



AGENDA REQUEST
City of Bunker Hill Village
Planning and Zoning Commission

Agenda Date:	June 6, 2023
Agenda Item:	III
Subject:	Amendment to Specific Use Permit (SUP) for Memorial Drive Presbyterian Church
Exhibits:	SUP Application Proposed Ordinance
Presenter(s):	Karen Glynn, Community Development

Executive Summary

Background

Memorial Drive Presbyterian Church (MDPC), located at 11612 Memorial Drive, operates under a specific use permit (SUP). The SUP outlines a detailed site plan and specific conditions.

At the April 2023 Meeting, MDPC presented an application for an amendment to the SUP for Commission review, discussion, and direction for the following:

1. Replacement of existing signs (3)
2. New pickleball courts (2 total) with covered structure and site amenities

The Commission discussed the items presented and provided directions including separating the two requests. In discussions with the Commission and staff, MDPC representatives expressed that the pickleball courts are the highest priority and will pursue replacing the existing signage at a later time.

As a result, the proposed application and ordinance reflects the pickle ball courts, structure and amenities only.

Notifications to adjacent properties within 200 feet were distributed, and notice of the public hearing was published in the City's newspaper of record and on the City's website. There have been no comments received to date.

SUP & Amendment Process

The purpose of the SUP process and regulations is to allow the proper integration of uses which may be suitable in specific locations within the City. Any future requests by the applicant must meet the existing SUP or an amendment is required.

As stated in the Code of Ordinances, before any specific use is permitted in the applicable zoning district, a report from the Planning and Zoning Commission must be directed to the City Council accompanied by the Commission's recommendation for approval or denial. The report shall include, but need not be limited to, the following:

- A. *Ingress and egress*: Ingress and egress to the property and proposed structures thereon, with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in the event of fire or other catastrophe.
- B. *Off-street parking*: Off-street parking and loading areas where required, with particular attention to the items set forth in subsection A of this section, and the economic, noise, glare, and other effects of the specific use on adjoining properties and other properties generally in the district and city.
- C. *Service area*: Refuse and service areas, with particular reference to the items set forth in subsections A and B of this section.
- D. *Utilities*: Utilities include water and wastewater with reference to location, availability, and compatibility.
- E. *Drainage*: Drainage plans proposed to meet requirements of the city's drainage ordinance and criteria manual.
- F. *Screening and buffering*: Screening and buffering, either or both, with reference to type, dimensions, and character.
- G. *Signs and lighting*: Sign location and size, proposed exterior lighting with reference to glare and traffic safety and compatibility and harmony with adjacent property and other properties generally in the district and city.
- H. *Trees, yards and open spaces*: Landscaping and required yards, open spaces, and building setback lines.
- I. *Compatibility*: General compatibility with adjacent properties and other properties in the district and city.
- J. *Conformity*: The conformity of the proposed use with the requirements and intent of this ordinance and the comprehensive plan of the city.

The SUP Process examines individual sites on a case-by-case basis to determine if the proposal would negatively impact adjacent properties and the City as a whole.

The SUP Process provides for conditions to be included to ensure specific concerns are addressed for the various factors.

Amendment Application

MDPC has proposed the addition of Pickleball Courts and Amenities to their site. The improvements would be constructed over the existing asphalt parking lot. Additional asphalt will be removed so that there will not be any added impervious cover. A small pavilion is proposed for sunshade. The parking calculations continue to meet the requirements of the entire site with the removal of 19 parking spaces. Lighting is also included in the application with set hours for operation.

The City's current Ordinances for construction would apply, including setbacks, height restrictions, drainage requirements, etc. In addition, Article VII outlines Outdoor Lighting and Game Courts:

ARTICLE VII. - OUTDOOR LIGHTING

Sec. 4-201. Not to disturb others.

It shall be unlawful for any person to cause or permit to be energized on property under his possession or control any outdoor lighting including, but not limited to, spotlights, floodlights or similar illuminating devices which project a glare or brightness, directly or indirectly, upon any lot, tract, or parcel of land, other than that upon which such outdoor lighting is situated, which shall annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others, within the limits of the city.

(Ord. No. 14-444, § 8, 10-21-14)

Sec. 4-202. Indirect illumination.

All outdoor lighting in the city consisting of spotlights, floodlights, or similar illuminating devices shall be installed, hooded, regulated and maintained by the owner or person in control thereof in such a manner that the direct beam of any such light shall be cast downward so that it will not glare upon any lot, tract, or parcel of land other than that upon which it is situated and so that it will not cause or permit any illumination from indirect lighting in excess of one-half (½) footcandle in, on, or over the ground at or beyond the boundary of the lot, parcel, or tract.

(Ord. No. 14-444, § 8, 10-21-14)

Sec. 4-203. Location at game courts.

Notwithstanding any other provision of this article, it shall be unlawful for any person to construct or install any outdoor lighting designed or used for the illumination of a tennis court, paddle ball court or other type game court unless all of the area occupied by such court is at least twenty-five (25) feet from all boundary lines of the property upon which such court is situated.

(Ord. No. 14-444, § 8, 10-21-14)

Sec. 4-205. Hours of operation at game courts.

All outdoor lighting designed or used for the purpose of illuminating tennis courts, paddle ball courts, or other type game courts shall be extinguished not later than 10:00 p.m. and shall not be turned on again until after 8:00 a.m. of the following day.

(Ord. No. 14-444, § 8, 10-21-14)

The City has approved SUPs regarding lighting for Frostwood Elementary School (ball fields) and Memorial Forest Club. Both SUPs include detailed conditions and exhibits describing the location of lights, hooding requirements, and hours of operation.

A proposed Ordinance has been drafted following the ordinance and other locations in the City. A site plan details the courts, fencing, pavilion and added lighting. Specific provisions include the following:

A. Hours of Operation. The hours of operation of the pickle ball courts, pavilion and related area shall be 8:00 a.m. to 10:00 p.m. and may operate 7 days a week throughout the year.

The security gates shall be locked when the courts and pavilion are not in use.

B. Lighting. All lighting shall comply with the lighting study and light fixture specifications attached hereto in Exhibits “C-1” and “C-2”. The pickle ball courts and pavilion shall be illuminated only from dusk until 10:00 p.m.

C. Amplified Sound. Amplified sound at the pickle ball courts and pavilion is hereby prohibited.

Recommended Action

Staff recommends that the Planning and Zoning Commission hold a public hearing with possible action on a recommendation to the City Council for approval to amend the SUP for Memorial Drive Presbyterian Church to add Pickle Ball Courts, a Pavilion Structure and Amenities to the site.