

**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
VILLAGE OF VERNON HILLS  
JUNE 19, 2018**

President Byrne called the meeting to order at 8:21 p.m.

IN ATTENDANCE: President Byrne, Trustees Koch, Hebda, Marquardt, Oppenheim, and Schultz. Trustee Takaoka was absent. A quorum was established.

Also present were: Village Manager Fleischhauer, Assistant Village Manager Carey, Building Commissioner Atkinson, Chief Kreis, Commander Williams, Public Works Director Brown, Attorney Hunt, and Recording Secretary Fischbach.

**1. APPROVAL OF COMMITTEE OF THE WHOLE MEETING MINUTES OF JUNE 5, 2018**

Motion by Trustee Hebda, second by Trustee Marquardt, to approve Committee of the Whole Minutes for the June 5, 2018 meeting.

Roll call vote:

AYES: 5 – Koch, Marquardt, Hebda, Schultz, Oppenheim

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 - Takaoka

Motion carried.

**2. REQUEST FROM REGENCY CENTERS FOR APPROVAL TO AMEND THE MELLODY FARM SPECIAL USE PERMIT, WAIVING CERTAIN SEPARATION REQUIREMENTS FOR MASSAGE ESTABLISHMENTS (BC ATKINSON)**

Representatives from Regency Centers and Massage Envy will appear before the Committee to request an amendment to Ordinance 2016-045, approving a Special use Permit for a Planned Unit Development for Melody Farm (Massage Envy would be located in Building "E" as shown on the attached site plan). The request will be to waive the separation requirements as set forth in Section 10-122 of the Code of Ordinances pertaining to massage establishments. The requested waivers include:

- 10-122(2), allowing a massage establishment to be located within 1000 feet of a residential building; and
- 10-122(3), allowing a massage establishment to be located within 300 feet of a business that is licensed to sell alcoholic beverages.

Ordinance 2016-045 granted approval of a Special Use Permit authorizing a Planned Unit Development for this property. In your deliberations, the COW needs to determine if waiving separation requirements for massage establishments changes the concept or intent of the PUD. If the COW feels the waivers are substantial and change the concept or intent of the PUD, then the matter should be referred back to the Planning and Zoning Commission for further consideration and reopening of the public hearing to amend the PUD. If the COW feels the changes are minor and support the overall intent of the PUD, then it would be appropriate to recommend an amendment of the approved ordinance.

Staff, in reviewing the request, feels that waiving the separation requirements for massage establishments does support the intent and concept of the PUD. Massage Envy is a permitted use within the subject zoning classification (B-1, General Business District), and would otherwise comply with all other requirements for massage establishments. We are supportive of the request.

If the COW feels the changes are appropriate, it is recommended that staff be directed to prepare an ordinance amending Ordinance 2016-045, waiving separation requirements for massage establishments as set forth in Section 10-122(2) and (3) of the Vernon Hills' Code of Ordinances.

Motion by Trustee Hebda, second by Trustee Marquardt, to direct staff prepare an ordinance amending Ordinance 2016-045, waiving separation requirements for massage establishments as set forth in Section 10-122(2) and (3) of the Vernon Hills' Code of Ordinances.

Roll call vote:

AYES: 1 - Hebda –

NAYS: 4 – Schultz, Marquardt, Koch, Oppenheim

ABSENT AND NOT VOTING: 1 - Takaoka

Motion failed.

**3. REQUEST FROM THE VERNON HILLS LIONS CLUB, TO OPERATE AN OUTDOOR SPECIAL EVENT FOR THE KELLY MILLER CIRCUS AT AMERICAN HOTEL REGISTER, 100 S. MILWAUKEE (BC ATKINSON)**

John Blackburn, representing the Vernon Hills Lions Club, appeared before the Committee of the Whole to request approval of an outdoor special event for the Kelly Miller Circus. Entertainment includes trapeze artists, magic, comedy, highflying swings and similar acts. The event would also include concessions. There will be no animals performing in the circus or any animal rides of any kind. Proceeds will support the Vernon Hills Lions Club.

The circus would be staged on the American Hotel Register parking lot (west of the building). Customer parking would be provided to the east and north. The event would take place from Friday, September 7, 2018 through Sunday, September 9, 2018. Show times would be Friday 5:00 and 8:00 PM; Saturday 2:00, 5:30 and 8:00 PM; and Sunday 2:00, 5:00 and 8:00 PM. A license would be obtained from the Lake County Health Department in accordance with their requirements.

Section 16.7.6 of the Zoning Code authorizes the Village Board to approve outdoor uses within the BP, Business Park District.

The special event application along with a site plan was attached to the packet.

If the Board feels that the temporary use is appropriate, staff should be directed to prepare a Resolution approving the special event subject to the following conditions:

1. The special event will take place from Friday, September 7, 2018 through Sunday, September 9, 2018.
2. Show times would be Friday 5:00 and 8:00 PM; Saturday 2:00, 5:30 and 8:00 PM; and Sunday 2:00, 5:00 and 8:00 PM.
3. The Village reserves the right to require the Kelly Miller Circus to hire two (2) off duty Vernon Hills' police officers to be on site during the operating hours of the circus. The Kelly Miller Circus shall be responsible to pay the cost of the officers at a rate determined by the Village.
4. Compliance with the application and site plan dated June 6, 2018.
5. Garbage receptacles shall be provided and the general vicinity shall be cleaned immediately following each day of the event.

Motion by Trustee Marquardt, second by Trustee Oppenheim, to direct staff prepare a Resolution approving the special event subject to the above conditions

Roll call vote:

AYES: 4 – Marquardt, Oppenheim, Hebda, Schultz

PRESENT: 1 - Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 - Takaoka

Motion carried.

**4. PANDA EXPRESS– CONCEPT PRESENTATION FOR A SPECIAL USE PERMIT TO ALLOW A PANDA EXPRESS RESTAURANT WITH DRIVE-THRU AT HAWTHORN VILLAGE COMMONS (AVM CAREY)**

**PULLED FROM THE AGENDA**

**5. ADJOURNMENT**

Motion by Trustee Hebda, second by Trustee Marquardt, to adjourn the Committee of the Whole.

Roll call vote:

AYES: 5 - Oppenheim, Hebda, Schultz, Marquardt, Koch

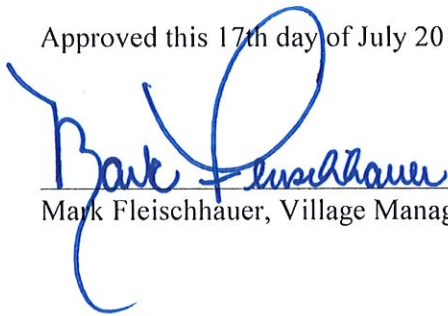
NAYS: 0 - None

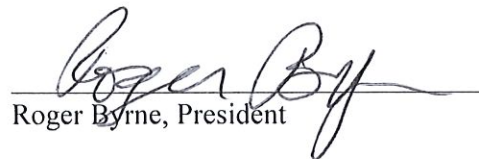
ABSENT AND NOT VOTING: 1 - Takaoka

Motion carried.

Meeting adjourned 8:05 p.m.

Approved this 17th day of July 2018

  
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Mark Fleischhauer, Village Manager

  
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Roger Byrne, President