

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2010-057

AN ORDINANCE GRANTING CERTAIN APPROVALS TO AMEND THE ZONING ORDINANCE AND FOR A SPECIAL USE PERMIT TO ALLOW A PRIVATE, THERAPEUTIC DAY SCHOOL ON PROPERTY LOCATED AT 150 FAIRWAY DRIVE, SUITES 140-146, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.

THE 21st DAY OF SEPTEMBER 2010

Published in pamphlet form by the Authority
of the President and Board of Trustees of the
Village of Vernon Hills, Lake County,
Illinois, this 23rd Day of September, 2010

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AT 150 FAIRWAY DRIVE, SUITES 140-
146, IN THE VILLAGE OF VERNON
HILLS, LAKE COUNTY.**

WHEREAS, Sal Rappaport of New Connections Academy II, representing the property owner, Rogers Executive Parke LTD, said property being legally described in Exhibit A, has petitioned the Village of Vernon Hills for the following:

1. To amend Article 16, Section 16.3 of Appendix C of the Code of Ordinances, being the Vernon Hills Zoning Ordinance of 1982, by adding “private, therapeutic day school” to the list of special uses permitted in the BP, Business Park District; and
2. Pursuant to Articles 16, Section 16.2, Article 18 and 21, Section 21.6 of Appendix C of the Village of Vernon Hills Code of Ordinances, approval of a Special Use Permit to allow for a private, therapeutic day school, known as New Connections Academy II, to be located in the portion of the building known as 150 Fairway Drive, Suites 140-146.

WHEREAS, upon due notice and after public hearing held September 1, 2010 and continued from time to time by the Planning and Zoning Commission of the Village of Vernon Hills, and pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, said Planning and Zoning Commission has filed its report concerning said petition as listed above.

WHEREAS, it has been determined that the granting of approval of the zoning ordinance amendment and special use permit will have no serious and depreciating effect upon the value of surrounding property and will have no adverse effect upon the character of the neighborhood, public utility facilities or other matters pertaining to the public health, public safety and general welfare;

WHEREAS, based upon the evidence adduced at said hearings and in their application, the petitioner has entered into the record evidence and findings of fact that addresses the conditions in Sections 18.3 of the Zoning Ordinance.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION I. Pursuant to the Vernon Hills Zoning Ordinance of 1982, the amendment of the Vernon Hills Zoning Ordinance, Article 16, Section 16.3 of Appendix C of the Code of Ordinances, by adding “private, therapeutic day school” to the list of special uses permitted in the BP, Business Park District, as setforth in Exhibit B, is hereby granted.

SECTION II. Pursuant to the Vernon Hills Zoning Ordinance of 1982, Articles 16, Section 16.2, Article 18 and 21, Section 21.6, the Special Use Permit to allow for a private, therapeutic day school, known as New Connections Academy II, to be located in the portion of the building known as 150 Fairway Drive, Suites 140-146 is hereby approved subject to the conditions listed below in Section III.

SECTION III. Pursuant to the Vernon Hills Zoning Ordinance of 1982, as amended, and the recommendations of the Planning and Zoning Commission, the terms and conditions as set forth in Exhibit C are hereby approved and are made a part of the approvals as listed in the Sections above.

SECTION IV. 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 V. 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 VI. SUCCESSORS AND ASSIGNS. All of the provisions of this Ordinance and the attachments hereto are binding on all successors and assigns of New Connections Academy II.

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

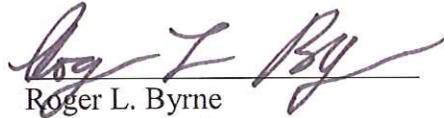
SECTION VIII. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2010- 057.

Adopted by roll call vote as follows:

AYES: 4 – Koch, Marquardt, Schwartz, Hebda

NAYS: 0 - None

ABSENT AND NOT VOTING: 2 – Williams, Schultz



Roger L. Byrne
Village President

PASSED: 9/21/2010

APPROVED: 9/21/2010

PUBLISHED IN PAMPHLET FORM: 9/23/2010

ATTEST:



Michael Allison
Village Clerk

Exhibit A
Legal Description

100, 150 -200 N FAIRWAY DRIVE

LOT 1 IN CONTINENTAL EXECUTIVE PARKE RESUBDIVISION NO. 12, BEING A RESUBDIVISION OF LOTS 121, 122 AND 123 IN CONTINENTAL EXECUTIVE PARKE PHASE II IN SECTION 4, TOWNSHIP 43 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 23, 1994 AS DOCUMENT 3595414 IN LAKE COUNTY ILLINOIS

Exhibit B
Approved Amendments to the Code of Ordinances, Appendix C -
Zoning

New 16.3.8

Private, therapeutic day school having the same curriculum as ordinarily given in the public schools; provided that:

- a. No rooms shall be used for housing or sleeping purposes; and
- b. All educational or recreational activities shall take place within the building unless designated areas have been reviewed and approved as a part of any special use permit process; and
- c. The property provides adequate parking and circulation for vehicles, including buses, within the parking lot as determined by the Village; and
- d. All signage shall conform to the Village's Sign Ordinance.
- e. Storage of trash and recyclable materials shall be provided pursuant to Section 16.7.3.

Exhibit C

Terms and Conditions of Approval

- a) Receipt of all required licenses from the State of Illinois, Lake County Health Department and the Village prior to issuance of a final certificate of occupancy. Copies of all licenses shall be provided to the Village.
- b) Compliance with the Village Sign Ordinance
- c) Compliance with all ordinances and standards of the Village except as may otherwise be provided.
- d) If the New Connections Academy leaves the property or goes out of business, the special use permit shall expire.
- e) This Special Use Permit ("Permit") is not transferable to any entity in which either New Connections Academy II or an affiliate of New Connections Academy II does not have an ownership interest as a general partner in a partnership, a membership interest in a limited liability company, or a similar role unless such successor is presented to the Board of Trustees for the Village approval which shall not be unreasonably withheld. This restriction shall not apply to a transfer to a partner, member, or other owner in an ownership entity by reason of a default by New Connections Academy II. These terms and conditions remain in full force and effect. All the conditions and restrictions herein are binding on all successors and assigns.
- f) The Petitioner agrees to work with the Police and Fire District regarding the traffic flow into and out of the site.
- g) The property owner will provide a plan for providing additional parking spaces at the rear of the buildings and within the loading dock/service area for the buildings at 100 thru 166 Fairway drive. The plan shall be reviewed and, if found to be in compliance with the Development Ordinance, approved by the Village Engineer. Once approved the spaces shall be installed prior to issuance of a Certificate of Occupancy for New Connections Academy II.
- h) The 15 designated parking spaces pursuant to the plans provided in booklet dated September 1, 2010 shall be marked with signage limiting their use to the staff of New Connections Academy during normal business hours.
- i) The Petitioner will comply with Traffic Pattern 1 as proposed.
- j) The Petitioner will comply the floor plan dated September 1, 2010.

PROPOSED TRAFFIC PLAN I



AFFIDAVIT OF SERVICE

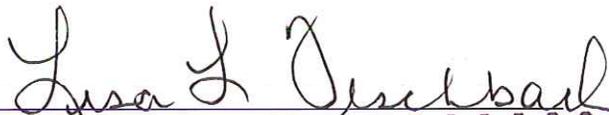
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, MICHAEL S. ALLISON, 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 2010-057, AN ORDINANCE GRANTING CERTAIN APPROVALS TO AMEND THE ZONING ORDINANCE AND FOR A SPECIAL USE PERMIT TO ALLOW A PRIVATE, THERAPEUTIC DAY SCHOOL ON PROPERTY LOCATED AT 150 FAIRWAY DRIVE, SUITES 140-146, IN THE VILLAGE OF VERNON HILLS, LAKE COUNTY.



MICHAEL S. ALLISON, VILLAGE CLERK

SUBSCRIBED AND SWORN to Before
Me this 21st day of September, 2010



Notary Public



