

ORDINANCE NO. 2004 - 117

AN ORDINANCE GRANTING SPECIAL USE PERMIT APPROVAL TO ALLOW A CHILDREN'S RECREATION FACILITY KNOWN AS "PUMP IT UP PARTY ZONE" ON PROPERTY LOCATED AT 500 NORTH FAIRWAY DRIVE IN THE CONTINENTAL EXECUTIVE PARK IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

WHEREAS, James Heidbreder of Heidbreder Building Group. LLC, in regard to 500 North Fairway Drive in the Continental Executive Park, said property legally described in Exhibit A, has petitioned the Village of Vernon Hills to grant approval of a special use permit to allow a children's recreation facility at the proposed location.

WHEREAS, said approval will allow "Pump It Up Party Zone" to operate at the proposed location; and

WHEREAS, upon due notice and after a public hearing held November 10, 2004, the Planning and Zoning Commission of the Village of Vernon Hills, pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition and recommended approval of the special use permit to allow a children's recreation facility known as "Pump It Up Party Zone" to operate as a special use at the proposed location, subject to certain conditions; and

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 addresses the conditions in Section 18.3.

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 a children's recreation facility known as "Pump It Up Party Zone", to operate as a special use at the proposed location as described in Exhibit A, is hereby granted, subject to the following conditions:

- a. Compliance with the letter from James E. Heidbreder, Senior Project Manager from Heidbreder Building Group, LLC to Roger Byrne dated October 7, 2004.
- b. Compliance with the floor plans prepared by TMA consisting of 1 page with a date of 10/6/04.
- c. Compliance with all ordinances and standards of the Village except as may otherwise be provided.
- d. The operator shall insure that, at all times that activities are ongoing, that one staff member trained in First Aid, CPR and certified in the use of an AED unit will be present in the building. Said certifications shall always be kept current.

- e. The operator shall have at least one AED (Automatic External Defibrillator) device in the building at all times along.

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

SECTION III. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

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

SECTION V. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2004-117.

Adopted by roll call vote as follows:

AYES: 4-Koch, Marquardt, Schwartz, Byrne

NAYS: 0-None

ABSENT AND NOT VOTING: 3-Duros, Hebda, Williams

Roger L. Byrne, Village President

PASSED: 12/21/2004

APPROVED: 12/21/2004

PUBLISHED IN PAMPHLET FORM: 12/22/2004

ATTEST:

Holly Udesky, Village Clerk