

MEMORANDUM

TO: Plan Commission

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

DATE: October 18, 2019

RE: Request for Approval of an Amendment to a Special Use to Add Four (4) Pickleball Courts to Deerspring Park (Deerfield Park District)

Subject Property

The subject property consists of Deerspring Park and Pool. Deerspring Park is currently 15.79 acres in size and is zoned P-1 Public Lands District. In 2005, the Park District received approval for an amendment to their Special Use for Deerspring Park to allow renovations to the pool and parking lot (Ordinance O-05-10 dated April 14, 2005)

Surrounding Land Use and Zoning

North: R-1 Single Family District – single family homes

South (across Deerfield Road): R-1 Single Family District – single family homes

East: R-1 Single Family District – single family homes

West: R-1 and R-3 Single Family District – single family homes

Proposed Plan

The Deerfield Park District is proposing to renovate the northwest section of the park by removing the existing sand volleyball court and adding four (4) pickleball courts in its place. The proposed pickleball courts will have a 10-foot high chain link fence with windscreens around the courts and an asphalt surface. The paved court area will be 9,678 square feet in area and no lights will be added to the courts. The petitioner's plans indicate that the majority of pickleball play is in the mornings, generally between 7:00AM – 11:00AM and will not pose a conflict between pool users and pickleball players as the pool does not open to the general entire public until 11:00AM. The proposed pickleball courts will be located approximately 327 feet from the nearest home to the east; 248 feet from the nearest home to the northwest; and 250 feet from the nearest home to the west. The Park District will not conduct organized leagues on the pickleball courts.

No new parking spaces will be added as part of this project as it is anticipated that the existing parking supply will accommodate the pickleball players. The petitioner's plans indicate that portable benches will be provided as well as a paved path connecting the

courts to the existing paved path running north from the pool complex. The existing paved path will also be renovated as part of this project as well as the replacement of seven trees that will be removed due to the construction of the courts. The plan will also incorporate newly created 12,000 square foot detention area, located east of the new pickleball courts, for storm water management requirements as indicated by the Village Engineering Department. The detention area will be seeded with a native plant mix. No additional signage is proposed as part of this renovation project.

Noise

The petitioner engaged an acoustic expert to conduct two sound studies in anticipation of noise concerns. The first report Noise Assessment of Pickleball Play assessed noise data in order to locate the pickleball courts to limit the impact on residential neighbors and the second report Noise Assessment of Pickleball Play in Deerspring Park assessed the noise impact of the proposed pickleball courts on adjacent properties. The second report concluded that the noise of pickleball play, coupled with the location of the courts from the residential properties, would not present an impact to its neighbors.

Access

The vehicular access points to the property will not be changed. There is vehicular access from the south at Deerfield Road and from the north at Margate Terrace. The north/south access road is two way, while the traffic flow within the parking lot is one way.

Zoning Conformance – P-1 Public Land District

There are no Permitted Uses in the P-1 Public Lands District. All uses allowed in the P-1 Public Lands District are Special Uses. The proposed changes to Deerspring Park require an amendment to the existing Special Use for the park. Attached are the Special Use standards. In the P-1 Public Lands District, there is a provision in the Zoning Ordinance that allows flexibility in the regulations for public facilities. Article 7.06-B Modification of Regulations states "Because of the difficulties involved in balancing the need for control of land development impacts and the need for provision of public facilities, such uses may depart from the strict conformance with bulk standards and other requirements of this ordinance. Departure from any requirement specified in this Ordinance shall be granted only upon approval of the Village Board subject to the procedural requirements for Special Uses set forth in Article 13."

Bulk Standards in the P-1 Public Lands District

Minimum Yards

Required: Front yard (at south end of the park) - the building must be set back from the front lot line a distance at least equal to that of the adjacent zoning district requiring the greatest front yard (which is R-3 single family residential district). The R-3 single family residential district requires a 25' front yard.

Proposed: No changes at the south end of the park.

Required: Side Yards (to east and west) – No side yard required except a side yard adjoining a residential district shall be at least 10 feet.

Proposed: No changes to the east and west sides of the park.

Required: Rear Yard (to north) - A rear yard adjoining a residential district shall be at 25 feet.

Proposed: The proposed pickleball courts will not be in the rear yard setback, and is approximately 65 feet from the north property line.

Maximum Lot Coverage

Allowed: The total ground area occupied by the principal and accessory buildings shall not exceed forty (40) percent of the total lot area.

Proposed: Approximately 8%

Maximum Building Height

Allowed: The maximum building height allowed is 35 feet to the top of the roof.

Proposed: The existing building will not be changed as part of the renovations to the park.

Parking

The Zoning Ordinance requires 256 parking spaces based on the requirement of one (1) parking space for each 5,000 square feet of gross land area for a public park, playgrounds, and athletic fields, and one (1) parking space for each 75 square feet of water area for a public swimming pool. The pool would require 118 spaces ($8,850/75 = 118$) and the 15.79 acre park would require 137.5 spaces for a total of 256 parking spaces (118 spaces for the pool and 137.5 for the park = $255.5 = 256$ spaces).

Deerspring Park currently has 70 parking spaces and 5 accessible spaces for a total of 75 marked parking spaces on site.

In 2005, the Deerspring Park was granted a parking exception as part of their renovation plan to provide 109 spaces (an increase of 52 spaces at the time) in lieu of the required 256 spaces due to the nature of the Deerspring Park. Deerspring Park is not a heavily programmed park. The swimming pool operation is only 12 weeks and a large portion of the 15.79-acre park is made up of a heavily wooded area. There are no athletic fields that attract a large number of participants, the tennis court users tend to park on one side of Margate Terrace, and the sand volley court is used on a random, unprogrammed basis. The 2005 plan also included 25 landbanked spaces that would be created if necessary. These landbanked spaces are located on the east side of the existing north/south access road.

Staff has asked the Police Department if there have been any parking complaints along Margate Terrace and Lions Drive (at the north end of Deerspring Park where patrons could park). Parking is prohibited on the south side of Margate Terrace/Manor Drive along the north end of Deerspring Park. Since 2014, there were two complaints (both in 2017) that had to do with on-site parking because of a swim meet.

The petitioner has engaged a traffic consultant to prepare a traffic and parking analysis study for the proposed pickleball courts to be located in Deerspring Park. The study will include analysis of the number of parking spaces to accommodate the maximum parking demand, traffic characteristics and estimated traffic generation of the proposed renovations and its interaction with the existing on-site uses. The traffic and parking analysis will be available for the public hearing.

Landscape Plan

The petitioners are proposing changes to the existing landscaping on the property in conjunction with the proposed pickleball courts. The petitioner's plans indicate that they will be replacing a tree for every tree that is being removed. The petitioner's Planting and Landscape plan indicates the location, number, type and size of the proposed plantings to be replaced on the property ranging from 12 to 16 feet in height. The existing tree inventory and plantings that will be removed in the renovation area is also shown on the Planting and Landscape Plan.

Storm Water Drainage and Utilities

The petitioners will be providing storm water detention for the proposed renovations. The petitioners have submitted the proposed preliminary engineering for the property. For a Special Use, the petitioners must demonstrate that the stormwater plans will work. Final engineering will have to be approved by the Village Engineer prior to the issuing of a building permit.

Fire Department

The Deerfield Bannockburn Riverwoods Fire Department will have to review and approve the site plan for emergency vehicle accessibility.

Bike Facilities

Bicycle facilities must be indicated on the petitioner's plan as required by the Zoning Ordinance. Ordinance 0-02-09 required that where appropriate, all developments in the P-1 Public Lands District (as well as the C-1, C-2, and I-1 District), have to provide for bicycle storage, safe and smooth internal circulation, and connections to adjacent developments and bike paths. Deerspring Park has an existing bike storage area to the north of the existing building and there is an existing path from both Deerfield Road and Margate Terrace to the building. The Plan Commission may want to ask the petitioners if additional bike racks are needed.

Submittal List

Attached is the submittal list given to the petitioners.

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 October 17, 2019.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

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.

September 9, 2019

Re: Submittal List for 2019 Deerspring Renovations

Dear Jeff:

We are providing you with a submittal list for the proposed renovations to Deerspring Park. An amendment to the Special Use will be required for the proposed renovations to Deerspring Park. Please note that all of the special use standards have to be met for approval of the project. Adequate buffering is one of the special use standards and there is a definition of buffering in the zoning ordinance.

Prefiling Conference (workshop meeting) and Public Hearing Submittals

Two (2) sets of paper plans are due three (3) weeks prior to the prefiling conference and public hearing for staff review and comments. Four (4) sets of paper plans and one electronic copy are due approximately 2 weeks prior to the prefiling conference and public hearing meeting.

See the following sections in the Zoning Ordinance (on line at the Village's website www.deerfield-il.org) for this project: Note that for Special Uses, minimum yards of greater dimension may be required as a condition of authorization. See also Article 7 (P-1 Public Lands District), Article 13.11 (Special Uses), and Article 2.09-B (Bicycle Facilities) and Article 14 (Definitions). If any changes to the parking lot are proposed, see Article 8.02-C (Parking Lot Design, Development and Maintenance), Article 8.02 (Location of Parking). See also Article 2.04-I, 1 (landscape screening between a non-residential property and a residential property) and the definition of landscape screening in Article 14 of the zoning ordinance. If any new parking lots are proposed or to be expanded, they have to be screened as indicated in Article 2.04-I, 2.

The Plan Commission will need detailed plans on the proposed renovations. The necessary submittals to the Plan Commission for the proposed renovations will be the following:

- A written project description detailing the proposed renovations. Please address the Special Use standards as part of your written materials. Note the definition of buffering in the zoning ordinance for the last standard.
- Site specific sound study on the impact of the proposed location of the pickle ball courts on the surrounding properties. Attached are two examples.
- A fully dimensioned site plan showing the proposed pickle ball courts. Include a data table with data such as: total gross square footage of the new improvements and if there are any proposed parking spaces (including the number and size of the spaces, as well as handicapped spaces); lot coverage; and lot area.

- Scaled elevation drawings showing all the exterior materials for the new improvements. All the exterior building materials must be listed on the elevation drawings. You will need to bring full size colored elevation drawings as well as color and material samples to the meetings.
- Just to be on the safe side, you probably want to discuss with the Plan Commission (at the pre-filing conference) if they see any need for a traffic and parking study. If the intensity of the use of the property increases, they would want to see some traffic and parking analysis.
- A landscaping plan with a data table indicating the size (caliper), type, quantity, and location of the proposed landscaping. Any existing trees to be removed or relocated needs to be indicated on the plans. Please note that landscape screening is required for parking lots, and sufficient landscaping in the interior of the parking lot needs to be provided.
- A lighting plan will need to be submitted. Detailed information has to be submitted including: a photometrics plans showing lighting output on the property (including at the property lines where the output needs to be zero -, i.e., lighting cannot spill over the property lines), the location, height, and color of the proposed light poles, a drawing of the proposed light fixture, and the output of the proposed lights. The location of any lighting on the improvements themselves must be shown on the elevation drawings. The hours of the parking lot light/timing of the lighting needs to be indicated on the plans.
- Any new trash/refuse areas need to be indicated on the site plan. Trash areas must be fully screened from view and an elevation of the enclosure needs to be submitted.
- If any new fencing is proposed, details need to be submitted (type of fence, height, location, and an elevation drawing of the fence).
- If any new signage is proposed pickleball courts or changed, a detailed sign plan is required which details the size, content, colors, lighting, and the materials the sign is made of. Any wall signs must be detailed on the elevation drawings. Any new ground sign needs to be located on the site plan and the landscape plan, and an elevation drawing of the ground sign needs to be submitted. The zoning regulation for signage in the Public Land District is in Article 9.02-E of the Zoning Ordinance.
- Please include in the plans any sustainable practices that will be incorporated into the renovations (e.g. permeable pavement/pavers, solar panels, bioswales/bioretenion, rain barrels, native plantings, lighting and other building systems will meet energy efficiency standards, reduced water use by using more efficient fixtures and controls, open space with water efficient landscaping, etc.). The Village encourages sustainable practices to lessen the environmental impact

of development. Please indicate in your plans and written materials all the sustainable elements that are proposed as part of this project.

- The Park District will be required to provide storm water detention as a result of the storm water generated by the proposed improvements. In regards to storm water drainage, your consultant will need to work with the Village's Engineering Department. The contact at the Village is Bob Phillips (847-719-7464 or rphillips@deerfield.il.us). For a Special Use, you must submit preliminary engineering (grading and utility plan) to the Plan Commission and demonstrate to them that the drainage plans for the property will work. Final engineering plans will have to be approved by the Village Engineer prior to the issuing of a building permit. Note: If any retaining walls are proposed, indicate the location and height on the site plan and the engineering plans.
- The Deerfield Bannockburn Fire Protection District has to approve the site plan for emergency vehicle accessibility and fire lanes. The contact person is Brian McCarthy, Fire Marshall, at (847) 945-4088 or bmccarthy@dbfd.org. The Plan Commission will need a letter of approval from Brian McCarthy prior to the public hearing meeting. Submit copies of the site plan directly to Brian McCarthy for his review and approval.
- The Plan Commission Recommendation and Ordinance from the 2004-2005 Deerspring Park Special Use Amendment are included for your information.

The Plan Commission is a recommending body of the Village Board of Trustees. The Village Board of Trustees will consider the recommendation and has a final decision on the matter. If the Village Board approves the Special Use, an ordinance is prepared by the Village Attorney that goes through two (2) readings at the next two Board meetings. Only after the second reading of the ordinance is passed, is the Special Use approved. In addition to being present at the Board of Trustees meeting where the Plan Commission recommendation is considered, representatives for your proposal must also be present at both readings of the ordinance to answer any additional questions that might come up. After approval of the second reading of the ordinance, a building permit can be turned into the Building Department for review. Review time varies depending on the time of the year but sometimes the building review time can run up to four to six weeks.

I would also recommend sharing your plans with the neighbors through a meeting after the Plan Commission pre-filing conference and before the public hearing.

Sincerely,

Jeff Ryckaert, Principal Planner
847-719-7482
jryckaert@deerfield.il.us

Dan Nakahara, Planner
847-719-7480
dnakahara@deerfield.il.us

FOR BACKGROUND INFORMATION ONLY

- Ordinance O-05-10 – 2005 Ordinance Authorizing Renovations to Deerspring Park

5841215

STATE OF ILLINOIS)
)
COUNTIES OF LAKE AND COOK) SS
)
VILLAGE OF DEERFIELD)



FILED FOR RECORD BY:
MARY ELLEN VANDERVENTER
LAKE COUNTY, IL RECORDER
08/19/2005 - 09:41:32 A.M.
RECEIPT #: 240421
DRAWER #: 17

The undersigned hereby certifies that she is the duly appointed Deputy Village Clerk of the Village of Deerfield, Lake and Cook Counties, Illinois, and that the attached is a true and accurate copy of

Ordinance O-05-10 Authorizing an Amended Special use Including Parking Modifications to Allow Certain Renovations to Deerspring Park in the P-1 Public Lands District.

Dated this April 26, 2005.

Jennifer L. Davis

JENNIFER L DAVIS
Deputy Village Clerk



Submitted by:
mt

Village of Deerfield
850 Waukegan Road
Deerfield, IL 60015

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

ORDINANCE NO. 0-05-10

**AN ORDINANCE AUTHORIZING AN AMENDED SPECIAL USE
INCLUDING PARKING MODIFICATIONS TO ALLOW CERTAIN RENOVATIONS
TO DEERSPRING PARK IN THE P-1 PUBLIC LANDS DISTRICT**

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

4th day of April, 2005.

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Deerfield, Lake and
Cook Counties, Illinois, this
5th day of April, 2005.**

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

ORDINANCE NO. 0-05-10

**AN ORDINANCE AUTHORIZING AN AMENDED SPECIAL USE
INCLUDING PARKING MODIFICATIONS TO ALLOW CERTAIN RENOVATIONS
TO DEERSPRING PARK IN THE P-1 PUBLIC LANDS DISTRICT**

WHEREAS, the Deerfield Park District (the "Applicant"), the owner of certain property commonly known as Deerspring Park that is legally described on Exhibit A attached hereto (the "Subject Property"), petitioned the Village of Deerfield for approval of an amendment to a Special Use pursuant to Article 7.02-B, Paragraph 4 and Paragraph 5, of the Zoning Ordinance of the Village of Deerfield to permit certain park improvements and renovations to be made on the Subject Property consisting of the renovation of the existing Olympic-size pool, the renovation of the existing kiddie pool, the addition of a zero-depth wading pool and a new spray ground area, the replacement of the existing playground area, and an expansion of the existing parking lot on the Subject Property, including a modification to reduce the required number of parking spaces from 256 to 142 spaces (which total includes 50 land banked spaces), said park improvements and renovations being collectively referred to herein as the "Deerspring Park Renovations"; and,

WHEREAS, the Plan Commission of the Village of Deerfield held a public hearing on January 13, 2005 to consider said request for an amendment to the previously approved Special Use for Deerspring Park to permit the Deerspring Park Renovations, said hearing being held pursuant to public notice 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; and,

WHEREAS, the Plan Commission of the Village of Deerfield, after considering the testimony, documentary evidence and supporting materials offered at said public hearing, filed its report with the President and Board of Trustees containing its written findings of fact and recommendation to authorize an Amended Special Use pursuant to Article 7.02-B, Paragraphs 4 and 5, of the Zoning Ordinance of the Village of Deerfield to permit the Deerspring Park Renovations in accordance with certain plans and supporting materials submitted by the Applicant; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield have considered and reviewed the proposed Deerspring Park Renovations, the supporting materials submitted by the Applicant, the evidence adduced at said public hearing, and the findings of fact and recommendations of the Plan Commission of the Village of Deerfield; and,

WHEREAS, the President and Board of Trustees of the Village of Deerfield have determined that the best interests of the Village will be served by the authorization and granting of an amendment to a Special Use for Deerspring Park as provided herein in accordance with the plans and supporting materials submitted by the Applicant to the extent herein provided;

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 the President and Board of Trustees of the Village of Deerfield do hereby authorize and approve the Deerspring Park Renovations as an amendment to the Special Use previously approved for the Subject Property in the P-1 Public Lands District pursuant to Article

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7.02-B, Paragraphs 4 and 5, of the Zoning Ordinance of the Village of Deerfield, subject to the conditions, regulations and restrictions set forth in Section 4 of this Ordinance.

SECTION 3: That the President and Board of Trustees of the Village of Deerfield hereby authorize and approve the Deerspring Park Renovations as depicted on Site Plan A0.1A entitled "*Site Plan - 90° Angled Parking with Trees - Option A*" dated February 25, 2005 by PHN Architects as an amendment to the approved Special Use of the Subject Property in the P-1 Public Lands District, including a modification reducing the number of required parking spaces for the Subject Property to 142, which total includes 25 landbanked parking spaces and 25 reserved parking spaces in the west bank of the proposed parking lot as depicted on said Site Plan A0.1A that shall not be constructed except as provided in Section 4 of this Ordinance.

SECTION 4: That the approval and authorization of said Special Use is hereby granted subject to full and continued compliance with the following conditions, regulations and restrictions:

- A. Applicant shall install one or more surveillance cameras as needed to monitor and record traffic and parking conditions during the 2005 swimming pool season and during the 2006 swimming pool season following completion of the swimming pool renovations approved as a part of this Amended Special Use.
- B. Applicant shall not construct the reserved west bank of 25 parking spaces depicted on Plan A0.1A until after the conclusion of the 2006 swimming pool season, and only if Applicant determines based upon its analysis of traffic and parking data recorded during the 2005 swimming pool season and during the 2006 swimming pool season after the completion of the pool renovations that such additional parking spaces are needed to accommodate increased parking demands associated with the Amended Special Use.
- C. Applicant shall preserve and protect the significant trees identified in the report dated February 8, 2005 by Todd R. Sinn of Urban Forest Management, Inc. to Mr. Richard R. Julison, Superintendent of Parks and the attached Tree Inventory that are identified on Site Plan A0.1A as trees to remain on the site. Applicant shall further provide on-site and off-site mitigation of all trees measuring 8" in diameter and larger identified in said Tree Inventory that are removed as a result of the Deerspring Park Renovations. Such mitigation shall be in accordance with the formula set forth in the Deerfield Tree Preservation Ordinance and shall

take place within 12 months following the commencement of the Deerspring Park Renovations construction.

D. Applicant is required to provide 142 parking spaces serving the Subject Property as depicted on Site Plan A0.1A, which total includes 25 reserved parking spaces in the west bank of the parking lot which shall not be constructed before the end of the 2006 swimming pool season as provided in Paragraph B hereof, and 25 landbanked spaces, which Applicant shall improve and provide upon written notice from the Village.

E. Stormwater management improvements shall be implemented as described in the 6-page letter from Linda Gryziecki, Director of Parks and Recreation, to Mayor Harris and Village Trustees dated March 2005.

F. Applicant shall provide a trash enclosure system approved by the Village for the trash handling area.

G. Applicant shall provide a 911 emergency call system available to users of the park.

H. Applicant shall continue to comply with the requirements of all previous ordinances approving the existing Special Use for Deerspring Park and all other applicable provisions of the Zoning Ordinance of the Village of Deerfield.

SECTION 5: That the Amended 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, and any violation of the conditions herein set forth by the Applicant or its successors, grantees, transferees or assigns shall authorize the revocation of the Special Use as hereby authorized.

SECTION 6: 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, Illinois as Applicant's expense.

SECTION 7: 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 8: 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 4th day of April, 2005.

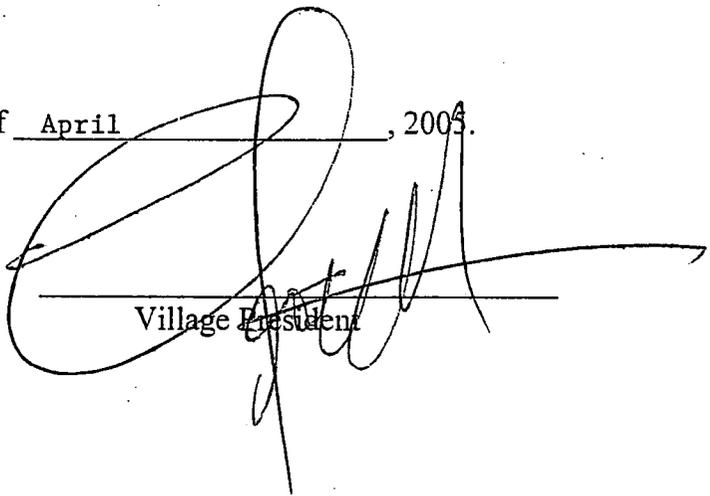
AYES: Benton, Rosenthal, Seiden, Swanson, Wylie (5)

NAYS: Kayne (1)

ABSENT: None (0)

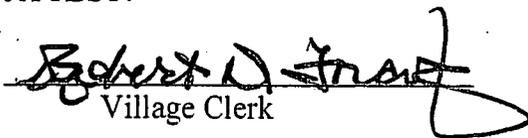
ABSTAIN: None (0)

APPROVED this 4th day of April, 2005.



Village President

ATTEST:



Village Clerk

EXHIBIT A

Said property is known as the Deerspring Park at 200 Deerfield Road and is legally described as follows:

THE EAST HALF (EXCEPT THE WEST 1 ROD THEREOF) OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY-EIGHT, TOWNSHIP FORTY-THREE NORTH, RANGE TWELVE, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE FOLLOWING DESCRIBED PREMISES, TO WIT: COMMENCING ON THE EAST LINE OF THE WEST 1 ROD OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-EIGHT, AT ITS INTERSECTION WITH A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY-EIGHT, AT A POINT 313.54 FT. NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE EAST LINE OF SAID WEST 1 ROD, A DISTANCE OF 150.0 FT.; THENCE EAST ON A LINE AT RIGHT ANGLES TO THE EAST LINE OF SAID QUARTER QUARTER SECTION TO ITS INTERSECTION WITH A CURVED LINE, CURVED CONVEX TO THE WEST, RADIUS 555.52 FT., THE CENTER OF SAID CURVE LYING ON A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF SAID QUARTER QUARTER SECTION AT A POINT 713.54 FT. NORTH OF THE SOUTHEAST CORNER THEREOF AND 139.02 FT. EAST OF THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTHEASTERLY ALONG SAID CURVED LINE TO A POINT OF REVERSE CURVE, SAID REVERSE CURVE BEING CONVEX TO THE NORTHEAST, RADIUS 489.52 FT. AND HAVING ITS CENTER 787.52 FT. WEST OF THE EAST LINE OF SAID QUARTER QUARTER SECTION ON A LINE DRAWN AT RIGHT ANGLES THERETO AT A POINT 230.18 FT. NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTHEASTERLY ALONG THE LAST DESCRIBED CURVE TO ITS POINT OF TANGENCY ON A LINE 298.0 FT. WEST OF THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH ALONG THE TANGENT TO SAID CURVE 233.35 FT., MORE OR LESS, TO THE SOUTH LINE OF SAID QUARTER QUARTER SECTION; THENCE WEST TO THE SOUTHEAST CORNER OF THE WEST 1 ROD OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION TWENTY-EIGHT, AND THENCE NORTH TO THE PLACE OF BEGINNING), IN LAKE COUNTY, ILLINOIS.

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