

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2011-048

AN ORDINANCE GRANTING APPROVAL TO AMEND THE EXISTING SPECIAL USE PERMIT IN ORDINANCE 2010-024 TO ALLOW A BEER AND WINE SPECIALTY FACILITY KNOWN AS THE BEER MARKET IN RETAIL BUILDING "C", 1270 NORTH MILWAUKEE AVENUE AND WITHIN THE VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

THE 15th DAY OF NOVEMBER, 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 16th Day of November, 2011

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WHEREAS, The Beer Market, LLC, representing the property owner, Taxman Corporation (VHTC Lot 7 & 8 LLC), in regard to property commonly known as Building "C", 1270 North Milwaukee Avenue in the Vernon Hills Town Center PUD and legally described in Exhibit A, has petitioned the Village of Vernon Hills to amend the Special Use Permit granted pursuant to Ordinance 2010-024 for the Vernon Hills Town Center PUD to allow a beer and wine specialty facility known as The Beer Market in retail building "C", 1270 North Milwaukee Avenue; and,

WHEREAS, upon due notice and after public hearing held October 19, 2011 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 and recommended approval to amend the Special Use Permit granted pursuant to Ordinance 2010-024 for the Vernon Hills Town Center PUD to allow a beer and wine specialty facility known as The Beer Market in retail building "C", 1270 North Milwaukee Avenue, 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 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 from time to time, the Special Use Permit granted pursuant to Ordinance 2010-024 for the Vernon Hills Town Center PUD is hereby amended to allow a beer and wine specialty facility known as The Beer Market in retail building "C", 1270 North Milwaukee Avenue, legally described in Exhibit A.

This approval is subject to the conditions listed below in Exhibit B.

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. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of VHTC.LLC Lots 7&8 LLC.

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

SECTION VI. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2011-048.

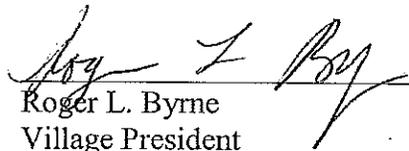
Adopted by roll call vote as follows:

AYES: 5 – Koch, Schwartz, Schultz, Marquardt, Byrne

NAYS: 0 – None

ABSTAIN: 1 - Williams

ABSENT AND NOT VOTING: 1 - Hebda


Roger L. Byrne
Village President

PASSED: 11/15/2011

APPROVED: 11/15/2011

PUBLISHED IN PAMPHLET FORM: 11/16/2011

ATTEST:


Michael Allisen, Village Clerk

Exhibit A
Legal Description

Exhibit B
Terms and Conditions of Approval

- a. Compliance with all ordinances and standards of the Village except as otherwise provided herein.
- b. All music groups or artists shall perform inside the building. No portion of their performance or equipment shall be placed upon or use the outdoor patio or seating area either in front of or to the rear of the building except as may be approved by the Village Board in a special event permit.
- c. If The Beer Market goes out of business, the special use permit shall immediately expire.
- d. If the owner of The Beer Market changes, the Village Board shall approve the new business owners of The Beer Market prior to issuance of a new liquor license.

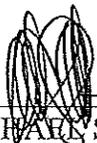
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, MICHAEL S. ALLISON, CERTIFY THAT I AM THE DULY APPOINTED AND VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON NOVEMBER 15, 2011, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2011-048, AN ORDINANCE GRANTING APPROVAL TO AMEND THE EXISTING SPECIAL USE PERMIT IN ORDINANCE 2010-024 TO ALLOW A BEER AND WINE SPECIALTY FACILITY KNOWN AS THE BEER MARKET IN RETAIL BUILDING "C", 1270 NORTH MILWAUKEE AVENUE AND WITHIN THE VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

THE PAMPHLET FOR ORDINANCE NO. 2011-048, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING NOVEMBER 16, 2011 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 16th DAY OF NOVEMBER, 2011



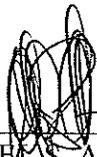
MICHAEL S. ALLISON, VILLAGE CLERK

SEAL

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 2011-048, AN ORDINANCE GRANTING APPROVAL TO AMEND THE EXISTING SPECIAL USE PERMIT IN ORDINANCE 2010-024 TO ALLOW A BEER AND WINE SPECIALTY FACILITY KNOWN AS THE BEER MARKET IN RETAIL BUILDING "C", 1270 NORTH MILWAUKEE AVENUE AND WITHIN THE VERNON HILLS TOWN CENTER PUD LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 16th DAY OF NOVEMBER, 2011


Notary Public

