

**VILLAGE OF VERNON HILLS  
ORDINANCE 2024-105**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SWIM SCHOOL  
TO BE LOCATED AT 310 FAIRWAY DRIVE**

**WHEREAS**, the Village of Vernon Hills received a petition by VHVG Invest LLC, contract purchaser, requesting approval of a Special Use in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section 16.3, Special Uses in the BP District, and Article 18, Special Use Requirements, to operate a swim school within the BP District., at 300 Fairway Drive legally described herein; and

**WHEREAS**, the petition includes applications for a variation, an additional Special Use, and Site Plan, Landscape Plan, and Architectural Plan Approval to be considered under separate ordinances; and

**WHEREAS**, the Planning and Zoning Commission of the Village of Vernon Hills conducted a public hearing, duly noticed, on July 10, 2024; and

**WHEREAS**, the Commission, after consideration of the materials and testimony provided by the petitioner, has filed a report recommending approval of the petition, subject to conditions, as described in Exhibit A (Planning and Zoning Commission report); and

**WHEREAS**, the Committee of the Whole, having considered the Planning and Zoning Commission report and recommendation at its meeting on July 23, 2024, found that sufficient facts were presented which, in its judgment, would justify approval of the Special Use 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. INCORPORATION** The above listed recitals are incorporated into and made part of this Ordinance.

**SECTION 2. SPECIAL USE.** The Special Use Permit to facilitate the operation of a swim school, pursuant to Article 18 and Section 21.6 of Appendix C, Zoning, of Village of Vernon Hills Code, on the property commonly known as 310 Fairway Drive, zoned BP (Business Park District), address to be assigned, and legally described in Section 3 of this Ordinance, is hereby approved.

**SECTION 3. LEGAL DESCRIPTION.** The Special Use Permit granted in Section 2 of this ordinance shall apply to the property legally described below:

LOTS 93 THROUGH 103 INCLUSIVE, IN CONTINENTAL EXECUTIVE PARKE - PHASE II, BEING A SUBDIVISION IN PART OF SECTION 4, TOGETHER WITH PARTS OF THE SOUTHWEST ¼ OF SECTION 3, THE NORHTWEST QUARTER OF SECTION 10, AND THE NORTHEAST ¼ OF SECTION 9, ALL IN TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1992 AS DOCUMENT 3173978, IN LAKE COUNTY, ILLINOIS.

PIN: 15-04-303-130 through 15-04-303-140 (11 total, roughly 3.72 acres)

**SECTION 4. PLANS REFERENCED.** The Special Use granted in Section 2 of this Ordinance shall be operated as described in the application by VHVG Inc. LLC, dated July 1, 2024, to be developed in accordance with the site plan, landscape plan, and architectural plan approval as shown in Ordinance 2024-106, which includes the following plans and exhibits:

- Comprehensive Narrative, Proposed Kiddie Academy and Swim School
- Engineering Plans, Manhard Consulting, last revised June 21, 2024 (15 sheets)
- Landscape Plan, Manhard Consulting, dated March 29, 2024 (4 sheets)
- Plant Image Board, Manhard Consulting, dated March 29, 2024
- Floor Plan for Swim School (sheet A1), Camburas and Theodore, dated July 1, 2024
- Elevations for Swim School (sheet A2), Camburas and Theodore, dated July 1, 2024
- Site Features for Swim School (sheet A3), Camburas and Theodore, dated July 1, 2024
- Sight Line Diagram for Swim School (sheet A4), Camburas and Theodore, dated July 1, 2024
- Photometric plan and fixture details, Chicago Lightworks dated May 17, 2024

**SECTION 5. CONDITIONS** The site plan and appearance approval granted in Section 2 of this ordinance is subject to the following conditions:

1. Swim school capacity shall be limited to 60 students at a time, with the parking stalls immediately adjacent to the west building dedicated for swim school drop off and pickup.

**SECTION 6. 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 7. 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 8. 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.

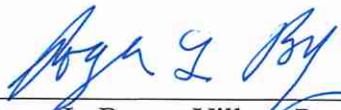
**SECTION 9. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

**SECTION 10. ORDINANCE NUMBER.** This ordinance shall be known as Ordinance Number 2024-105.

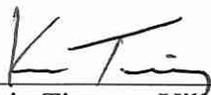
Adopted by roll call vote as follows:

*[SIGNATURES TO FOLLOW]*

AYES: 6 – Oppenheim, Marquardt, Forster, Schenk, Koch, Byrne  
NAYS: 0 - None  
ABSENT AND NOT VOTING: 1 - Takaoka

  
\_\_\_\_\_  
Roger L. Byrne, Village President

PASSED: 08/13/2024  
APPROVED: 08/13/2024  
ATTEST: 08/13/2024

  
\_\_\_\_\_  
Kevin Timony, Village Clerk



**EXHIBIT A**

**Planning and Zoning Commission Report**

**Special Use for a Swim School**

**310 Fairway Drive**

**Planning and Zoning Commission – Meeting Minutes**  
**July 10, 2024 - 7:30 p.m.**

**I. Call to Order and Roll Call**

Chairman Morris called the meeting to order at 7:30 PM.

Attendance: Chairman Morris, and Commissioners Cotton, Fluno, Heidner, Lis, and Nabat were present. Commissioner Smith had given prior notice of his absence.

Also attending: Andrew Jennings, Director of Community Development.

**II. General Public Comment**

No one from the public came forward to speak.

**III. Items for Review**

Chairman Morris called for the opening of the following public hearing:

1. Public Hearing for Case #2024-06. A petition filed by VHVG Invest LLC, contract purchaser, requesting the following actions: (1) Approval of a Special Use to operate a daycare facility within the BP District; (2) Approval of a Special Use to operate a Sports Complex within the BP District; and (3) Variations from Article 16, BP District, and Ordinance 639, Continental Executive Parke Regional Planned Unit Development Regulations, in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section 16.3, Special Uses in the BP District, Section 18.3 (Special Uses), Section 21.5 (Variations), and associated site plan and appearance approval per Chapter 16 of the Village Code.

Subject Property: 300 Fairway Drive zoned BP, Business Park District

**ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN**

Kimberly Klawans (Manhard Consulting, project engineer), Jenna Albers (Kiddie Academy corporate), Nick Underwood (Camburas & Theodore Ltd., architect), Vic Gulati (VHVG Invest and daycare franchisee), and Preeti Gulati (VHVG Invest and daycare franchisee), were present and sworn in.

Ms. Klawans provided a summary of the site plan. The subject site is a 3.72 acre property and they are proposing to develop on 2.33 acres. The remaining area is existing flood plain and wetland, with natural features to be preserved. To preserve these features they are requesting a variance for the 2-building site plan. The west building is a 10,000 sq ft swim school with a 31 ft setback from the north property – a variance of four feet. The south building is a 11,000 sq ft daycare building. They are requesting special uses for both buildings. The buildings will share a common parking lot, with a one-way entrance on the north drive and one-way exit on the south.

The parking lot has 81 stalls, which exceeds the requirement for the two uses. They are using a parking study by Kiddie Academy to estimate required parking since there is no specific requirement in the code. They estimate 22 stalls will be required for the daycare. They estimate they will need 50 for the swim school based on the general requirement of 1 stall per 200 sq ft in the code.

Ms. Klawans referred to the utility plan and noted that water and sewer are available in Fairway Drive. She referred to the landscape plan image board. She noted that they will agree to shift the trees in the parking lot islands to separate them from the light poles as suggested in the staff report. She referred to the photometric plan and light fixture styles.

Mr. Underwood reviewed the floor plan. There are doors for egress on all sides of the building. There is a lobby in the front with glazing facing the parking lot. He referred to the Kiddie Academy elevations. They selected a full depth brick and have samples of both brick colors for the Commission to review. They have a natural Wisconsin quarry stone that will be used around the main entrance to draw attention to the lobby. The building has flat metal feature on the roof to blend modern and contemporary styles.

He reviewed the swim school floor plan and elevations. The building would have the same materials as the daycare, with as many windows as possible in the front.

Ms. Albers provided background on Kiddie Academy. They are an educational childcare provider. Each location is independently owned and operated. There are nearly 330 locations across 40 states. They have 25 locations in the Chicago area. The closest are Hawthorn Woods, Arlington Heights, and Grayslake. She explained that they analyzed demand for childcare in the immediate area, with an estimated 1,623 students that can't be accommodated by the existing daycares. The proposed Kiddie Academy can accommodate 145 children.

Kiddie Academy does not permit locations to operate on nights or weekends. Pick up and drop off are on a staggered schedule. They do not allow a drop off line. They will offer care for infants through 5 years old. Access to the building is controlled with a passcode and monitored by staff. There is a fence around the playground. All exterior doors and gates are alarmed, and there are security cameras inside and outside the building.

Mr. Gulati described the swim school operation. They view it as a complementary use with similar clientele. The majority of the hours will be on weekends when the daycare is closed. While it would start a 4 pm on weekdays, most parents prefer the later slots. The schools would cater to beginners, intermediate level, and advanced swimmers.

Mr. Gulati explained that the two uses benefit the community by providing educational and recreational opportunities in one location. He expects some families will use both the daycare and swim school. He reviewed other benefits in terms of safety, general health, convenience, and providing jobs.

Chairman Morris asked the petitioner to explain the roles. Mr. Gulati explained that VHVG is the developer for the whole site. The daycare operators would be KA Vernon Hills.

Chairman Morris asked how the speculative swim school would work. Mr. Gulati said that they are basing the operation on discussions with nationally accredited swim schools. The proposed hours are typical for the swim schools they spoke with.

Chairman Morris asked whether they had considered a subdivision with two lots. Mr. Gulati said that it was his understanding that it would not have been permitted. Chairman Morris noted that they are requesting a variance anyway. Mr. Gulati explained that there were benefits, such as shared parking and common management.

Chairman Morris asked how they planned to keep the site unified in the future, and Mr. Gulati stated that the goal was to retain ownership. Chairman Morris asked whether there would be deed restrictions. Mr. Gulati explained that he thought it made more sense to keep the ownership together and not sell the swim school. Chairman Morris asked how the petitioner could ensure common ownership. Mr. Gulati said that they have operated other daycares for 12 years and intend to operate this one as well. He agreed that they could look at deed restrictions. Chairman Morris expressed concern that they may be tempted to sell in the future, and Mr. Gulati said that they could look at some type of CC&Rs (covenants, conditions and restrictions). The thought of selling had never crossed their minds.

Commissioner Heidner asked for more detail on the lot. Mr. Gulati confirmed that it has been vacant for years. The facilities to the north and south are light manufacturing. Commissioner Heidner asked about the traffic flow, and Ms. Klawans stated that only the driveways would be one-way. The aisles in the lot would be two-way.

Commissioner Heidner asked for additional detail on the daycare drop offs. Ms. Albers said that they have 10-minute intervals for parents to park, check in, and leave.

Commissioner Heidner asked whether they plan signage. Ms. Albers stated that they have brand standards and would get into the details once they engage a sign company. The sign vendor would handle the permitting.

Commissioner Heidner asked about the trees to be relocated. Ms. Klawans explained that the trees in the islands would be moved north away from the lights.

Commissioner Fluno asked about employee parking. Ms. Albers said they encourage owners to have employees park away from the entrance to reserve convenient spots for parents. Ms. Gulati explained that they train employees to keep the first two rows clear because parents have strollers and other things.

Commissioner Fluno asked how they would manage parking during the overlap in hours. Mr. Gulati stated that they are complementary uses, and Ms. Albers added that a third of households have two children at the daycare.

Commissioner Nabat asked about carpooling. Ms. Albers said that is not discouraged, and Ms. Gulati stated that the security plan would require prior notice if a different person is dropping off a child.

Commissioner Cotton asked how many existing trees would be removed. Ms. Klawans explained that the west and south sides of the site would remain as-is. Trees would be removed from the north and east. They would add trees in those locations. She confirmed that the larger circles on the plan were new trees.

Commissioner Cotton noted that there were several daycare facilities missing from the table for the analysis of unmet demand, such as the Montessori school on Phillips, the CDW daycare, and others. The demand over 1600 is grossly exaggerated. Ms. Albers explained that the data comes from the census and the facilities are from the Kiddie Academy real estate team. They talk to competitors, and the facilities on the list were mostly at capacity.

Commissioner Nabat asked if there would be half-day programs. Ms. Albers stated that it was difficult to manage logistically. Mr. Gulati said they focus on full time and places like the park district may do better with part time options. Those facilities don't provide options for infants and younger toddlers though.

Commissioner Nabat asked if they were including other communities, and Ms. Albers said the data was from a 3-mile radius. Commissioner Nabat asked if they would allow 3 days per week, and Ms. Albers said that it would be full day but flexible on the number of days.

Commissioner Cotton referred to the material samples, and stated that the brick samples don't have the same contrast as the elevations. The stone is also different in real life; it is almost monotone. Mr. Underwood explained that the samples don't do a great job of showing how the building will look. Commissioner Cotton was not in favor of the materials as proposed.

Mr. Underwood explained that the stone will have more variation in the field. They have used the stone on other buildings and can provide pictures.

Commissioner Fluno asked how the mortar would be handled. Mr. Underwood explained the mortar would match the bricks to enhance the contrast. Commissioner Fluno agreed with Commissioner Cotton that there should be more contrast with the darker brick. He likes the use of natural stone but would like to see more of it. It's only two small spots on the swim school. Mr. Underwood said there were opportunities to add stone at the corners.

Commissioner Cotton agreed more stone would help but she'd like to see a different stone.

Chairman Morris asked for the sample of the other material. Mr. Underwood said that it is a smooth architectural cast stone that mimics limestone.

Chairman Morris asked about signage. Mr. Underwood said it mimic a brick or natural stone base with a backlit sign. Ms. Albers explained that it would usually be after the civil plans are approved. The brand is a two-pillar design with an illuminated sign.

Chairman Morris noted that the proposal is a unified development and the sign is only for one user. Mr. Gulati was unsure of the terminology but intended for both users to have space on the sign. Director Jennings explained that they would need to return if anything required a variation. He suggested a condition of approval similar to the one for the trash enclosure that refers to matching the building. The code doesn't require the sign to be designed for site plan approval; it might need a variation in the future though.

Commissioner Fluno referred to the landscape plan and asked why they weren't including evergreens. Ms. Klawans said that the landscape architect used plants that he thought would be the best fit but they are open to changing it. She agreed to pass the suggestion to the designer. Commissioner Fluno suggested a tree to replace the northern pin oak [note – this was later corrected to red oak in the discussion of the motion].

Commissioner Fluno asked about snow removal. Ms. Klawans stated that snow would be in the islands and unused corner parking stalls. Commissioner Fluno suggested shifting the hedge in the east island to allow for snow removal.

Commissioner Heidner asked the petitioner to review the rationale for the variation. Ms. Klawans said that a 2-building development is most viable from the owner's perspective. With 1.4 acres undevelopable due to the location of the flood plain and wetlands, they need a 4 foot reduction in the setback to prevent the buildings from overlapping.

Commissioner Nabat asked whether the playground would be fenced. Ms. Albers confirmed that it would be.

Commissioner Lis asked whether the floodplain touched the playground. Ms. Klawans said that they would get very close to it, but would grade down at a steep slope. The playground itself would have a gradual slope of 2-3%. Ms. Gulati added that part of the playground would be natural with a garden to teach horticulture.

Chairman Morris asked if the playground slope would be ADA complaint, and Ms. Klawans confirmed that it would be.

Chairman Morris referred to the parking lot configuration. He thought that people would be likely to make an immediate left. He asked why the whole lot wasn't a one-way loop. Ms. Klawans stated that the driveways were wide for truck access, and the main issue for drop off and pick up is to separate incoming and exiting vehicles.

Chairman Morris asked for the parking stall dimensions. Ms. Klawans stated that they are 9 ft. Chairman Morris said that he is opposed to 9 ft spaces; he recognizes that they are permitted but

believes that the code should be changed to reflect increases in vehicle size. He added that they would be better off with a full one-way lot to reduce points of conflict.

Chairman Morris asked why the daycare operator wasn't present. Mr. Gulati explained that VHVG is the developer for the whole site. He and his wife would also be the daycare operators, as KA Vernon Hills. Chairman Morris asked for a description of their background in daycare operations. Ms. Gulati said that she worked in a school district for over 12 years. For the last 10 plus years she has run Kiddie Academy, starting with Arlington Heights and then adding Mount Prospect. They have wait lists, and were named national brand champion last year. She added that they have wonderful teams. Her director was named director of the year nationally. She has a master's and a specialist degree.

Commissioner Cotton asked whether she would operate from Vernon Hills. Ms. Gulati said that she lives in Vernon Hills, and is at her schools every day.

Mr. Gulati said that his background is different, but he has been involved with Kiddie Academy for 12-13 years. His background is in technology and finance, and was the Chief Technology Officer of a Fortune 500 company until recently. He left that position to commit to this project. He brings experience in technology, security, and management.

Chairman Morris asked Director Jennings whether the special use would be specific to VHVG with operation by KA Vernon Hills. Director Jennings stated that the code doesn't require the entity to be defined, but they could recommend it if there is a concern about how the use is operated. The daycare special use is the second motion and the condition could be added.

Ms. Albers noted that the franchise agreements are for 25 years. They actively monitor operators because the brand name is on the facility. Chairman Morris asked if they could retire and be replaced, and Ms. Albers said that the franchise agreement would prohibit that.

Commissioner Heidner asked if the suggestion to switch to a one-way parking lot would eliminate the need for a variance. Ms. Klawans said they would still need the variance because the building footprint would be the same.

In response to a question from Commissioner Fluno, Ms. Klawans explained that there would be signage in addition to the pavement markings to indicate the one-way flow of the driveways.

#### **PUBLIC NOTICE**

Chairman Morris noted that public notice requirements had been met as listed in the staff report, and asked if any comments had been received. Director Jennings stated that the owner to the north called to ask about the variance request. No written objections were received.

Commissioner Heidner asked if the petitioner had reviewed the staff comments, and in particular whether the rooftop mechanicals were screened. Mr. Underwood said that the roof behind the

parapet has been lowered so that the parapet is now 4-5 ft tall. The roof top units would be centered.

Commissioner Heidner asked if there would be dedicated stalls for the swim school. Mr. Gulati said that the stalls in front of each building could be dedicated to the use at certain times.

Commissioner Heidner referred to the trash enclosure design. Director Jennings said that in addition to the appearance, staff recommends sturdy doors and separate supports for long term maintenance. Mr. Underwood agreed; they have a bollard with a clasp for the gate hinge.

Commissioner Fluno asked if the wall would have a cap, and Mr. Underwood said that it would.

Chairman Morris asked if the trash enclosure would be for both buildings. Ms. Klawans said that it would be oversized for the daycare so it could be used by both. They could lose 2 parking stalls if the swim school needs a separate enclosure. Director Jennings said that staff is not concerned because the swim school wouldn't produce a high volume of trash.

Director Jennings asked for confirmation of the style and location of the fence. Ms. Albers indicated the location of the fence as enclosing the perimeter of the building and playground. There are breaks for the main entrance and kitchen service door. The style is a standard aluminum fence with a wrought iron appearance.

Commissioner Cotton asked whether the classroom doors would remain locked. Ms. Albers explained that they are required by the code for emergency exits. Ms. Gulati said that they will be alarmed during the day, and the management is immediately notified if they are opened.

#### **STANDARDS FOR A SPECIAL USE AND VARIATION**

Chairman Morris noted that petitioner's responses to the Standards of Section 18.3 and 21.5 were included in the staff report, and would be part of the record for the Commission's recommendation if there was no objection.

#### **THE HEARING WAS OPENED FOR PUBLIC COMMENT**

No one from the public spoke. Public comment was closed by Chairman Morris at 8:41 PM.

#### **DISCUSSION OF RECOMMENDATION**

Chairman Morris reviewed his notes from the discussion and listed the following conditions of approval: (1) that should the operator change, the new operator would require review and approval of the Village; (2) the table listing the capacity of similar nearby facilities must be updated to include the additional locations known to the Village; (3) work with staff on additional stone accents on the buildings and more contrasting material colors; (4) materials used for the sign will match the building; (5) work with the Village landscape technician to update the plan for the Northern Red Oak; (6) update the engineering plan to accommodate snow storage on the east side of the site; (7) subject to licensing by the State; and (8) there will be a maintenance agreement of covenant to ensure there is upkeep.

Director Jennings noted that the condition for the trash enclosure from the staff report should move to the site plan motion. He added that the fence material should be open style aluminum with a wrought iron appearance.

Chairman Morris encouraged the team to consider one-way traffic flow around the lot, and not just the two driveways.

Director Jennings noted that there was a question on the capacity of the swim school that was not addressed during the hearing. He asked whether there was a target capacity; the condition in the staff report used a placeholder of 60. Mr. Gulati stated that the capacity is usually 45-60 for a building that is 8,500 to 10,000 sq ft. Director Jennings asked if they were comfortable with the cap of 60 based on the preliminary discussions with operators, and Mr. Gulati replied that it would be difficult to confirm at this point.

Chairman Morris asked whether the fire district reviewed the project with respect to chemicals located at the swim school building. Director Jennings confirmed that they were aware of the intended use, and they looked at the separation of buildings, access, and access to the playground. The configuration presented to the Commission is the result of their review.

Commissioner Fluno asked whether there would be parties in addition to swim lessons. Mr. Gulati stated that they anticipate lessons.

Chairman Morris stated there is a standing motion to approve, and read the draft motion for a variation in the staff report.

Ms. Albers asked for clarification on the request to update the table listing the capacity of similar facilities in the area. Chairman Morris stated that the numbers are missing locations and the demand presented to the Board should be correct. Director Jennings agreed to provide locations to the project team to include on their list.

Commissioner Fluno seconded the motion. Commissioner Heidner noted that the Staff report states that the site is developable with a single building, but the variation request is small so he would not object to it. Director Jennings stated that the RPUD would allow a decreased setback of 25 feet for a light industrial building.

There being no additional discussion, the Commission voted on the motion, as follows:

**Make Findings of Fact and Recommend Approval of a variation** from Section K (Building Setbacks and Yards), of Ordinance 639 (Continental Executive Parke RPUD), Exhibit E, Zoning, to reduce the required side setback on the north property line from 35.0' to 31.0' for the property located at 300 Fairway Drive, Vernon Hills, Illinois, as required by Section 21.5 (Variations), as described in the application by VHVG Inc. LLC, dated July 1, 2024, and illustrated on the Site Dimensional and Paving Plan (Sheet 6) by Manhard Consulting, last revised May 31, 2024.

AYES: Fluno, Heidner, Lis, Nabat, Cotton, Morris  
NAYS:

ABSENT: Smith

Motion approved (6-0, with 1 absent).

Chairman Morris referred to the standing motion to approve the special use for a daycare. Director Jennings repeated the conditions from the discussion of the recommendation. Commissioner Fluno asked how the signage would be handled and Director Jennings replied that it would be on the site plan motion. Commissioner Cotton seconded the motion. There being no additional discussion, the Commission voted on the motion, as follows:

**Make Findings of Fact and Recommend Approval of a Special Use for a Daycare Facility**, for the property located at 300 Fairway Drive (south building), Vernon Hills, Illinois, as required by Section 16.3 (Special Uses in the BP District), Article 18 (Special Use Standards), and Section 21.6 (Special Use Procedures), as described in the application by VHV Inc. LLC, dated July 1, 2024, to be developed in accordance with the following plans and exhibits:

- Comprehensive Narrative, Proposed Kiddie Academy and Swim School
- Engineering Plans, Manhard Consulting, last revised June 21, 2024 (15 sheets)
- Landscape Plan, Manhard Consulting, dated March 29, 2024 (4 sheets)
- Plant Image Board, Manhard Consulting, dated March 29, 2024
- Floor Plan for Kiddie Academy (sheet A1), Camburas and Theodore, dated July 1, 2024
- Elevations for Kiddie Academy (sheet A2), Camburas and Theodore, dated July 1, 2024
- Photometric plan and fixture details, Chicago Lightworks dated May 17, 2024

And with the following conditions of approval:

1. A change in the daycare operator shall require review and approval by the Village Board.
2. The documentation describing the demand for daycare capacity shall be updated prior to the Board review in include additional facilities near the subject site that do not appear on the list.
3. The business shall be subject to licensing by outside agencies as required.

AYES: Cotton, Fluno, Heidner, Lis, Nabat, Morris

NAYS:

ABSENT: Smith

Motion approved (6-0, with 1 absent).

Chairman Morris referred to the standing motion to approve the special use for a swim school. Commissioner Fluno seconded the motion. There being no additional discussion, the Commission voted on the motion, as follows:

**Make Findings of Fact and Recommend Approval of a Special Use for a Swim School**, for the property located at 300 Fairway Drive (west building), Vernon Hills, Illinois, as required by Section 16.3 (Special Uses in the BP District), Article 18 (Special Use Standards), and Section 21.6 (Special Use

Procedures), as described in the application by VHVG Inc. LLC, dated July 1, 2024, to be developed in accordance with the following plans and exhibits:

- Comprehensive Narrative, Proposed Kiddie Academy and Swim School
- Engineering Plans, Manhard Consulting, last revised June 21, 2024 (15 sheets)
- Landscape Plan, Manhard Consulting, dated March 29, 2024 (4 sheets)
- Plant Image Board, Manhard Consulting, dated March 29, 2024
- Floor Plan, Swim School (sheet A1), Camburas and Theodore, dated July 1, 2024
- Elevations, Swim School (sheet A2), Camburas and Theodore, dated July 1, 2024
- Photometric plan and fixture details, Chicago Lightworks dated May 17, 2024

And with the following conditions of approval:

1. Swim school capacity shall be limited to 60 students at a time, with the parking stalls immediately adjacent to the west building dedicated for swim school drop off and pickup.

AYES: Fluno, Heidner, Lis, Nabat, Morris

NAYS: Cotton

ABSENT: Smith

Motion approved (5-1, with 1 absent). Commissioner Cotton explained that she thought they needed more information to support the petition.

Chairman Morris referred to the standing motion to approve the site plan, landscape plan, and architectural appearance. Director Jennings read the conditions of approval as discussed by the Commission. Commissioner Cotton asked for clarification on the recommendation to increase the use of stone. Commissioner Fluno confirmed that he was referring mostly to the swim school, but both should have more to match the scale of the buildings. Mr. Gulati noted that the elevations don't include landscaping, which would be covering the base of the building in many locations. Commissioner Fluno stated that all of the shrubs are currently deciduous, so the base would be visible much of the year. The stone could go higher on some of the accent areas. Commissioner Nabat seconded the motion. There being no additional discussion, the Commission voted on the motion, as follows:

**Recommend Approval of the Preliminary and Final Site Plan, landscape plan, and architectural approval**, for the property located at 300 Fairway Drive, Vernon Hills, Illinois, in accordance with Chapter 16, Article IV, and Appendix C, Section 4.12, as described in the application by VHVG Inc. LLC, dated July 1, 2024, to be developed in accordance with the following plans and exhibits:

- Comprehensive Narrative, Proposed Kiddie Academy and Swim School
- Engineering Plans, Manhard Consulting, last revised June 21, 2024 (15 sheets)
- Landscape Plan, Manhard Consulting, dated March 29, 2024 (4 sheets)
- Plant Image Board, Manhard Consulting, dated March 29, 2024
- Floor Plan, Swim School (sheet A1), Camburas and Theodore, dated July 1, 2024

- Elevations, Swim School (sheet A2), Camburas and Theodore, dated July 1, 2024
- Floor Plan for Kiddie Academy (sheet A1), Camburas and Theodore, dated July 1, 2024
- Elevations for Kiddie Academy (sheet A2), Camburas and Theodore, dated July 1, 2024
- Photometric plan and fixture details, Chicago Lightworks dated May 17, 2024

And with the following conditions of approval:

1. The subject property shall be maintained in common ownership and with a single entity responsible for maintenance, with a covenant or similar formal agreement documenting this requirement;
2. A sight line diagram must be provided with the permit submittal to confirm whether rooftop mechanical unit screening is required. Screening, if needed, shall complement the appearance of the building; and
3. The trees in the parking lot islands shall be shifted north to provide greater clearance for the light poles.
4. The petitioner shall work with Staff to revise the landscape plan to: replace the northern red oak, relocate plants in the front island to create a snow storage area, and add evergreens.
5. The petitioner shall work with Staff to increase contrast between the two brick tones and increase the use of stone on the exterior elevations of both buildings.
6. The monument sign shall be constructed in materials complementary the adjacent building, with additional public review in the event that a variation is required.
7. The trash enclosure shall match the masonry on the adjacent building, including a cap, with heavy duty gates on a steel frame mounted to posts independent of the masonry.
8. The fence shall be an open aluminum fence with a wrought iron appearance.

AYES: Nabat, Fluno, Heidner, Lis, Cotton, Morris

NAYS:

ABSENT: Smith

Motion approved (6-0, with 1 absent). Chairman Morris added two points to his vote in favor of the recommendation: (1) he believes parking stalls need to be increased in size in general due to cars being larger; and (2) he encourages the petitioner to consider one-way flow for the whole site and not just the driveways.

Director Jennings explained to the petitioner that the recommendation of the Commission is usually reviewed by the Board at one meeting, then the vote is held at the following meeting. He anticipates the discussion will be on July 23<sup>rd</sup>. He would contact the petitioner regarding the timing of the review.

**THE PUBLIC HEARING WAS CLOSED AT 8:58 PM.**

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Chairman Morris called for the opening of the following public hearing:

2. Public Hearing for Case #2024-07. A petition filed by Cathryn Smeyers, dba The Soccer Practice, contract lessee, requesting approval of a Special Use in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section 16.3, Special Uses in the BP District, and Article 18, Special Use Requirements, to operate a Sports Complex within the BP District.

Subject Property: 560 Bunker Court, Unit 4, zoned BP, Business Park District

**ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN**

The following representatives of the petition were sworn in: Cathryn Smeyers, Rafael Smeyers, and Stuart Kantoff (Eskay Development).

Director Jennings provided an overview of the petitioner. He stated that it is a special use request within Unit 4 of the existing building. There are no significant modifications proposed to the building, and the only note from the staff report is that there is a dead tree near the main entrance. Staff did not complete a full Technical Review; the typical review for an interior use is to ensure that the building is appropriate for the use. In this case the use caters to children and increases night-time activity. Staff believes the lighting and access to the building are appropriate for the use.

Ms. Smeyers provided an introduction to the proposed facility. The concept was developed following a family visit to an indoor training facility in Colorado that used technology to help kids develop their soccer skills. The kids had so much fun that she decided to develop a similar concept for the Chicago area. The business will offer cutting edge equipment to tech-enable and gamify the soccer training experience.

She referred to photos of the equipment that would be installed at the facility. The Icon allows for 1 on 1 and 2 on 2 play in a variety of game styles. In one, the current target is blue and the next target is orange, and the goal is to hit the targets with speed and accuracy. The Cube forces players to move and use both feet. The Precision Wall is a goal with multiple targets, providing more points for difficult targets.

The facility will have an indoor field with Precision Wall targets on both sides. All of the training equipment is controlled through an app, and there are leaderboards that allow athletes to compete against each other.

The facility will have classes, birthday parties, and open play. Ms. Smeyers explained that they have four target audiences: players, coaches/clubs, families, and fans.

Ms. Smeyers explained why she has selected Vernon Hills. She grew in Highland Park and visited Hawthorn Mall as a child. Her husband is from Belgium but has lived in Chicagoland for 20 years. She is frequently in Vernon Hills for her children's activities. Vernon Hills is centrally located and accessible from many communities. There is a large existing soccer presence in the area, and the area attracts families.

She added that all work will be internal and there will be no impact on surrounding streets or businesses. The businesses in adjacent units operate on typical daytime hours while the Soccer Practice will have peak hours on nights and weekends.

Commissioner Cotton asked what the target age would be. Ms. Smeyers believed it would be 6 to 18.

Commissioner Lis asked about the noise produced by the facility. Ms. Smeyers explained that they have worked with their architect to ensure that there are sound barriers. The adjacent businesses have a lot of warehouse space. Mr. Kantof said they have confirmed the demising walls go all the way up and that there will be nets in locations where balls might be able to impact the walls.

Commissioner Cotton asked about the Lil Kickers age groups. Ms. Smeyers stated that it is for younger players. It's a different model; Lil Kickers are larger and have more games. She hopes to partner with clubs and the high school as part of the local soccer community.

Commissioner Nabat asked if they would partner with the Greater Libertyville Soccer Association. Ms. Smeyers appreciated the recommendation and said that they are open to all types of partnerships. Commissioner Nabat agreed that there is a need in this area as more families shift from football to soccer.

Chairman Morris asked whether they would allow drop-offs. Ms. Smeyers said that depending on the age, parents could leave after checking their child in for a class. Chairman Morris asked if the child could leave alone, and Ms. Smeyers stated that they also need to sign out.

Commissioner Heidner asked if someone trained in first aid would be on site at all times. Ms. Smeyers explained that they are still developing a staffing model, but staff would be trained in first aid.

#### **PUBLIC NOTICE**

Chairman Morris asked Director Jennings for confirmation of the public notice. Director Jennings confirmed that the hearing was properly noticed and no responses were received. An occupant of the building had called the Village to ask if the public hearing sign could be moved for mowing.

Chairman Morris asked whether there is signage for the building. Director Jennings said that there is an existing multi-panel sign and he is not sure how tenants are provided panels. Ms. Smeyers explained that they are a destination so they don't need much signage. Mr. Kantoff said they would need to re-size the panels, but they are allowed to be on the sign. Some of the RPUDs have their own sign standards and are exempt from the sign code, but he would need to check to be sure.

#### **STANDARDS FOR A SPECIAL USE**

Chairman Morris noted that petitioner's responses to the Standards of Section 18.3 were included in the staff report, and would be part of the record for the Commission's recommendation if there was no objection.

#### **THE HEARING WAS OPENED FOR PUBLIC COMMENT**

No one from the public spoke. Public comment was closed by Chairman Morris at 7:58 PM.

#### **DISCUSSION OF RECOMMENDATION**

There were no additional questions from the Commission.

Chairman Morris stated there is a standing motion to approve, and referred to the draft motion for the Special Use in the staff report. The motion was seconded by Commissioner Cotton. There being no additional comments, the Commission voted on the following motion:

**Make Findings of Fact and Recommend Approval of a Special Use for a Sports Complex**, for the property located at 560 Bunker Court, Unit 4, Vernon Hills, Illinois, as required by Section 16.3 (Special Uses in the BP District), Article 18 (Special Use Standards), and Section 21.6 (Special Use Procedures), as described in the application by Cathryn Smeyers, dba The Soccer Practice, , dated June 21, 2024, to be operated in accordance with the following plans and exhibits:

- The Soccer Practice – background and project narrative
- Proposed floor plan, dated June 21, 2024

And with the following conditions of approval:

1. The existing dead evergreen tree near the building entrance shall be replaced with a comparable tree.
2. The petitioner shall work with Staff regarding signage.

AYES: Cotton, Fluno, Heidner, Lis, Nabat, Morris

NAYS:

ABSENT: Smith

Motion approved (6-0, with 1 absent).

Commissioner Heidner asked whether the equipment is in use elsewhere. Ms. Smeyer's explained that the vendor is based in the UK. The equipment is primarily used by professional clubs but they are hoping to bring it to a younger population.

Director Jennings stated that staff is anticipating that the discussion of the recommendation and Board vote can both occur on July 23<sup>rd</sup>. If that's not possible, at least the discussion will occur on the 23<sup>rd</sup>. Ms. Smeyers said that Mr. Kantoff will need to represent the project since they will be out of town.

**THE PUBLIC HEARING WAS CLOSED AT 9:12 PM.**

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#### **IV. Approval of Minutes**

Chairman Morris noted a correction on the draft minutes of the May 22<sup>nd</sup>. The sentence referring to the Gymboree special use in the subject unit for the Time Out hearing is incomplete. It should end with “has expired.” He asked the Commission if there were any other corrections. There being none, Chairman Morris referred to the standing motion to approve the minutes of the May 22, 2024 Planning & Zoning Commission meeting. The motion was seconded by Commissioner Fluno. All were in favor by a voice vote (4-0, 1 absent, Cotton and Lis abstaining).

#### **V. Development Review**

Director Jennings provided updates on the following items:

- Openings: Harbor Freight at Townline Commons, Tangled Roots at Melody Farm, and Cava in the outlot on the Milwaukee side of the mall
- Groundbreaking for Anton Paar yesterday
- Additional updates:
  - The owners of the multiple lots at the west end of Townline Commons worked together on a parking lot project. Staff also worked with them on coordinating a paint scheme.
  - Yard House permit is ready to issue once some minor items are addressed

Commissioner Heidner asked whether the Village has authority over property maintenance issues in the business parks. Director Jennings confirmed that the Village can enforce the code in that area.

Commissioner Fluno asked Director Jennings to look at the condition of the planting beds at Guidepost Montessori. He also noted that three trees by Taco Bell had died.

In response to questions regarding the mall, Director Jennings responded that there is no date set for Yard House, the second mixed-use building, or First Watch yet. First Watch is trying to work through the elevations before submitting for Technical Review.

Commissioner Heidner stated that there is standing water along 45 by Centennial Crossing. Director Jennings was not sure whose responsibility that segment would be.

#### **VI. Adjournment**

With no further items on the agenda, Chairman Morris made a motion to adjourn, seconded by Commissioner Cotton. The motion was approved by a voice vote.

The meeting adjourned at 9:24 PM.

Respectfully submitted,

Andrew Jennings  
Director of Community Development

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

\_\_\_\_\_  
Approval Date

\_\_\_\_\_  
Chairman Morris

\_\_\_\_\_  
Secretary Heidner

DRAFT

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2024-105

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SWIM SCHOOL TO BE  
LOCATED AT 310 FAIRWAY DRIVE

THE 13<sup>th</sup> DAY OF AUGUST 2024

Published in pamphlet form by the Authority of the  
President and Board of Trustees of the Village of  
Vernon Hills, Lake County, Illinois, this  
13<sup>th</sup> day of August, 2024



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS        )  
  )  
COUNTY OF LAKE        )

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2024-105 AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SWIM SCHOOL TO BE LOCATED AT 310 FAIRWAY DRIVE TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM AUGUST 13, 2024 TO AUGUST 23, 2024.

  
\_\_\_\_\_  
Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 23<sup>RD</sup> DAY OF JULY 2024

  
\_\_\_\_\_  
Notary Public

