

**OGLESBY PLAN COMMISSION  
LDC CHANGE TO ALLOW SPORTS INTO B1  
JUNE 6, 2022**

Conversation amongst the Plan Commission members regarding a liquor license for the axe throwing business to which Attorney Barry states that is an issue for another time. Rigazio questions what happens when the business owner requests a liquor license?

PLAN COMMISSION COMMITTEE MEETING WAS HELD ON MONDAY, JUNE 6, 2022 AT CITY HALL. THE MEETING WAS CALLED TO ORDER AT 6:00 P.M. BY FICEK

PRESENT: CLINARD, FICEK, GREENING, MCDERMOTT, MENTE, RIGAZIO, RIVARA AND WATSON AND CLERK AMY EITUTIS

ABSENT: ARGUBRIGHT, MORSE AND VOLLMER (Attorney Barry states Ms. Vollmer notified the City attorney that she would not be able to attend.

Ficek states that a request was made to consider a request for approval of a text amendment to the City of Oglesby Land Development Code to allow "sports and recreation, participant indoor" as a permitted use in the B-1 downtown commercial district in the City of Oglesby, LaSalle County, Illinois. Ficek states that currently (on page 22) of the Land Development book it is not permitted. Attorney Barry states it can and should be discussed. Ficek states a potential business of axe throwing is wanting to opening and it is currently not allowed. Changing the zoning of the building to B2, change the ordinance to make a text amendment under B1 to allow for participants are available options. Attorney Barry states that is correct and that changing the zoning would be more difficult and that his recommendation is to do a text amendment but advises that once that happens it allows for all businesses wanting to open a business in the B1 district. Ficek asks what possible sports could open? Attorney Barry states possibly a bowling alley. Ficek states the main purpose of the proposed business is axe throwing. Mayor Rivara asks Ficek to clarify? Jim Clinard clarifies the proposed change. McDermott questions the business and the ability to have alcohol? City Clerk states this is the second location for Mr. Cusick. Greening gives explanation of the setup of axe throwing and the safety measures that are taken. Ficek states the issue is whether the Plan Commission wants to allow the change to the text amendment. Clinard states that all of the buildings in the B1 district are small it would limit the types of businesses that would be allowed. Ficek states there is an issue of parking and that is required for any new business (page 67) and reads the passage from the Land Development Code book and states that is not an issue today but that the Council will need to address the matter. Ficek states any text amendment needs to go before the Plan Commission first for approval. Attorney Barry states it is on the city council agenda for 06/06/2022. Ficek states it has already been approved, to which Attorney Barry states it has not. Clinard states Ficek is referring to the make up of the Plan Commission. Attorney Barry clarifies that the municipal code was changed and that the council has full

authority over the Plan Commission and that a change was done via ordinance in 2019. Ficek states the Plan Commission was not told of the changes and suggests that any text amendment be told to the Plan Commissioner.

Ficek asks for questions? Jason Curran asks why there is not a 3<sup>rd</sup> option? Attorney Barry explains the different options available. Curran asks if a special permit use would be easier? Attorney Barry states it would not. Curran brings up the matter of parking. Ficek reads the passage from the municipal code book and Clinard states the because the building is existing and not new. Curran questions another business as does Greening? Ficek suggests reading the Land Development Code for any future issues that may come up. A discussion is held in regards to off street parking. Ficek asks if there are any other questions or comments? Rich Greening confirms what is being changed and Attorney Barry clarifies as does Jim Clinard. Rick Rigazio asks what the difference is between a P (permitted) and S (special use)? Attorney Barry states that a "special use" requires more "work" on behalf of the prospective business. Rigazio has concerns about "opening up blind alleys to something the City may not want." McDermott agrees. Ficek asks if there is a list of permitted businesses under B1? Curran asks if waving some of the procedures can be waived f or a "special use"? to which Attorney Barry states that you cannot. Jim Clinard reads the passage (page 10/section 14-2-2) that describes what a B1 district is used for. Ken Ficek reads the passage aloud as well. Jim Clinard discusses the different table under B1. Barry discusses the difference in regards to special use vs. permitted. Attorney Barry states the businesses owner did not make the request for special use. Curran said in doing so it may avoid certain businesses opening that the city may not want. Attorney Barry gives his opinion on the matter. Mayor Rivara states making the amendment is a way to get the business open. Ken Ficek states he feels it is a safe business and could bring a lot of traffic to the downtown area. Drew Merriman questions the alcohol use and axe throwing, Ken Ficek states the issue at hand is to allow for the text amendment change. Jim Clinard states he believes he would have that covered through his insurance carrier. Bob Mente states a lot of lumber is sold for the use of axe throwing.

Greg McDermott asks if the business will be participating in Summer Fun Fest? He is told he will be. Greg McDermott asks if a special use request were done instead would he be allowed to open? To which he is told by Attorney Barry that he would not be in time. Karen Watson questions the sale of alcohol and is told by the City Clerk that Mr. Cusick has not applied for a liquor license as of yet. Rich Greening asks if there are any licenses open to which he is told by the Mayor and City Clerk that we do.

A MOTION WAS MADE BY RIGAZIO, SECONDED BY MENTE to approve the text amendment to allow for participant (P) in B1 district. AYES: CLINARD, FICEK, GREENING, MENTE, RIGAZIO, RIVARA AND WATSON. ABSENT: ARGUBRIGHT, MORSE AND VOLLMER.

A MOTION WAS MADE BY CLINARD SECONDED BY WATSON to adjourn the meeting at 6:34 p.m. AYES: CLINARD, GREENING, MCDERMOTT, MENTE, RIGAZIO, RIVARA, WATSON, FICEK

ABSENT: ARGUBRIGHT, MORSE AND VOLLMER

