

ORDINANCE NO. 2015-018

AN ORDINANCE GRANTING APPROVAL OF A SPECIAL USE PERMIT WITH VARIATIONS AND CERTAIN OTHER APPROVALS TO ALLOW CONSTRUCTION OF AN EDUCATIONAL BUILDING AT 1120 SOUTH MILWAUKEE AVENUE IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY

WHEREAS, Frank Carello of Legat Architects, representing the College of Lake County located at 1120 North Milwaukee Avenue, and legally described in Exhibit A, has petitioned the Village of Vernon Hills for approval of the following:

1. Approval of a Special Use Permit to allow expansion of a public school building with certain variations for setbacks, and rooftop screening;
2. Preliminary and final site and landscaping plan approvals; and
3. Preliminary and final approval of the architectural elevations.

WHEREAS, Legat Architects has requested the following variations as a part of the petition:

1. To allow a 22.8' side yard setback from the 25' required along Port Clinton Road.
2. To allow a 22.8' landscape buffer strip from the 30' required at Port Clinton Road.
3. To allow partial screening of the chimney on the building addition.

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

- Proposed Site Plan prepared by Larson Engineering with a date of February 13, 2015 and consisting of 1 page.
- Proposed Engineering Plans prepared by Larson Engineering with a date of January 12, 2015 and consisting of 64 pages.
- Proposed Landscaping Plans prepared by Larson Engineering with a date of October 20, 2014 and consisting of 1 page.
- Colored Architectural Elevations prepared Legat Architects with a date of February 23, 2015 and consisting of 4 pages.
- Material Sample Board prepared by Legat Architects received by the Village on February 13, 2015.

Said Plans are attached hereto as Exhibit B; and

WHEREAS, the requested approvals will allow for construction of an educational building to be utilized for chemistry related coursework.

WHEREAS, upon due notice and after public hearing held February 25, 2015 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, 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 address 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, the Special Use Permit to allow an educational building and certain variations related to setbacks and rooftop screening as listed in Exhibit C, is hereby granted. Said parcel is legally described in Exhibit A. The approval is subject to the conditions listed in Section V and the terms and conditions as set forth in Exhibit C.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, approvals of the preliminary and final site and landscaping plans for the entire site as set forth in Exhibit B are hereby granted subject to the conditions listed in Section V.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, the preliminary and final approvals of the architectural elevations as set forth in Exhibit B are hereby granted subject to the conditions listed in Section V.

SECTION IV. Pursuant to the Vernon Hills Zoning Ordinance of 1982, the preliminary and final site improvement plans as set forth in Exhibit B are hereby approved subject to the 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.

Exhibit A
Legal Description

THAT PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 43, NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: TO-WIT: COMMENCING AT A POINT 10 CHAINS WEST AND 11.41 CHAINS NORTH OF THE CENTER OF SAID SECTION; RUNNING THENCE NORTH PARALLEL WITH THE QUARTER SECTION LINE, 5.29 CHAINS; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION TO THE CENTER OF THE CHICAGO AND MILWAUKEE ROAD (SO CALLED); THENCE SOUTHERLY ALONG THE CENTER OF SAID ROAD, 5.29 CHAINS, MORE OR LESS, TO A POINT EAST OF THE POINT BEGINNING; AND THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE NORTH 5 ACRES THEREOF), IN LAKE COUNTY, ILLINOIS.

ALSO

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING 6.70 CHAINS NORTH OF THE CENTER OF SAID SECTION 15; THENCE EAST, PARALLEL TO THE SOUTH LINE OF SAID NORTHEAST QUARTER TO THE CENTER OF THE CHICAGO AND MILWAUKEE ROAD; THENCE NORTHERLY ALONG THE CENTER LINE OF SAID ROAD, 4.715 CHAINS, MORE OR LESS TO A POINT EAST OF A POINT 11.41 CHAINS NORTH OF THE CENTER OF SAID SECTION; THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 21.36 CHAINS; THENCE SOUTH 4.71 CHAINS, MORE OR LESS TO A POINT WEST OF THE POINT OF BEGINNING; AND THENCE EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER TO THE POINT OF BEGINNING (EXCEPT THEREFROM THE SOUTH 249 FEET MEASURED ON THE EASTERLY AND WESTERLY LINES THEREOF CONVEYED BY FRANK HOLSTEIN AND WIFE, TO ALBERT C. RICHARDS, BY DEED RECORDED JUNE 1, 1901 AS DOCUMENT 81970, IN BOOK 72 OF DEEDS, PAGE 476), IN LAKE COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE NORTH LINE OF PARCEL 1 EXTENDED WESTERLY TO THE EAST LINE OF THE CORPORATE WOODS SUBDIVISION, RECORDED AUGUST 5, 1986 AS DOCUMENT 2468419 AND OCTOBER 22, 1986 AS DOCUMENT 2496355, AND NORTH OF THE SOUTH LINE OF PARCEL 2 EXTENDED WESTERLY TO THE EAST LINE OF THE CORPORATE WOODS SUBDIVISION, AFORESAID, IN LAKE COUNTY, ILLINOIS.

ALSO

LOT 1 AND 2 IN BIEBRACH SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF

THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED JANUARY 3, 1991 AS DOCUMENT NUMBER 2978415, IN LAKE COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF MILWAUKEE AVENUE 442.2 FEET NORTH OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15, THENCE WEST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER, 500.00 FEET; THENCE NORTH, AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, 249.00 FEET; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER, 509.49 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF MILWAUKEE AVENUE; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID MILWAUKEE AVENUE, TO THE PLACE OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

ALSO

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: TO-WIT: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION AND RUNNING THENCE NORTH ON THE WEST LINE OF SAID QUARTER SECTION, 17 RODS, 13 FEET AND 3 AND ONE-HALF INCHES TO A STAKE: THENCE RUNNING EAST 41 RODS, MORE OR LESS, TO THE CENTER OF THE PUBLIC HIGHWAY, KNOWN AS MILWAUKEE ROAD; THENCE SOUTH ALONG THE CENTER OF SAID HIGHWAY TO THE SOUTH LINE OF THE NORTHEAST QUARTERLY OF SAID SECTION 15 AND THENCE WEST TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

ALSO

THAT PART OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWING: COMMENCING AT A STAKE STANDING 10 RODS NORTH OF A STAKE IN THE CENTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE RUNNING NORTH 17 RODS TO A STAKE; THENCE EAST 41 RODS TO THE CENTER OF MILWAUKEE ROAD, THENCE SOUTH ALONG THE CENTER OF SAID ROAD, 17 RODS; THENCE WEST 41 RODS TO THE PLACE OF BEGINNING (EXCEPT THAT PART THEREOF CONVEYED TO R. SARAH SHAPTER BY WARRANTY DEED DATED JUNE 5, 1889 AND RECORDED JUNE 18, 1889, AS DOCUMENTED 39864, IN BOOK 89 OF DEEDS, PAGE 234 AND EXCEPT THE NORTH 3.3 FEET THEREOF), IN LAKE COUNTY, ILLINOIS.

**Exhibit B
Plans**

General Compliance with the following plans:

- Proposed Site Plan prepared by Larson Engineering with a date of February 13, 2015 and consisting of 1 page.
- Proposed Engineering Plans prepared by Larson Engineering with a date of January 12, 2015 and consisting of 62 pages.
- Proposed Landscaping Plans prepared by Larson Engineering with a date of October 20, 2014 and consisting of 1 page.
- Colored Architectural Elevations prepared Legat Architects with a date of February 23, 2015 and consisting of 4 pages.
- Material Sample Board prepared by Legat Architects received by the Village on February 13, 2015.

Exhibit C
Terms and Conditions of Approval

Conditions of Approval for the Entire Site:

1. Final approval of plans by the Village Engineer and Landscape Architect prior to issuance of a building permit.
2. Building materials consistent with the Material Sample Board.
3. Submittal of an updated Plat of Survey to be reviewed and approved by the Village prior to the issuance of a building permit.
4. Compliance with all ordinance and standards of the Village except as otherwise noted.

Variations - The following variations are recommended for approval

1. To allow a 22.8' side yard setback from the 25' required along Port Clinton Road.
2. To allow a 22.8' landscape buffer strip from the 30' required at Port Clinton Road.
3. To allow partial screening of the chimney on the building addition.

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 the petitioner and property owner.

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.

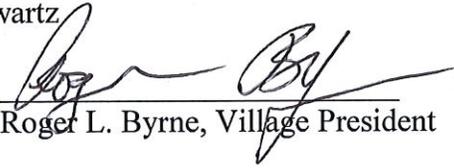
SECTION X. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2015-018.

Adopted by roll call vote as follows:

AYES: 4 – Hebda, Koch, Marquardt, Schultz

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Williams, Schwartz



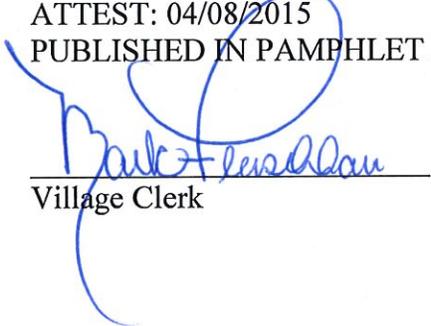
Roger L. Byrne, Village President

PASSED: 04/08/2015

APPROVED: 04/08/2015

ATTEST: 04/08/2015

PUBLISHED IN PAMPHLET FORM: 04/13/2015



Village Clerk