

**VILLAGE OF VERNON HILLS  
ORDINANCE 2024-118**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND CERTIFICATE OF BUILDING AND USE CONVERSION FOR A CHILDREN'S PERFORMING ARTS CENTER, ROOTZ, TO BE LOCATED AT 656-660 HAWTHORN CENTER**

**WHEREAS**, the Village of Vernon Hills received a petition by Matthew Gopin, dba Rootz, contract lessee, requesting a Special Use Permit for a children's performing arts center, to be located at the property commonly known as 656-660 Hawthorn Center, legally described in Exhibit A; and

**WHEREAS**, the Village also received an application for a Certificate of Building and Use Conversion to renovate the subject unit for occupancy by a non-retail use; and

**WHEREAS**, the conversion certificate petition, if granted, would result in a total non-retail square footage of 31.5% of the leasable square footage controlled by Centennial Real Estate; and

**WHEREAS**, in accordance with Section 4.14 of the Zoning Code, the Village Board may approve a Certificate of Building and Use Conversion, based on a finding that the request meets the following standards:

1. The proposed building conversion either through its unique nature or via commensurate PILOT equivalent will not have a detrimental impact on the fiscal health of the village; or
2. The proposed building conversion will strengthen the economic viability of the adjacent properties and village; or
3. Without the proposed building conversion, the property cannot yield a reasonable rate of return; and
4. The proposed building conversion of RSE floor area is the minimum needed to accomplish the goals of the property owner and/or developer.

**WHEREAS**, the Planning and Zoning Commission of the Village of Vernon Hills conducted a public hearing, duly noticed, on August 14, 2024; 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 Committee of the Whole discussed the Conversion Certificate application at its meeting on July 23, 2024, and recommended approval of the conversion certificate by a vote of 7-0 (one absent).

**WHEREAS**, the Board of Trustees, at its meeting on September 3, 2024, reviewed the recommendation of the Planning and Zoning Commission, and finds that sufficient facts have been presented which, in its judgment, justify approval of the Special Use Permit 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 an Children’s Amusement and Recreation Facility, specifically a performing arts education center, pursuant to Article 18 and Section 21.6 of Appendix C, Zoning, of Village of Vernon Hills Code, on the property commonly known as 656-660 Hawthorn Center, zoned B-1 (General Business District), and legally described in **Exhibit A**, is hereby approved.

**SECTION 3.** The Special Use Permit granted in Section 2 of this ordinance and shall be developed in substantial conformance with the following plans and exhibits, submitted July 22, 2024, by Rootz LLC, attached hereto as **Exhibit C**:

- Project Narrative Letter
- Proposed floor plan, AKL Architectural Services, dated August 8, 2024

**SECTION 4.** The special use granted in Section 2 of this Ordinance is subject to the following terms and conditions:

1. The tenant build-out permit is subject to the review of the fire protection district, Lake County Public Works, and the building department.
2. The business shall require background checks for employees.
3. The exterior of the mall near the unit entrance shall be improved as needed with permanent exterior finishes.

**SECTION 5.** A Certificate of Building and Use Conversion, in accordance with the provisions of Section 4.14 of the Zoning Code, is hereby granted, as supported by the materials reviewed by the Committee of the Whole at its meeting on July 23, 2024.

**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 2024-118.

Adopted by roll call vote as follows:

AYES: 5 – Marquardt, Forster, Schenk, Takaoka, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Oppenheim, Byrne

  
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Roger L. Byrne, Village President

PASSED: 09/03/2024

APPROVED: 09/03/2024

ATTEST: 09/03/2024

  
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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**

**Rootz, 656-660 Hawthorn Center**

**Planning and Zoning Commission – Meeting Minutes**  
**August 14, 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, Nabat, and Smith were present.

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 #2024-08. A petition filed by Brad Kaluzna, dba Moto Escape, contract lessee, requesting approval of a Special Use to operate a private automotive storage club in the BP District, 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 Section 18.3 (Special Uses).

Subject Property: 645-647 Lakeview Parkway zoned BP, Business Park District

**ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN**

Brad Kaluzna, Moto Escape Northshore, was present and sworn in.

Mr. Kaluzna provided a description of the business. They are proposing a private car club. The facility would serve members with classic cars, luxury cars, and people who live in locations with homeowner's associations that restrict vehicles. They have a club in Atlanta that is at capacity. People want climate controlled storage and don't want to store their cars outside under tarps. A lot of self-storage facilities are not climate controlled.

The model allows members to bring a daily use vehicle in, and take the stored vehicle out. Most members will take the car out on evenings and weekends. Based on the facility in Atlanta they anticipate no more than 3-5 members at a given time. Members access the building with dual authentication and there are cameras throughout the building for security. They don't permit work to be done on the cars.

Commissioner Heidner asked whether members can do oil changes. Mr. Kaluzna stated that no work is permitted.

Commissioner Lis noted that the website for the Atlanta location says there is a workshop. Mr. Kaluzna said that the Atlanta location has a work area, but that will not be the model at this location.

Commissioner Lis asked whether there would be individual units or striped stalls in a larger room. Mr. Kaluzna stated that they would be striped.

In response to a question from Commissioner Lis, Mr. Kaluzna confirmed that the facility would be accessible 24 hours. The facility is near the police station and with dual authentication, they will know who is accessing the building. They have to sign an agreement that they will be responsible for damage caused to other vehicles, but usually the members care about their cars and there are no issues.

Commissioner Lis asked whether visitors would be allowed. Mr. Kaluzna said that if a member is driving with one or two people they can bring them in to switch the cars. The gathering room / lounge is for members only and is open 24 hours. It will have couches and TVs. Groups like the Porsche Club or similar car clubs that don't have meeting spaces would use the lounge and then start their drive at this facility. The entire facility is covered by security cameras and the members sign an agreement that says they will be kicked out if they had an unauthorized gathering with friends who are not members.

Commissioner Lis asked whether they plan to host car shows, and Mr. Kaluzna explained that the facility doesn't have the room for a car show. They don't want to encourage the public to come to the facility and don't plan to have any signage.

Commissioner Lis stated that her biggest concern is the location of the exit with respect to the entrance of Vernon Hills Gymnastics. She asked what measures the business planned to address the conflict. Mr. Kaluzna stated that he is familiar with the gym because his daughter goes there. That drive aisle is typically blocked by waiting cars so it isn't possible to speed around the corner. They also expect that the most frequent access by members will be Friday, Saturday, and Sunday. They are actually concerned with access to their entrance, and have expressed that concern to the landlord.

Jonathan Nack, Moto Escape, was present and sworn in. He stated that he was just at the facility last night and had difficulty getting to the entrance. He referred to the aerial photo, and explained that the line of cars waiting to pick up gymnasts completely blocked the north drive. He suggested adding some lines with "do not block this area" signs. It would be good for their access, and would also keep the corner clear for the other unit.

Commissioner Nabat requested confirmation of the hours. Mr. Kaluzna confirmed members would have 24 hour access. In Atlanta they rarely have a member access the building after 8 or 9 at night.

Commissioner Nabat asked about the exterior lighting. Mr. Kaluzna referred to the aerial photo, and explained there are lights on the north side of the building. He noted that parking lot in the

northeast corner also has lights. He was there at 10:30 at night and the lights were still on. Commissioner Nabat suggested that there should be lighting 24 hours if the facility is available to members 24 hours. Mr. Kaluzna agreed.

Commissioner Cotton asked whether children of members would be permitted. Mr. Kaluzna stated that the member agreement allows children to visit, but touching cars is prohibited. The members respect other people's cars; they don't want anyone touch their vehicle either.

Commissioner Fluno asked how a member would retrieve the car. Mr. Kaluzna explained that there are drive lanes inside the building, and there would be an area to park the daily use car and swap it with the stored vehicle. There would be five drive lanes in the warehouse.

Commissioner Fluno referred to the photograph of the front entrance. Mr. Kaluzna said that members could also enter from that side if they wanted to park outside and access the lounge, but they expect most members will enter from the drive in door.

Commissioner Fluno asked whether they would change the landscaping. Mr. Kaluzna explained that the landlord will be cleaning it up.

Commissioner Fluno referred to the photograph of the front entrance again, noting a possible drain discharging onto the walkway and causing an ice hazard in the winter. Director Jennings reviewed the original photo and determined it was a bollard light that had been knocked over.

Commissioner Cotton asked how many vehicles could be stored in the facility, and Mr. Kaluzna stated that they estimate 150 vehicles. Some members may have multiple vehicles.

In response to a question from Commissioner Lis, Mr. Kaluzna explained that up to 2 family members could accompany a member into the facility but non-family members aren't allowed. Friends can come to swap a car but are not allowed into the club area.

Commissioner Fluno asked how the security cameras would be monitored. Mr. Kaluzna said that they use an app and can see the members as they arrive. They also use an honor system; the members tend to follow the rules.

Commissioner Heidner referred to the aerial photo and asked for confirmation of the unit location and entrances.

Commissioner Cotton asked what they membership options would be. Mr. Kaluzna explained that they only offer an annual membership.

Commissioner Smith asked what type of work is planned in the unit. Mr. Kaluzna said that the office needed a cosmetic upgrade. Commissioner Smith asked how permitting would be affected with the amount of fuel stored inside. Director Jennings explained that the condition of approval in the staff report was meant to inform the petitioner that work may be required both for the amount of fuel stored and for drainage. Commissioner Smith noted that there isn't 4-sided

access to the building. Director Jennings stated that the fire department could use the street if needed.

Commissioner Heidner asked what members would be permitted to store. Mr. Kaluzna said that they wouldn't be allowed to have hazardous materials. Items like that removable tops and tires would also be prohibited. They visited a similar facility that is more flexible with storage and it was messy and dirty.

Chairman Morris requested a review of the floor plan. He noted that it appears that there are more than 5 drive aisle. Mr. Kaluzna explained that the floor plan shows the racks from the previous tenant, Amcore. Amcore stored medical equipment and had forklifts driving in the aisles. Chairman Morris asked how large the stalls would be, and Mr. Kaluzna said that they are 21 feet deep and 10 feet wide. Spaces for SUVs may be larger. Chairman Morris questioned whether the stalls were wide enough. Mr. Kaluzna stated that it works in the Atlanta location. They may have smaller stalls in the front for motorcycles.

Chairman Morris asked whether a ten foot drive aisle was adequate, and Mr. Kaluzna<sup>1</sup> said that it is working at the Atlanta location. Chairman Morris asked how they planned to manage trickle chargers. Mr. Kaluzna said there would be electricity available for every space. Director Jennings was not sure if the existing supply to the building would be adequate.

Chairman Morris requested details on the wash bay. Mr. Kaluzna explained it would be near the drive-in entrance, but they would need to dry off the vehicle since they don't allow water in the storage area. Chairman Morris asked what was planned for loading dock, and Mr. Kaluzna said they were not sure, but may offer storage for RVs or larger vehicles.

Chairman Morris asked what they project the annual dues to be. Mr. Kaluzna said that they are still working on that.

Commissioner Cotton asked why they would need offices if they don't have staff on site. Mr. Kaluzna said that he and Mr. Nack would likely work from those offices. Commissioner Cotton asked where the restrooms would be, and Mr. Kaluzna indicated on the plan that there are restrooms between the front lounge area and the storage area.

Commissioner Lis asked whether the Village had a requirement for the aisle width. Director Jennings was not aware of a requirement that would apply in a private storage area. The fire department may have a requirement due to the level of hazard.

## **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 no written objections were received.

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<sup>1</sup> After the hearing was closed, the petitioner stated that the drive aisles are 14 feet wide.

### **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 7:55 PM.

### **DISCUSSION OF RECOMMENDATION**

Chairman Morris reviewed the conditions of approval as listed in the draft motion in the staff report. Director Jennings noted that there was a fourth condition of approval suggested to ensure adequate lighting at times when members have access to the building. Chairman Morris asked if the width of the drive aisle would be part of the fire district review. Director Jennings confirmed that it would be included.

Commissioner Heidner asked if the landscaping would need to be approved. Director Jennings explained that the condition was intended to refer to maintenance and a general clean up.

Chairman Morris asked if the property was subject to the business park PUD. Director Jennings confirmed that it was, but there was nothing that conflicted with the proposal.

Commissioner Lis asked if they could start allowing car repairs in six months. Director Jennings explained that the testimony establishes the operating procedures. If they stated under oath that they would not allow repairs, it would have to come back to allow a major change.

Chairman Morris suggested an additional condition that the special use would be subject to the testimony regarding the character of the operation, which includes a restriction on repairs.

Chairman Morris stated there is a standing motion to approve, and read the draft motion for a approval of the Special Use in the staff report. Commissioner Nabat 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 Private Automobile Storage Club**, for the property located at 647 Lakeview Parkway, 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 Brad Kaluzna, dba Moto Escape North Shore, dated July 7, 2024, to be operated in accordance with the following plans and exhibits:

- Moto Escape North Shore – business model and project narrative
- Existing floor plan, 647 Lakeview Parkway

And with the following conditions of approval:

1. The petitioner shall work with the landlord to trim trees and restore the landscape beds adjacent to the building.
2. Vehicle storage within the building shall be subject to any requirements of Lake County Public Works and the Countryside Fire Protection District.
3. The petitioner shall work with the landlord to improve warning signage for vehicles exiting the rear dock area.
4. The business shall ensure that there is adequate lighting at times when members are able to access the facility.
5. The special use is subject to the testimony with respect to the character of the business provided during the hearing, such as not permitting repairs at the facility.

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

NAYS:

ABSENT:

Motion approved (7-0).

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 September 3<sup>rd</sup>. He would contact the petitioner regarding the agenda.

**THE PUBLIC HEARING WAS CLOSED AT 8:00 PM.**

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

2. Public Hearing for Case #2024-09. A petition filed by Matthew Gopin, dba Rootz Dance Studio, contract lessee, requesting a Special Use Permit for a children's performing arts center, in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section 13.3, Special Uses in the B-1 District, and Section 18.3 (Special Uses).

Subject Property: 656-660 Hawthorn Center, Vernon Hills, zoned B-1, General Business District

**ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN**

Matthew Gopin, Rootz, was present and sworn in.

Mr. Gopin explained that they are proposing to open a children's performing arts center called Rootz. They run a large dance program and theater program that account for about 90% of the business; about 60% and 30% respectively. The remainder is fitness, such as yoga. They have had a location in Deerfield for about two years and were in Northbrook for about five years prior

to that. They have about 1600-1800 kids per week and hope to replicate a similar model in Vernon Hills. It's expected to be about 10-15% smaller because the space is smaller, but otherwise they would have the same model.

Chairman Morris referred to the project narrative letter. The letter provides an estimated number of children by age, and a large percentage will be young children. He asked for a description of the security protocol. Mr. Gopin explained that kids under 3 are almost always with their parents in parent-child classes. For kids 3-5, parents typically wait in the building. Their policy is to not dismiss a child without a parent, and to require prior notice and an ID to dismiss a child to a non-parent. Children over 10 can go to the parking lot, but only after the parent provides a consent form. There is only one exit and they have a staff member at the front desk. They've never had a child get lost.

Commissioner Nabat asked where they were located in Northbrook. Mr. Gopin said that were in the shopping center with Max & Benny's.

Commissioner Nabat asked for more detail of the business. Mr. Gopin said they have different dance programs: little kids just take classes, older kids have a recital program that operates year-round and has an annual performance at the Genesee Theater in Waukegan, and they have competitive dance teams. They don't have ballroom classes. There is a very competitive and intense hip hop studio in Buffalo Grove. By contrast, Rootz is more inclusive and nurturing. They don't cut students but they may not make the elite team.

Commissioner Nabat asked if they would collaborate with the park district. Mr. Gopin said that they have taught classes at the park district in the past. They've also gone to schools, and have a partnership with High Five in the mall. They also have a connection with Pure Barre in the adjacent unit, and they may offer complementary scheduling so a parent could work out while the child is at Rootz. They also have a theater program with two levels that both perform in front of a larger audience.

Commissioner Lis asked about staff levels, and how pick up would work. Mr. Gopin explained that they only release 1-2 classes at a time. There is adequate parking and there is a drop-off area near the unit.

Commissioner Fluno asked how the exterior of the unit would be finished. Director Jennings explained that the space was built in 2014 but wasn't fully finished. The Village worked with the mall when Pure Barre moved in to complete the exterior. The condition of approval in the staff report is intended to inform both the tenant and the landlord that the temporary materials would be need to be replaced. Mr. Gopin referred to the floor plan. They may change which wall would be brick and which would be storefront glass, but the space generally works well with seating areas and an overhang by the entrance.

Commissioner Lis asked where the doors on the left side of the unit go, and Mr. Gopin said they provide access to a service alley. It's an emergency exit only.

Commissioner Heidner asked for confirmation of the unit location on the existing conditions photo. Mr. Gopin explained that they would occupy all of the space to the right of Pure Barre.

### **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 no written objections were received.

### **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.

Chairman Morris referred to the original intention for the addition to the mall, which was for a theater and restaurants. The subject area was going to be a PF Chang's. He asked Director Jennings how the proposed use is consistent with the recent plans for the mall. Director Jennings explained that the Village works closely with the mall on a regular basis. The renovation concept has evolved. This unit has low visibility from the street. The Village has generally understood that the mall will require a mix of uses: entertainment, services, and others. A non-retail use like this one is subject to the Conversion Certificate requirement. The Committee of the Whole has already reviewed the certificate request, and it would be combined with the special use request for a vote after the public hearing.

Commissioner Fluno asked about signage. Director Jennings explained that it would be similar to Pure Barre, and that the standard sign code would apply. The unit could have one square foot for each linear foot of wall space. The sign would be on the exterior wall not under the overhang.

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

No one from the public spoke. Public comment was closed by Chairman Morris at 8:16 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 Children's Recreation Facility**, for the property located at 656-660 Hawthorn Center, 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 Rootz LLC, received July 22, 2024, to be developed in accordance with the following plans and exhibits:

- Project Narrative Letter

- Proposed floor plan, AKL Architectural Services, dated August 8, 2024

And with the following conditions of approval:

1. The tenant build-out permit is subject to the review of the fire protection district, Lake County Public Works, and the building department.
2. The business shall require background checks for employees.
3. The exterior of the mall near the unit entrance shall be improved as needed with permanent exterior finishes.

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

NAYS:

ABSENT:

Motion approved (7-0).

Director Jennings stated that staff is anticipating that the discussion of the recommendation and Board vote can both occur on September 3<sup>rd</sup>.

**THE PUBLIC HEARING WAS CLOSED AT 8:18 PM.**

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

Chairman Morris requested comments from the Commission on the July 10<sup>th</sup> meeting minutes. There being none, Chairman Morris referred to the standing motion to approve the minutes of the July 10, 2024 Planning & Zoning Commission meeting. The motion was seconded by Commissioner Heidner. All were in favor by a voice vote (7-0).

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

Director Jennings provided updates on the following items:

- Kiddie Academy project approved by the Board on August 13<sup>th</sup>
- The site permit for Yard House has been issued and work is underway
- Jameson's Charhouse has closed since the last meeting. The fast food restaurant proposed for that location is in technical review.

#### **VI. Adjournment**

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

The meeting adjourned at 8:20 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

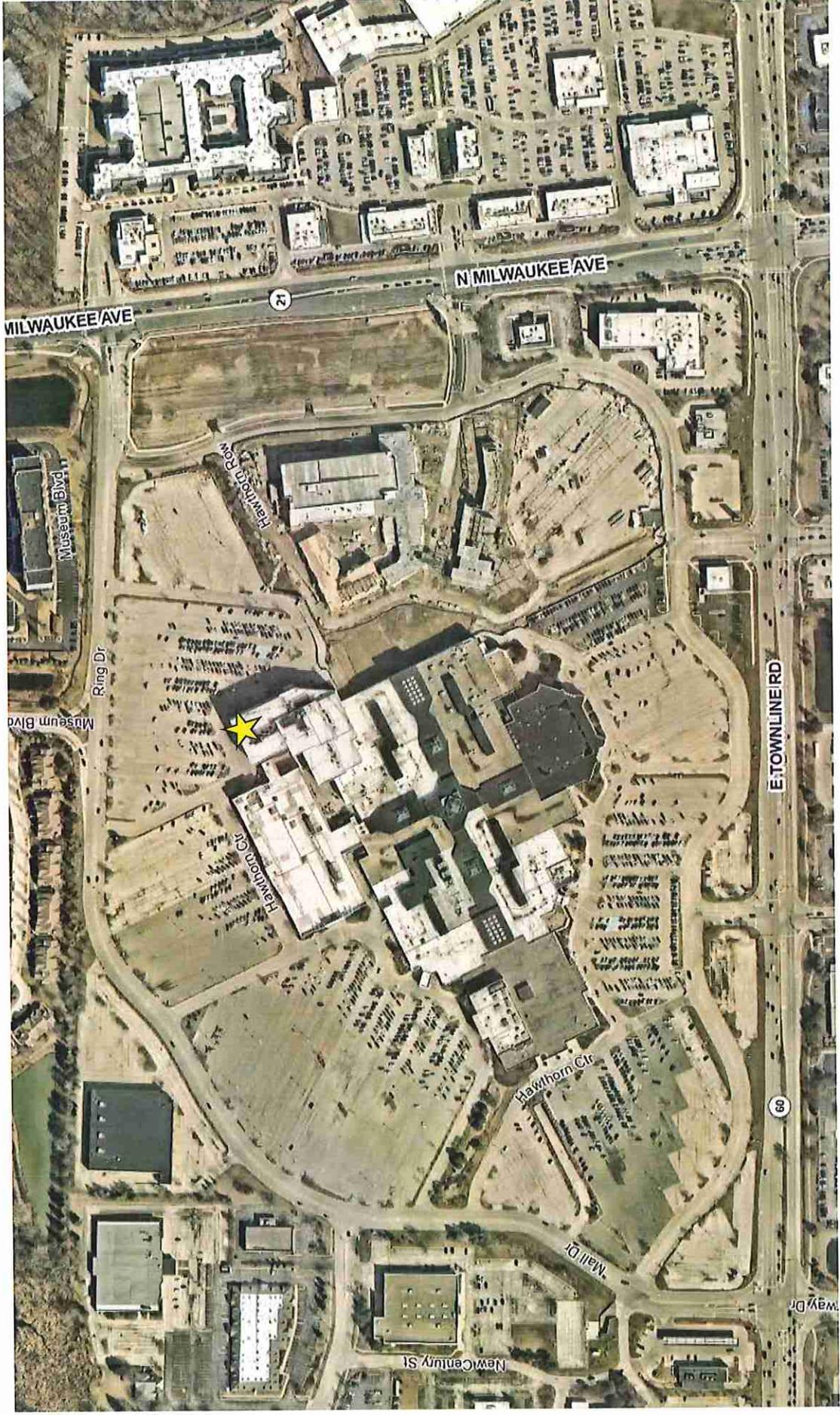
**EXHIBIT C**

**Plans and Exhibits**

**Rootz, 656-660 Hawthorn Center**

# Rootz Dance Studio – 656-660 Hawthorn Center

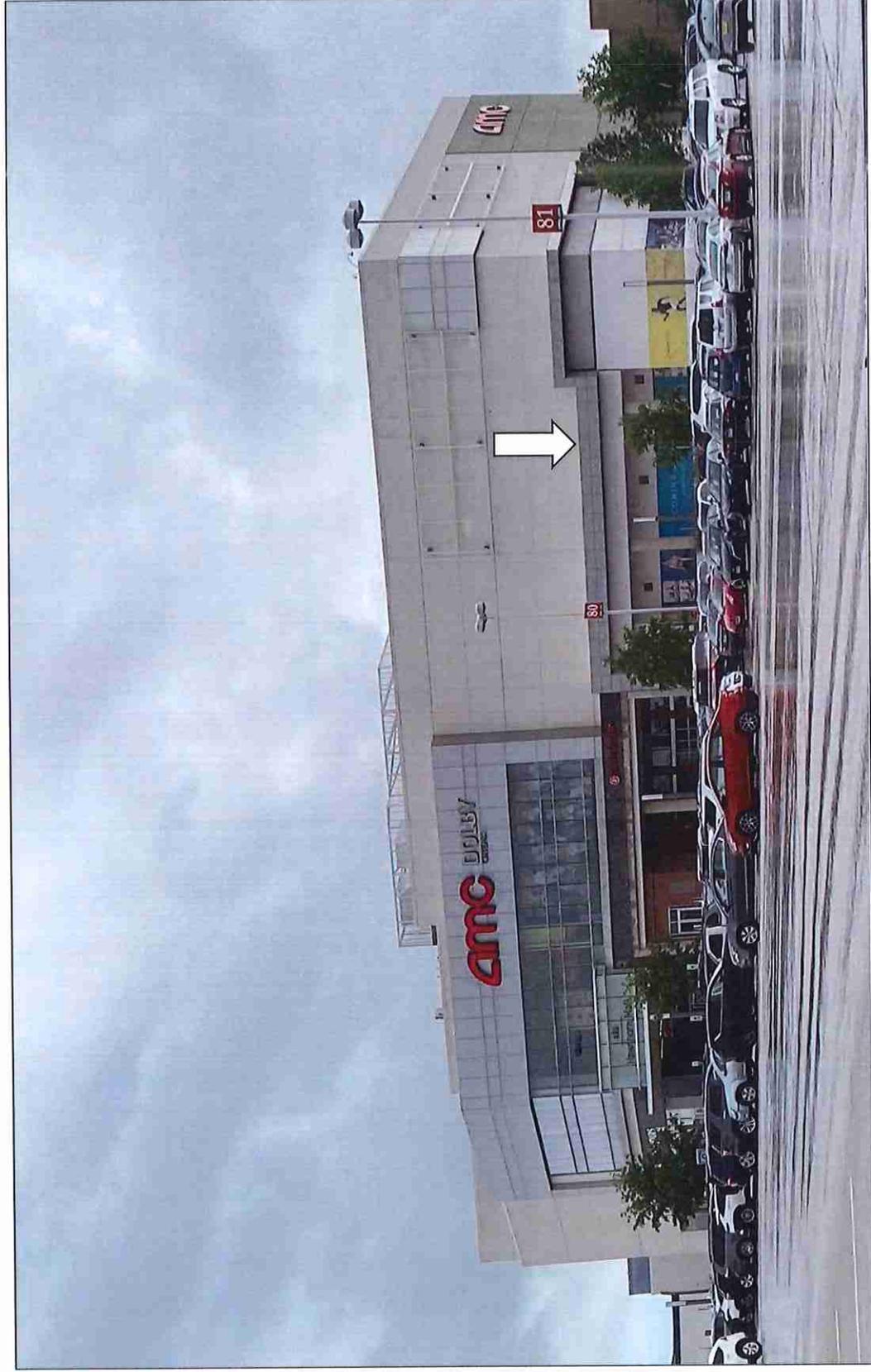
Case #2024-09 (Special Use Permit for a Children's Performing Arts Center)



Location of subject unit

# Rootz Dance Studio – 656-660 Hawthorn Center

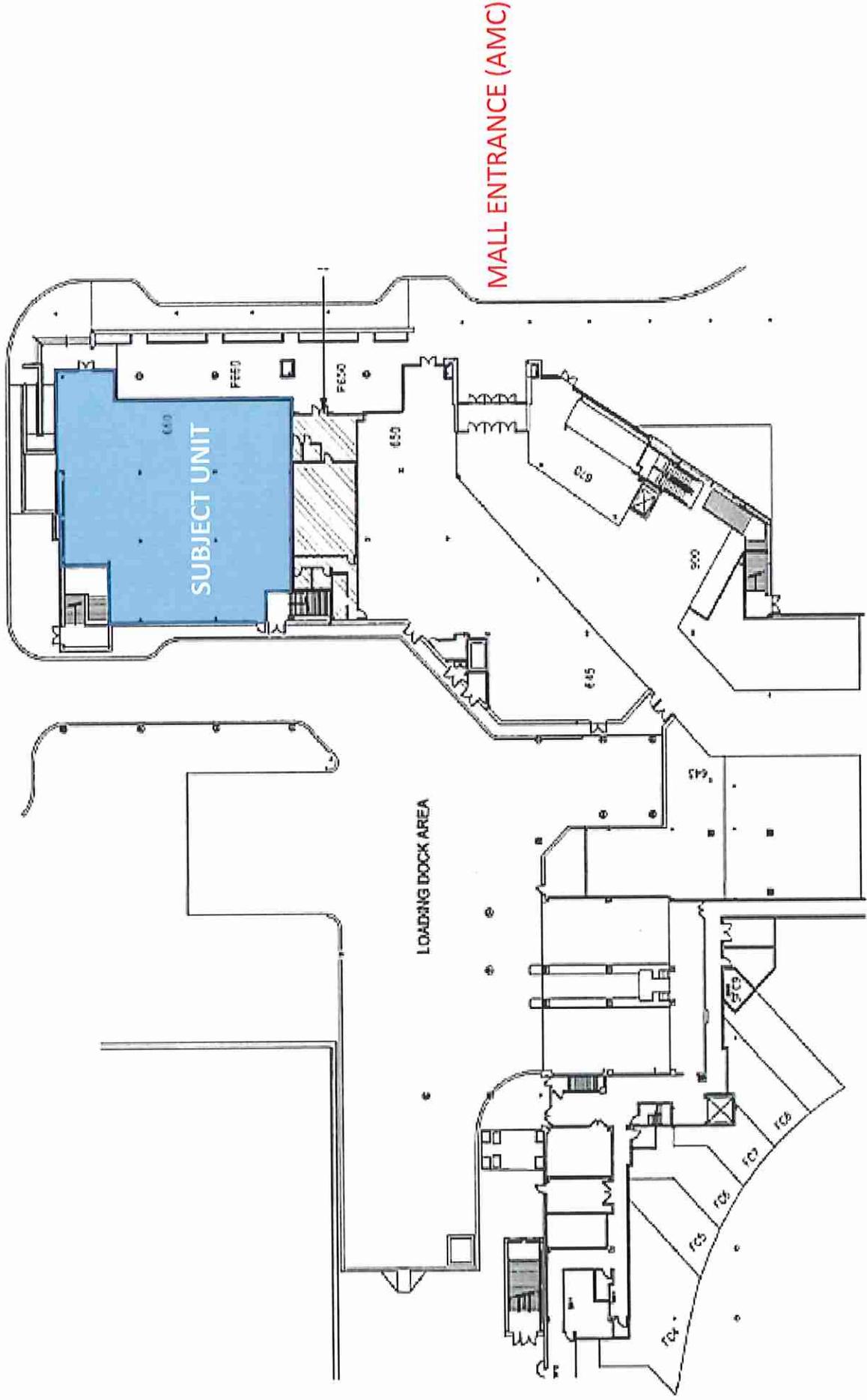
Case #2024-09 (Special Use Permit for a Children’s Performing Arts Center)



Location of subject unit

# Rootz Dance Studio – 656-660 Hawthorn Center

Case #2024-09 (Special Use Permit for a Children's Performing Arts Center)



Location of subject unit



Rootz LLC  
7 Waukegan Road  
Deerfield, IL 60015

Aug 9, 2024

Village of Vernon Hills,

Rootz Deerfield, LLC ("Rootz") is a performing and fine arts school currently located at 7 Waukegan Road in Deerfield, Illinois. Rootz was founded in 2017 and is currently operating its eighth school year. Rootz has signed a lease with Hawthorn Mall to open a second location that will offer similar programming to a similar client base, which will operate as Rootz, LLC.

Rootz is owned and operated by Matthew and Lindsay Gopin, with help from their multi-racial family of five children ages 2, 5, 9, 13, and 16. The Gopin Family has resided in Riverwoods and Bannockburn for the past 15 years and is in the process of relocating to Libertyville. Matthew and Lindsay are actively involved in managing the business as well as their non-profit, Chance to Shine, that helps underprivileged children participate in the performing arts.

At our Deerfield location, we serve approximately 1,500 children per week, from over 1,000 families.

Programming at our Deerfield location primarily consists of:

- Dance: 59% of enrollment
- Theater: 23% of enrollment
- Fitness: 16% of enrollment
- Enrichment: 2% of enrollment

Programming at our Deerfield location is available to children from newborn to 18 years of age based on the following breakdown:

- Ages 0-1: 10% of children
- Ages 2-4: 35% of children
- Ages 5-10: 48% of children
- Ages 11-13: 4% of children
- Ages 14-18: 3% of children

Rootz is known for its inclusive programming that provides children an opportunity to learn and grow in a safe and nurturing environment. Our name came from the saying, which is very important to the owners: "Providing Children Roots to Grow and Wings to Fly".

Please visit our website if you would like to learn more about our team and our programming: <https://getrootz.com>

At the Vernon Hills location, we expect to operate:

- Monday through Thursday from 9am to 9pm
- Friday from 9am to 6pm
- Saturday and Sunday from 9am to 4pm

Our busiest times are typically Monday through Thursday from 4-7pm and Saturday and Sunday from 9am to 12pm at our Deerfield location. During those times, we average 60-80 children per hour. Outside of our busiest hours, we average 10-30 children per hour.

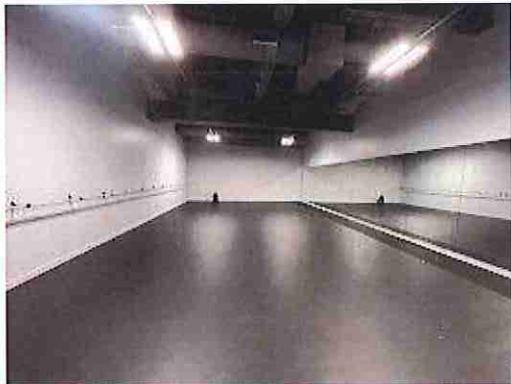
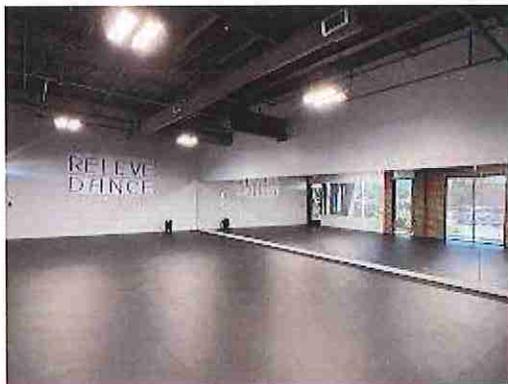
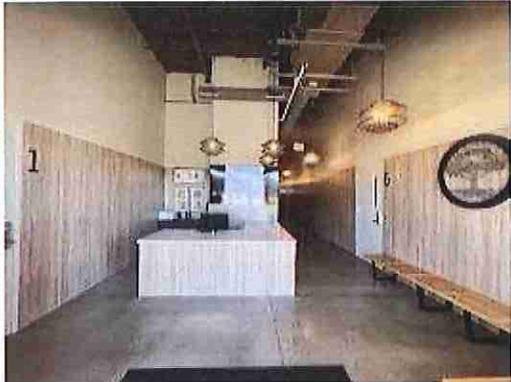
The majority of our weekday classes, especially after 3pm, are drop off classes, where the parents drop off their children and come back to get them at the end of class, so we typically do not have parents waiting in the facility.

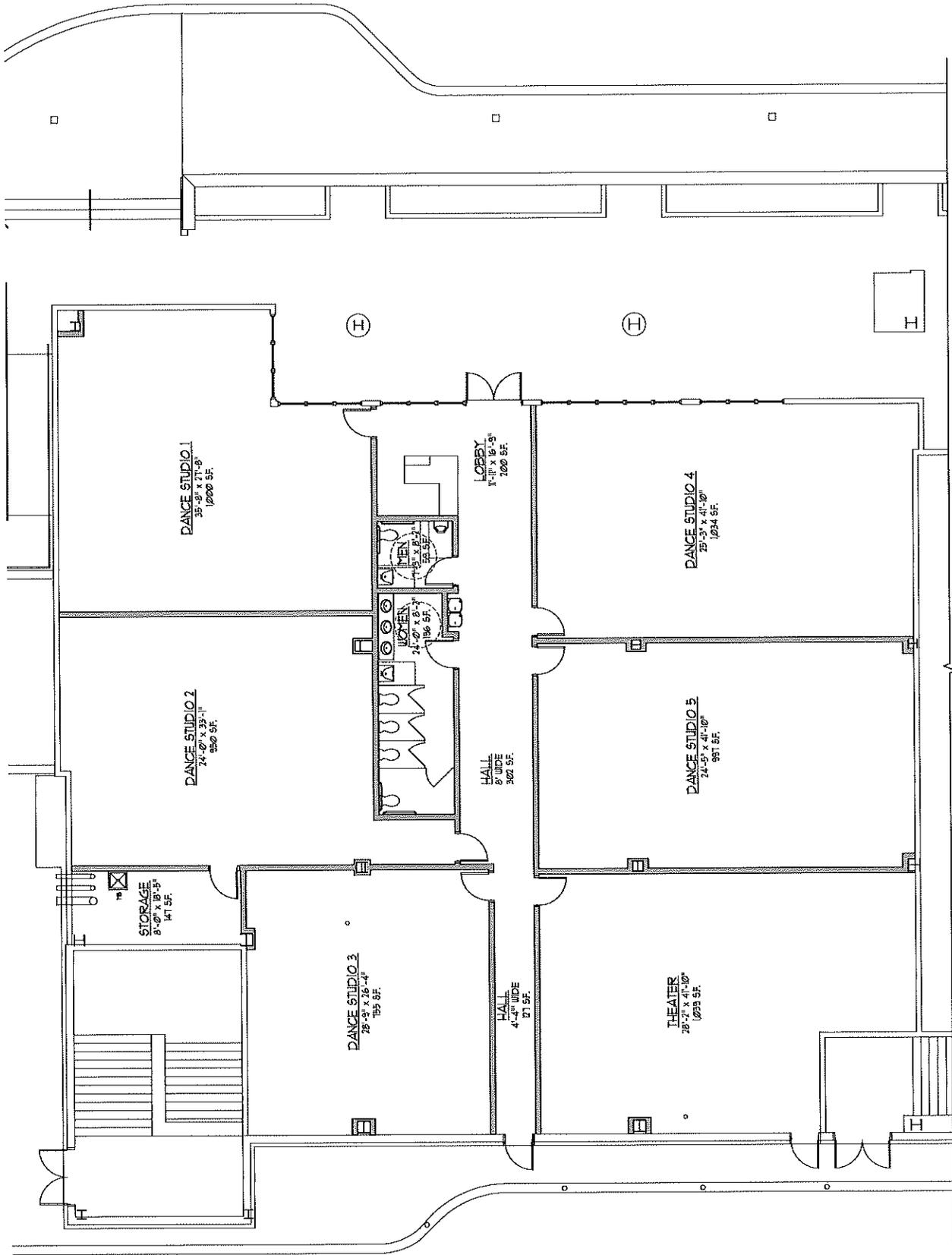
Weekday classes in the mornings and early afternoons are offered for children under the age of 5. Some of those classes are for children ages 2 and under, where parents participate in the class. During those classes, we will have approximately 10-15 adults in the facility.

Weekends are primarily drop off classes, but there are some classes offered for younger children where parents participate in the class or wait in the facility for their children.

After the first year or two, we expect the number of children at Vernon Hills to be similar to the numbers we have shared for the Deerfield location.

Included below are some pictures of the interior of our Deerfield location, which will be similar to the Vernon Hills location:





NORTH 

**PROPOSED FLOOR PLAN**

SCALE: 1/4"=1'-0"

DATE: 8/8/24

**AKI** architectural services  
www.aki-arch.com  
400 N. 13th St. Ste. 200, Omaha, NE 68108

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2024-118

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND CERTIFICATE OF BUILDING AND USE CONVERSION FOR A CHILDREN'S PERFORMING ARTS CENTER, ROOTZ, TO BE LOCATED AT 656-660 HAWTHORN CENTER

THE 3<sup>rd</sup> DAY OF SEPTEMBER 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 3<sup>rd</sup> day of September, 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. 2024-118 AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND CERTIFICATE OF BUILDING AND USE CONVERSION FOR A CHILDREN’S PERFORMING ARTS CENTER, ROOTZ, TO BE LOCATED AT 656-660 HAWTHORN CENTER TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM SEPTEMBER 3, 2024 TO SEPTEMBER 13, 2024.

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

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 3<sup>RD</sup> DAY OF SEPTEMBER 2024

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