

MEMORANDUM

TO: Plan Commission

FROM: Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner

DATE: January 18, 2019

RE: Prefiling Conference on the Request for Text Amendment and Special Use for a Special Needs School for Felicity School; a Text Amendment and Special Use for a Personal Fitness Training Center for Movement Revolution and Institute for Human Performance; a Text Amendment for Private Sports Team Instruction all located in the I-1 Office Research Restricted Industry District at 550 Lake Cook Road (formerly the Venue One and Berto Center) and an Amendment to the Corporate 500 Centre Planned Unit Development (North Shore Sports and Wellness)

The purpose of a prefiling conference is to give the petitioner some direction, feedback and input on their proposed plans.

Subject Property

The subject property consists of the former Berto Center at 550 Lake Cook Road. The Berto Center, the practice facility for the Chicago Bulls professional basketball team was vacated a few years ago when the Chicago Bulls moved their practice facility to the City of Chicago. The Berto Center was approved in 1991 as Text Amendment, a Special Use and an amendment to the Corporate 500 Centre PUD. The building is 35,600 total square feet in area (29,000 square feet ground floor and a 6,600 square foot mezzanine) on a 1.95 acre parcel. The subject property is zoned I-1 Office, Research and Restricted Industry District. The Berto Center is part of the Corporate 500 Centre Planned Unit Development.

In 2014, the 550 Lake Cook Road building was approved for the establishment of an event center to service the residents and businesses. The types of events that the full service event center anticipated were weddings, bar/bat mitzvahs, proms, charity galas, charity fund raisers, corporate networking events and meetings, and small trade shows/expos with an average event consisting of approximately 220-300 guests. The use was not approved to host public concerts, night-club type events or events involving a promoter. The approval of this Special Use required parking agreements with nearby parking facilities to be utilized for the events.

Surrounding Land Use and Zoning

North: R-5 General Residence District – Coromandel, a residential development

South: I-1 Office, Research and Restricted Industry District – Residence Inn Marriott Hotel

East: C-2 Outlying Commercial District – Whitehall

West: I-1 Office, Research and Restricted Industry District – Corporate 500 Centre office buildings

Proposed Plan

Proposed North Shore Sports and Wellness Businesses

North Shore Sports and Wellness (NSSW) is a family owned business that took over the Joy of the Game Sports Center (JG) in Deerfield four years ago. NSSW's goal is to bring together organizations that promote sports and wellness by offering services and programs for the surrounding communities. NSSW is the permanent home to six stand-alone businesses, six top-tier sports programs and many other activity-based organizations all providing wellness-related programming. The petitioner's material indicates that changes occurring in Deerbrook Mall with the development of the area behind Deerbrook with apartments have forced NSSW to reexamine its core business. NSSW is trying to secure ownership of 550 Lake Cook Rd. to house three of the businesses; Felicity School; Institute for Human Performance; and Movement Revolution as well as utilizing the single basketball court in the building for after-hours sports practices only. Please see the petitioner's material for a detailed description of the operation of the three businesses. The petitioner's material indicates that the 550 Lake Cook Road building size, parking restraints, and other factors prevent other NSSW businesses in the current Joy of the Game building including athletic tournaments from joining this venture at 550 Lake Cook Road. The petitioner's request does not include many of the components of Joy of the Game's historical offerings. There will be no tournaments, large events or multiple athletic programs as there will be only one court in the facility.

Proposed Building and Site Improvements

No major changes are proposed for the building walls/elevations other than signage. The petitioner is proposing planting a tree and placing a bench on the subject property in remembrance of a student who passed away last fall.

Zoning Conformance

When a use is not specifically listed as a Permitted Use or Special Use in a zoning district, the use is not allowed. Currently, a special needs school; a personal fitness center; and a sports training facility are neither a Permitted nor a Special Use in the I-1 Office Research Restricted Industry District so these uses are not allowed. Therefore, a Text Amendment is needed to allow the proposed Special Uses in the I-1 District. The uses would be added to the I-1 Office Research Restricted Industry District (the current

zoning of the subject property) as a Special Use. The Special Use standards would apply to this Special Use. The proposed Special Uses will only be added to the I-1 Office Research Restricted Industry District. Attached are the Special Use standards.

As stated above, the petitioners are seeking approval of Text Amendments to allow a special needs school, personal training fitness center, and sports training facility as Special Uses in the I-1 Office Research Restricted Industry District. A Text Amendment has to be in the public interest and not solely for the interest of the applicant. The specific text amendments to the I-1 Office Research Restricted Industry District is as follows:

Add letter e to Article 6.01-C (4) Special Uses (Recreational and Social Facilities) in the I-1 Office Research Restricted Industry zoning district:

- e. Personal Training Fitness Center

Add letter f to Article 6.01-C (4) Special Uses in the I-1 Office Research Restricted Industry zoning district:

- f. Private Sports Team Instruction

Add number 24 to Article 6.01-C Special Uses in the I-1 Office Research Restricted Industry zoning district:

24. Special Needs School

An educational program offering life skill instruction for students with special needs.

Note: In 2014, a Text Amendment was made to the I-1 District for a freestanding meeting and event center in the I-1 Office, Research and Restricted Industry District. The 2014 Text Amendment to the I-1 Office, Research, and Restricted Industrial District allowed an event center facility located in an I-1 Planned Unit Development when such facility is located in an I-1 Planned Unit Development with a minimum of 25 acres in size which restricted an event center to only a couple of geographic areas in the I-1 District.

Parking and Traffic

There are currently 52 parking spaces on the subject property. The 1991 ordinance approving the Bulls practice facility at the Berto Center required a parking space ratio of 1 space for each 750 square feet of building space. The petitioners plan to maintain the same number of parking spaces and the same overall parking configuration on the property. The 1991 ordinance approving the Berto Center required the applicant to

have a cross easement agreement for 30 overflow parking spaces for special events across Corporate Drive in the Corporate 500 Centre office building parking lot. This cross easement agreement for 30 spaces still exists today and will be in place for the proposed NSSW uses.

The petitioners have submitted a traffic impact statement conducted by KLOA dated January 10, 2019, for the proposed relocation of Felicity School, the Institute for Human Performance (IHP), and Movement Revolution to 550 Lake Cook Road (southeast quadrant of Kates Road with Corporate Drive) in Deerfield, Illinois. Page 3 of the traffic impact statement lists the site characteristics and proposed operations of the three businesses as well as reiterates the shared parking agreement between the subject property and Lot 2 (immediately west of the site) of the Corporate 500 Centre planned unit development. Table 1 on page 4 of the report summarizes volume of traffic that will be generated during peak hours by the three proposed businesses. The petitioner's material indicates that the Felicity School students will be driven to and picked up in vans and cabs. The petitioner will have to indicate to the Plan Commission how the drop-off and pick-up operation will work in regards to circulating through the subject property and where the vehicles will park during the drop-off and pick-up process.

Page 5 of the study evaluates the adequacy of the proposed parking in accommodating the parking demand of the proposed facility on at typical weekday. The study indicates that the total estimated daily parking demand is 42 parking spaces with a surplus of 10 parking spaces, which can accommodate additional clients that may overlap during the one-on-one sessions with trainers or visitors for Felicity School.

The study indicates in its conclusion that the traffic that will be generated by Felicity School, The Institute for Human Performance, and Movement Revolution will be limited and can be accommodated by the area roadway system. The proposed parking supply of 52 parking spaces will be adequate in accommodating the projected parking demand of the facility on a typical weekday, and should additional parking be needed, any overflow demand can be accommodated by the shared parking agreement with Lot 2 of the Corporate 500 subdivision allowing for the use of 30 parking spaces.

Required Parking

As part of the approval process of a Special Use for the proposed personal training center and special needs school, the petitioners must demonstrate that adequate parking will be provided.

The parking requirements for a high school (high schools uses require two (2) parking spaces for each three (3) teachers and employees, plus one (1) parking space for each five (5) students). The parking requirement for Felicity School is 14 parking spaces (9 parking spaces for 14 employees plus 5 parking spaces for 25 students = 14 parking spaces).

Under the Zoning Ordinance, a personal fitness training center shall provide not less than one parking space for each employee on duty plus one parking space for each 600 square feet of gross floor area. The Institute for Human Performance (IHP) will occupy approximately 14,000 sf and have 10 personal trainers at peak time and will require 34 parking spaces (10 parking spaces for each personal trainer plus 23.33 parking spaces - $14,000 \text{ sf}/600 \text{ sf} = 33.33$ or 34 parking spaces). Movement Revolution will occupy 3,000 sf and have 5 employees at peak time, requiring 10 parking spaces (5 parking spaces for each employee plus 5 parking spaces - $3,000 \text{ sf}/600 \text{ sf} = 10$ parking spaces).

There is no specific requirement for parking spaces in the Deerfield Zoning Ordinance for private sports team instruction. The closest requirement is for a personal fitness training center which one parking space for each employee on duty plus one parking space for each 600 square feet of gross floor area. The private sports team instruction use would require 15 parking spaces (2 parking spaces for 2 coaches plus 12.8 parking spaces - $7,735 \text{ sf}/600 \text{ sf} = 14.8$ or 15 parking spaces)

The subject property at 550 Lake Cook Road is being proposed as a multiple use building containing two personal training uses and a special needs school. The building is 35,000 square feet and based on the current uses, the following number of parking spaces would be required:

Felicity School: 14 spaces

IHP: 33.33 spaces

Movement Revolution: 10 spaces

Private Sports Team Instruction: 14.8 spaces

Total: 72.13 or 73 parking spaces required for all uses in the facility.

To accommodate the vehicles for this facility there are 52 parking spaces on site and an 30 overflow parking spaces allowed by a cross easement agreement across Corporate Drive in the Corporate 500 Centre office building parking lot for a total of 82 par. The 1991 ordinance approving the Berto Center required the applicant to have a cross easement agreement for 30 overflow parking spaces and this cross easement agreement for 30 spaces still exists today and will be in place for the proposed NSSW uses.

The Coromandel development (on the north side of Kates Road) has one entrance in and out for this residential development with 400 housing units and this access point is at the intersection of Kates Road and Kelburn Road/Corporate Drive. No parking is allowed on the inner side of the Kelburn Road-Milford Road loop through Coromandel, as this is a fire lane, and parking is not allowed on the access road leading to the Village water tower. Parking is also prohibited on both sided of Kates Road. The NSSW petitioners will not be utilizing using any on-street parking for their facility, including on Corporate Drive or in the Coromandel development.

Loading

Article 8.03-H (5) states that for Special Uses, not listed, loading berths adequate in number and size to serve such uses shall be provided as recommended by the Plan Commission and approved by the Board of Trustees. When the Berto Center was approved in 1991, no loading berth was provided. The Plan Commission should inquire about how deliveries work and the frequency of deliveries.

Signage

New Signage:

The petitioners are also requesting approval of new signs on the doors.

Building Identification Signs in an I-1 PUD

This ground sign at the vehicular entrance to the 550 Lake Cook Road property along Corporate Drive is existing and is proposed to have a face change as indicated in the petitioner's plans.

The petitioners are requesting approval for replacement of the existing "550" ground sign at the entrance along Corporate Drive with the names of the three businesses occupying the building. The portion ground sign for Felicity School will have the tag line: Developing the mind...elevating the spirit with logo. The ground sign will require a sign exception for the tag line Developing the mind...elevating the spirit, as only the name of the building, or name of the tenant or name of the development and a logo is allowed, unless the tag line is removed.

Wall Sign

Number and Content:

Permitted: Limited to one (1) sign for each wall, which fronts on a street, right-of-way, easement for access or parking. Said sign shall only contain the name of the building, or the name of tenant, or the name of the development. Such signage may include a logo.

Proposed: The petitioner is proposing to replace the existing Venue One wall sign on the south building elevation. Proposed content is a logo with Felicity School on the first line and Developing the mind...elevating the spirit on the second line. The wall sign will require a sign exception for the tag line Developing the mind...elevating the spirit, as only the name of the building, or name of the tenant or name of the development and a logo is allowed, unless the tag line is removed.

Area:

Permitted: The maximum surface area shall not exceed one percent (1%) of the gross surface area of the wall to which it is affixed, or 100 square feet, whichever is lesser. 1% of the area of the south wall is 64 square feet.

Proposed: 56 (4 feet high by 14 feet long) square feet in area.

Location:

Permitted: Wall signs may be located on any principal building fronting on a street, right-of-way, easement for access, or parking area.

Proposed: On the south wall facing the parking area.

Height:

Permitted: Wall signs shall not be located higher than the parapet line of the roof of the building.

Proposed: The wall sign is below the parapet line of the roof.

Occupant Signs

Permitted: Occupant signs are exempt signs limited in content to the name of occupant and the address of the premises. Occupant sign are limited to wall and ground signs and no more than three (3) square feet in gross surface area per sign. Occupant signs cannot be more than fifteen (15) feet in height.

Proposed: The petitioner is proposing a sign for each business on the main entrance doors on the south elevation for a total of three (3) occupant sign each under three (3) square feet and under fifteen (15) feet in height per the petitioner's plans.

The petitioner is also proposing a single occupant sign at each of the three (3) separate entrance doors on the east elevation. Each of the occupant sign's surface area on the east elevation are under three (3) square feet and under fifteen (15) square feet per the petitioner's plans. The signs are not flashing or moving signs.

HVAC/Mechanical Screening

Any new rooftop units to be installed or the replacement of existing rooftop units, need to be screened from public view, or located to not be visible from a public way. The petitioner is not proposing any changes to the existing HVAC rooftop units.

Landscape Buffering

The Zoning Ordinance definition of "buffering" is: Any means of protecting abutting properties from the visual or auditory effects of a different or more intense use. "Buffering" may include, but is not limited to, berming, fencing, landscaping, providing greater setbacks or providing open spaces. One of the Special Use criteria is adequate buffering.

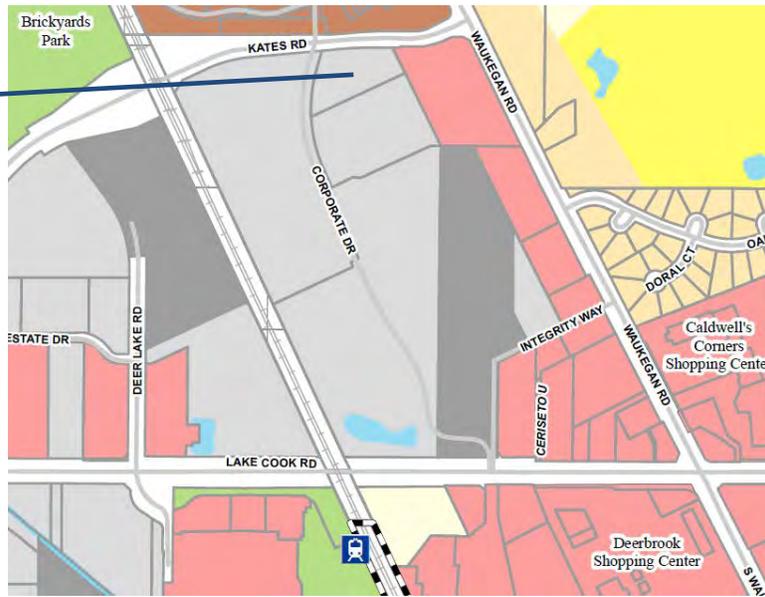
The current buffering on the property is in place and the petitioner is not proposing any changes.

Fire Department Approval

The petitioner has submitted a letter from the Deerfield-Bannockburn Fire Protection District dated January 2, 2019 that the site is approved for emergency vehicle accessibility. The petitioner is working with the Fire Marshall to determine the occupancy of the building based on the proposed uses in the building.

Village of Deerfield 2019 Zoning Ordinance Map

Subject Property



	R-1	SINGLE FAMILY DISTRICT ONE FAMILY DWELLINGS AND ACCESSORY USES
	R-2	SINGLE FAMILY DISTRICT SAME AS R1
	R-3	SINGLE FAMILY DISTRICT SAME AS R1
	R-4	SINGLE & TWO FAMILY ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	R-5	GENERAL RESIDENCE ONE FAMILY & TWO FAMILY DWELLINGS & ACCESSORY USES
	C-1	VILLAGE CENTER
	C-2	OUTLYING COMMERCIAL
	C-3	LIMITED COMMERCIAL OFFICE
	I-1	OFFICE, RESEARCH, RESTRICTED INDUSTRY
	I-2	LIMITED INDUSTRIAL
	P-1	PUBLIC LANDS SCHOOLS, PARKS, PUBLIC BUILDINGS & CEMETERIES



Map created on January 18, 2019.

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Map created on January 18, 2019.

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SPECIAL USE CRITERIA

Does it meet the standards for a Special Use? A Special Use shall be authorized only when the Plan Commission finds all of the following:

1. Compatible with Existing Development
The nature and intensity of the activities involved and the size, placement and design of any structures proposed will be so planned that the Special Use will be compatible with the existing development and will not impede the normal and orderly development and improvement of surrounding property.
2. Lot of Sufficient Size
The size of the lot will be sufficient for the use proposed.
3. Traffic
The location of the Special Use within the Village will be such that adverse effects on surrounding properties will be minimal, particularly regarding the traffic generated by the Special Use.
4. Parking and Access
Parking areas will be of adequate size for the particular use and properly located, and the entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
5. Effect on Neighborhood
In all respects the Special Use will not be significantly or materially detrimental to the health, safety and welfare of the public or injurious to the other property or improvements in the neighborhood, nor will it diminish or impair property values in the surrounding area.
6. Adequate Facilities
That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
7. Adequate Buffering
Adequate fencing and/or screening shall be provided to ensure the enjoyment of surrounding properties, to provide for the public safety or to screen parking areas and other visually incompatible uses.
8. If in C-1 Village Center District: That the establishment of the Special Use will not be injurious to the character of the C-1 Village Center District as a retail center for the Village.

FOR BACKGROUND PURPOSES ONLY

**ORDINANCE O-14-22 AUTHORIZING
THE ESTABLISHMENT OF A MEETING AND
EVENT CENTER AT 550 LAKE COOK ROAD**

**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-14-22

**AN ORDINANCE AUTHORIZING A TEXT AMENDMENT
AND SPECIAL USE FOR THE ESTABLISHMENT OF A
MEETING AND EVENT CENTER AT 550 LAKE COOK ROAD
(BERTO CENTER)**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF DEERFIELD, LAKE
AND COOK COUNTIES, ILLINOIS, this**

6th day of October, 2014.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
6th day of October, 2014.**

**VILLAGE OF DEERFIELD
LAKE AND COOK COUNTIES, ILLINOIS**

ORDINANCE NO. 0-14-22

**AN ORDINANCE AUTHORIZING A TEXT AMENDMENT
AND SPECIAL USE FOR THE ESTABLISHMENT OF A
MEETING AND EVENT CENTER AT 550 LAKE COOK ROAD
(BERTO CENTER)**

WHEREAS, Venue One, LLC, contract purchaser of the Subject Property described herein (the “Applicant”), has petitioned the Plan Commission of the Village of Deerfield for: (1) approval of an amendment to the Zoning Ordinance of the Village of Deerfield to permit a freestanding event center facility as a special use in the I-1 Office, Research and Restricted Industry District when located in an I-1 Planned Unit Development which is a minimum of 25 acres in size; (2) approval of an event and meeting center known as Venue One to be established and operated on the property commonly known as 550 Lake Cook Road and legally described on Exhibit A attached hereto (the “Subject Property”) as a Special Use of the Subject Property in the Corporate 500 Centre Planned Unit Development (the “PUD”) in the I-1 Office, Research and Restricted Industry District; (3) approval of an amendment to the Corporate 500 Centre PUD authorizing certain site plan changes to the PUD; (4) approval of variation from the requirements of Article 8.02-A of the Zoning Ordinance of the Village of Deerfield to permit Applicant to use off-site parking spaces secured by agreement to meet the total number parking spaces required for events held at the proposed Venue One freestanding event center facility; and, (5) approval of sign modifications to (i) permit an additional illuminated business identification ground sign at the corner of Kates Road and Corporate Drive, (ii) permit said illuminated ground sign to be

located approximately fifteen (15) feet from the curb of Corporate Drive and (iii) to permit the new illuminated building identification ground sign to have a maximum height of five (5) feet above grade (collectively, the “Sign Modifications”); and

WHEREAS, the Plan Commission of the Village of Deerfield held a public hearing on September 4, 2014 pursuant to public notice duly given and published as required by statute and conforming in all respects, in both manner and form, with the requirements of the statutes of the State of Illinois and the Zoning Ordinance of the Village of Deerfield to consider the application; and

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the evidence, testimony and supporting materials offered at said public hearing, submitted its written report to the President and Board of Trustees of the Village of Deerfield recommending: (1) approval of an amendment to the Zoning Ordinance of the Village of Deerfield to permit a freestanding event center facility as a Special Use in the I-1 Office, Research and Restricted Industry District when located in an I-1 PUD which is a minimum of 25 acres in size; (2) approval of a Special Use to permit a freestanding event and meeting center known as Venue One to operate on the Subject Property as a Special Use of the Subject Property in the Corporate 500 Centre Planned Unit Development in the I-1 Office, Research and Restricted Industry District; (3) approval of an amendment to the Corporate 500 Centre Planned Unit Development (the “PUD”) authorizing certain site plan changes to the PUD; (4) approval of a variation from the requirements of Article 8.02-A of the Zoning Ordinance of the Village of Deerfield to permit Applicant to use off-site parking spaces secured by agreement to meet the total number parking spaces required for events held at the proposed Venue One freestanding event center facility;

and (5) approval of the Sign Modifications, all subject to the conditions, regulations and restrictions set forth herein; and

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that it is in the best interests of the Village of Deerfield that the text of the Zoning Ordinance be amended as provided herein to allow freestanding event center facilities as a Special Use in the I-1 Office, Research and Restricted Industry District when located in an I-1 PUD which is a minimum of 25 acres in size; and

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that the proposed Special Use for the Subject Property fully complies with the requirements and standards set forth in Article 13.11 and Article 6.01-C of the Zoning Ordinance of the Village of Deerfield, as amended, and that the best interests of the Village will be served by authorizing a freestanding event and meeting center known as Venue One to be established and operated as a Special Use of the Subject Property in the Corporate 500 Centre Planned Unit Development in the I-1 Office, Research and Restricted Industry District, subject to the conditions, regulations and restrictions set forth herein; and

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that an amendment to the Corporate 500 Centre Planned Unit Development should be approved to allow certain site plan changes to the PUD as more fully described herein; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that a variation from the

requirements of Article 8.02-A of the Zoning Ordinance of the Village of Deerfield should be approved to permit Applicant to use off-site parking spaces secured by agreement to meet the total number parking spaces required for events held at the proposed Venue One freestanding event center facility; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield concur in the recommendation of the Plan Commission and have determined that said Sign Modifications should be approved to the extent provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF DEERFIELD, LAKE AND COOK COUNTIES, ILLINOIS, in the exercise of its home rule powers, as follows:

SECTION 1: That the above and foregoing recitals, being material to this Ordinance, are hereby incorporated by this reference and made a part of this Ordinance as if fully set forth herein. **SECTION 2:** That 6.01-C (“Special Uses”) of Article 6.01 (Office, Research, Restricted Industry District) the Zoning Ordinance of the Village of Deerfield be and the same is hereby amended to add the following as Paragraph 22 thereof:

22. Free-Standing Event Center Facility.

A freestanding event center facility when such facility is located in an I-1 Planned Unit Development which is a minimum of twenty-five (25) acres in size.

SECTION 3: That the President and Board of Trustees do hereby authorize and approve the establishment, operation, maintenance and use of an approximately 35,600 square foot Venue One freestanding event center facility as a Special Use of the Subject, including a variation from the requirements of Article 8.02-A of the Zoning Ordinance of the Village of Deerfield to permit Applicant to use off-site parking spaces secured by agreement to meet the total number parking

spaces required for events held at the proposed Venue One freestanding event center facility (“Parking Variation”), as a Special Use of the Subject Property in the I-1 Office, Research and Restricted Industry District and as an amendment to the Corporate 500 Centre Planned Unit Development, all to the extent provided herein.

SECTION 4: That the President and Board of Trustees do hereby further authorize and approve the changes to the Corporate 500 Centre Planned Unit Development (the “PUD”) site plan described on Exhibit B attached hereto as an amendment to the PUD in the I-1 Office, Research and Restricted Industry District and to authorize and permit the establishment, operation, maintenance and use of the Venue One event and meeting center as a Special Use of the Subject Property.

SECTION 5: That the President and Board of Trustees of the Village of Deerfield find and determine that sign modifications to (i) permit an additional illuminated business identification ground sign at the corner of Kates Road and Corporate Drive, (ii) permit said illuminated ground sign to be located approximately fifteen (15) feet from the curb of Corporate Drive and (iii) to permit the new illuminated building identification ground sign to have a maximum height of five (5) feet above grade (collectively, the “Sign Modifications”) comply with the requirements and standards for sign modifications set forth in Article 9.02-C PUD and in Article 13.11-D of the Zoning Ordinance of the Village of Deerfield, and do hereby authorize and approve said Sign Modifications for the Venue One Special Use of the Subject Property.

SECTION 6: That the approval and authorization of said Special Use, Parking Variation, amendments to the PUD and Sign Modifications are granted subject to the following conditions, regulations and restrictions:

- (a) That the construction, development, maintenance and use of the Subject Property for said Special Use shall be substantially in accordance with the

documents, materials and exhibits attached hereto and made a part hereof as Exhibit B and with all representations submitted and made by the Applicant to the Plan Commission and to the President and Board of Trustees of the Village of Deerfield.

- (b) That weekday and weekend hours for events shall be limited to:
6:00 p.m. through 11:00 p.m. Monday through Thursday
6:00 p.m. through 12:00 a.m. Fridays
12:00 p.m. through 12:00 a.m. Saturdays and Holidays
12:00 p.m. through 11:00 p.m. Sundays
- (c) That weekend hours for small trade shows/expos shall be limited to:
8:00 a.m. through 8:00 p.m. Saturdays and Sundays
- (d) That hours for use of exterior meeting/event space shall be limited to:
10:00 a.m. through 9:00 p.m. Monday through Sunday
- (e) That hours for use of meeting rooms and first floor event space shall be limited to:
7:00 a.m. through 10:00 p.m. Monday through Friday
- (f) Amplified music is prohibited for the exterior meeting/event space.
- (g) Applicant will provide valet services for events (see Section 6(b) above) that require the use of off-site parking spaces.
- (h) Applicant shall pay for police traffic control services and personnel if public traffic control services are required by the Village for an event or meeting.
- (i) The maximum number of guests for any event shall be limited to the total of: (1) the number of parking spaces located on the Subject Property, plus (2) the total number of permissible off-site parking spaces that are firmly secured contractually for Applicant's use for the event by agreement with the owner(s) of such off-site parking, multiplied by two (2). In no event, however, may the maximum permitted occupancy of the building be exceeded.
- (j) The off-site parking spaces which may be used for guest parking for events, and considered in determining the maximum number of guests for an event pursuant to Section 6(i) must be located on property located within the area bounded by Waukegan Road, Pfingsten Road, Kates Road and Lake Cook Road
- (k) The Subject Property may not be used for: (1) events or meetings open to the general public; (2) public concerts; (3) night club type events; (4) adult entertainment events; or (5) any event involving a promoter.

(l) Compliance by the Applicant with all applicable provisions of the PUD, and with all applicable provisions of the Zoning Ordinance of the Village of Deerfield.

SECTION 7: That the Special Use as hereby authorized shall be binding upon and inure to the benefit of the Applicant and Applicant's successors, grantees, transferees and assigns. Any violation of this Ordinance or the conditions, regulations and restrictions set forth herein by Applicant or its successors, grantees, transferees or assigns shall authorize the revocation of the Special Use as hereby authorized.

SECTION 8: That the Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form and to record this Ordinance in the office of the Recorder of Deeds of Lake County at Applicant's expense.

SECTION 9: That this Ordinance, and each of its terms, shall be the effective legislative act of a home rule municipality without regard to whether such Ordinance should: (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law; or, (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Deerfield that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 10: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 6th day of October, 2014.

AYES: Benton, farkas, Jester, Nadler, Seiden, Struthers

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED this 6th day of October, 2014.

Harriet Cassinthal
Village President

ATTEST:

Karl S. Sat
Village Clerk

Exhibit B

Exhibits to an Ordinance Authorizing an Amended Special Use to Permit the Establishment of Venue One Meeting and Event Center at 550 Lake Cook Road (Berto Center)

1. Site Plan Sheet No. A-1 by Barker / Nestor Architecture and Design for Venue One, dated August 12th, 2014.
2. Site Plan Sheet No. A-2 by Barker / Nestor Architecture and Design for Signage and Exterior Enhancements for Venue One, dated August 12th, 2014.
3. Ground Floor Plan Sheet No. A3 by Nestor Architecture and Design for Venue One, dated August 12th, 2014.
4. Mezzanine Floor Plan Sheet No. A4 by Nestor Architecture and Design for Venue One, dated August 12th, 2014.
5. Landscape Plan Sheet No. L-1 by Groundwork for Venue One, dated August 12th, 2014.
6. Sign Site Plan, Page 1, by Monosibic Signs and Graphics dated July 31st, 2014.
7. Sign 1 – Exiting Monument Sign, Pages 2-3, by Monosibic Signs and Graphics dated July 31st, 2014.
8. Sign 2 – D/F Monument Sign, Pages 4-5, by Monosibic Signs and Graphics dated July 31st, 2014.
9. Sign 3 – Wall Sign, Pages 6-7, by Monosibic Signs and Graphics dated July 31st, 2014.
10. Elevation Sheet No. A5 by Barker / Nestor Architecture and Design for Venue One, dated August 12th, 2014.
11. Entry awning specification sheet by South Water Signs, dated August 5th, 2014.
12. Two cut sheets for Amerlux bollard lighting.
13. Two cut sheets for Volt LED landscape lighting.
14. Two cut sheets for Amerlux Passo LED steplights.
15. One cut sheet for Reliance Foundry for flexible bollards.

16. Traffic Impact Study by Gewalt Hamilton Associates, dated August 15th, 2014.
(70 total pages)
17. Parking Agreement; Venue One North Shore – 550 Lake Cook Road. To include locations at 400, 430, 450, 570, 770 Lake Cook Road and 790 Estate Drive.
18. Fire Marshal Recommendation, preliminary plan review dated August 14th, 2014.