

ORDINANCE NO. 96-17

**AN ORDINANCE GRANTING A
PRELIMINARY PLANNED UNIT
DEVELOPMENT (PUD)
FOR THE RANNEY "TRADITIONAL
NEIGHBORHOOD DEVELOPMENT"**

WHEREAS, upon due notice and after public hearing held on January 3 and 10, 1996 by the Planning and Zoning Commission of the Village of Vernon Hills, pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the said Planning and Zoning Commission has filed its report concerning a petition filed by Town & Country Homes for a Preliminary PUD affecting the premises described below;

P.I.N. 15-09-300-001
Commonly known as the Ranney parcel
Legally described on Exhibit A

WHEREAS, based upon the evidence adduced at said hearings, the following findings of fact are made:

1. That a petition for amending the zoning of the premises from R-1 to R-3A was concurrently filed and approved.

2. That submittal of Final PUD plans leading to the development of the property shall substantially conform to documents, plans and assertions, collectively referred to as the "Preliminary PUD Plans" submitted for review including:

- A. 1/24/96 Preliminary Plat
- B. 1/23/96 Preliminary and Facilities Plan
- C. 1/23/96 Preliminary Landscape Plan
- D. Architectural Standards
- E. Preliminary Landscaping Standards
- F. Preliminary Zoning & Development Regulations
- G. All pertinent plans and graphics presented by Town & Country Homes at public meetings
- H. All assertions and affirmations made by Town & Country Homes or their representatives at public meetings as retained on videotape

WHEREAS, it has been determined that the granting of this Preliminary PUD 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;

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 "Preliminary PUD Plans for the Ranney Traditional Neighborhood Development are hereby approved.

PROVIDED HOWEVER, that approval of the Preliminary PUD Plans are conditioned upon compliance with all Village ordinances, including ordinance ~~96-16~~ rezoning the property, and shall terminate and be of no further force or effect in the event of a violation from said regulations, or a violation of any other applicable ordinance of the Village.

PROVIDED FURTHER, that the approval of the Preliminary PUD Plans, as may be modified by Final Plans approved via ordinance, are further conditioned upon the following:

1. No detached storage sheds shall be permitted. No porticos shall be used as second story patios. These restrictions shall be contained within the homeowner's association declarations.
2. As regulated by homeowners association covenants submitted for Village approval preceding final PUD plan approval, no additions to existing homes shall exceed the maximum floor area ratio established, and all exterior modifications shall conform to the architectural standards.
3. Ranney, Central, Donnelley and NIKE parks are acceptable public lands pursuant to Section 4, Appendix B of the Village Code. Credit for "cameo" parks depicted on the plan shall be accepted at 25% of their total area in accordance with Section 4.05.002, Appendix B of the Village Code. A cash contribution for public land improvements on park sites beyond ordinance requirements (i.e. grading, establishment of turf crop etc.) in lieu of the full amount of land required, which is hereby established to be 7.78 acres, shall be paid by the developer as directed by the Village Board.

It is the intent of this condition to dedicate 70% - 75% of the cash contribution to on-site improvements, with the remaining funds to be directed toward a community wide recreational improvement of the Village's choosing. All on-site park improvements are to be installed prior to the issuance of the 100th occupancy permit or second reduction of the project's performance guarantee, whichever is first. All remaining funds required pursuant to this condition shall be required prior to the issuance of the 150th building permit or third reduction of the project's performance guarantee, whichever is first.

4. School contributions pursuant to Section 4, Appendix B of the Village Code shall be supplemented by a \$500 special fee to be collected for both District #73 and District #128 (\$1,000 total) per dwelling unit, paid at time of building permit application.
5. Homeowners association covenants shall be submitted for Village approval prior to Final PUD plan approval. Covenants are to be recorded at the time of Final Plat recordation.

6. A homeowner's association budget shall be submitted for Village approval prior to Final PUD plan approval. The budget shall detail maintenance expenses and reserves for common area landscaping and rear lanes.
7. All building elevations shall be submitted for Village approval prior to Final PUD plan approval.
8. Right of ways noted on the preliminary plans shall be dedicated at time of final plat approval.
9. Town & Country Homes shall prepare a letter of awareness for the benefit of prospective home purchasers to be approved by the Village prior to final plan approval. This letter shall indicate circumstances surrounding rear lane maintenance, planned road improvements/connections, parking restrictions, accessory structure restrictions and related ordinances. This letter must be signed prior to any obligation undertaken by a purchaser. The Village intends to verify the signature of the letter at time of building permit or occupancy permit.
10. The final plans shall include modifications as directed by the Village Board with regard to connections with Stone Fence Farms. Should the Board direct that no vehicular connection is to be included on the plans, Town & Country Homes shall enter into an agreement with the Village to construct the road at some future date at its expense, which shall run to successors and assigns for a period of eight years. This agreement shall be required prior to final plan approval.
11. The final plans shall include modifications as directed by the Village Board with regard to pavement width.
12. A document which requires the homeowners association to enter into an agreement with the Village to permit the enforcement of no parking in the alleys shall be submitted for Village approval prior to Final PUD plan approval, to be executed by the developer while they are still in control of the homeowners association.
13. The landscaping adjacent to the north side of the alley in block 3 is not approved. Additional landscaping shall be delineated on a final plan.
14. The Village reserves preliminary approval of certain engineering issues which require a more detailed examination than may be provided at the preliminary stage. These issues include alley drainage / curbing, Route 45 hydrant placement, pavement upgrade materials and areas, lot grading, driveway apron placement, White Barn right-of-way / easement and front yard easements as they relate to storm sewer placement.
15. All construction traffic shall enter the site off Route 45.
16. The Village may permit model home construction prior to installation of a road binder course provided fire truck access and water sufficient for fire suppression purposes is provided.

17. The Village may permit grading activities on the site prior to final plan approval, but only to the extent natural resources are protected as appropriate, with an acceptable restoration guarantee provided.

18. The Village shall require all other documents and plans pursuant to the PUD section of the Zoning Ordinance prior to review of Final PUD plans.

19. This preliminary approval is further conditioned on Town & Country Homes written responses to requirements established by the Village through the review process as incorporated in the following letters:

- A. 12/18/95 letter from Jim Truesdell outlining park dedication / recreational issues
- B. 12/20/95 letter from Jim Truesdell outlining park dedication / recreational issues
- C. 1/2/96 letter from Jim Truesdell clarifying technical review responses
- D. 1/15/96 letter from Jim Truesdell outlining issues related to the project
- E. 1/23/96 letter from Jim Truesdell in response to issues raised at the 1/16/96 Committee of the Whole meeting

In the case where the preceding series of letters address the same issue, standards contained within the most recent letter and / or preliminary plan document shall prevail.

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 VI. PUBLICATION. This ordinance shall be published in pamphlet form in the manner provided by law.

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 96-17.

ARCHITECTURAL STANDARDS

ARCHITECTURE THEME

To create nostalgic "turn of the century" community feel with home's that:

- Lessen the impact of the garage on the community.
- Create variety and a sense of style and character.
- Create a sense of value which will increase not only to the homeowner, but to the community as well.
- Utilize "period" architectural themes while incorporating modern and local building techniques and materials for continued beauty of the community.

ARCHITECTURAL CHARACTER

- Variety of eclectic historical styles:

Colonial Revival	Prairie
French	Craftsman
Victorian	Cape Cod
Midwest Farmhouse	Bucks County
Country	

Note: Mixing historical styles within the same elevation is prohibited

- Design elements:
 - Front Porches
 - Porte-cochere's
 - Double hung windows with grills
 - Optional Bays and Feature windows
 - Combined gables and hips
 - Variety of column designs
 - Brackets, Bandings, moldings and unique detailing
 - Simple massing, yet elegant

MATERIALS

- All natural siding materials - either masonry or cedar
- Architectural grade (30 year) asphalt shingles - cedar shingles offered as an option
- Maintenance free aluminum or vinyl windows

MATERIALS continued

- Accent siding areas of:
 - Stucco
 - Smooth panels
 - Cedar accent shingles
- Cedar corner and window trim
- Accent areas of brick and thin set stone
- First floor mandatory masonry will be waived for styles where it is architecturally inappropriate though every house plan will offer a masonry elevation (at least partial)
- Furnace roof vent will be enclosed using a stone or brick veneer
- Primary fireplace chimneys shall be full width masonry, others enclosed as roof vents

COMMUNITY COLOR SCHEMES

Subtle variety of combinations without unpleasant contrast:

Roof	Grays, browns, charcoal, weathered wood, greens and reds. No pure black or pure white
Sidings	Earth tones, warm, gray, beige, tan, cream, white, reds, blues - No dark browns
Trim	Off-white, white and subtle earth tones, beige and cream. No dark browns or dark grays

SELF INDUCED MONOTONY CODE - in addition to Village Code

No identical elevation within 6 homes of each other or within 100 feet across the street.

Minimum 15 different color packages.

No identical color package next to each other.

Minimum 3 different elevation styles for each plan.

SUMMARY

Architectural goal: To create a cohesive neighborhood valued by both the village and the developer through the design of homes which are varied, exiting and architecturally rich.

LANDSCAPE STANDARDS

GENERAL PRINCIPLES

To create an environment which compliments and enhances the traditional neighborhood design by:

- Comprehensive approach to design public and private areas.
- Creating quality community space.
- Use of indigenous landscape material with a consistent plant palette throughout.

LANDSCAPE CHARACTER

Landscape design which is indicative of "Turn of the Century" style:

Use of hardscape materials which suggest the period.

Plant material in an ordered and formal design to strengthen streetscapes and vistas.

Repetition of material to create theme.

Massing to create and frame spaces.

Reinforce and compliment architectural style

MATERIALS

Pavers
Light Standards
Bollards
Benches
Fences
Plant Palette (refer to drawings)

**Ranney Traditional Neighborhood
Preliminary Zoning & Development Regulations**

Permitted departures from the strict application of the zoning ordinance central to the creation of the Ranney Traditional Neighborhood PUD include:

Section 4.6.8.2. Rear yard coverage shall not exceed 60%.

Section 4.6.8.2.7. Patios and decks shall not be constructed within 3 feet of any lot line.

Section 4.7.1.8. Excepting garages, which shall conform to the minimum side yard setback, structures shall not be constructed within 3 feet of any lot line.

Section 4.7.1.8. The definition of driveway shall include ingress or egress from a common drive as well as a public street.

Section 4.8.1. All delineated prohibitions shall supplement PUD fencing regulations.

Section 4.8.2. All regulations shall prevail except as follows:

- PUD regulations shall supplant section 4.8.2.(1)
- PUD regulations shall supplant section 4.8.2.(3)(a)
- PUD regulations shall supplant section 4.8.2.(3)(b)
- PUD regulations shall supplant section 4.8.2.(3)(f)
- PUD regulations shall supplant section 4.8.2.(3)(g)

Section 8A.4.1.1. A net density of not less than 12,000 square feet per dwelling (not more than 3.63 units per acre) is required. The minimum area for any one lot shall be 6,600 square feet as per preliminary PUD plans.

Section 8A.4.1.2. Minimum lot width shall be 55 feet as per preliminary PUD plans.

Section 8A.4.1.3. Maximum floor area ratio shall be .4.

Section 8A.4.1.4. Minimum habitable area shall be 1,800 square feet, however, not more than 5% of dwellings may be less than 2,000 square feet and not more than 10% of dwellings may be less than 2,200 square feet. No dwellings adjacent to existing residential areas may be less than 2,000 square feet. At buildout, 60% of one story dwellings must exceed 2,300 square feet and 60% of two story dwellings must exceed 2,600 square feet.

Section 8A.6.1.1. Minimum front yard shall be 20 feet (with a permitted 8 foot porch encroachment) as per preliminary PUD plans.

Section 8A.6.1.2. Minimum side yard shall be 5 feet, provided however that a minimum 14 foot separation between adjacent two story dwellings is maintained as per preliminary PUD plans.

Section 8A.6.1.3. Minimum rear yard shall be 20 feet, excepting side loading garages, in which case the minimum shall be 7 feet, as per preliminary PUD plans.

EXHIBIT A

RANNEY PROPERTY

OF:

That part of the Southwest Quarter of Section 9, Township 43 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the Northwest corner of said Quarter Section; thence East 2650 feet to an iron stake in the center of Section 9 aforesaid; thence South along the East line of the Southwest Quarter of Said Section 9, 2603.84 feet to an iron stake in the center line of the highway, 30.7 feet North of the Southeast corner of the Southwest Quarter of Section 9; thence North 59 degrees 26 minutes West along the center line of said highway, 737 feet to an iron stake; thence North 42 degrees 48 minutes West along the center line of said highway, 57.8 feet to an iron stake; thence North 42 degrees 48 minutes West along the center of said highway 1412 feet to an iron stake; thence North 42 degrees 48 minutes West along the center line of said highway, 606.4 feet to an iron stake; thence North 43 degrees 9 minutes West along the center line of said highway 882.2 feet to the intersection of the center line of said highway, and the West line of said Section 9; thence North along the West line of said Section 9, 58.2 feet to the point of beginning; (except a strip of land one rod wide heretofore conveyed to Judson A. Mason by deed recorded October 25, 1899 as Document 76022 in Book 122 of Deeds page 389); also a triangle of land in the Northeast corner of the Southeast Quarter of Section 8, Township 43 North, Range 11, East of the Third Principal Meridian, described as follows; Beginning at the Northeast corner of said Quarter Section; thence West 54.1 feet to an old iron stake in the center line of the highway; thence Southeasterly, along the center line of said highway 79 feet to the intersection of the center line of said highway and the East line of said Quarter section; thence North along the East line of Said Quarter section 58.2 feet to the point of beginning in Lake County, Illinois.

4023622

COPY

SEP 24 1997

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, JEANNE M. SCHWARTZ, CERTIFY THAT I AM THE DULY ELECTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AND DO HEREBY CERTIFY THAT AS SUCH VILLAGE CLERK I AM KEEPER OF ORDINANCES, RESOLUTIONS, MINUTES, ENTRIES, ORDERS, BOOKS, PAPERS, RECORDS AND SEAL OF SAID VILLAGE.

I FURTHER CERTIFY THAT THE ATTACHED ARE TRUE AND CORRECT COPIES OF RESOLUTION 96-24 GRANTING FINAL PLANNED UNIT DEVELOPMENT (PUD) APPROVAL FOR CENTENNIAL CROSSING; A DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS AND TOWN AND COUNTRY HOMES, INC.; ORDINANCE 96-69 CREATING A TRADITIONAL NEIGHBORHOOD DESIGN OVERLAY DISTRICT AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF VERNON HILLS; AND RESOLUTION 97-14, AMENDING RESOLUTION 96-24 REGARDING TOWN & COUNTRY AND CENTENNIAL CROSSING PROJECT.

WITNESS MY HAND AND CORPORATE SEAL OF SAID VILLAGE OF VERNON HILLS, ILLINOIS, THIS 23RD DAY OF SEPTEMBER 1997.

Jeanne M. Schwartz
VILLAGE CLERK



SEAL

RESOLUTION NO. 96-24

**A RESOLUTION GRANTING FINAL PLANNED UNIT DEVELOPMENT (PUD)
APPROVAL FOR CENTENNIAL CROSSING**

WHEREAS, the property legally described in Exhibit A attached hereto and by this reference incorporated herein (the "Property") was approved as a Preliminary Planned Unit Development pursuant to ordinance #96-17; and

WHEREAS, upon due notice the Planning and Zoning Commission has considered a petition filed by Town & Country Homes for approval of the Centennial Crossing Final PUD; and

WHEREAS, the Planning and Zoning Commission issued a finding at its October 9, 1996 meeting that the Centennial Crossing Final PUD substantially conforms to the Preliminary Planned Unit Development (PUD) approved pursuant to ordinance #96-17; and

WHEREAS, the Committee of the Whole reviewed the Centennial Crossing Final PUD at its October 15, 1996 meeting and recommended approval of the Centennial Crossing Final PUD.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. APPROVALS

1. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, the Centennial Crossing Final PUD as set forth in the October 29 final plan compilation is hereby approved, this compilation being a set of plans and documents as follows:
 - a. Final Plan prepared by Land Planning Services dated 10/22/96 including typical lot detail
 - b. Zoning and development regulations
 - c. Architectural standards, elevations and plans for models 55A1, 55A2, 55A3, 55A4, 65A1, 65A2, 65A3, 65A4, 65A5, 65F1, & 65F2
 - d. Landscape plans prepared by Land Consultants Inc.
 - e. Park improvement plans prepared by Land Consultants Inc.
 - f. Engineering plans prepared by Pearson Brown & Associates, Inc. dated 9/30/96, such plans included for illustrative purposes only
2. Centennial Crossing Declaration of Covenants dated 10/23/96 is hereby approved.
3. Homeowner's Statement of Awareness dated 10/29/96 is hereby approved.

Resolution 96-24

P.13 222.N

VL VERNON HILLS

2:27PM

FEB.26.2001

SECTION II. CONDITIONS

The approvals set forth in Section I are expressly conditioned upon the following:

1. Approval of final plat of subdivision within 30 days.
2. Approval of final engineering.
3. Execution of a Development Agreement dated 10/29/96.
4. Full implementation of landscape plans which establish a buffer along the common border of Stone Fence Farms and Centennial Crossing prior to December 1, 1996.
5. Review and approval of pre-programmed model offerings or plan modifications for lots 5 - 10 to offset elevation of building pads as delineated within the engineering plans. The Village shall not unreasonably withhold such approval.

SECTION III. EXECUTION

The Village President, Village Clerk and all necessary and appropriate officers of the Village are hereby authorized to execute documents as required to affect approvals granted in Section I.

SECTION IV. COMPLIANCE

Except as noted herein, or caused by the approval of all the heretofore listed plans and documents, ordinance #96-17, approving the Preliminary PUD, shall govern.

SECTION V. SEVERABILITY

In the event that any section, clause, provision, or part of this resolution 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 resolution 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 VI. 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 resolution.

Resolution 96-24

SECTION VII. EFFECTIVE DATE

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION VIII. RESOLUTION NUMBER

This resolution shall be known as Resolution Number 96-24.

Adopted by roll call vote as follows:

AYES: Cashman, Hebda, Henley, Hook, Koch

NAYES: Emery

ABSENT AND NOT VOTING: None



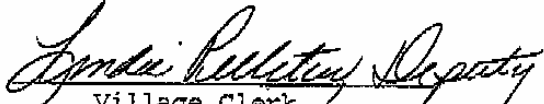
President

PASSED: 10/29/96

APPROVED: 10/29/96

PUBLISHED IN PAMPHLET FORM: 11/8/96

ATTEST:



Village Clerk



Resolution 96-24

**DEVELOPMENT AGREEMENT BETWEEN
THE VILLAGE OF VERNON HILLS
AND
TOWN AND COUNTRY HOMES, INC.**

THIS AGREEMENT is made as of the 29th day of October, 1996 by and between TOWN AND COUNTRY HOMES, INC. ("Town and Country") as the legal owner of certain lands situated in the Village of Vernon Hills ("Village"), legally described on Exhibit "A" attached hereto and made a part hereof (the "Land").

WISNESSETH:

WHEREAS, Town and Country is the legal owner of the property legally described in Exhibit "A" attached hereto, and commonly known as the Ranney Farms Property, wherein they propose construction of a single-family subdivision of 191 units located thereon, known as Centennial Crossing (the "Development"); and

WHEREAS, Town and Country has received Preliminary Residential Planned Unit Development Approval, Preliminary Plat Approval, Preliminary Site Plan Approval ("Preliminary Approvals") from the Village on January 30, 1996; and

WHEREAS, Town and Country has applied for and received Final Planned Unit Development Approval on October 29, 1996, which is set forth in Resolution No. 96-24, dated October 29, 1996, and attached hereto as Exhibit "B"; and

WHEREAS, Town and Country intends to record a Plat of Subdivision over the entire land, but not begin development or sell homes on certain portions of the land, and

WHEREAS, the parties acknowledge that it is in their best interests to enter into this Agreement to clarify the dates by which Town and Country is to perform certain obligations, and allow them to sell residential units within the Land.

NOW, THEREFORE, the parties hereto agree to the following:

1. **Phase I Improvements** Pursuant to a Temporary Development Permit dated October 1, 1996, Town and Country is allowed to proceed with mass grading, construction of roads and sidewalks, and construction of underground utilities, on Lots 1-38, 58-59, and 113-191, which shall comprise Phase I of the Development. Construction of these improvements ("Phase I Improvements") is secured by filing with the Village a Performance Bond in the amount of one hundred percent (100%)

of the Engineer's Estimate, and a Letter of Credit in the amount of 25% of the Engineer's Estimate.

2. Phase II Improvements

(A) Town and Country has requested and the Village agrees that it shall not be required to start construction of infrastructure improvements on Lots 39-57 and 60-112 ("Phase II Improvements").

(B) Town and Country shall not be allowed to begin construction of Phase II Improvements until the Village has been provided with a Performance Bond in the amount of one hundred percent (100%) of the Engineer's Estimate, and a Letter of Credit in the amount of 25% of the Engineer's Estimate. Furthermore, Town and Country shall not be allowed to sell any lots covered by Phase II Improvements until such security as required has been provided to the Village. To guarantee that no lot within the Phase II Improvement areas can be sold, at the time of execution of this document Town and Country shall record the covenants set forth in Exhibit "C" over said lots, thereby preventing their sale until released by the Village. The release of this covenant shall be recorded by the Village of the document set forth under Exhibit "D".

3. Barnswallow Road Connection Prior to the conversion of the final phase of the project to a maintenance guarantee, Town and Country and the Village shall agree upon a required security for the potential Barnswallow connection, pursuant to the terms of the Ordinance granting preliminary P.U.D. approval. Until such time as this future security is established, Town and Country agrees that the existing security is inclusive of work which may be required by the Village to effect the Barnswallow connection.

4. Traffic Signal Town and Country has agreed to pay for the permanent traffic signal located at the intersection of Ranney Avenue and Route 45. Town and Country will deposit with the Village a Letter of Credit to cover payment of the signal within 180 days of this Agreement.

5. Paving Material Town and Country will not be required to utilize brick pavers as was required by the original preliminary approvals. Instead, Town and Country will be allowed to use stamped asphalt as approved by the Village. To compensate for the increased maintenance costs of the stamped asphalt, Town and Country will pay to the Village the sum of \$63,000. This shall be paid to the Village at the time the first building permit is issued.

6. Park Improvements The park donation requirement for the entire development is 7.78 acres. Town and Country is providing 4.79 acres of public parks and receiving .54 acres of credit for camec parks,

resulting in a required cash in lieu of land donation of \$306,250. Town and Country has agreed to utilize these funds towards park improvements as delineated on the approved Final PUD Plans. Once costs are known for these improvements, the Village shall review and approve same. Any monies in excess of the difference of \$306,250 and the approved park costs shall be paid to the Village, provided, however, that the minimum payment shall be \$76,562.

7. **Additional School Contributions** Town and Country agrees to pay, at the time of issuance of any building permit, the sum of \$1,000 which shall be in addition to the school donation fees otherwise required by Village Ordinance. These additional fees are to be remitted to each District with \$500 to District #73 and \$500 to District #128.

8. **Dedications and Village Acceptance**

(A) Town and Country on the Final Plat of Subdivision for the Development will dedicate certain parcels, outlets and streets to the Village of Vernon Hills. In general, no such dedication shall be complete, and the Village shall not be title to the parcel in question until a quitclaim deed for the parcel in question has been tendered to the Village and accepted by the Village. The Village shall have no responsibility for any parcel shown dedicated to the Village until final acceptance.

(B) Town and Country shall dedicate outlots O, H, I, and D to the Village for park purposes. A quitclaim deed shall be submitted to the Village for acceptance after completion of the improvements and in the time frame called out in Ordinance 96-17.

(C) Town and Country shall dedicate outlot CC on the Final Plat of Subdivision to the Village. The Village will accept this outlot by acceptance of a quitclaim deed, at the time the Village accepts the public streets in the Final Phase of the Development. The Village may require, and Town and Country agrees that the outlot may be accepted by the Village prior to the time set out herein, at the Village's option. Town and Country shall permit the Village to install a sign on outlot CC informing the public of the Village's intention to construct a road at some future date.

(D) If the Village undertakes snowplowing of streets prior to Village acceptance of same, Town and Country shall agree to enter into an Agreement with the Village as to the Village assuming no liability for the streets being plowed.

9. **General Provisions**

(A) **Partial Invalidity** If any term or provision of this agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect.

(B) Amendment This agreement shall be amended only by written instrument after statutory requirements for notice and hearing have been complied with and only with written approval by both parties.

(C) Remedies Should Town & County fail to perform any provision of this agreement, the Village shall deem all final development approvals and subsequent permit issuances to be held in abeyance until such time as Town and Country performs said provision or is granted an amendment to this agreement by the Corporate Authorities. Should the Village fail to perform any provision of this agreement, Town and Country shall provide notice to the Village prior to seeking judicial review. Both parties retain all rights to judicial review as they may deem appropriate.

This agreement is entered into by the parties hereto, the 29th day of October, 1996.

Village of Vernon Hills

By: *Roger L. By*
Village President



Attest: *Lynna Pelletier*
Village Clerk

Town and Country Homes, Inc.

By: *[Signature]*
President

Attest: *Colleen Rondon*
Secretary / Notary

ORDINANCE NO. 96-59

**An Ordinance Creating a Traditional Neighborhood
Design Overlay District Amending the Zoning
Ordinance of the Village of Vernon Hills**

WHEREAS, the Village of Vernon Hills, has through Ordinance No. 96-17 approved a Preliminary Planned Unit Development (PUD) for the Ranney Farm parcel, which development is considered a Traditional Neighborhood Development; and

WHEREAS, the process of approving the Centennial Crossing PUD on the Ranney Farm parcel employed a traditional neighborhood design charette, wherein neo-traditional land use patterns and transit oriented development for a 110 parcel which encompassed the Ranney Farm property and parcels immediately adjacent to the Vernon Hills commuter station where explored; and

WHEREAS, a goal of the Village in the 1994 Vernon Hills Strategic Plan is to use the development assessment process as an opportunity to improve the Village environment; and

WHEREAS, to provide specific design standards and criteria which will result in more efficient traffic movement, less vehicular congestion, reduced vehicle emissions for improved air quality, a safer setting for pedestrians, bicyclist and motor vehicles and a visually attractive environment; and

WHEREAS, the Village of Vernon Hills finds that the Centennial Crossing project met standards set forth within this ordinance, and should therefore be designated as a traditional neighborhood design district, to be offered as a model for transit and community oriented development.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESENT AND BOARD, TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION 1. Zoning Districts. Article V entitled "Zoning Districts" of the Zoning Ordinance of the Village of Vernon Hills, Lake County, Illinois adopted June 15, 1992 ("Zoning Ordinance"), as amended, is hereby amended by adding after Article V the following: ("Traditional Neighborhood Design Overlay District". The purpose of this District is to create and establish design standards and land use criteria for the Ranney property, a development site with an area totaling approximately 86 acres (located in the southwest quadrant of Section 9 within Township 43

North Range 11 East within the Village of Vernon Hills). The Overlay District incorporates the recommendations of the 1995 Traditional Neighborhood Design Charette, which explored neo-traditional land use patterns and transit oriented development for 110 acre planning area encompassing the Ranney property and parcels immediately adjacent to the Vernon Hills Commuter Rail Station.

SECTION 2. General Regulations. Article IV entitled "General Regulations" of the Zoning Ordinance is amended by adding after Section 4.12 the following new Sections as the requirements for the Overlay District.

A. Overlay District Requirements. The Traditional Neighborhood Design Overlay District shall provide specific design standards and criteria intended to result in more efficient traffic movement and less vehicular congestion, reduced vehicle admissions for improved air quality, safer setting for pedestrians, bicyclist and motor vehicles and a visually attractive environment.

B. Traditional Neighborhood Design Overlay District. The Overlay District shall meet the standards as required in accordance with Article XX of the Zoning Ordinance of the Village of Vernon Hills for a Planned Unit Development.

C. Land Use Density Development. The Land Use Density Development within the Traditional Neighborhood Design Overlay District shall be consistent with Section 20.5.9 of Article XX of the Zoning Ordinance of the Village of Vernon Hills which permits an increase of the permitted density of dwelling units by an amount not to exceed 15%, above that allowed in the District in which the Planned Development is located.

D. Land Use Layout. The Land Use Layout shall be designed with access to the Vernon Hills Commuter Station within the Overlay District. The number of curb cuts for the Centennial Crossing project shall be limited to a maximum of one along Illinois Route 45. Where desirable, curb cuts within the overall planning area of the 1995 Traditional Neighborhood Design Charette shall provide common access to the abutting properties. Location of curb cuts and site access shall be based in part on the ability to provide common access to abutting properties. Rights of way or easements, as appropriate, shall be provided to allow common uses of curb cuts and access drives. Curb cuts along opposite side of a major roadway shall be located opposite one another or maintained with a sufficient offset for sound traffic

planning principals. Where side road frontage is available, site access shall be achieved via collectors streets or side roads in order to minimize direct points of access onto a major roadway.

E. Building Locations. Buildings shall be located where easily accessible by pedestrians, bicycles and public transportation. Lot widths, building setbacks, entrances and landscaping shall be designed to provide an interesting and attractive edge to the public sidewalk and to provide massing along the street that visually encloses and defines the streetscape in comfortable proportions and scale to a pedestrian. Lot frontage requirements may be reduced as appropriate to promote more compact development within the overlay district.

F. Building Setbacks. Residential lots within the overlay district shall have a minimum front set back of 20 feet. A porch may extend a maximum of 8 feet into the front yard. Side building set backs shall be a minimum of 5 feet, provided a minimum of 14 feet is maintained between any adjacent structures over one story. Building set backs at the rear of the lot shall be 20 feet except in the case of side loading garages in which 7 foot set backs shall be permitted.

G. Building Entry. At least one major building entry shall be oriented to the adjacent street in at least 75% of the homes within the district.

H. Landscaping. Landscaping shall be provided for park areas and along all streets within the development in accordance with a more formal and dense pallet of materials appropriate for a traditional neighborhood development. A landscape plan is to be required to be approved as part of the approved plan.

I. Sidewalks and Bike Paths. Sidewalks and bike paths shall be incorporated as an integral element of site design. All residential lots and park spaces shall be accessible to pedestrians and to bicycle traffic. The right of way for 60 foot wide streets shall include 5 foot sidewalks on both sides of the street. Rights of Way for 40 foot wide streets shall include a 5 foot sidewalk or approved substitute, as may be appropriate on at least one side of the street. A 5 foot wide bicycle path shall be located along the southern edge of the entire development site, parallel to Illinois Route 45. Wherever possible, bicycle storage facilities shall be encouraged and incorporated within the district.

J. Open Space. Within the Overlay District, there shall be a network of parks and open spaces to facilitate pedestrian and bicycle access. The design of a central village green and smaller parks shall also be used to enhance and promote informal neighborhood interaction.

K. Architecture Guidelines. The architecture within the Overlay District shall create variety and a distinct sense of place while also lessening the impact of the automobile garage in the community. The architectural character of residential buildings shall be in keeping with the diverse palette of turn of the century regional vernacular.

L. Subdivision Improvements. The following street amenities shall also be provided within the overlay district; decorative street lights and street sign posts, benches, bollards along the bicycle paths, distinctive paving materials at appropriate locations, a pedestrian rest stop near the crosswalk to the Commuter Station and other pedestrian amenities with the common area to provide a convivial sense of place.

M. Incorporation of Non-Auto Travel Features. The District shall facilitate non-automotive travel through the incorporation of:

1. A coordinated sidewalk system to connect the entire site with adjacent sidewalks, land uses and transit stops or stations.
2. Pedestrian connections to adjacent neighborhoods, businesses and places of employment shall be encouraged. Sidewalks shall extend and connect to adjacent residential neighborhoods, business centers and major places of employment.
3. Pedestrian connections to transit stops or stations shall be encouraged. Development within the overlay district shall promote pedestrian access from the signalized intersection of Illinois Route 45 and the Ranney property entrance to transit corridors and transit stations.
4. Coordinated bike facilities that connect with other bicycle routes, paths or lanes within the community drawing their design cues from standards specified by a bicycle plan, as adopted by the community or the American Association of State Highway and Transportation Officials (AASHTO) Manual Guide for Development of Bicycle Facilities, 1991.

M. Street Patterns. The District shall accommodate vehicular travel through the incorporation of:

1. Interconnected local and arterial streets to shorten distances between origin and destination points.
2. Streets shall be laid out in a modified grid to result in a street network which promotes a myriad of connections between destinations and alternative routes to new streets.
3. New local streets and extensions of existing local streets shall connect with existing local streets and arterial roadways where feasible and desired by the community.
4. Street widths shall be reduced to a maximum of 24 feet where appropriate to contribute to a sense of traditional neighborhood scale, facilitate pedestrian cross access, and reduce vehicular speed and maintenance costs through their design.
5. Cul-de-sac streets shall be permitted only when there is no feasible connection with an adjacent street or the design of the site only permits same.
6. Within the district, alleys may be incorporated into the design of the development site to permit garages to be accessible from the rear of residential lots and to facilitate secondary pedestrian and emergency access.

SECTION 3. 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 are to remain in full force and effect. If any of this Ordinance is found to be invalid in one or more of its several applications, all valid applications that are severable from the invalid applications will remain in effect.

SECTION 4. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed: Provided however, that nothing herein shall effect any rights, actions or cause of accidents which shall have accrued to the Village of Vernon Hills prior to the effective date of this Ordinance, including, but not limited to, Centennial Crossing PUD approvals previously granted.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication is provided by a law in pamphlet form.

SECTION 6. Ordinance Number. The Ordinance shall be known as Ordinance No. 96-~~69~~ adopted by roll call vote as follows:

Adopted by roll call vote as follows:

AYES: 6-Cashman, Emery, Hebda, Henley, Hook, Koch

NAYES: 0-None

ABSENT AND NOT VOTING: 0-None



President

PASSED: 12/03/96

APPROVED: 12/03/96

PUBLISHED IN PAMPHLET FORM: 12/20/96

ATTEST:



Village Clerk



STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, KATHLEEN A. RYG, CERTIFY THAT I AM THE DULY ELECTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT ON DECEMBER 3, 1996, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE NO. 96-69, ENTITLED AN ORDINANCE AMENDING THE ZONING ORDINANCE CREATING A TRADITIONAL NEIGHBORHOOD DESIGN OVERLAY DISTRICT.

THE PAMPHLET FORM OF ORDINANCE NO. 96-69, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY OF SUCH ORDINANCE WAS POSTED IN THE VILLAGE HALL, COMMENCING ON DECEMBER 20, 1996, 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 20TH OF DECEMBER, 1996.

Kathleen A. Ryg
VILLAGE CLERK

SEAL



RESOLUTION NO. 97-14

**Resolution to Amend Resolution 96-24
Regarding Town & Country and
Centennial Crossing Project**

WHEREAS, the property legally described in Exhibit A, attached hereto and by reference incorporated herein (the "Property"), was the subject of Resolution No. 96-24, which was approved by the Village of Vernon Hills on October 29, 1996, approving a Special Use for a Planned Unit Development for the Centennial Crossing project on behalf of Town & Country; and

WHEREAS, Town & Country has petitioned the Village of Vernon Hills for an amendment to Resolution No. 96-24 regarding the type of shingles, and certain rear yard setbacks; and

WHEREAS, the Village believes it is in the best interests for the development of the Centennial Crossing project to grant and approve this Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE, STATE OF ILLINOIS,

SECTION 1. That Resolution No. 96-24 be amended to permit the use of 25 year shingles as herein approved.

SECTION 2. That Resolution No. 96-24 be amended to establish a seven foot (7') rear yard setback for any homes which are proposed to be constructed with front loading garages, where such minimum setback is required.

SECTION 3. SEVERABILITY. That in the event any section, clause, provision or part of this Resolution shall be bound and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid part shall remain in full force and effect. If any part of this Resolution is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid application shall remain in effect.

SECTION 4. REPEAL AND SAVING CLAUSE. All ordinances and resolutions or parts of ordinances and resolutions in conflict hereto 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 prior to the effective date of this Resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 6. RESOLUTION NUMBER. This Resolution shall be known as Resolution No. 97-14.

ADOPTED BY ROLL CALL VOTE AS FOLLOWS:

AYES: 6-Habda, Henley, Koch, Black, Cashman, Emery

NAYES: 0-None

ABSENT: 0-None

NOT VOTING:

PASSED: 7/01/97

APPROVED: 7/01/97

PUBLISHED IN PAMPHLET FORM:

VILLAGE OF VERNON HILLS

By: *Roger L. By*
Village President

ATTEST:

Jeanne M. Schwarz
Village Clerk



bicivernontown-country-resolution

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, JEANNNE M. SCHWARTZ, CERTIFY THAT I AM THE DULY ELECTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT ON JULY 1, 1997, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED RESOLUTION NO. 97-14, ENTITLED A RESOLUTION TO AMEND RESOLUTION 96-24 REGARDING TOWN AND COUNTRY AND CENTENNIAL CROSSING PROJECT.

THE PAMPHLET FORM OF RESOLUTION 97-14, INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY OF SUCH RESOLUTION WAS POSTED IN THE VILLAGE HALL, COMMENCING ON JULY 23, 1997, AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH RESOLUTIONS WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 23RD DAY OF JULY, 1997.

Jeanne M. Schwartz

VILLAGE CLERK

SEAL



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

JEANNE M. SCHWARTZ, BEING FIRST DULY SWORN, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, SHE DID CAUSE THE FOREGOING CERTIFICATE FOR RESOLUTION NO. 97-14, ENTITLED A RESOLUTION TO AMEND RESOLUTION 96-24, REGARDING TOWN AND COUNTRY AND CENTENNIAL CROSSING PROJECT, TO BE POSTED AS REQUIRED BY LAW FROM JULY 23, 1997 TO AUGUST 12, 1997.

Jeanne M. Schwartz
Jeanne M. Schwartz
Village Clerk

SUBSCRIBED AND SWORN to Before
Me this 19 day of August, 1997

Linda Pelletier
Notary Public

