

CASE# 2011-059
RESOLUTION NUMBER 4-1

GRANTING A CONDITIONAL PERMITTED USE
FOR CERTAIN PROPERTY LOCATED AT
1500 RECREATION DRIVE, SPRINGFIELD
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant a conditional permitted use** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Mindi Smith**, has petitioned the Sangamon County Board for **a Conditional Permitted Use to allow the sale of alcoholic beverages**; and

WHEREAS, a public hearing was held at the Sangamon County Building on **December 15, 2011** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the Conditional Permitted Use with restrictions**; and

WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

FILED

JAN 03 2012

Joe Aiello
Sangamon County Clerk

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this 24th day of January, 2012 that the request for a Conditional Permitted Use to allow the sale of beer and wine only during Roller Derby sanctioned competitions on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this 24th day of January, 2012.

Respectfully submitted,

PUBLIC HEALTH, SAFETY & ZONING COMMITTEE OF THE SANGAMON COUNTY BOARD

Tim Moore /ck

TIM MOORE, CHAIRMAN

ABE FORSYTH, VICE CHAIRMAN

JOHN FULGENZI

DAVID MENDENHALL

SAM SNELL

GREG STUMPF

JASON RATTTS

LINDA DOUGLAS WILLIAMS

LINDA FULGENZI

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

Exhibit A

PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 15 NORTH, RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A STONE AT THE NORTHWEST CORNER OF SAID HALF QUARTER SECTION, THENCE NORTH 89 DEGREES 30 MINUTES EAST ALONG THE NORTH LINE OF SAID HALF QUARTER SECTION, 2645.9 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID HALF QUARTER SECTION, THENCE SOUTH 0 DEGREES 33 MINUTES EAST ALONG THE EAST LINE OF SAID HALF QUARTER SECTION, 337.7 FEET, MORE OR LESS, TO THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 36 AND 54, THENCE NORTH 86 DEGREES 18 MINUTES WEST A DISTANCE OF 50.2 FEET TO THE ACTUAL POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 33 MINUTES EAST A DISTANCE OF 257.3 FEET TO A POINT, THENCE SOUTH 89 DEGREES 27 MINUTES WEST A DISTANCE OF 237.6 FEET TO AN IRON PIN, THENCE NORTH 0 DEGREES 33 MINUTES WEST A DISTANCE OF 275.0 FEET TO AN IRON PIN, THENCE SOUTH 86 DEGREES 19 MINUTES EAST A DISTANCE OF 238.2 FEET, MORE OR LESS, TO THE ACTUAL POINT OF BEGINNING.

EXCEPT ALL COAL, MINERAL AND MINING RIGHTS HERETOFORE CONVEYED OF RECORD.

SITUATED IN SANGAMON COUNTY, ILLINOIS.

RECAP
(For County Board Use)

COUNTY BOARD MEMBER: #13 NAME: Sam Montalbano

DOCKET NUMBER: 2011-059

ADDRESS: 1500 Recreation Drive, Springfield, Il. 62711

PETITIONER: Mindi Smith

PRESENT ZONING CLASSIFICATION: "B-3" General Business District.

REQUESTED ZONING CLASSIFICATION: "B-3" General Business District with a
Conditional Permitted Use to allow the sale
of alcoholic beverages.

AREA: 1.45 acres

COMMENTS: None

OBJECTORS: None

PLANNING COMMISSION RECOMMENDATION: **Recommend denial of the requested
Conditional Permitted Use to allow
the sale of alcoholic beverages
limited to only during roller derby
events, as requested by the
petitioner. Testimony is needed at
the hearing regarding how often
roller derby events take place,
method and hours of operation.**

**AMENDED: Recommend
approval. Testimony was provided
regarding the hours and method of
operation. Security will be present,
and a trained bartender would
ensure that no minors were served.
Staff recommends that the
Conditional Permitted Use for the
sale of alcohol providing that the
sale of alcohol is limited to beer and
wine, and be available for sale only
during Roller Derby sanctioned**

competitions. There will be no negative impact on the immediate area.

**SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:**

Approval of the Conditional Permitted Use providing the sale of alcohol is limited to beer and wine and be available for sale only during Roller Derby sanctioned competitions.

Cyndi Knowles
RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS

SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:)	DOCKET NO: 2011-059
Mindi Smith)	
)	PROPERTY LOCATED AT:
)	1500 Recreation Drive
)	Springfield, Il. 62711

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for a **Conditional Permitted Use** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **December 15, 2011** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **1500 Recreation Drive, Springfield, IL.** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is "**B-3**" **General Business District**.
- 4. That the present land use of said property is a **roller skating rink**.
- 5. That the proposed land use of said property is a **roller skating rink with the sale of alcoholic beverages during roller derby competitions**.
- 6. That the requested **Conditional Permitted Use** of said property is **to allow the sale of alcoholic beverages**.
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit (s).
- 8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **Conditional Permitted Use with restrictions** is in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **Conditional Permitted Use with restrictions** be approved.

Charles Chimento/ck
CHAIRMAN

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Byron Deaner**, to concur with the findings of fact and amended recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved for a Conditional Permitted Use to allow the sale of beer and wine only during Roller Derby sanctioned competitions**, which was duly seconded by **John Luchessi**.

The vote of the Board was as follows:

YES: **Charles Chimento, Byron Deaner, Peggy Egizii, Judith Johnson, John Luchessi**

NO:

ABSENT: **Marvin Traylor**

Cyndi Knowles
RECORDING SECRETARY

AMENDED
SANGAMON COUNTY - RECOMMENDED FINDINGS OF FACT
FOR CONDITIONAL PERMITTED USES

Case #: 2011-059

Address: 1500 Recreation Drive, Springfield

No conditional permitted uses shall be granted by the County Board unless the conditional permitted use:

- (i) Is so proposed that the proposed location, design and method of operation of such use will minimize the adjacent effects on the character of the surrounding area.

The sale of alcoholic beverages limited to roller derby events will not pose a negative effect on the character of the surrounding area.

- (ii) Is so proposed to be operated, designed and located so that the public health, safety, and welfare will be protected.

Testimony is needed to ensure this standard is met.

AMENDED: Evidence was provided by the petitioner that the alcohol would be limited to beer and wine and only during sanctioned Roller Derby competitions, there would be a security officer present at all times during such events, and a professional bartender would be handling the sales and confirmation of eligible drinking ages.

- (iii) Will not cause substantial injury to the value of other property in the vicinity in which it is located.

No negative impact is anticipated.

- (iv) In addition to the above general standards for all conditional permitted uses that may be allowed, no conditional permitted use listed below shall be granted unless the proposed use can meet the standards as noted:

- (a) Fairgrounds, public or private outdoor recreation centers - that the principal vehicle access for such use is located on a major thoroughfare or a secondary thoroughfare or within one-quarter mile of a major thoroughfare, that such use is so located as to draw a minimum of vehicular traffic to and through minor and collector streets in residential areas.

N/A

- (b) Mobile home parks - must meet the requirements of Section III(R) Large Scale Development.

N/A

- (c) Tourist home, motels, hotels - that the proposed use must be located on or within 400 feet of a major thoroughfare.

N/A

- (d) Taverns and liquor stores - that the following distances be maintained: (1) schools - 100' from the property line of the school to the property line of the tavern or liquor store; (2) churches - 100' from the church building to the tavern or liquor store building; and (3) residences - 100' from the tavern or liquor store property line to the residential structure or institutional care facility.

Yes.