

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2012-040

AN ORDINANCE AMENDING ORDINANCE 2007-31 GRANTING APPROVAL OF A TEMPORARY
PARKING LOT FOR PROPERTY COMMONLY KNOWN AS VERNON HILLS TOWN CENTER PUD
LOCATED AT THE INTERSECTION OF ROUTE 45 AND MILWAUKEE AVENUE, IN THE VILLAGE OF
VERNON HILLS, LAKE COUNTY

THE 10th DAY OF JULY 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 19th Day of
July 2012

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MILWAUKEE AVENUE, IN THE VILLAGE OF
VERNON HILLS, LAKE COUNTY**

WHEREAS, The Taxman Corporation representing Vernon Hills Town Center (VHTC.LLC) and (VHTC Lot 4.LLC), in regard to property commonly known as Vernon Hills Town Center PUD, has petitioned the Village of Vernon Hills, pursuant to the letter as setforth in Exhibit A, to amend the PUD and development agreement previously granted pursuant to Ordinance 2007-31 for the Vernon Hills Town Center PUD to allow the placement of a temporary parking lot on Lot 4 in the Vernon Hills Town Center Subdivision, legally described in Exhibit B; and

WHEREAS, the layout of the proposed temporary parking lot is generally consistent with the plans in Exhibit C; and

WHEREAS, the proposed temporary parking lot will temporarily improve the parking demands of the Vernon Hills Town Center while the property owner attempts to find a more permanent solution to the parking problems within Vernon Hills Town Center; and

WHEREAS, Lot 4 will remain as a buildable lot of record while the temporary parking lot is located on it; and

WHEREAS, the Board is willing to allow Lot 4 to be used for parking on a temporary basis only and not on a permanent basis; and

WHEREAS, the Board feels that the use of Lot 4 for a temporary parking lot is generally consistent with the intent in the PUD in terms of providing adequate parking in the PUD.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I: Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended and Ordinance 2007-31, the proposed placement of a temporary parking lot on Lot 4 in the Vernon Hills Town Center Subdivision as setforth in Exhibit C is hereby approved subject to the following conditions:

1. The property may be used for a temporary parking lot for a period not to exceed three (3) years from the date of the approval of this ordinance. The petitioner or his successor may request an extension of time from the Village Board.
2. The parking lot shall be considered temporary and may only be used for the parking of customer or employee passenger vehicles from within Vernon Hills Town Center. The use of the temporary parking lot by valet parking services operating within Vernon Hills Town Center is also permitted.
3. The Village reserves the right to inspect the temporary parking lot at least annually and provide a written report on its condition and any required repairs to the petitioner or his successor.
4. The petitioner shall keep the lot in proper working order, free from potholes, ruts or other unsafe conditions and consistent with the Village's Property Maintenance Code, being Chapter 5, Article IX of the Code of Ordinance. If, after reviewing the inspection report and in the opinion of the Village Manager or his/her designated representative, the petitioner or his successor has failed to maintain the lot or use it in a manner which is inconsistent with the guidelines as set forth within this Ordinance, the petitioner or his successor may be directed to appear before the Village Board for further discussion.
5. No containers or temporary structures, debris or other materials, other than accumulated snow which was plowed from within the temporary lot, shall be stored within the temporary parking lot.
6. No maintenance vehicles or equipment of any type may be stored within the lot for longer than 4 hours during a 24 hour period.
7. The approval contained herein recognizes that the construction plans do not meet with minimum requirements as set forth in the Village Code of Ordinances, Appendix B, being the Development Ordinance. The Director of Public Works/Village Engineer shall approve these plans prior to issuance of a building or parking lot permit for Lot 4.
8. Upon submission of dimensional drawings/plans for the proposed parking lot which are deemed by the Director of Public Works/Village Engineer to be sufficient to determine compliance with the Development Ordinance, and payment of all required fees, a building or parking lot permit will be issued by the Village.

SECTION II: The approval of the temporary parking lot and related changes are subject to the conditions of approval as set forth in Ordinance 2007-31 except as otherwise provided herein.

SECTION III: PENALTY. Any person violating the terms and conditions of this Ordinance shall be subject to a penalty as provided in Appendix C of the Village Code of Ordinance.

SECTION IV: SEVERABILITY. In the event that any section, clause, provision or part of this Ordinance shall be found and finally 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 applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION V: 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 VI. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns.

SECTION VII: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

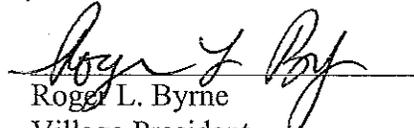
SECTION VIII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2012-040.

Adopted by roll call vote as follows:

AYES: 4 – Koch, Marquardt, Williams, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 3 – Hebda, Schultz, Schwartz


Roger L. Byrne
Village President

PASSED: 7/10/2012

APPROVED: 7/10/2012

PUBLISHED IN PAMPHLET FORM: 7/19/2012

ATTEST:


Michael S. Allison
Village Clerk

EXHIBIT A

Letter from Seymour Taxman, CEO of The Taxman Corporation dated June 25, 2012

EXHIBIT B

Legal Description

Lot 4 in Vernon Hills Town Center Subdivision, being a subdivision of part of the south half of Section 15, Township 43 North, Range 11, east of the third principal meridian, according to the plat thereof recorded June 16, 2008 as Document 6358723 in Lake County, Illinois.

Being PIN # 15-15-313-001 (Lot 4)

EXHIBIT C

Generally consistent with the Site Plan (C-1) and proposed Temporary Parking Lot (C-2) plan dated 6/26/12 and consisting of one page.

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

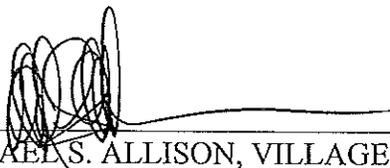
I, MICHAEL S. ALLISON, CERTIFY THAT I AM THE DULY APPOINTED VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON JULY 10, 2012, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE 2012-040, AN ORDINANCE AMENDING ORDINANCE 2007-31 GRANTING APPROVAL OF A TEMPORARY PARKING LOT FOR PROPERTY COMMONLY KNOWN AS 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. 2012-040, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING JULY 19, 2012 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 19th DAY OF JULY, 2012



SEAL

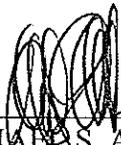


MICHAEL S. ALLISON, VILLAGE CLERK

AFFIDAVIT OF SERVICE

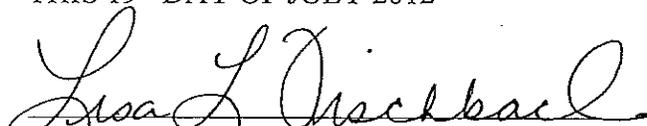
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

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 2012-040, AN ORDINANCE AMENDING ORDINANCE 2007-31 GRANTING APPROVAL OF A TEMPORARY PARKING LOT FOR PROPERTY COMMONLY KNOWN AS 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 19th DAY OF JULY 2012


Notary Public

