

PLANNING AND ZONING COMMISSION MEETING

City Council Chambers

3600 Kirchoff Rd.

Rolling Meadows, IL 60008

Tuesday, May 3, 2022

7:00 p.m.

MINUTES

Call to Order

Chairman Duvall called the May 3, 2022 regular meeting of the Planning and Zoning Commission to order at 6:59 p.m.

Roll Call/Declaration of a Quorum:

Presiding: Chairman Duvall

Present: Buckingham, Chubirka, Sheehan, S. Morrison, Duvall

Absent: L. Morrison, Sipple

Also Present: JoEllen Charlton, Assistant Director of Public Works; Elizabeth Kwandras, Interim Superintendent of Community Development; Vickie Wiley, Community Development; and Martha Corner, Business Advocate.

Chairman Duvall declared a quorum

Approval of Minutes: April 5, 2022 Planning and Zoning Commission Meeting

Chairman Duvall asked for a motion to approve the minutes from the April 5, 2021 Planning and Zoning Commission meeting. Commissioner Buckingham made a motion to approve the minutes as written, which was seconded by Commissioner Chiburka.

Motion carried by unanimous voice vote. Minutes approved as written.

Pending Business: None

New Business – (New Public Hearings):

1. Public hearing and consideration of a petition for a special use pursuant to Section 122-301(3) of the City of Rolling Meadows Zoning Code of Ordinances to allow an “Indoor Athletic Facility” for an indoor soccer training facility, a variation from Section 122-163 from the City of Rolling Meadows Code of Ordinances to reduce the required number of parking spaces for an Indoor Athletic Facility from the approximately 59 parking spaces required to 21 parking spaces, and other relief necessary to accommodate the indoor soccer field, in an M-1 Zoning District, 3660 Edison Place, Legion, Inc, Petitioner

Chairman Duvall asked if proper notice was give, and if the file was in order. Ms. Kwandras stated that the file is in order and proper notice was given.

Open Public Hearing:

Chairman Duvall asked for a motion to open the public hearing and enter the staff report into record.

Commissioner Buckingham made a motion, Commissioner S. Morrison seconded.

Motion carried by a unanimous voice vote.

Open Public Hearing:

Chairman Duvall swore in Zlatan Buyukliev from Legion, Inc.

Buyukliev - We would like to build an indoor soccer facility for our club for training sessions. It's not going to be open to the public. It is just going to be our training facility.

Questions from Commission:

Mr. Chiburka: Do you understand, and have you been briefed on all the recommendations?

Mr. Buyukliev: Yes

Mr. Chiburka: You are okay with all of that?

Mr. Buyukliev: Yes, we are okay.

Mr. Chiburka: Does it make sense without future expansion? Are you renting the whole building?

Mr. Buyukliev: No, we own the building.

Mr. Chiburka: But you are only going to utilize this small portion and the other space is just empty?

Mr. Buyukliev: Yes, empty for now. We understand that if we decide to do something in the future, we will have to go through the same process again.

Mr. Chiburka: There is a lot in here and I just wanted to make sure you are clear.

Mr. Buyukliev: Yes, we are clear. We have been doing this since September, 9 months now.

Mr. Buckingham: Are you doing this business now somewhere else?

Mr. Buyukliev: Yes

Mr. Buckingham: Is your lease up or is this just a better location?

Mr. Buyukliev: No, we are using a school gym and recreational centers right now. We also tried here in Rolling Meadows at the Community Center, so we are leasing just here and there. It's hard to find an indoor facility during the winter months to train our kids. There is no availability which is why we have decided to move forward and have our own facility.

Mr. Buckingham: The exit where you go through the facility right next to the ramp that goes onto Edison. Do you have any plans to remove that ramp or put barricades up?

Mr. Buyukliev: We are going to remove the ramp. Whatever is required by the city, we are going to do it.

Mr. Buckingham: I think the staff said if you're not going to remove the angle ramp, you need to put bollards or obstructions up.

Staff Report Highlights:

The subject property is 3660 Edison Place, right off of Rohlwing Rd. This property is zoned M1 and is in the NW Industrial Park, everything in the area is either zoned M1 or M2, with the exception of Harvest Bible Church, which is zoned C2. The entire property consists of 49,287 square feet or 1.13 acres, the building is roughly half of that, so building lot coverage is at approximately 50 percent. The applicant intends to use the eastern portion of the building and leave the western portion empty at this time. The building currently has eight (8) overhead loading doors and eight (8) on-site parking spaces. The lot coverage is almost totally lot line to lot line pavement. The way that the building is situated on the site, it's almost impossible to modify the parking on the lot any further than what the petitioner is proposing at this time. The southeast corner of the building comes within 12 feet of the lot line, with a bollard in place to protect the building where the brick is crumbling and that area is very narrow for traffic flow. The only way that traffic flow on site will work for this new use is if traffic flow is one-way only and there is some minor concern that emergency vehicles will not be able to access the rear of the building, however I can report that we did share this petition with the fire department before bringing it forward to you and they understand the limitations of the site. The requested use is an indoor soccer field. The primary time for use is going to be off hours for other business, there will be some overlap towards the end of the day. Training sessions are proposed to take place mostly during the winter months in the evening hours and on the weekends. The business plan that we have been provided from the petitioner indicates that the business is designed to cater to younger non-driving age children, all ages 14 and under and the parents will not be allowed to remain on-site to watch the practice. No competitive games will be held at this facility. According to the petitioner there will be no more than 20 people on site at any given time, including two coaches well as all the children.

Each session will be an hour long with at least 30 minute gap in between sessions to allow for enough time for pick up and drop off of the participants attempting to minimize on-site traffic and parking. As noted the only way this site will work to be one way traffic all the way through. The parents will enter the east driveway, drop off their children on the north side of the building. Parents will drop their kids, leave and coaches will be on-site to help to manage the traffic flow. There still remains somewhat of a concern about queueing on the site for parents dropping off and picking up their children. Where will they wait for their children just prior to pick up or when multiple vehicles arrive at the same time for drop off? The petitioner will be very strongly encouraged to make sure they will be monitoring that traffic flow very closely. Part of the request tonight that

the petitioner is making is a variation for the number of parking spaces. I do want to point out that we did get some updated information since our last meeting. The petitioner isn't using over 11,000 sq. ft. which is what we initially believed to be the case. They gave us updated information that they will only be using 8,636 sq. ft. Per the zoning code parking regulations 44 spaces are what is required and the site plan that they are proposing includes 21. Existing parking on-site consists of eight (8) which is consistent with the area, most of these are not "come to me" kind of uses. They are not intended to draw the public, so this is a little different than other uses in the area. The petitioner is proposing to replace the parking lot and restripe the area as shown on the site plan on page #3, providing a total of 20 parking spaces, which is less than half of what is required for this use alone, the parking calculations that we have concluded thus far does not account for the west half of the building or some of the areas within the building that were not included in the petitioners use of the building. The understanding currently is the only cars that will be on site for any length of time will be those of the coaches. Parents will be expected to drop their children off and pick them up later. This variance will only be authorized if approved in conjunction with the use of the eastern 8,636 square feet. No variation is being recommended or approved for the western half of the building, along with rooms proposed to be left unused at this time. Those rooms will need to remain vacant unless or until the petitioner comes through and has a discussion with staff, this commission and City Council to discuss the use that they want to put into that western half of the building, what the parking requirements would be and how that site can be managed. The petitioner's business is proposed to run only during the colder months, and mostly in the evenings and weekends, from 4:30 to 9:30 pm during the week, and from 9:00 am to 12:00 noon on the weekends. While this should provide little conflict with most business hours in the area, staff has some concern about traffic flow to and from the site conflicting with evening semi- and other large vehicle deliveries to other businesses in the area, particularly given the streets in the area are not equipped with street lights.

Green space on the property is limited to an area in the front of the building. The rest of the lot is completely covered in asphalt or by the building. This is normal of the area, but has unfortunately resulted in drainage problems throughout the Northwest Industrial Park. Other special uses in the area have been authorized only after storm water management modifications and improvements were agreed to and corrected or adding more green space or landscaping, due to the nature of this lot this is not something that can be accomplished so it is not be required at this time.

As previously noted, there are eight (8) overhead doors on site. Four (4) of them are located on the east side of the building leading into the area that the Petitioner will be using. There are two (2) others also facing east, but they enter into the west half of the building. One of the remaining two overhead doors is on the north elevation of the building, and the final one is on the south elevation, with a ramp opening onto Edison Place. That the ramp has direct access to Edison is depressed and it is not something that would be compliant under the zoning code as it exists today. We do strongly recommend that the ramp and that overhead door be removed, but we are not requiring it at this time as the Petitioner has indicated he will not be using the west half of the building. In lieu of that we are requesting that bollard's be located along where the ramp is because it is a safety hazard. Due to the small width of the driving area, there is the potential that people or cars could come over that edge and cause damage or injury. Usually this is something that staff would asked to have removed as part of the special use requirement, but as the Petitioner is not using the west half of the building we are encouraging it and not requiring it.

Of the seven (7) doors that remain four (4) of them were proposed to be removed by the petitioner with the other 3 remaining. All of 3 of these doors in the north area conflict directly with the proposed student pick up and drop off area. In addition staff is recommending a condition that these 3 doors, in addition to the 4 on the

east side of the building to be removed. This modification and request for an indoor athletic facility is defined by the city's zoning and building code as a change in use. It's going from an Industrial Manufacturing warehousing type use to an Assembly Use. If approved this special use being granted will not waive any of the building code requirements, HVAC, fire sprinklers, fire alarms, none of that. That will all need to be done after the fact.

The Petitioner is proposing to follow the one way route around the building. The design that they are proposing, they are going to redo the parking area and asphalt and the design calls for 20 or 21 parking spaces on-site which is an improvement from the eight (8) that exists now which if the Petitioner proceeds with their business plan as presented tonight, it is believed to be adequate to serve the use. Emphasizing that on-site traffic management will be crucial moving forward.

We are going to require some additional signage of the site saying One Way Only and Do Not Enter on the east and west entrances respectively, as well as a sign indicating where the pickup and drop off area is. Aside from the parking lot and signage, no other site improvements are included at this time. Depressed ramp will need to be removed or bollards set for safety.

There are a lot of "if's" in this petition. It is possible for this type of use to work on this location if the coaches are able to manage the traffic flow on site as indicated. It's a lot to be responsible for to manage the kids and on site traffic flow, although it is possible. There is concern that parents will use the parking spaces on-site while waiting to pick up or drop off their kids. There is time in that 30-minute gap period in between training sessions. There is also some concern that parents might chose to park in the street which would interfere with truck traffic in the area. The petitioner and the coaches will need to manage appropriately.

If the coaches are able to manage the traffic flow on site as indicated.

The last three overhead doors are all on the northeast corner of the building, and all three open into the new parking and pickup/drop off area in conflict. Staff recommends a condition requiring these three doors also be removed, that the parking in this area be moved to the east and out of conflict with the doors, or that the parking be removed, requiring a greater variance as on-site parking would drop to 16 spaces. The landscaping in the front of the building is also somewhat unkempt. As part of this approval, a condition is recommended to require a landscape plan for the front area, including foundation landscaping as required by the zoning code. The petitioner has indicated that the exterior will be well lit, and have security cameras located to ensure safety of the participants. A condition of this approval will be that the building permit application include lighting and photometric details for code compliant lighting, and that approved lights be installed prior to the building department issuing occupancy. No building signage is being proposed at this time. Any signage that is requested at a later date will be required to comply with existing zoning regulations.

Findings of fact for the parking variation and the special use for the indoor soccer facility as well as a proposed motion.

Questions from Commission:

Mr. Chiburka: Condition 2B is a real concern that someone could drive off the edge.

Ms. Kwandras: It's one or the other, there will have to be some kind of safety barrier put there or the depressed loading dock removed. It's up to the petitioner to decide which they would like to choose. Either way it will go through the City Engineer for approval.

Mr. Chiburka: I appreciate the idea of the reuse here, it just seems like a lot to make this work. Have there been any options about interior parking in or putting a wall up and using some of the west space?

Mr. Buyukliev: We also have a contract with our neighbors across the street, but the City doesn't like it.

Ms. Kwandras: The petitioner did bring staff a paper signed agreement to use parking spaces. The agreement is vague and did not include a number or location of the spaces and it didn't have an agreement for the life of the use.

Mr. Buyukliev: We will correct it.

Ms. Kwandras: The language that we would be looking for is that the contract can't be cancelled without other adequate parking being provided per the City's approval.

Ms. S. Morrison: Is there any push back from the neighbors?

Mr. Buyukliev: No, not yet

Ms. S. Morrison: And they are aware of what you're planning on doing?

Mr. Buyukliev: Yes

Ms. S. Morrison: I think it's a good use, I'm just concerned about the parking issues? Is there street parking over there?

Ms. Kwandras: Yes, but on street parking can't be used towards the parking space count requirement. The earlier training is conflicting with the businesses in the area.

Mr. Buckingham: Staff is comfortable presenting this with the reservations you laid out?

Ms. Kwandras: It is possible for this site to work but will take a lot of work by the petitioner. It does not allow for expansion. The west side would need to remain vacant until a mutually agreeable discussion could be had. They would need to come back before the Commission regardless of what it is.

Mr. Buckingham: There looks like there is no room for any parking on the west side. Any consideration to drop off on Edison?

Ms. Kwandras: The building department cannot enforce on street parking that is up to the police. There were discussions, but due to safety reasons the drop off was moved closer onto the site. It is something we would like to see avoided. On site management will be crucial for the success of this petition.

Mr. Buckingham: Agreed. In the recommendation to approve in the conditions there is mention the approval would be voided if the use is different or expanded. How would that work in practice in terms of enforcement?

Ms. Kwandras: It would be on a complaint basis. If we start getting complaints from the neighbors about parking or a traffic flow situation, we will have it investigated. If they were found to be violating the terms of the special use and variance then it would be null and void until we could come to some sort of arrangement.

Mr. Buckingham: Would there have to be a proceeding?

Ms. Charlton: Good question. Under typical code enforcement for violations under city code there would be a process. We would have to go to adjudication and have a finding made. As part of a special use variation condition on an ordinance I would have to consult with our City attorney. My expectation would be the complaint would be made and we would have a conversation and hopefully that conversation would result in a favorable way to address the situation and we would work through that process first. This is really the hammer at the end if we can't make anything else happen. We have to make sure safety is the number one concern.

Mr. Buckingham: Sure, that makes sense. So, the business owner would be notified and have an opportunity?

Ms. Kwandras: Our goal in Community Developments is always compliance. We would investigate and have a conversation with the business owner and try to work through it first. If it was a continued nuisance in the area and we couldn't come to some sort of resolution, we would fall back on that condition.

Mr. Buckingham: Have any decisions been made regarding removing the ramp or putting up bollards?

Mr. Buyukliev: We haven't talked about it yet, but we will do whatever is required by the City. At the moment I think the easiest thing to do would be to put up the bollards since we are not going to use the west side.

Mr. Buckingham: And you are going to remove the overhead sliding doors?

Mr. Buyukliev: Yes

Mr. Buckingham - Will both coaches be directing traffic, or just one?

Mr. Buyukliev: When practice is over, even now we do that to make sure the kids are safe. Both coaches will be outside helping parents pick up their kids.

Mr. Buckingham: You say you're doing that now? So you have some informal experience but nothing formal in traffic control?

Mr. Buyukliev: Correct

Mr. Buckingham: With the 21 parking spaces will that be enough?

Mr. Buyukliev: We cannot have more than 18 kids at the moment. Our teams are between 15-18 kids at time of practice.

Mr. Buckingham: Are you going to allow cars to park up to 10 minutes or require everyone to keep moving?

Mr. Buyukliev: No, we will require everyone to keep moving. If someone parks during our training session we will immediately address it. In our experience, the parents drop off the kids, run errands and come back.

Mr. Buckingham - I agree, it's a great business and could be needed in the community. There are some challenges and it will require diligence on your part to make sure it works. I believe it's very well thought out.

Mr. Duvall: Are you authorized to speak for your staff?

Mr. Buyukliev: Yes

Mr. Duvall: Is everyone is on board with the traffic management?

Mr. Buyukliev: Yes

Mr. Duvall: If you have up to 18 kids per session, how many adults will be present during these sessions?

Mr. Buyukliev: Two coaches

Mr. Duvall: The coaches will be present during all business hours?

Mr. Buyukliev: Yes, they will be there the whole time.

Mr. Duvall: How much construction is going to take place? Is that dock going to be used for offloading material?

Mr. Buyukliev: The dock is not going to be used at all.

Mr. Duvall: Question for staff, will they get dinged if they park cars in the loading dock? Is the parking dock off limits for parking a car?

Ms. Kwandras: Yes

Mr. Duvall: I am concerned with the accessibility of the east side. Safety and first responder access is key for me.

Ms. Kwandras: The Fire Department is aware of the limitations of the site. When I showed them the plans and dimensions they did not express any concerns.

Mr. Duvall: The accessibility on the east side of the building was a big concern for me, but as long as the Fire Department is okay with it, that covers that.

Ms. Sheehan: We are being asked to approve a special use for the entire building?

Ms. Kwandras: Yes, they are only are using 8,636 square feet but the special use would cover the entire address. Actually, I'm being told we could issue the special use just for the 8,636 sq. ft.

Ms. Sheehan: The plans are very well done and this would definitely be a wonderful service for the community, I'm just not sure this is the right spot. Also, the tenant space is a concern for me. We could potentially have a manufacturer/storage facility and children in this facility.

Ms. Kwandras – The building code is very concerned with this kind of situation. If the petitioner was to bring in something to fill the second half of the building they would need to comply with the zoning code whether it to be to ask for another special use or come back for a variation for additional parking they would also need to separate the two uses, that is a requirement of the building code. There would need to be fire walls and other requirements.

Ms. Sheehan: Right now, they don't have to do anything, so we have 18 kids with 2 coaches and that leaves a lot of room for children to run around in.

Mr. Buyukliev: There is going to be a wall in between the spaces.

Sworn in Kiril Ivanov – Architect – There is a proposed separation wall that will be the west wall of the soccer field. There will be a fire rated wall on the south wall of the soccer field. Shown on the floor plans as the empty tenant building.

Ms. Sheehan: In the future, can we only give a portion of this building a special use and how do we get around not setting up these tenants for failure by putting in an incompatible use?

Ms. Kwandras: There is not a lot the City can do. There are uses in that area that require them to come forward for a special use. We can't put conditions on what they can and can't put there, that is up the petitioner.

Mr. Buckingham: Isn't the special use, use specific?

Ms. Kwandras: We are granting the special use only for the 8,363 sq. ft. on the eastern portion of the building. The rest of the space is empty and zoned to manufacturing.

Mr. Buckingham: It sounds like they would have to come back to the City for something.

Ms. Kwandras: Correct

Ms. Charlton: Granting a special use to the entire building with the understanding that only the 8,363 sq. ft. is authorized for active use with the balance to remain vacant unless or until they come forward and amend the entire special use is a possibility.

Mr. Duvall: How many cars will be using the parking spaces?

Mr. Buyukliev: 2 parking spaces for coaches and maybe 5 more parents.

Mr. Duvall: There are 20 spaces available, with possibly 10 cars on site?

Mr. Duvall: Do parents pay a fee?

Mr. Buyukliev: Yes

Mr. Duvall: It's paid staff?

Mr. Buyukliev: Yes, there are no games or spectators, it's just a training facility. It's private training sessions that is not open to the public to park and come inside.

Mr. Duvall: Any other questions?

Mr. Buckingham: The special use is technically granted for the entire building? If we do it just for that half, we may have to modify that condition 4?

Ms. Kwandras: Regardless condition 4 stands. The difference between granting the special use for the entirety of the building and not just for the western half is a necessity of amending the special use. If you grant it for the whole building you would have to amend the special use before putting anything into that half of the western building. If the special use is just granted for the eastern 8,636 sq. ft., they could put in whatever they want, but they would have to come back for the variance.

Mr. Buckingham: If the special use is use specific?

Ms. Kwandras: If you grant it for the whole building regardless of what they want to put into that west half, they will have to come back to amend the special use to allow that additional use. They will have to come back either way for the parking variance, the difference is if you grant it for the whole building they will have to come back to request a specific use.

Mr. Duvall: Is there anyone in the gallery who would like to speak?

Mr. Duvall swore in Mr. Greg Ohm

Mr. Ohm - I am the neighbor to the west. I just want to share with you that Edison Street has no parking so semi-trailers can back up. There are no parking spaces on the streets. A car dealership uses those backroads for test driving and can get out of control. Also, in the evening UPS is staging a lot of trucks back in that area in the evening.

Mr. Duvall: You represent Bingaman Metal?

Mr. Ohm – Yes, there is a high parking volume on Edison and Carnegie due to Nature’s Care. It has died down this last year. I never called law enforcement because it was manageable.

Mr. Duvall: Do you own 1100 Carnegie and have you spoken with the petitioner regarding a parking agreement?

Mr. Ohm – No. If Nature’s Care is still overflowing and parking on Edison, you’re going to have a problem on Thursday and Fridays.

Mr. Duvall: Typically, through the business day there is no parking on the streets.

Mr. Ohm: There are a few cars, not a lot.

Mr. Duvall: Is there signage “No Parking”?

Ms. Kwandras: Parking is allowed.

Motion to close public hearing:

Mr. Buckingham made a motion to close the public hearing, seconded by Ms. S. Morrison

Motion carried by unanimous vote

Ms. Kwandras: In the recommendation to approve condition 2B talks about the door on the north elevation it should be the south elevation.

Mr. Duvall: In the staff report there was to be a signage plan?

Ms. Kwandras: There is no signage plan, they don’t need permits for that. We will just come into agreement when they submit their site and landscaping plans.

Mr. Duvall: Can we add a signage requirement to this as a condition of approval?

Ms. Kwandras: The Commission can include or delete any conditions that you deem appropriate. These are recommended conditions from staff.

Mr. Duvall: In addition, if we can include a Do Not Enter and a sign in the drop off area. Asking the Commission can we add item 9 appropriate signage for east lot entrance for one way. Does the Commission agree that this is something we should do?

Ms. Kwandras: The building code wouldn't require a sign to be put up, we would be looking for compliance.

Mr. Duvall: Can we draft a condition 9 on the sample motion for a No Loitering sign on the north side, a Do Not Enter Sign and a One Way on the east entrance? A condition could read site signage is going to be required.

Mr. Chiburka: Approved by the building official.

Ms. Kwandras: I wouldn't require that by the City Engineer, but probably by the building official.

Mr. Duvall: It will help Legion Inc. with the use. Direction will speed up the process and reinforce the message that you are here to drop off the kids. Appropriate signage to be approved by building department?

Ms. Sheehan: Are we recommending for this to be approved. We are thinking about approving this with all these conditions and adding additional conditions. Are we setting them up to fail? Special use with kids running around, is this what the Commission is intending to do today?

Ms. Kwandras: The Petitioner is entitled to a hearing which is what we are doing tonight. The Commission makes a recommendation to the City Council. The motion before you this evening has to be made in the positive, you have to move to approve, you can't say move to not approve. Each Commissioner would then decide based on findings of fact and the testimony we heard tonight from Mr. Ohm, the Petitioner and City staff, do I vote yes, or do I vote no. The motion has to go forward in the positive. It is up to each Commission as to how they vote and that recommendation whether positive or negative will be forwarded to the City Council regardless.

Ms. Sheehan: I'm asking, even in a positive manner, are we going to recommend this to be taken to City Council with a denial from our group?

Ms. Kwandras: One other thing that I wanted to ask the Commission before we vote. If the Commission does not recommend approval we as the staff would ask that the Commission make an additional motion to City Council that the recommendations by Commission and staff that they remain part of that approval.

Mr. Buyukliev: Why do you think the kids are going to be running around outside?

Ms. Sheehan: Because that's what kids do. This is a manufacturing area, there are trucks and the neighbor has told us that UPS and other trucks staging in the area. We have to take all these things into consideration to make sure this location is safe.

Mr. Duvall: Public hearing is closed and no additional testimony can be considered. With that being said I am in favor of modifying the use of this site and I appreciate the idea. I agree there are too many "if's" in this program and I am willing to give it a try. There is a lot to comply with to make this work.

Motion to approve the petition.

Mr. Chiburka

Based on the submitted petition and testimony presented, I make a motion that the Rolling Meadows Planning and Zoning Commission adopt the findings for a special use and variance listed in the staff report prepared for the April 5, 2022 Planning and Zoning Commission meeting, and recommend to City Council approval of the variation to reduced required parking from 44 parking spaces to 20 parking space, and

authorization of a special use to allow an indoor soccer field for Legion, Inc, subject to the following conditions:

1. This approval shall be null and void if permits are not applied for within two (2) months of City Council approval, and work completed within one year.
2. The special use and variation shall be null and void unless building and site improvements are in substantial conformance with the representations, plans and specifications prepared by DAEdalus, Inc. and dated 3/8/2022, pursuant to proper building permit review and approval by the City, except as follows:
 - a. The three overhead doors on the north end of the building shall be removed and filled by building material similar to existing material.
 - b. The depressed loading dock and overhead door on the north elevation shall either be removed and restored with sod, or an appropriate safety barrier, as approved by the City Engineer, shall be installed to separate the western drive aisle from the depressed loading dock.
 - c. The drop off area shall be moved to the east and out of conflict with the proposed handicapped parking spaces.
 - d. All pavement shall be ground and overlaid with new asphalt as approved by the City Engineer prior to striping.
 - e. Code compliant lighting and photometric plans shall be provided.
 - f. A landscaping plan for the area in front of the building shall be submitted as part of the permit, and shall include designs for foundation landscaping as required by the zoning code.
3. Occupancy of the building shall not be allowed until all building and site improvements have been completed by the applicant and approved by the City.
4. No use of the western half of the building (roughly 13,000 square feet) or remaining rooms in the eastern half is permitted, either expansion or additional user, unless Owner secures additional zoning variations or offsite parking as required by the Zoning Ordinance.
5. The special use and variance shall be null and void upon notification by the City of any of the following conditions: a. Cars on the site that are not parked in parking spaces block the drive aisle for more than ten minutes. b. Cars waiting for athletes using the facility wait or park on Edison.
6. This approval is explicitly for the petitioner's business as presented. This approval shall become null and void if the petitioner changes their model to 14 accommodate competitive games or matches instead of practice space only, includes older, driving-age athletes, or allows parents to observe the practices, unless owner seeks and receives an amendment to their special use.
7. This approval is exclusively for zoning, and shall not be interpreted to waive any requirements of the building code due to the proposed change in occupancy.
8. The approval of this special use and variance are specifically for an indoor soccer field for Legion, Inc. The approval shall become null and void on transference of the property or business license.

Ms. S. Morrison seconded.

Commission Buckingham: Yes

Commissioner Chiburka: Yes

Commissioner Sheehan: No

Commissioner S. Morrison: Yes

Chairman Duvall: Yes

4 Yes

1 No

The motion is carried and a recommendation will be forwarded to City Council for 1st reading on May 24, 2022.

Discussion Items: Potential item is Raising Canes and 1420 Golf Rd. that has been sent out for review. We have come to a site plan that is mutually agreeable to both the City staff and Raising Canes will be on the June or July agenda.

We are getting a new Commission, Glenn Gerkin, he was on the Commission before, left and now is coming back.

Next meeting will be June 7st @ 7:00 pm.

Commissioner S. Morrison made a motion to adjourn which was seconded by Mr. Buckingham.

Adjourned at 8:26 pm.

Respectfully Submitted,

Vickie Wiley

Administrative/Clerk

Community Development Division