

**VILLAGE OF VERNON HILLS
ORDINANCE 2022-130**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AND
ASSOCIATED SITE PLAN APPROVAL FOR A CHILDREN'S RECREATION
FACILITY, FUNFLATABLES, TO BE LOCATED AT 122 HAWTHORN
CENTER, SUITE 704, VERNON HILLS, ILLINOIS**

WHEREAS, the Village of Vernon Hills received a petition by Debra Dorsey-Fleszewski,, dba FunFlatables Fun Centers Inc., contract lessee, requesting a Special Use Permit for a Children's Recreation Facility, to be located in Suite 704 at the Hawthorn Mall, 122 Hawthorn Center, Vernon Hills, Illinois, legally described in **Exhibit A**; and

WHEREAS, the Planning and Zoning Commission held a public hearing regarding the petition, duly noticed, on November 16, 2022; and

WHEREAS, the Commission, after consideration of the materials and testimony provided by the petitioner, has filed a report making findings of fact in support of the petition in accordance with the standards listed in Section 18.3 of the Zoning Ordinance, and has recommended approval of the petition, subject to conditions, as described in **Exhibit B** (Planning and Zoning Commission report); and

WHEREAS, the Village Board, having considered the Planning and Zoning Commission report, has found that sufficient facts were presented which, in its judgment, would justify approving the special use permit as referenced herein.

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 1. The above listed recitals are incorporated into and made part of this Ordinance.

SECTION 2. The Special Use Permit to facilitate the operation of a Children's Recreation Facility, pursuant to Article 18 of Appendix C, Zoning, of Village of Vernon Hills Code, on the property commonly known as 122 Hawthorn Center, Suite 704, zoned B-1 (General Business District), and legally described in **Exhibit A**, is hereby approved, and shall be operated in substantial conformance with following plans and exhibits, attached hereto as **Exhibit C**:

- Description of Type of Business
- Floor Plan

SECTION 3. The Special Use Permit granted in Section 2 of this Ordinance is subject to the following terms and conditions:

1. The tenant buildout plan shall be reviewed by the fire department for egress requirements prior to occupancy; and

2. The configuration of restrooms shall be modified as needed to comply with the Illinois State Plumbing Code.

SECTION 4. 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 5. 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.

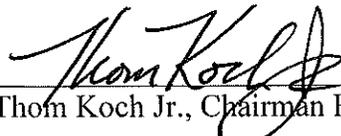
SECTION 6. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of the petitioner and property owner.

SECTION 7. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 8. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2022-130.

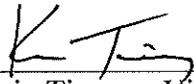
Adopted by roll call vote as follows:

AYES: 5 – Schenk, Takaoka, Marquardt, Oppenheim, Chairman Pro Tem Koch
NAYS: 0 – None
ABSENT AND NOT VOTING: 2 – Forster, Byrne



Thom Koch Jr., Chairman Pro Tem

PASSED: 12/13/2022
APPROVED: 12/13/2022
ATTEST: 12/13/2022



Kevin Timony, Village Clerk



EXHIBIT A

Legal Description of Hawthorn Mall Property

LEGAL DESCRIPTION

PARCEL 1:

LOT 2 IN HAWTHORN CENTER SUBDIVISION, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977, AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2 (EXCEPTING THAT PART OF SAID LOT 2 CONVEYED TO J.C. PENNY PROPERTIES INC., BY DEED DATED JUNE 26, 1997 AND RECORDED JULY 10, 1997 AS DOCUMENT NO. 3991225, DESCRIBED AS FOLLOWS):

COMMENCING AT THE NORTHEAST CORNER OF LOT 6 IN SAID HAWTHORN CENTER, BEING ALSO A CORNER OF SAID LOT 2; THENCE SOUTH 03 DEGREES, 53 MINUTES, 56 SECONDS WEST ALONG THE LINE BETWEEN SAID LOTS 2 AND 6, A DISTANCE OF 267.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 27 DEGREES, 41 SECONDS 04 MINUTES EAST, A DISTANCE OF 323.15 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 253.50 FEET; THENCE SOUTH 27 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 67.00 FEET; THENCE NORTH 27 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 88.36 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2; THENCE NORTHERLY ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING SEVEN (7) COURSES:

NORTH 27 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 47.02 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 81.08 FEET;
SOUTH 72 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 16.97 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 38.00 FEET;
NORTH 17 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 16.97 FEET;
NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 96.02 FEET;
NORTH 03 DEGREES, 53 MINUTES 56 SECONDS EAST, A DISTANCE OF 324.14 FEET
TO THE PLACE OF BEGINNING), IN LAKE COUNTY, ILLINOIS.

PERMANENT TAX NO.: 11-33-401-020

PARCEL 2:

LOT 7 IN HAWTHORN CENTER SUBDIVISION, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977, AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2, IN LAKE COUNTY, ILLINOIS.

PERMANENT TAX NO.: 11-33-401-004

PARCEL 3:

THAT PART OF LOT 6 IN HAWTHORN CENTER, BEING A SUBDIVISION OF PARTS OF SECTIONS 33 AND 34, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 19, 1977 AS DOCUMENT 1866654 IN BOOK 62 OF PLATS, PAGES 1 AND 2, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE SOUTH 00 DEGREE, 38 MINUTES, 22 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 6, A DISTANCE OF 354.00 FEET TO A CORNER OF SAID LOT 6, BEING ALSO THE NORTHWEST CORNER OF LOT 2 IN SAID HAWTHORN CENTER; THENCE EASTERLY ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING TWO (2) COURSES:

SOUTH 45 DEGREES, 08 MINUTES, 22 SECONDS EAST, A DISTANCE OF 172.78 FEET; SOUTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 515.00 FEET AN ARC DISTANCE OF 11.08 FEET TO THE POINT OF BEGINNING, THE CHORD OF SAID ARC, HAVING A LENGTH OF 11.08 FEET AND A BEARING OF SOUTH 46 DEGREES, 50 MINUTES, 36 SECONDS WEST; THENCE SOUTH 64 DEGREES, 58 MINUTES, 01 SECOND EAST, A DISTANCE OF 137.66 FEET; THENCE NORTH 05 DEGREES, 00 MINUTE, 07 SECONDS WEST, A DISTANCE OF 36.26 FEET; THENCE SOUTH 64 DEGREES, 58 MINUTES, 01 SECOND EAST, A DISTANCE OF 552.72 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 7.23 FEET TO A POINT OF COMPOUND CURVATURE, THE CHORD OF SAID ARC, HAVING A LENGTH OF 7.23 FEET AND BEARING OF SOUTH 04 DEGREES, 16 MINUTES 41 SECONDS WEST; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25.00 FEET, AN ARC DISTANCE OF 34.48 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 31.82 FEET AND A BEARING OF SOUTH 33 DEGREES, 10 MINUTES, 04 SECONDS EAST; THENCE SOUTH 72 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 31.06 FEET TO A POINT OF CURVATURE; THENCE EASTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 17.15 FEET AN ARC DISTANCE OF 13.47 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 13.13 FEET AND A BEARING OF NORTH 84 DEGREES, 48 MINUTES, 56 SECONDS EAST; THENCE NORTH 62 DEGREES, 18 MINUTES, 56 SECONDS EAST, A DISTANCE OF 60.14 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 6; THENCE ALONG THE LINE BETWEEN SAID LOTS 2 AND 6 THE FOLLOWING NINE (9) COURSES:

SOUTH 27 DEGREES, 41 MINUTES, 04 SECONDS EAST, A DISTANCE OF 24.60 FEET; SOUTH 62 DEGREES, 18 MINUTES, 56 SECONDS WEST, A DISTANCE OF 78.00 FEET; NORTH 72 DEGREES, 41 MINUTES, 04 SECONDS WEST, A DISTANCE OF 71.42 FEET; SOUTH 61 DEGREES, 47 MINUTES, 22 SECONDS WEST, A DISTANCE OF 56.74 FEET TO A POINT OF CURVATURE; WESTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 85.71 FEET AN ARC DISTANCE OF 43.42 FEET TO A POINT OF TANGENCY, THE CHORD OF SAID ARC, HAVING A LENGTH OF 42.96

FEET AND BEARING OF SOUTH 76 DEGREES 18 MINUTES, 08 SECONDS WEST;
NORTH 89 DEGREES, 11 MINUTES, 04 SECONDS WEST, A DISTANCE OF 38.41 FEET;
NORTH 03 DEGREES, 23 MINUTES, 23 SECONDS WEST, A DISTANCE OF 92.07 FEET;
NORTH 64 DEGREES, 58 MINUTES, 01 SECOND WEST, A DISTANCE OF 545.28 FEET;
NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST, HAVING A
RADIUS OF 515.00 FEET AN ARC DISTANCE OF 28.85 FEET TO THE PLACE OF
BEGINNING, THE CHORD OF SAID ARC, HAVING A LENGTH OF 28.85 FEET AND A
BEARING OF NORTH 44 DEGREES, 37 MINUTES, 19 SECONDS EAST, IN LAKE
COUNTY, ILLINOIS, AS CONVEYED BY QUIT CLAIM DEED DATED JUNE 26, 1997
AND RECORDED JULY 10, 1997 AS DOCUMENT NO. 3991224 FROM J.C. PENNEY
PROPERTIES, INC., A DELAWARE CORPORATION ("GRANTOR"), TO LASALLE
NATIONAL TRUST N.A., NOT PERSONALLY, BUT AS SUCCESSOR TRUSTEE UNDER
THAT CERTAIN TRUST AGREEMENT DATED MARCH 1, 1971 AND KNOWN AS
TRUST NO. 41999 ("GRANTEE").

PERMANENT TAX NO.: 11-33-401-019

EXHIBIT B

Planning and Zoning Commission Report

Funflatables, 122 Hawthorn Center, Suite 704

Planning and Zoning Commission
November 16, 2022
7:30 p.m.

I. Call to Order and Roll Call

DCD Jennings called the meeting to order at 7:30 PM.

Attendance: Commissioners Cotton, Hezner, Mulcrone, and Heidner. Chairman Morris gave prior notice that he would not be in attendance. A quorum was established.

Also attending: Andrew Jennings, Director of Community Development, and Recording Secretary Heavrin.

DCD Jennings called for a motion to appoint a Chairman Pro-Tem for the duration of the Planning and Zoning meeting.

Motion by Commissioner Hezner, second by Commissioner Cotton, to appoint Commissioner Heidner as Chairman Pro-Tem for the duration of the meeting.

Roll call vote:

AYES: 4 – Cotton, Hezner, Mulcrone, Heidner

NAYS: 0 – None

ABSENT AND NOT VOTING: 1 – Morris

Motion carried.

II. Public Hearing

Chairman Pro-Tem Heidner called for the opening of the following public hearing:

1. **Case #2022-014** being a petition filed by Debora Dorsey-Fleszewski, FunFlatables Fun Centers, Inc. 8423 w 102nd Ave, Saint John, IN 46373, requesting approval of a Special Use Permit to allow for a children's recreation and fitness facility on the property described below, in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Article 13, Section 13.3, Article 18, Article 21, Section 21.6.

Subject Property: 122 Hawthorn Center Unit 704, Vernon Hills, IL, 60061, zoning B-1, General Business District. Property is located within the Hawthorn Mall.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN
Debra Dorsey-Fleszewski,, dba FunFlatables Fun Centers Inc.

The petitioner detailed her request for a special use permit to allow for the operation of an indoor children's party facility featuring games and inflatables (bounce houses, obstacle courses, climbers, and slides). She indicated there would be three party rooms, a seating area for "open play" guests, seven inflatables, and a toddler play area.

Chairman Pro-Tem Heidner asked if all the FunFlatables Fun Centers are located in malls. The petitioner responded that all sites are located in malls, except three in strip malls in Indiana.

Commissioner Hezner inquired if the other sites were a franchise and the petitioner responded she is the sole owner of FunFlatables Fun Centers, LLC, however, she does have area managers, shift leads and on-site managers to assist.

Commissioner Cotton and the petitioner discussed the age groups and accommodating to special needs children. The petitioner said her centers accommodate special needs children, have special needs nights and train staff to recognize the “different abilities” and how to engage individuals. Commissioner Cotton asked about cleaning procedures and the petitioner responded that staff uses a commercial grade disinfectant at the end of the night for deep cleaning and a safe, non-abrasive product when people are present.

DCD Jennings noted the following conditions of approval in the draft motion from the Staff report:

1. The tenant buildout plan shall be reviewed by the fire department for egress requirements prior to occupancy; and
2. The configuration of restrooms shall be modified as needed to comply with the Illinois State Plumbing Code.

PUBLIC NOTICE

Public notices were sent out and no responses were received.

THE HEARING WAS OPENED FOR PUBLIC COMMENT

No one from the public spoke, therefore, public comment was closed by Chairman Pro-Tem Heidner.

Chairman Pro-Tem Heidner stated before the Commission that there is a standing motion to recommend approval. Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Cotton, to:

Recommend Approval of a Special Use for A Children’s Recreation Facility, for the property located at 122 Hawthorn Center, Suite 704, Vernon Hills, Illinois, as required by Section 13.3 (Special Uses in the B-1 District), Article 18 (Special Use Standards), and Section 21.6 (Special Use Procedures), as described in the application by Debra Dorsey-Fleszewski, dba FunFlatables Fun Centers Inc., received October 28, 2022, to be developed in accordance with the following plans and exhibits:

- Description of Type of Business
- Floor Plan

And with the following conditions of approval:

1. The tenant buildout plan shall be reviewed by the fire department for egress requirements prior to occupancy; and
2. The configuration of restrooms shall be modified as needed to comply with the Illinois State Plumbing Code.

Motion approved by a roll call vote (4-0, with 1 absent and 2 vacancies)

AYES: 4 –Hezner, Cotton, Mulcrone, Heidner

NAYS: 0 – None

ABSENT: 1- Morris

Motion approved.

The public hearing for Case 2022-014 was called to close by Chairman Pro-Tem Heidner, second by Commissioner Cotton, with a voice vote at 7:52 pm. DCD Jennings communicated the next approval steps to the petitioner.

Public Hearing: Case #2022-08 (Belle Tire, 1810 N. Milwaukee Avenue)

Chairman Pro-Tem Heidner called for the opening of the following second public hearing:

2. **Case #2022-008** being a petition filed by Christopher Enright, NCARB, Enright Architects, 628 E Parent Ave Suite 100, Royal Oak, MI 48067, on behalf of SJC Gregg's Landing LLC, property owner, requesting Approval of a Special Use for an Automobile Service Station, associated site plan, landscape plan, and build appearance approval, zoning variations, and signage variations, to facilitate construction of an automotive repair and service store on the property described, in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section Article 13, Section 13.3, Article 20, Section 21.5 and 21.6, and Chapter 19, Sign Code, Section 19.3.

Subject Property: 1810 N Milwaukee Ave, Vernon Hills, IL, 60061, zoning B-1, General Business District. Property is located north of the Aldi Food Store in the Shoppes of Gregg's Landing.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN

Brendan Ferro, Enright Architects

The petitioner is requesting a special use, and approvals of the associated site plan, landscape, and architectural plan to establish a retail tire store with installation and light repair service. The petitioner said there is no transmission work, no body work and all services are done professionally and orderly. He noted there are about 25 employees and open times are standard business hours. Mr. Ferro presented the renderings. He noted there are two prototype designs, a square and a rectangle, and that the Vernon Hills store would use the square model. Belle Tire maintains the building and site, and uses a specialized third party company for the flag.

Belle Tire takes pride on landscaping for each store. Plans include a mix of shade trees, deciduous shrubs, evergreen shrubs, decorative grasses, and perennials in the parking lot. The pond plantings include a mix of native plants and deciduous trees. The petitioner notified the Commissioners that the pond was discovered to have algae, therefore, Belle Tire will be installing aerators to address this issue. The plans include a retaining wall meant to mirror the Aldi retaining wall. Parking is on three sides. There is a masonry trash enclosure near the southwest entrance. The sidewalk along the west collector drive would be installed with the development.

The primary material is a face brick broken up by a soldier course, stone sills, and decorative vertical bump-outs. The building plans include a blue standing seam roof on the east and north elevations and above the entry tower. There is a 3.5' parapet that will screen rooftop mechanicals. There are 6 pole mounted lights in the parking lot with decorative sconces on the west and north elevations. The photometric plans comply with code.

Mr. Ferro stated that Belle Tire spoke with Staff regarding a condition of approval that the business does not agree with. He referred to Condition 3: "Work within the bays should be conducted with the doors closed." DCD Jennings said there is no objection to this request. The business is not immediately adjacent to residential and utilizes quieter electric tools instead of pneumatic wrenches.

Commissioner Mulcrone asked about the Sunday operating hours. DCD Jennings stated that the purpose of the condition was to allow flexibility to increase hours so that all weekdays could match.

Commissioner Mulcrone asked about the trash coral, inquiring if it could be located directly against the building. The petitioner noted that option can be tough for waste vehicles. Commissioner Hezner agreed, noting that the trucks pull straight up to the enclosure. Commissioner Mulcrone requested that the enclosure move slightly south, as shown on the landscape plan.

Commissioner Hezner asked about the truck sizes and the petitioner said they are sizes of semi-trucks with once a week deliveries and some smaller delivery trucks throughout the week. It was stated that the semi-trucks would come in off the Aldi side. DCD Jennings said the driveway is being modified for the truck turning radiuses. Commissioner Hezner expressed concerned on the 180 degree turns and impacting traffic. The petitioner explained it is not the intent for drivers to impact traffic and they would be leaving towards Gregg's Parkway. Chairman Pro-Tem Heidner asked the locations of the drops and the petitioner said they are on the south side.

The petitioner discussed the sign package that includes one monument sign, one directional sign, and four wall mounted signs. The petitioner is requesting to keep most of their signage on four sides and acknowledged the request is less signage than what Belle Tire normally would have. Commissioner Hezner summarized the understanding of the signage, mentioning they are on the east, north and then the Certified Auto Service sign is on the south. Commissioner Hezner

suggested two monument signs would be a much better option. Chairman Pro-Tem Heidner is concerned the signage positioning at the shared entrance with Aldi could be misleading. Commissioner Mulcrone said Belle Tire is justified to have signage on the west, where the majority of the customers would be coming into the property. Commissioner Hezner feels a smaller version of the 8 foot tall monument that could be on the northeast side and Commissioner Mulcrone agreed with this suggestion. Commissioner Hezner indicated that the prominent entrance off of Gregg's Parkway would have the monument sign and a smaller version be at the northeast entrance for that area of identification. Chairman Pro-Tem Heidner suggested that the variations could be separated into separate motions.

Commissioner Cotton voiced that the Tire Man logo is too large. She suggested that the Commission stipulate that the logo would not appear on the shopping center tenant panel sign. Commissioner Hezner stated that he found the signage on the building and the logos on the monument sign to be appropriate. He suggested that the monument sign be placed at both entrances, but that the north entrance sign be no taller than five or six feet.

Commissioner Mulcrone stated the scale of the signs on all faces of the building is appropriate. He would be in favor of adding the main sign on the south and west side to identify the business. Commissioner Hezner is pleased with the signage minus the directional sign..

Commissioner Hezner requested a discussion of the large American flag. The petitioner indicated that the Belle Tire signature flag is a 60 foot flag pole with a 20 foot by 30 foot flag. DCD Jennings agreed to check the code for site lighting hours.

Commissioner Cotton was concerned about the height and light on the flagpole. She stated that it may be visible to residents of Gregg's Landing. She does not feel it is necessary to vary from Vernon Hills standards.

Commissioners Cotton and Hezner provided recommendations on how to separate the motions related to the sign variations.

The Commissioners and DCD Jennings added that the retention pond responsibility needs to be specified within the motions. Mr. Ferro was not aware of whether the pond was intended to remain under Belle Tire's care. DCD Jennings stated that if there is a document that said otherwise, it should be provided to the Village.

Chairman Pro-Tem Heidner discussed the conditions of approval in the draft motion. He noted that the petitioner had provided testimony that Belle Tire does not store or advertise anything outside of their building. DCD Jennings clarified that two conditions of approval were meant to be suggestions for discussion and should be deleted. Chairman Pro-Tem Heidner asked the Commissioners if there were other questions to the petitioners. The Commissioners stated they were satisfied with responses and clarifications.

PUBLIC NOTICE

Public notices were sent out and no responses were received.

THE HEARING WAS OPENED FOR PUBLIC COMMENT

No one from the public spoke, therefore, public comment was closed by Chairman Pro-Tem Heidner.

The public comment portion of the hearing was called to close by Chairman Pro-Tem Heidner, second by Commissioner Hezner, with a voice vote at 8:52 pm.

Chairman Pro-Tem Heidner stated before the Commission that there is a standing motion to recommend approval. Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Cotton, to:

Make Findings of Fact and Recommend Approval of a Special Use for an Automobile Service Station, with associated site plan, landscape plan, and architectural approval, for the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 13.3 (Special Uses in the B-1 District), Article 18 (Special Use Standards), and Section 21.6 (Special Use Procedures), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022, in accordance with the following plans and exhibits:

- Introductory letter, Christopher Enright Architects, dated October 26, 2022
- Plan set by Christopher Enright Architects, last revised September 23, 2022
 - Civil engineering drawings (17 sheets)
 - Landscape Plan, site and pond area (5 sheets)
 - Photometric Plan
 - Sign plan
 - Floor Plan
 - Elevations (3 sheets, includes trash enclosure)
 - Building elevations (3 sheets)
 - Retaining wall plan (2 sheets)
 - Rendering

And with the following conditions of approval:

1. The petitioner and property owner agree to provide a 10' x 10' sign easement area in the future should the Village determine that the existing Village entrance sign must be relocated;
2. The hours of operation shall not exceed Monday-Friday 8:00AM to 8:00PM, and Saturday/Sunday 8:00AM to 5:00PM;
3. All materials and merchandise shall be stored indoors;
4. Advertising displays shall comply with the sign code;
5. The trash enclosure shall be moved south approximately five feet (5.0'); and
6. Trucks exiting the site shall not use westbound Gregg's Parkway.

Motion approved by a roll call vote (4-0, with 1 absent and 2 vacancies)

AYES: 4 –Hezner, Cotton, Mulcrone, Heidner

NAYS: 0 – None
ABSENT: 1- Morris
Motion approved.

Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Cotton, to:

Make Findings of Fact and Recommend Approval of the following variations from Appendix C, Zoning, and Resolution 96-06, Regional Planned Unit Development Regulations, for the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

1. Section 13.6, Yard Regulations in the B-1 District: to permit the garbage enclosure to encroach approximately nineteen feet (19.0') into the required forty foot (40.0') rear yard; and
2. Relief from the Requirements of Resolution 96-06, Regional Planned Unit Development (Exhibit F, Zoning), to reduce the required setback for parking from twelve feet (12.0') to five feet (5.0').

Motion approved by a roll call vote (4-0, with 1 absent and 2 vacancies)
AYES: 4 – Mulcrone, Cotton, Hezner, Heidner
NAYS: 0 – None
ABSENT: 1- Morris
Motion approved.

Chairman Pro-Tem Heidner referred to the earlier discussion of the separation of the draft sign variation motion into multiple motions. He stated that motions would be made for the proposed flag, monument signs, monument sign logos, wall signs, and wall sign logos.

Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Hezner, to:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, of the Vernon Hills Code, pertaining to a flag pole proposed on the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

- a. Section 19-5 Exemptions, Subsection 6: To permit a flag pole at a height of sixty feet (60.0'), exceeding the maximum of forty feet (40.0');
- b. Section 19-5 Exemptions, Subsection 6: To permit a flag of six hundred (600) square feet, exceeding the maximum of five hundred (500) square feet;

As illustrated on the following exhibits:

- Sheet A001, Sign Plan, Christopher Enright Architects, last revised July 8, 2022

- Sign Package, by Allen Industries, dated March 28, 2022

Motion approved by a roll call vote (3-1, with 1 absent and 2 vacancies)

AYES: 3 – Mulcrone, Hezner, Heidner

NAYS: 1 – Cotton

ABSENT: 1- Morris

Motion approved.

Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Cotton, to:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, of the Vernon Hills Code, pertaining to monument signs proposed on the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

- a. Section 19-3 Sign Standards by District, Subsection c7(b): To permit two ground-mounted signs at driveway entrances that are not on dedicated street frontages

As illustrated on the following exhibits:

- Sheet A001, Sign Plan, Christopher Enright Architects, last revised July 8, 2022
- Sign Package, by Allen Industries, dated March 28, 2022

And with the following conditions of approval:

1. The sign designated as Sign 5 “Standard Monument Sign” sign shall be located at the southwest entrance in lieu of Sign 6 “Lighted Directional Sign”; and
2. A reduced version of Sign 5 (scaled to 75% of the dimensions on the sign drawing) shall be located at the northeast entrance.

Motion approved by a roll call vote (4-0, with 1 absent and 2 vacancies)

AYES: 4 – Cotton, Mulcrone, Hezner, Heidner

NAYS: 0 – None

ABSENT: 1- Morris

Motion approved.

Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Cotton, to:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, of the Vernon Hills Code, pertaining to logos displayed on monument signs proposed on the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

- a. Section 19-3 Sign Standards by District, Subsection (c)4: To permit logos that exceed the height of the lettering and exceed the width of two letters.

Clarification discussion: A yes vote is a vote in favor of allowing a larger logo.

Motion approved by a roll call vote (3-1, with 1 absent and 2 vacancies)

AYES: 3 – Hezner, Cotton, Mulcrone

NAYS: 1 – Heidner

ABSENT: 1- Morris

Motion approved.

Chairman Pro-Tem Heidner made a motion, seconded by Commissioner Hezner, to:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, of the Vernon Hills Code, pertaining to wall signs proposed on the property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

- a. Section 19-3, Subsection (c)6b: To permit wall signs of equal size on three frontages (north, south, and east), while the code restricts the maximum sign area to one frontage

And with the following conditions of approval:

1. The south elevation sign shall match the design of the north and east elevation signs, in lieu of the proposed “certified auto service” sign

Discussion of the motion: Commissioner Cotton feels having one sign smaller would not look appropriate. The petitioner confirmed that the north sign could be placed on the south elevation. Earlier sign packages had the additional identification sign, and the sign company had removed it at staff’s request. Commissioner Mulcrone feels the signs will appear proportional due to the distance from the street and size of the building. He feels the name of the company should be shown in its entirety. No change was suggested to the original motion.

Motion approved by a roll call vote (3-1, with 1 absent and 2 vacancies)

AYES: 3 – Mulcrone, Hezner, Cotton

NAYS: 1 – Heidner

ABSENT: 1- Morris

Motion approved.

Chairman pro-tem Heidner made a motion, seconded by Commissioner Mulcrone, to:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, of the Vernon Hills Code, pertaining to logos displayed on wall signs proposed on the

property located at 1810 Milwaukee Avenue, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by Enright Architects, on behalf of Belle Tire, dated October 26, 2022:

- a. Section 19-3 Sign Standards by District, Subsection (c)4: To permit logos that exceed the height of the lettering and exceed the width of two letters.

Motion failed by a roll call vote (2-2, with 1 absent and 2 vacancies)

AYES: 2 – Mulcrone, Hezner

NAYS: 2 – Cotton, Heidner

ABSENT: 1- Morris

Motion did not pass.

DCD Jennings communicated to the petitioner the next steps of going to the Village Board within the Committee of the Whole Meeting.

III. Approval of the October 12, 2022 Planning & Zoning Commission minutes

Chairman Pro-Tem Heidner motioned, second by Commissioner Mulcrone to approve the minutes of the October 12, 2022 Planning & Zoning meeting.

All in favor vote.

Motion was unanimously approved.

IV. Development Review

DCD Jennings updated the Commissioners on the following items.

- The Village Board approved special use for a Montessori School located at 536 Atrium.
- The Village Board approved the steakhouse at the Hawthorn Mall outlot. The business was identified as Perry's Steakhouse in a press release this morning.
- Urban Air Indoor Amusement Park will be on the next Planning and Zoning Agenda scheduled for November 30, 2022.
- Chick-Fil-A will be on the December 14th Planning and Zoning Agenda for drive-through reconfigurations with canopies.

V. General Public Comments

There were no comments.

VI. Adjournment

With no further items on the agenda, Chairman Pro-Tem Heidner motioned, second by Commissioner Hezner, to adjourn the meeting.

All in favor vote.
Motion was unanimously approved.

The meeting adjourned at 9:22 PM.

Respectfully submitted,

Andrew Jennings
Director of Community Development

Distribution:
President and Board of Trustees
Village Manager/Village Clerk
Commission Members

11.30.22
Approval Date


Chairman Pro-Tem Heidner


Secretary Mulcrone

EXHIBIT C

Plans and Exhibits

Funflatables, 122 Hawthorn Center, Suite 704

DESCRIPTION OF TYPE OF BUSINESS

ABOUT

FunFlatables' Party-n-Play centers are your #1 family entertainment center for indoor, climate-controlled, all-occasion parties and FUN. FunFlatables offers unique, year-round, soft inflatable playgrounds where the whole family can have continuous FUN Jumping, Bouncing, Climbing, Snaking through Obstacles and Soaring down Slides!

FunFlatables offers boundless inflatable play structures featuring bouncers, obstacle courses, climbers and slides, as well as toddler and arcade play. At FunFlatables, kids are physically and mentally engaged with age-appropriate play. There are plenty of twists and turns in our inflatables, challenging kids' bodies and minds while providing ultimate entertainment and building strength through exercise!

Keeping your kids active and fit by burning their endless energy has never been more FUN! Kid's imaginations are sure to be unleashed through our themed inflatables! FunFlatables is a true place that brings out the "KID" in all ages, even Parents! Yes, Parents can bounce and slide for FREE with their child! So, make FunFlatables your fundamental family entertainment source!

FunFlatables specializes in BIRTHDAY PARTIES, FIELD TRIPS and OPEN PLAY. FunFlatables is also host to All-Occasion Parties (Sports Teams, Youth Groups, Scouts) and FUNDRAISERS—We give back! In addition to inflatables, our facilities also feature Totland areas for the littlest members of the family—climbers, a variety of crawl-throughs and slides.

HOURS OF OPERATION

Monday-Saturday: 12:00pm – 7:00pm

Sunday: 12:00pm – 6:00pm

STAFFING

FunFlatables is staffed with responsible, friendly and fun individuals that are trained to ensure your entire family has a safe and fun experience. FunFlatables' staff members keep the facilities cleaned, sanitized and disinfected for your safety. FunFlatables' staff members also supervisor and monitor the play areas to ensure safety rules are being enforced and that at least one parent and/or guardian remains in the facility with the children at all times. FunFlatables will employ approximately 8-10 employees. FunFlatables will staff 2-6 employees during our busier hours of operation, the more parties booked, the more staffing required.

SAFETY RULES

To participate in playing on FunFlatables' play equipment, all participants must follow our safety rules listed below.

NO shoes or bare feet.

NO eyeglasses or sharp objects.

NO drinks, food, candy or gum.

NO jumping from the top of the slide.

NO flips, piling on or wrestling with other participants.

MUST sit at the top of the slide before sliding down.

MUST slide down all slides feet first and exit immediately.

DO NOT climb up the slide, steps must be used.

DO NOT bounce against or climb on the side walls.

DO NOT bounce near the entrance/exit.

EXIT IMMEDIATELY if inflatable begins to lose air.

NOTE: To maintain a safe play environment for all participants, any participant not obeying our safety rules may be asked to leave with no refund.

OTHER SAFETY MEASURES IMPLEMENTED

- FunFlatables is not a drop-off, at least 1 Parent and/or Guardian must remain with all child(ren), ages 17 and under, at all times.
- Adults are not allowed into FunFlatables without a paying child.
- Video Surveillance monitors are placed throughout the facility and at each Entrance and Exit doors.
- All support columns are wrapped with padding.
- Inflatables are anchored to the floor.
- Staff at FunFlatables supervise the play areas to ensure kids are obeying our safety rules.

FunFlatables has been in business for 15 years, offering multiple locations throughout Illinois and Northwest Indiana. Please feel free to view our website for additional information: www.funflatables.org

NOTE: the red lines indicate fence partitions

