt of required permits.

It is not intended that the structures will be expanded more than 50% larger than existed as of January 1, 2010. Expansions that do not exceed 50% of the size of the structures as of January 1, 2010 shall be permitted subject to building permit review and issuance.

Extensive repairs and maintenance activities for the buildings are necessary for their preservation and shall be allowed, subject to Village codes.

All repairs made shall be made with the greatest effort at preserving and maintaining the historic integrity of the building, allowing for modernization of the infrastructure and integrity of the buildings, including but not limited to the heating and ventilating systems, roofing systems, elevators and other equipment and materials required to make the building accessible to the public.

The provisions of Article 17 relating to the costs of repair that might exceed 50% of the current value of the structures shall not be applied to the museum or mansion structures, due to the extensive costs to bring the buildings up to current codes and standards.

Due to the unique structures and uses anticipated to occur within the structures, the restrictions against reestablishing a use within the structures after it has been discontinued for more than 2 years shall not apply to these structures so long as the structures have been maintained.

It is the intent of these provisions to preserve the structures and allow them to be used in such a way as to pay for themselves so they can be preserved. However, any uses that are not normally found in museum properties of this size and caliber shall be approved by the Village Board prior to commencement of said use.

The museum and mansion properties are hereby granted a certificate of nonconformity as required by this Article 17.

ARTICLE TWELVE R-7 Multiple Family Dwelling District

Add New Special Use to Section 12.3

12.3.6 Cuneo Museum and Gardens property.

Exhibit C

Terms and Conditions of Approval

- a) General compliance with the Renovation and New Addition plans prepared by Nevin Hedlund Architects, Inc with a date of 3/23/10 and consisting of 7 pages (XA0.00, XA1.11-.12, XA2.10, XA3.11-.12).
- b) General Compliance with the Landscape Site Plans prepared by JJR, LLC as modified and presented to staff and consisting of one page and dated 2/19/10.
- c) Review and approval of revised landscaping plans by the Village Landscape Technician shall be required prior to issuance of a full building permit for the banquet facility project. The Landscape Technician may require plant substitutions where, in his opinion, the substitution is appropriate for this project.
- d) Receipt of all required licenses from the Village and Lake County Health Department prior to issuance of a final certificate of occupancy for the banquet facility, including but not limited food service permits.
- e) Compliance with all ordinances and standards of the Village except as may otherwise be provided.
- f) Petitioner shall work with the Village regarding the west entrance architecture
- g) The petitioner shall appear before the Commission at a future meeting for final approvals of the various plans.

Loyola University – Cuneo Campus

Legal Description of Property

PARCEL 1:

THAT PART OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF MILWAUKEE AVENUE (STATE ROUTE NO. 21) AS WIDENED BY CONDEMNATION IN CIRCUIT COURT, LAKE COUNTY, ILLINOIS, CASE NO. 65-2323, WITH THE SOUTHERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY; THENCE SOUTH 11 DEGREES 05 MINUTES 47 SECONDS EAST ALONG SAID WESTERLY LINE OF MILWAUKEE AVENUE AS WIDENED, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, WESTERLY OF AND PARALLEL WITH THE CENTER LINE OF MILWAUKEE AVENUE, 553.26 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 86 DEGREES 43 MINUTES 09 SECONDS WEST, 311.96 FEET; THENCE SOUTH 85 DEGREES 35 MINUTES 41 SECONDS WEST, 153.40 FEET; THENCE SOUTH 84 DEGREES 29 MINUTES 38 SECONDS WEST 427.28 FEET; THENCE NORTH 05 DEGREES 29 MINUTES 59 SECONDS WEST, 535.67 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID ELGIN, JOLIET AND EASTERN RAILWAY; THENCE SOUTH 84 DEGREES 30 MINUTES 01 SECONDS WEST ALONG SAID LAST DESCRIBED LINE, 990.10 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 54 SECONDS WEST, 1199.06 FEET; THENCE SOUTH 37 DEGREES 25 MINUTES 00 SECONDS EAST, 1032.64 FEET; THENCE SOUTH 77 DEGREES 59 MINUTES 09 SECONDS EAST, 399.87 FEET; THENCE SOUTH 84 DEGREES 27 MINUTES 58 SECONDS EAST, 688.54 FEET; THENCE SOUTH 85 DEGREES 08 MINUTES 28 SECONDS EAST, 242.41 FEET; THENCE SOUTH 86 DEGREES 31 MINUTES 10 SECONDS EAST, 125.09 FEET; THENCE NORTH 80 DEGREES 43 MINUTES 15 SECONDS EAST, 223.04 FEET TO A POINT ON THE WESTERLY LINE OF SAID MILWAUKEE AVENUE AND THE WESTERLY LINE OF MILWAUKEE AVENUE AS WIDENED PER DOCUMENT 1691385; THENCE NORTHERLY 373.39 FEET ALONG SAID WESTERLY LINE, BEING THE ARC OF A CIRCLE CONVEX EASTERLY, HAVING A RADIUS OF 11681.72 FEET, WHOSE CHORD BEARS NORTH 10 DEGREES 10 MINUTES 51 SECONDS WEST, 373.37 FEET TO A POINT OF TANGENCY; THENCE NORTH 11 DEGREES 05 MINUTES 47 SECONDS WEST ALONG SAID WESTERLY LINE, TANGENT TO THE LAST DESCRIBED COURSE, 1176.60 FEET; THENCE SOUTH 78 DEGREES 54 MINUTES 13 SECONDS WEST ALONG SAID WESTERLY LINE, 10.00 FEET; THENCE NORTH 11 DEGREES 05 MINUTES 47 SECONDS WEST ALONG SAID WESTERLY LINE, 278.35 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART THEREOF TAKEN FOR WIDENING OF MILWAUKEE AVENUE PER DOCUMENT 4543140, IN LAKE COUNTY, ILLINOIS. (CONTAINING 3,775,616 SQUARE FEET OR 86.6762 ACRES)

PARCEL 2:

THAT PART OF SECTION 33, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF MILWAUKEE AVENUE (STATE ROUTE NO. 21) AS WIDENED BY CONDEMNATION IN CIRCUIT COURT, LAKE COUNTY, ILLINOIS, CASE NO. 65-2323, WITH THE SOUTHERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY; THENCE SOUTH 11 DEGREES 05 MINUTES 47 SECONDS EAST ALONG SAID WESTERLY LINE OF MILWAUKEE AVENUE AS WIDENED, BEING A LINE 50.00 FEET, AS MEASURED AT RIGHT ANGLES, WESTERLY OF AND PARALLEL WITH THE CENTER LINE OF MILWAUKEE AVENUE, 553.26 FEET; THENCE SOUTH 86 DEGREES 43 MINUTES 09 SECONDS WEST, 311.96 FEET; THENCE SOUTH 85 DEGREES 35 MINUTES 41 SECONDS WEST, 153.40 FEET; THENCE SOUTH 84 DEGREES 29 MINUTES 38 SECONDS WEST, 427.28 FEET; THENCE NORTH 05 DEGREES 29 MINUTES 59 SECONDS WEST, 535.67 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID ELGIN, JOLIET AND EASTERN RAILWAY; THENCE NORTH 84 DEGREES 30 MINUTES 01 SECONDS EAST ALONG SAID LAST DESCRIBED LINE, 838.42 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM ALL THAT PART THEREOF TAKEN FOR WIDENING OF MILWAUKEE AVENUE PER DOCUMENT 4543140, IN LAKE COUNTY, ILLINOIS. (CONTAINING 451,224 SQUARE FEET OR 10.3587 ACRE)

COMMONLY KNOWN AS: CUNEO MUSEUM & GARDENS, 1350 N. MILWAUKEE AVE., VERNON HILLS, IL 60061

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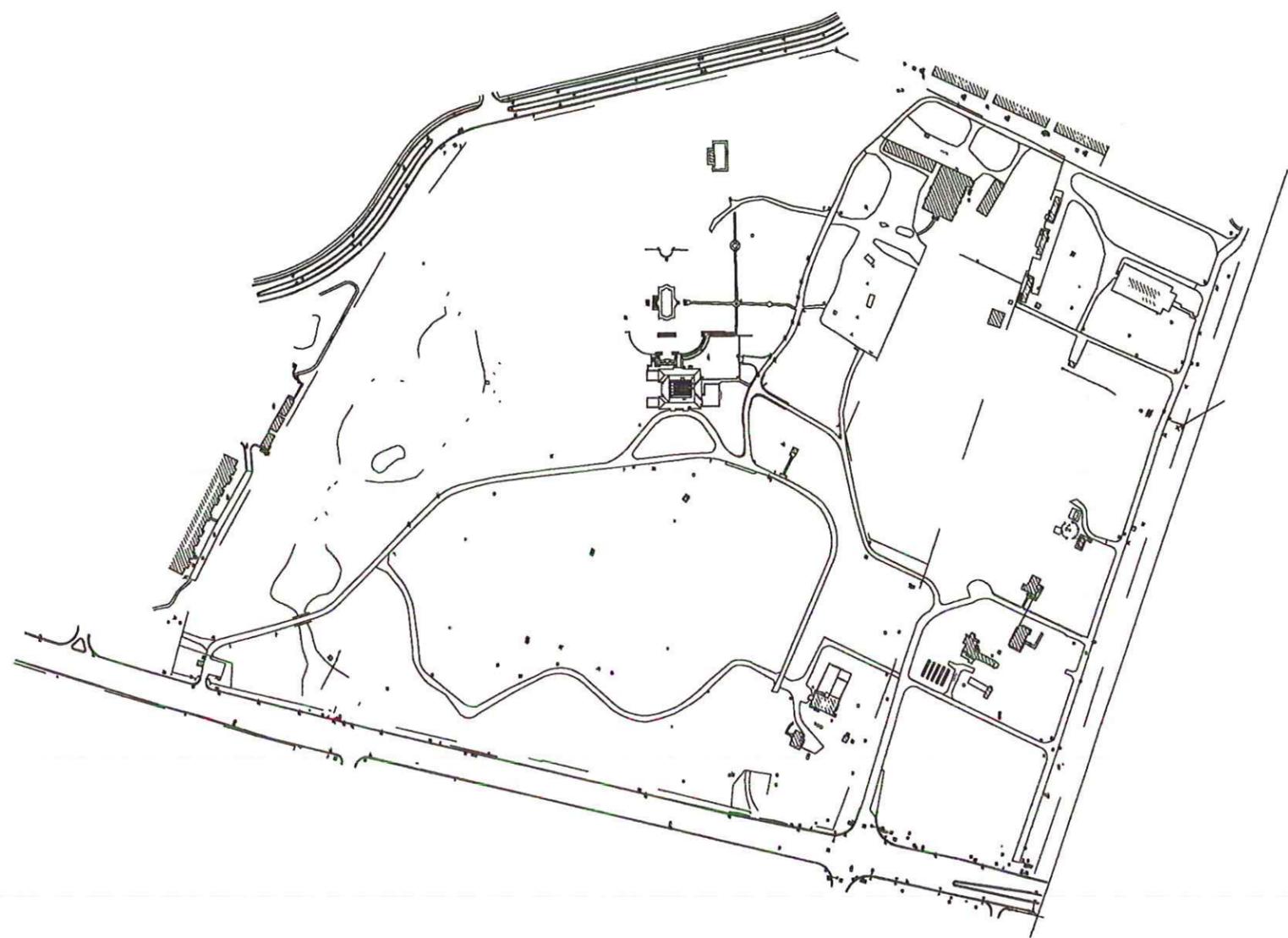
RENOVATION AND NEW ADDITION

LOYOLA UNIVERSITY CUNEO CAMPUS

ORDINANCE 2010-028 Exhibit C(a): General compliance with the Renovation and New Addition plans prepared by Nevin Hedlund Architects, Inc with a date of 3/23/10 and consisting of 7 pages (XA0.00, XA1.11-12, XA2.10, XA3.11-12).

SHEET INDEX

- XA0.00 COVER SHEET
- PHOTO SHEET
- XA1.11 PARTIAL SITE PLAN
- XA1.12 ENLARGED BANQUET PLAN
- XA2.10 BUILDING ELEVATIONS
- XA3.11 NORTHWEST PERSPECTIVE
- XA3.12 SOUTHWEST PERSPECTIVE



LOYOLA UNIVERSITY
CHICAGO

CUNEO CAMPUS
RENOVATIONS AND
ADDITION

TITLE SHEET

Job No. 008-20-09
 Date 03/23/10
 Drawn by NHA

XA0.00

Scale 1" = 400'-0"

RECEIVED
 MAR 24 2010
 COMMUNITY DEVELOPMENT
 DEPARTMENT



FRONT ELEVATION - EAST



INTERIOR - ATRIUM



REAR ELEVATION - WEST



GARDEN VIEW

3/23/2010 4:01:09 PM \\hedlundsv01\Company\Active Projects\008-00-00 Loyola\008-20-09 Cuneo\05 - Drawings\06 - Cuneo Mansion\Cuneo Mansion Lauren Local.rvt



NEVIN HEDLUND ARCHITECTS, INC.

7545 Lake Street, Rose Forest, Illinois 60305
Telephone: 708.771.7117 Facsimile: 708.771.7114
Website: www.HedlundArchitects.com

LOYOLA UNIVERSITY
CHICAGO

CUNEO CAMPUS
RENOVATIONS AND
ADDITION

**NORTHWEST
PERSPECTIVE**

Job No. 008-20-09

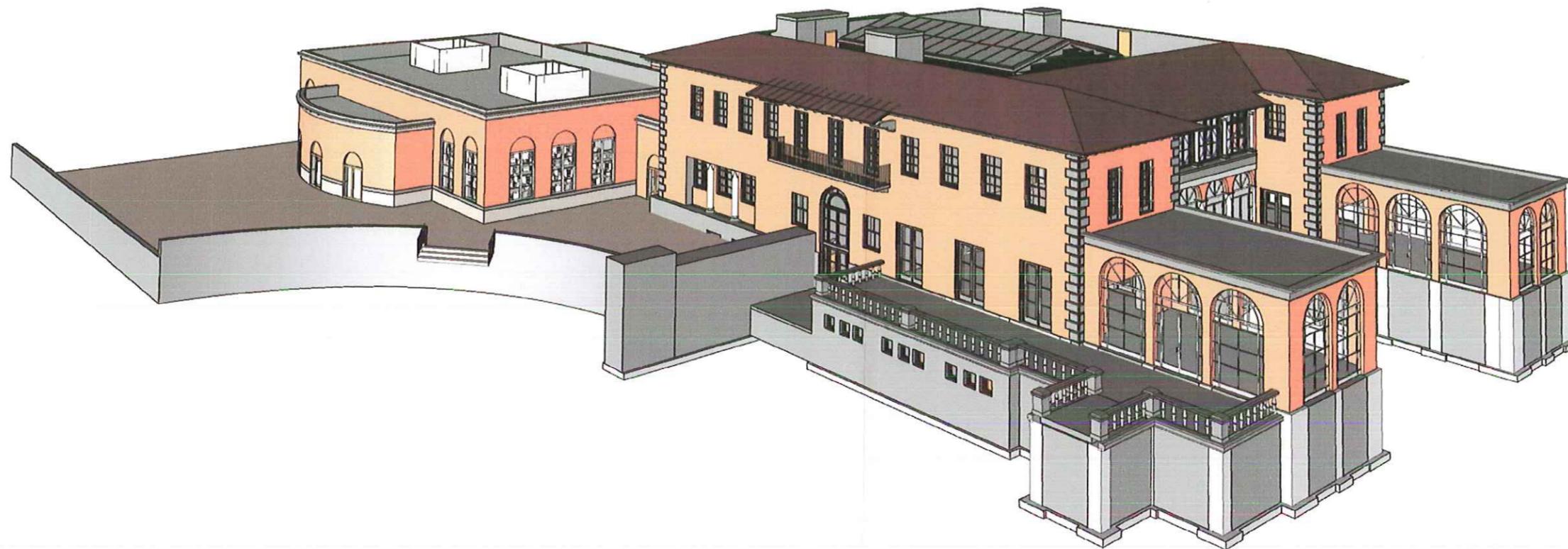
Date 03/23/10

Drawn by LAH

XA3.11

Scale

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LOYOLA UNIVERSITY
CHICAGO

CUNEO CAMPUS
RENOVATIONS AND
ADDITION

**SOUTHWEST
PERSPECTIVE**

Job No. 008-20-09

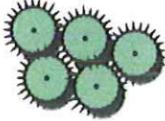
Date 03/23/10

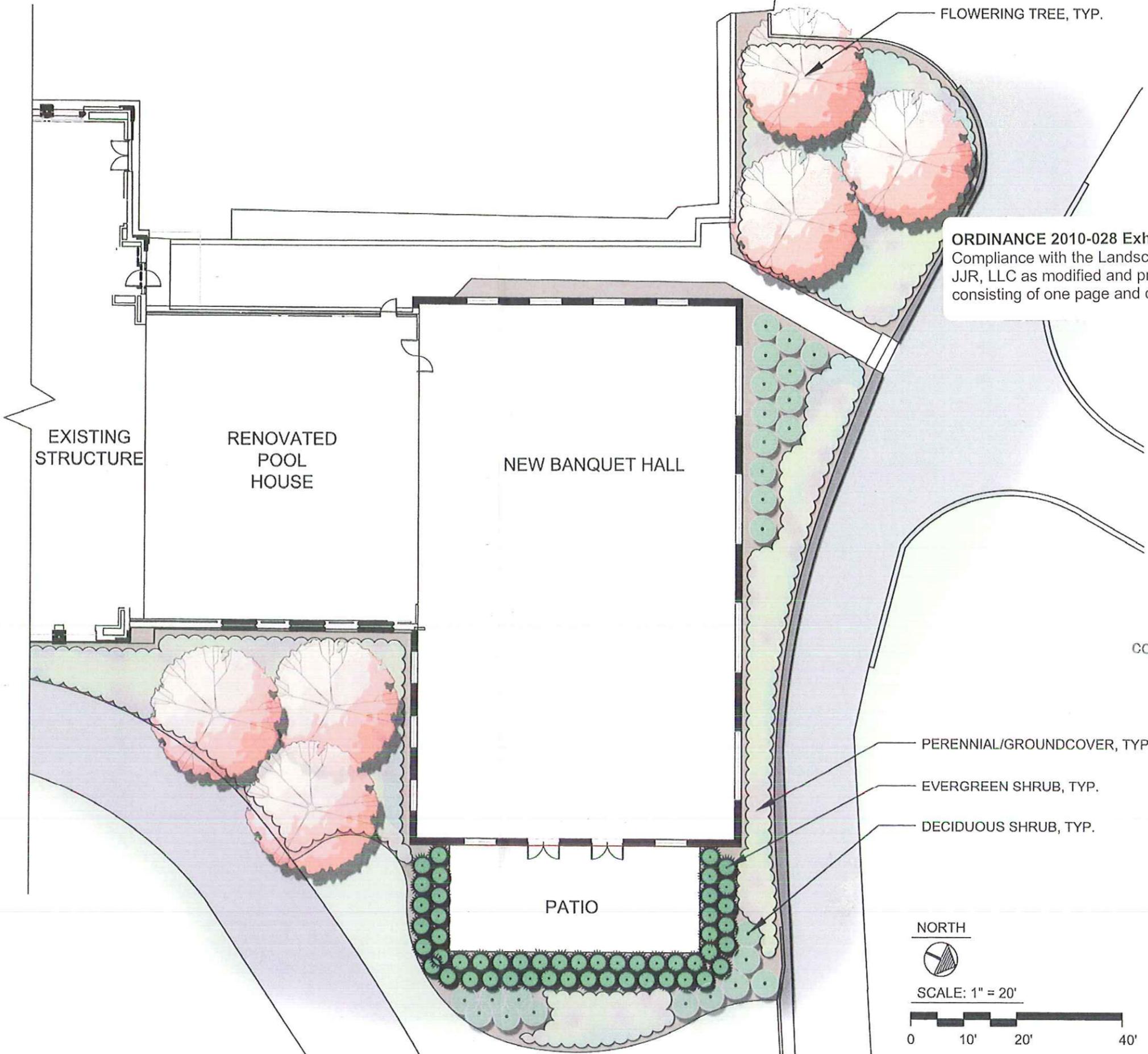
Drawn by LAH

XA3.12

Scale

Legend

-  FLOWERING TREE (8' HT.)
-  EVERGREEN SHRUBS (30" HT.)
-  DECIDUOUS SHRUBS (30" HT.)
-  PERENNIALS/GROUNDCOVERS (1 GAL @ 18" O.C.)

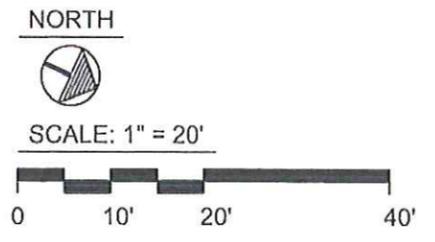


FLOWERING TREE, TYP.

ORDINANCE 2010-028 Exhibit C(b): General Compliance with the Landscape Site Plans prepared by JJR, LLC as modified and presented to staff and consisting of one page and dated 2/19/10

RECEIVED
 FEB 24 2010
 COMMUNITY DEVELOPMENT DEPARTMENT

- PERENNIAL/GROUNDCOVER, TYP.
- EVERGREEN SHRUB, TYP.
- DECIDUOUS SHRUB, TYP.



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 2945 Lake Street, East Forest, Illinois 60015
 Telephone: 708.221.2112 Facsimile: 708.221.2114
 Website: www.HedlundArchitects.com

JJR
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 planning
 urban design
 civil engineering
 environmental science

JJR, LLC
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 T 312.641.0510
 F 312.641.6728
 www.jjr-us.com

LOYOLA UNIVERSITY CHICAGO
 CUNEO CAMPUS
 RENOVATIONS AND ADDITION

LANDSCAPE SITE PLAN

Job No. 008-20-09
 Date 02/19/10
 Drawn by JJR

L1.00
 Scale 1" = 20'