

ORDINANCE NO. CO-2022-12

**AN ORDINANCE APPROVING A SPECIAL USE
FOR AN INDOOR RECREATION FACILITY USE
(1007 South 17th Avenue)**

WHEREAS, a petition for the granting of a special use pursuant to the Village of Maywood Zoning Ordinance (“Zoning Code”) relative to operation of an Indoor Recreation Facility at property located at 1007 South 17th Avenue (the “Subject Property”) has been filed with the Village of Maywood (the “Village”) by Petitioner Tori Garron (“Petitioner”); and

WHEREAS, the Petition has been referred to the Plan Commission/Zoning Board of Appeals (“Plan Commission”) of the Village and has been processed in accordance with the Zoning Code; and

WHEREAS, the Subject Property is legally described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, the Plan Commission held a public hearing, on May 24, 2022, on the question of whether the requested Special Use should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing. In addition, notice was sent to surrounding property owners; and

WHEREAS, on May 24, 2022, the Plan Commission voted to favorably recommend the requested Special Use to the Village President and Board of Trustees of the Village of Maywood on a vote of four (4) in favor, none (0) opposed and three (3) absent; and

WHEREAS, the Plan Commission of the Village has reported its findings and recommendations regarding the Special Use to the Village President and Board of Trustees, and the Village President and Board of Trustees have duly considered the Plan Commission’s findings and recommendations.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Petitioner desires to operate an Indoor Recreation Facility on the Subject Property located in the C-2 Pedestrian-Oriented Commercial Zoning District in the form of an indoor gaming space for children. Indoor Recreation Facilities are allowed by special use under Table 8-1 (Commercial Districts Permitted and Special Uses) of the Zoning Code.

SECTION 2: The President and Board of Trustees of the Village of Maywood approve and adopt the findings of fact and recommendations of the Plan Commission, a copy of which is attached hereto as Exhibit “B”, and incorporate such findings and recommendations herein by reference as if fully set forth herein.

SECTION 3: The President and Board of Trustees, after considering and adopting the findings and recommendations of the Plan Commission and other matters properly before it, grant the

requested Special Use to operate an Indoor Recreation Facility at the Subject Property of 1007 South 17th Avenue, in the C-2 Pedestrian-Oriented Commercial Zoning District.

SECTION 4: Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance or regulation of the Village shall be grounds for the immediate rescission by the President and Board of Trustees of the approvals made in this Ordinance.

SECTION 5: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 6: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 7: This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

PASSED this 21st day of June, 2022, by the Corporate Authorities of the Village of Maywood on a roll call vote as follows:

AYES: Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford, A. Peppers and I. Brandon

NAYS: None

ABSENT: None

APPROVED by the Village President on the 21st day of June, 2022, and attested to by the Village Clerk this same day.

Nathaniel George Booker, Village President

ATTEST:

Gwaine Dianne Williams, Village Clerk

This Ordinance was published by me in pamphlet form on the 22nd day of June, 2022.

Gwaine Dianne Williams, Village Clerk

Exhibit "A"

**Legal Description
of the Subject Property**

PARCEL 1: LOT 39 IN CUMMINGS AND FOREMAN REAL ESTATE CORP. MADISON STREET AND 17TH AVENUE SUBDIVISION, IN THE SEMINARY ADDITION TO THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PIN: 15-15-200-001-0000

**COMMON PROPERTY ADDRESS: 1001-1009 S. 17th AVENUE, MAYWOOD, ILLINOIS 60153
1612-1614 W. MADISON St., MAYWOOD, ILLINOIS 60153**

Exhibit "B"

**Findings of Fact and Recommendations of
the Maywood Plan Commission/Zoning Board of Appeals**

(attached)



**FINDINGS OF FACT AND RECOMMENDATIONS OF
THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF MAYWOOD TO
THE PRESIDENT AND BOARD OF TRUSTEES**

**Case #22-001
May 24, 2022**

APPLICATION: PC/ZBA Case #22-001 – For a Special Use Permit, to allow the operation of an Indoor Recreation Facility in the C-2 Pedestrian-Oriented Commercial Zoning District, on the property located at 1007 South 17th Avenue, Maywood, Illinois.

PROPERTY: 1007 South 17th Avenue, Maywood, Illinois 60153 (the “Property”)

PETITIONER: Tori Garron (the “Petitioner”)

SUMMARY OF REQUEST AND RECOMMENDATION: The Petitioner is seeking a special use permit to construct and operate an Indoor Recreation Facility in the C-2 Pedestrian-Oriented Commercial Zoning District, on the Property located at 1007 South 17th Avenue. The Petitioner’s proposed facility will have video arcade game machines and board games for use by area children.

Following a public hearing held on May 24, 2022, the Plan Commission/Zoning Board of Appeals (PC/ZBA) recommended approval of the proposed special use permit on a vote of 4-0.

BACKGROUND: Petitioner is seeking to open an Indoor Recreation Facility called Your Game Room on the Property (the “Facility”). The Petitioner has owned and operated a small candy store and hair salon for children on the Property since 2017. She will continue to operate both the candy store and hair salon uses. Operation of an Indoor Recreation Facility is a special use in the C-2 Zoning District.

PUBLIC HEARING: Chairperson Lira opened the Public Hearing on May 24, 2022. Chairperson Lira noted that Village staff were not present and no application packet had been provided to the Commission. She did have a memo from Director of Community Development Ruben Feliciano, who stated in the memo that staff had worked closely with the Petitioner, and were supportive of her request for a special use.

Petitioner Tori Garron described her background. She is a Village of Maywood resident, has owned and operated a candy store at 1612 Madison Street for five (5) years, is a current employee of the Maywood Park District, is recently retired from her longtime career in the airlines after 25 years, is a mental health advocate for adolescent teen girls and is a foster parent. She desires to offer children an alternative to athletics, and to try to change the trajectory of the area around Madison Street and 17th Avenue by increasing the presence of children in the area. She described different gaming systems that would be available, and some arcade-style games that would be available. Board games will be available as well. The Facility is strictly for children 18 and under, and no smoking or alcohol use will be tolerated. The

Petitioner stated that the Facility has community and police department support. The Facility has been planned for some time, but was slowed down by Covid and other factors.

A Commissioner asked about the exact location of the proposed Facility. The Petitioner stated it would be located on the 17th Avenue side of the large building at 17th Avenue and Madison Street. Petitioner's other businesses are also located in the building. Petitioner was asked whether the games would be new. She stated they would be, but she is of course open to donations. Customers will pay by purchasing blocks of minutes of playtime. Staff will include volunteers. Petitioner talked about the importance of believing in children and providing them with safe spaces. A metal detector will be installed by Petitioner. The maximum number of children will be fixed by the fire department, but she does not plan to exceed fifteen (15) children at any one time due to the need to have game tables, chairs and the like in the facility.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

MOTION: After the Public Hearing was closed by Chairperson Lira, Commissioner Dawson made a motion to recommend for approval to the Board of Trustees a special use for the Indoor Recreation Facility use in the C-2 Pedestrian-Oriented Commercial Zoning District. The motion was seconded by Commissioner Ratley. The motion was carried by roll call vote as follows:

Ayes: Chairperson Lira, Commissioners Dawson, Smith and Ratley.

Nays: None.

Abstain: None.

4-0-0 motion carried.

FINDINGS: The PC/ZBA makes the following Findings as to the proposed special use:

1. The establishment, maintenance and operation of the special use in the specific location proposed will not be unreasonably detrimental to or endanger the public health, safety or general welfare of any portion of the community.
 - The proposed Indoor Recreation Facility will be adjacent to Petitioner's other businesses, and has a goal of providing a safe space for children.
2. The proposed special use is compatible with the adjacent properties and the other property within the immediate vicinity of the special use.
 - The proposed Indoor Recreation Facility will be located on the ground floor of the Property adjacent to Petitioner's other businesses. The proposed Facility is generally compatible with the existing C-2 commercial uses.
3. The proposed special use will not substantially diminish and impair property values within the immediate vicinity.
 - The Petitioner is investing in the area in order to help change the trajectory of the Madison Street and 17th Avenue intersection. The redevelopment of the vacant space on the Property with the proposed Facility should help to increase area property values.

4. The establishment of the proposed special use will not impede the normal and orderly development and improvement of surrounding property uses permitted in the district.
 - The surrounding property is zoned C-1 and C-2. With the proposed special use, the Property will be compatible with the existing uses nearby and future improvements of nearby properties in this already developed area.

5. Adequate utilities, access road, drainage or other necessary facilities have been or are being provided.
 - The Property is served by the existing infrastructure, and the existing utilities and access roads are adequate to service the proposed Indoor Recreation Facility use and ensure its efficient operation.

6. The special use in the specific location proposed is consistent with the spirit and intent of the Village's Zoning Ordinance and its Comprehensive Plan.
 - The proposed Indoor Recreation Facility use is found to meet this standard.

RECOMMENDATION: Based upon the foregoing Findings, the Plan Commission/Zoning Board of Appeals, by a vote of 4-0-0, recommends to the President and Board of Trustees that the following requested zoning relief be approved:

A Special Use Permit to allow an Indoor Recreation Facility use in the C-2 Pedestrian-Oriented Commercial Zoning District at the Property commonly known as 1007 South 17th Avenue.

Signed: _____
Sara Lira, Chairperson
Plan Commission/Zoning Board of Appeals
Village of Maywood

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gwaine Dianne Williams, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

Ordinance No. CO-2022-12

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which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 21st day of June, 2022, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 21st day of June, 2022.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, M.

Lightford, A. Peppers and I. Brandon

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 22nd day of June, 2022.

Gwaine Diane Williams, Village Clerk

[SEAL]