

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2012-012

APPROVAL OF ORDINANCE 2012-012 AMENDING ORDINANCES 2009-039, 2010-109 AND 2011-008 TO GRANT 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 7th DAY OF FEBRUARY 2012

Published in pamphlet form by the Authority of the President and Board of Trustees of the Village of Vernon Hills, Lake County, Illinois, this 7th Day of February 2012

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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 expired on March 3, 2010; and

WHEREAS, the Village Board, at the request of Michael J. Rolfs, partner representing Hamilton Partners, granted, in Ordinance 2010-019, a one year extension to Ordinance 2009-039; and

WHEREAS, Ordinance 2010-019 will expired on March 3, 2011; and

WHEREAS, the Village Board, at the request of Michael J. Rolfs, partner representing Hamilton Partners, granted, in Ordinance 2011-008, a, additional one year extension to Ordinance 2009-039; and

WHEREAS, Ordinance 2011-008 will expired on March 3, 2012; 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 Ordinances 2009-039, 2010-019 and 2011-008; 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, 2013.

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, 2013.

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.

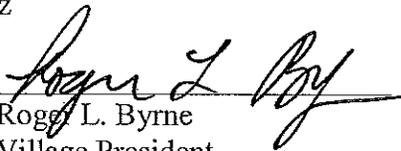
SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2012-012.

Adopted by roll call vote as follows:

AYES: 5 – Marquardt, Schultz, Williams, Hebda, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 - Schwartz

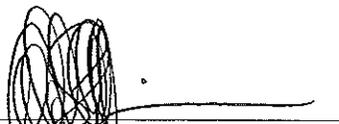

Roger L. Byrne
Village President

PASSED: 2/07/2012

APPROVED: 2/07/2012

PUBLISHED IN PAMPHLET FORM: 2/10/2012

ATTEST:


Michael S. Allison
Village Clerk

HAMILTON
PARTNERS

January 27, 2012

HAMILTON PARTNERS, INC.
1130 Lake Cook Road
Buffalo Grove, Illinois 60089-1974
847.459.9225 Fax: 847.459.8918

President & Board of Trustees
Village of Vernon Hills
Community Development Department
290 Evergreen Drive
Vernon Hills, IL 60061

**RE: OAKS OF VERNON HILLS
SPECIAL USE PERMIT / ORDINANCE 2009-039**

Due to the state of the economy and the impact it has had on commercial real estate development, we would like to respectfully request an extension of the Special Use Permit issued pursuant to Ordinance 2009-039 through March 31, 2012 for the above captioned development.

Please don't hesitate to contact me at any time should you need additional information and/or assistance regarding this request.

Thank you.

Sincerely,



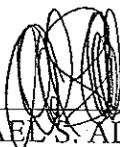
Michael J. Rolfs
Partner

MJR:mcs

AFFIDAVIT OF SERVICE

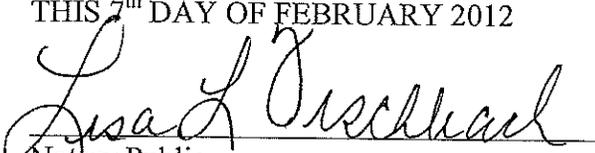
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

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 2012-012, APPROVAL OF ORDINANCE 2012-012 AMENDING ORDINANCES 2009-039, 2010-109 AND 2011-008 TO GRANT 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.



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN TO BEFORE
THIS 7th DAY OF FEBRUARY 2012



Notary Public

