

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE FOR AN INDOOR RECREATIONAL AND ENTERTAINMENT (SOCCER) FACILITY, AND VARIATIONS FROM THE CREST HILL CODE OF ORDINANCES-SIGN CODE WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 905 THEODORE STREET IN CREST HILL, ILLINOIS (APPLICATION OF JORGE CRUZ)

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-5 (the “Code”) authorizes the corporate authorities to vary the application of its local zoning requirements “in harmony with their general purpose and intent and in accordance with general or specific rules therein contained in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any of those regulations relating to the use, construction, or alteration of buildings or structures or the use of land;” and

WHEREAS, the Code states that Special Use and Variation requests shall be permitted only upon the finding of certain requirements listed in the Code; and

WHEREAS, the City has enacted procedures, requirements, and standards for Special Use in Section 12.7-6 of the Crest Hill Zoning Ordinance; and

WHEREAS, the City of Crest Hill (“City”) has enacted procedures, requirements, and standards for Variations from its zoning requirements in Section 12.6-2 of the Crest Hill Zoning Ordinance; and

WHEREAS, Jorge Cruz (the “Applicant”) entered into a real estate contract to purchase the real property located at 905 Theodore Street in the City of Crest Hill, Illinois, bearing PIN 11-04-32-419-001-0000 which is legally described in Exhibit 1 of the attached Exhibit A (the “Property”), and has filed an application requesting approval of a Special Use for an Indoor Recreational and Entertainment (Soccer) Facility, and Variations from the Crest Hill Code of Ordinances-Sign Code for an existing on-premises free-standing sign (the “Application”). The owner of the Property has signed off and consented to the filing of the Application; and

WHEREAS, the Crest Hill Plan Commission, after proper notice thereof given, conducted a public hearing on the Application on April 9, 2026; and

WHEREAS, based on the evidence presented at the public hearing and upon making the following findings, which are more fully detailed in the Findings and Decision attached hereto as Exhibit A, the Plan Commission recommended unanimous but conditional approval of the requested Special Use, and Variations outlined in Exhibit 2 of attached Exhibit A at its April 9, 2026, meeting:

- A. The Special Use, and Variations are in harmony with the general purpose and intent of the Zoning Ordinance; and
- B. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, or general welfare, and the Special Use will

not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and

- C. The plight of the Applicant is due to unique circumstances and thus strict enforcement of the Crest Hill Zoning Ordinance and Crest Hill Code of Ordinances-Sign Code would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and
- D. The Property cannot yield a reasonable return for the proposed commercial uses if permitted to be used only under the conditions allowed by the Zoning Ordinance; and
- E. The Special Use, and Variations, if granted, will not alter the essential character of the locality and will not be a substantial detriment to adjacent properties; and

WHEREAS, the Plan Commission's recommendation to approve the Special Use, and Variations listed in Exhibit 2 of attached Exhibit A was made subject to the project being implemented in substantial conformance with the six (6) conditions for approval and the application documents referenced in the April 9, 2026, Community Development Department Staff Report attached hereto as Exhibit 3 of attached Exhibit A (the "Staff Report"); and

WHEREAS, the City Council has examined the April 9, 2026, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the Applicant in a regularly scheduled open meeting; and

WHEREAS, the City Council finds that it is in the best interests of the City that the recommendation of the Plan Commission be adopted and that the Application be granted subject to the project being implemented in substantial conformance with the six (6) conditions for approval and application documents referenced in the Staff Report; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Will County, Illinois, as follows:

SECTION 1: The Preambles of this Ordinance are incorporated herein by reference.

SECTION 2: That the City Council hereby adopts and ratifies the Findings and Decision of the Plan Commission, attached hereto and incorporated by reference herein as Exhibit A, as the findings and decision of the City Council in relation to the Application.

SECTION 3: The Special Use and requested Variations listed in Exhibit 2 of the attached Exhibit A are hereby granted and approved subject to the project being implemented in substantial conformance with the following six (6) conditions for approval and application documents referenced in the April 9, 2026, Community Development Staff Report for Plan Commission Case #SU-26-3-4-1, and Case #V-26-3-4-1:

1. The following items shall be indicated on the permit and completed prior to occupancy of the business:
 - i. All proposed interior improvements shall be completed and in compliance with all building and fire code requirements.
 - ii. East parking lot shall be milled, resurfaced, and striped according to the plan, along with new end islands per the approved plan. The west parking lot shall be restriped with new end islands installed per the approved plan.
 - iii. Existing fence on the north side of the east parking lot, bordering the residential properties, shall be repaired/replaced wherever worn or damaged. A 6-foot solid fence shall be required for the entirety of the special use.
2. Hours of operation for the indoor soccer facility shall be limited to Monday – Sunday: 9:00 AM – 12:00 AM.
3. Hours of operation for the restaurant shall be limited to Monday – Sunday: 7:00 AM – 11:00 PM.
4. Total occupancy for the entire facility shall be limited to no more than 200 people.
5. The Subject Property shall not be used as a banquet hall, convention center, or for any other special ticketed events. A separate Special Use permit shall be required for a change of use to expand the capacity of the venue, or to have any other events other than recreational indoor soccer.
6. The proposed indoor soccer facility and restaurant shall comply with Chapter 9.72 Curfews Applicable to Minors of the City of Crest Hill Code of Ordinances.

SECTION 4: This Ordinance shall become effective only upon the Applicant closing on the real estate contract and becoming the legal owner of the property, and then executing and submitting to the City the Unconditional Agreement and Consent attached hereto as Exhibit 4 of the attached Exhibit A, within 60 days of the passage of this Ordinance. In the event that the Unconditional Agreement and Consent is not executed within 60 days, this Ordinance shall have no force and effect and shall be subject to repeal by the City Council without further notice or hearing due to the Applicant.

SECTION 5: The City Clerk is hereby authorized and directed to record a copy of this Ordinance against the Subject Property, and further to annotate the Special Use permit granted hereby on the Crest Hill Official Zoning Map.

SECTION 6: This Ordinance shall take effect upon its passage according to law.

[Left Intentionally Blank]

PASSED THIS 4TH DAY OF MAY, 2026

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	_____	_____	_____	_____
Alderman Angelo Deserio	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 4TH DAY OF MAY, 2026.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. SU-26-3-4-1, AND CASE NO. V-26-3-4-1
APPLICATION OF JORGE CRUZ FOR A SPECIAL USE PERMIT FOR AN INDOOR
RECREATIONAL AND ENTERTAINMENT (SOCCER) FACILITY, AND VARIATIONS
FROM THE CREST HILL CODE OF ORDINANCES-SIGN CODE AT PROPERTY LOCATED
AS 905 THEODORE STREET IN THE CITY OF CREST HILL, ILLINOIS.**

THIS APPLICATION, coming before the Plan Commission for hearing and decision, and the Plan Commission having heard the evidence in support and opposition to the application at a regularly scheduled meeting held on April 9, 2026, being fully advised on the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Jorge Cruz entered into a real estate contract to purchase the real property located at 905 Theodore Street in the City of Crest Hill, Illinois, bearing PIN 11-04-32-419-001-0000, and the owner of the Property has consented in writing to the filing of the Application;

B. That the application seeks approval of a Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and Variations from the Crest Hill Code of Ordinances-Sign Code for the property described in the application, commonly known as 905 Theodore Street in Crest Hill, Illinois (the "Property"), with PIN 11-04-32-419-001-0000, which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Application seeks approval of Variations from Section 15.12.080 Signs in Business Districts, Chapter 15.12 of the Crest Hill Code of Ordinances-Sign Code to increase permitted sign area from 50 sq-ft to 89 sq-ft, increase permitted digital sign area from 20 sq-ft to 54 sq-ft, increase permitted sign height from 15 feet to 21 feet, and decrease the required setback from the property line from 10 feet to 3 feet for an existing on-premises free-standing sign;

D. That the Property is zoned B-2;

E. That the Application was properly submitted and notice of the Application and the public hearing were properly made;

F. That no interested parties filed their written appearance herein;

G. That the public hearing was opened and called to order on April 9, 2026, and the applicant presented evidence and arguments in support of its application on April 9, 2026;

H. That the rules adopted by the Plan Commission for the conduct of public hearings by the Plan Commission were duly followed and observed;

I. That the proposed Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and requested Variations request as considered under section 12.7 of the Zoning

Ordinance, meets the six (6) standards for Special Use under section 12.7-6, and the three (3) standards for the granting of a Variation under Section 12.6-2 as well as the supplemental considerations set forth in subsections 12.6-2(1)-(8) of the Zoning Ordinance;

THEREFORE, IT IS THE DECISION OF THE PLAN COMMISSION OF THE CITY OF CREST HILL, ILLINOIS, BASED UPON THE EVIDENCE HEARD BY SAME AND ARGUMENTS AND SUGGESTIONS HEARD AT THE PUBLIC HEARING, AND HAVING DULY CONSIDERED THE MANDATES AND STANDARDS AS SET FORTH IN THE CITY OF CREST HILL, ILLINOIS ZONING ORDINANCE, AND SIGN CODE FOR THE GRANTING OF SPECIAL USE PERMIT AND VARIATIONS AS FOLLOWS:

1. That the approval of the application of Jorge Cruz for a Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and Variations as listed in attached Exhibit A-2 for property located at 905 Theodore Street in Crest Hill, Illinois with PIN 11-04-32-419-001-0000 is supported by the evidence adduced;

2. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and Variations request be granted subject to the project being implemented in substantial conformance with the following six (6) conditions for approval and application documents referenced in the April 9, 2026, Community Development Staff Report for this request, as follows:

1. The following items shall be indicated on the permit and completed prior to occupancy of the business:
 - a. All proposed interior improvements shall be completed and in compliance with all building and fire code requirements.
 - b. East parking lot shall be milled, resurfaced, and striped according to the plan, along with new end islands per the approved plan. The west parking lot shall be restriped with new end islands installed per the approved plan.
 - c. Existing fence on the north side of the east parking lot, bordering the residential properties, shall be repaired/replaced wherever worn or damaged. A 6-foot solid fence shall be required for the entirety of the Special Use.
2. Hours of operation for the indoor soccer facility shall be limited to Monday – Sunday: 9:00 AM – 12:00 AM.
3. Hours of operation for the restaurant shall be limited to Monday – Sunday: 7:00 AM – 11:00 PM.
4. Total occupancy for the entire facility shall be limited to no more than 200 people.
5. The Subject Property shall not be used as a banquet hall, convention center, or for any other special ticketed events. A separate Special Use permit shall be required for a change of use to expand the capacity of the venue, or to have any other events other than recreational indoor soccer.
6. The proposed indoor soccer facility and restaurant shall comply with Chapter 9.72 Curfews Applicable to Minors of the City of Crest Hill Code of Ordinances.

[Left Intentionally Blank]

Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 9TH Day of April, 2026 upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Bill Thomas	<u>X</u>	_____	_____	_____
Commissioner Ken Carroll	<u>X</u>	_____	_____	_____
Commissioner Cheryl Slabozeski	<u>X</u>	_____	_____	_____
Commissioner Gordon Butler	<u>X</u>	_____	_____	_____
Commissioner Marty Flynn	_____	_____	<u>X</u>	_____
Commissioner Jeff Peterson	<u>X</u>	_____	_____	_____
Commissioner John Stanton	<u>X</u>	_____	_____	_____

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

DRAFT

EXHIBIT A-1

LEGAL DESCRIPTION

PROPERTY ADDRESS: 905 THEODORE STREET, CREST HILL, IL, 60403

PERMANENT INDEX NO: 11-04-32-419-001-0000

LEGAL DESCRIPTION:

LOTS 1, 13, 335, 336 AND 337 IN UNIT NO. 1 OF RAYNOR HILLS ESTATES, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 23, 1952, IN PLAT BOOK 27 PAGE 86, AS DOCUMENT NUMBER 715075, EXCEPT THAT PART OF LOT 1 HERETOFORE CONVEYED BY THE GRANTOR TO RAYNOR HILLS WATER COMPANY BY DEED DATED MAY 27, 1953 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF WILL COUNTY, ILLINOIS, AS DOCUMENT NUMBER 732193, IN BOOK 1432 PAGE 607, AND ALSO EXCEPTING THAT PART OF SAID LOT 1 HERETOFORE CONVEYED BY THE GRANTOR TO PRESTON HOMES, INCORPORATED BY DEED DATED AUGUST 26, 1954 AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF WILL COUNTY, ILLINOIS, AS DOCUMENT NUMBER 755601, IN BOOK 1490 PAGE 399; IN WILL COUNTY, ILLINOIS

EXHIBIT A-2

905 THEODORE STREET - LIST OF REQUESTED VARIATIONS

Crest Hill Code of Ordinances Chapter 15.12 Sign Code, Section 15.12.080 (D)(1) Freestanding Signs in Business Districts

(b) *Setback.* All freestanding signs must maintain a setback of not less than ten feet from the property line. *The existing sign is located three feet from the property line.*

(c)-(d) *Height and Sign Area.* The maximum allowable area for freestanding signs for lots less than 5 acres is 50 square feet, and the maximum allowable sign height is 15 feet. *The existing sign height is 21 feet, The total area for the existing sign is 89 square feet (excluding the digital sign).*

(e) *Electronic message center sign/changeable copy.* In the case of electronic message center/changeable copy signs, the electronic message/changeable copy portion of the sign shall not exceed 20 square feet and will not be counted towards the area of the sign but will be included in the overall height. *The existing digital sign area is 54 square feet.*

EXHIBIT A-3

April 9, 2026 Community Development Department Staff Report

DRAFT

EXHIBIT A-4

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The City of Crest Hill, Illinois ("**City**");

WHEREAS, JORGE CRUZ (the "**Applicant**") entered into a real estate contract to purchase the real property located at 905 Theodore Street in the City of Crest Hill, Illinois, bearing PIN 11-04-32-419-001-0000 (the "Subject Property") and has applied for and been granted a Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and certain Variations from the City of Crest Hill Code of Ordinances-Sign Code; and

WHEREAS, Ordinance No. _____, approved and passed by the Crest Hill City Council on May 4, 2026, ("the **Ordinance**"), approved a Special Use permit for an Indoor Recreational and Entertainment (Soccer) Facility, and certain Variations from the City of Crest Hill Code of Ordinances-Sign Code, subject to six (6) conditions; and

WHEREAS, Section 4 of the Ordinance provides, among other things, that the Ordinance shall not take effect, and subject to repeal unless and until the Owner has closed on the real estate contract and as, Owner, has also executed, within 60 days following the passage of the Ordinance, this Unconditional Agreement and Consent to accept and abide by all the terms, conditions, and limitations set forth in the Ordinance.

NOW, THEREFORE, the Owner does hereby agree, and covenant as follows:

1. The Owner hereby unconditionally agrees to, accepts, consents to, and will abide by all terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Owner acknowledges that all required public notices and hearings have been properly given and held with respect to the application process and passage of the Ordinance, understands and has considered the possibility of revocation or repeal of the Ordinance as a result of violation of its terms or failure to abide by the conditions set forth in the Ordinance, and agrees, covenants and warrants that it will not challenge any such revocation on the basis of any procedural infirmity or a denial of any procedural right, provided that the City will provide the Owner with written notice of the City's intent to Repeal or Revoke the Ordinance.
3. The Owner acknowledges and agrees that the City shall not be in any way liable for any damages or injuries that may be sustained as a result of the City's granting of the Special Use permit and Variations or its passage of the Ordinance, and that the City's approvals do not, and will not, in any way be deemed to insure the Owner against damage or injury of any kind at any time.
4. The Owner hereby agrees to release, defend, indemnify and hold harmless the City of Crest Hill, its corporate authorities, elected and appointed officials, officers, employees, agents, representatives, and attorneys from any and all claims that may, at any time, be asserted against them in connection with (a) the City's review and approval of any plans and issuance of any

permits, (b) the City's passage of the Ordinance, and (c) the maintenance and use of the Property as authorized by the Ordinance.

5. The undersigned is an authorized representative of the Owner duly authorized and empowered to execute this Unconditional Agreement and Consent on behalf of the Owner.

[Signature page to follow]

DRAFT

OWNER: JORGE CRUZ

By: _____

Its: _____

SUBSCRIBED and **SWORN** to before me

this _____ day of _____, 2026.

Notary Public

DRAFT