



City of Aurora

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Legistar History Report

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In Control: Building, Zoning, and Economic Development Committee

File Created: 04/04/2024

File Name: Sai Samsthan USA / 1101 Foran Ln / Conditional Use Revision

Final Action:

Title: An Ordinance Granting Revisions to the Conditional Use Permit for a Religious Institution (6400) Use on the Property located at 1101 Foran Lane.

Notes:

Sponsors:

Enactment Date:

Attachments: Exhibit A - Legal Description - 2024-06-12 - 2024.166, Exhibit B - Memorandum of Agreement - 2024-07-08 - 2024.166, Land Use Petition and Supporting Documents - 2024-04-03 - 2024.166, Qualifying Statement - 2024-06-06 - 2024.166, Property Parcel Maps - 2024-07-08 - 2024.166

Enactment Number:

Planning Case #: AU16/1-24.166-CUPD/FPN/FSD

Hearing Date:

Drafter: sbroadwell@aurora-il.org

Effective Date:

History of Legislative File

| Version: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|---|--------------------------------|------------|-----------|--|------------|--------------|---------|
| 1 | Planning and Zoning Commission | 07/17/2024 | Forwarded | Building, Zoning, and Economic Development Committee | 07/24/2024 | | Pass |
| Action Text: A motion was made by Mr. Kuehl, seconded by Mr. Roberts, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 7/24/2024. The motion carried. | | | | | | | |
| Notes: <i>Mr. Broadwell said thank you, Mr. Chairman. Hi, it's good to see everyone again. My name is Stephen Broadwell, I'm a Planner with City of Aurora Zoning Division. So, yeah, as we just heard this is the proposal for the temple at 1101 Foran Lane. We do have representatives here who will come up in a little bit to speak, but I'll give a little bit of Staff's background here. So, as you can see on the...umm...on the aerial here, this is the...umm...really the subject property. I'm sure you're all familiar with it. The temple is at 1101 Foran Lane. Right now, I'll show the zoning map...umm...you can see there's those...the 4 easternmost parcels are all zoned R-1, which is the One-Family Dwelling District with a Conditional Use for the temple. And then you can see the smaller...umm...parcel here, which is the property...umm...at 1125 Foran Lane, which is a single-family detached...umm...dwelling. The existing temple is approximately 7,000 square feet. It's</i> | | | | | | | |

been there for a number of years. The Conditional Use for the religious institution was approved in 2002, and there's been...there was a revision in 2013 which included a southern addition on the building that was never built, and then there was also a Final Plat there...umm...that I guess really established this current subdivision.

So, in regards to the sum of the proposal, the Conditional Use includes...umm...they're...the Petitioner is proposing to bring into their Conditional Use this...umm...the 1125 Foran Lane. So, they're expanding the boundaries of the...of the existing Conditional...of the previous Conditional Use. And then, along with that consolidating...umm...I guess expanding the subdivision to include the same 1125 Aurora...or excuse me...1125 Foran Lane to create the 6-acre subdivision. So, I'll show the Final Plat. I think it's pretty explanatory, but it is being considered here.

So, you can see Lot 1, which is this area and then the previous existing subdivision. This is 1125 Foran Lane. Along with the Final Plat, pending approval of what's in front of the Planning Commission tonight, there's also a Plat of Vacation. You can see there is this 15-foot-wide City easement that's being vacated and then...umm...the easement is being dedicated with the Final Plat here.

The Plat of Vacation, just to be clear, is voted on...it starts the approval process at...umm...at BZE, which would be next...next Wednesday.

So, that's the Final Plat and the Conditional Use. The third part is the Final Plan, which I'll pull up here. You can see...umm...you can see all of these little yellow cut lots. I think that's...umm...just a result of...

(BACKGROUND VOICE FROM AUDIENCE)

Mr. Broadwell said which is part of the...umm...just how it was exported. That's not anything relevant to what you see. Anyways...umm...a little bit about the Final Plan. I'll zoom in a little bit here so that you can see the existing building. So, here's...umm...you can see this...the existing building down here on the south, and then the Final Plan is being...umm...kind of cut into...umm...into 2 parts. The first part is Phase 1, is this first floor right here which will be worship space for...umm...for members. And then the second phase is...umm...this is part of the existing building, but as part of Phase 2 that's going to be built on the footprint of the existing portion here. And then there's going to be a second...umm...second floor addition that extends across. And then I'll show the...umm...excuse me...the building elevations that I think will complement the phasing.

So, you can see this is the existing building on all sides. You can see Phase 1 is...this is the northern portion that I just mentioned. And then it's remaining otherwise, and then Phase 2 you can see is the second story over the first floor and then the second...second phase also includes this 2-story portion on the existing footprint.

Stepping back to the actual Final Plan document, you can also...once I find it...you can also see there's...umm...there is...let me catch up in my notes, excuse me. So, there's 123 parking spaces on the...on the site. The minimum...so, the Petitioner can talk about this more in a minute, but the maximum number of occupants that will be in the building and on the property at the same time is 375. The minimum parking requirement for a religious institution is one space per four seats in the sanctuary. So, based on the 375 occupants, that would be 94 parking spaces. So, there is a surplus of existing parking spaces, and then you can see as part of Phase 2...or I guess, you can see the future parking lot that will be built as part of the second phase. So, I don't know if there are any questions for Staff at this point.

Chairman Pilmer said any questions of Staff? Hearing none, is the Petitioner...would they like to come forward and is there anything they would like to present or add? This is a Public Hearing, so I'll have you go to the microphone, and then I'll have to...whoever's going to speak I'll have to swear you in at this time.

If you'll just raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. Inampudi said absolutely.

Chairman Pilmer said thank you. And then if you'll just state your name and address for the record, please.

Mr. Inampudi said my name is Rao Inampudi, I am present as part of Sai Samsthan USA as part of the board of trustees. Thank you very much for your time this evening. And thank you, Steve, for explaining that as well, and thank the neighbors and who is present here. The facility has been in holding for the last...I mean, at least 20 years or so within the Aurora area. It's a quite great place that we enjoy every minute, and I think the extension part, as Steve explained, is primarily to extend the facilities like shoe stands, additional bathrooms for the patrons who come to the facility, and that's the whole purpose of this extension that we're building now. It's not going to be any additional occupants

that are going to increase. We're not going to add any additional rooms that can (unintelligible). It's only the facilities and then the meditation room that we're adding there. So, it's not going to be an increased hall or any additional patrons that it's going to be attracting. Any questions you may have, happy to answer those.

Chairman Pilmer said any questions of the Petitioner?

Mr. Roberts said based on the addition, you're not expecting more...

Mr. Inampudi said no...

Mr. Roberts said visitors? Just a little more amenities and services for the people that are already coming?

Mr. Inampudi said that is accurate, yes. The whole purpose is for us to increase the amenities. Right now, the shoe racks are in summer and would be troublesome. In winter, particularly when it's wet, right, so that's why we'll have attached shoe rack and coat room, particularly additional restrooms that we can facilitate out. And we're accommodating an office space as well.

Mr. Roberts said okay. Have you spoken with the neighbors...at a time or I'm just curious...

Mr. Inampudi said Alice is here. We have been to a neighborhood meeting last Thursday of June. We have...we have gone through the idea and they're aware of it, yeah. That's on the 26th or 27th of June, Alice is aware.

Chairman Pilmer said any other questions of the Petitioner?

Mr. Kuehl said yeah, what's located at 1055? Is that a house?

Mr. Inampudi said 1055...can you help me, Steve? Which one is that?

Mr. Kuehl said at least it's not in the...

Mr. Broadwell said I think it's this...

Mr. Inampudi said it's an independent house, not part of the Samsthan.

Mr. Broadwell said yeah...

Mr. Inampudi said but that's our neighbor though. Yes.

Mr. Kuehl said okay.

(SPEAKING FROM AUDIENCE)

Chairman Pilmer said ma'am, excuse me. Ma'am, we have to wait to get you into the microphone. Any other questions of the Petitioner? Alright, thank you.

Mr. Inampudi said thank you so much.

Chairman Pilmer said sure, you're part of the Petitioner, I believe, right?

Mr. Inampudi said (off mic) he's our architect.

Chairman Pilmer said I'll have to swear you in as well. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. Rawlings said yes, sir.

Chairman Pilmer said thank you.

Mr. Rawlings said my name's Dave Rawlings, architect. Steve did a pretty good job explaining the project. A couple of points I wanted to make is that the addition is functionally, in addition to the sanctuary, it's additional services that they're providing. A meditation space next to the sanctuary, so

it's not really adding parishioners to the site. The existing 2-story wood building, if you're familiar with the area, is coming down in Phase 2, and a 2nd floor is being built on the existing 1st floor, and then extending over to complete what was the existing. As far as parking goes, we are overparked now, and we're overparked in the scenario of Phase 2. And we're not proposing to put that additional parking in as a requirement of Phase 2. We're showing that in the event down the road, the owner wants to put that in voluntarily...uhh...and then we would come back and engineer that. We didn't want to have to come back through the Planning process, so we showed some existing...some additional future parking that's not tied to Phase 2. That's all I have, I guess.

Chairman Pilmer said alright. Any additional questions?

Mr. Pickens said I have a question. Now, with the addition of the building we're now adding impervious surfaces; the building, for one, and then the future parking. Is there any plans of extending or enlarging the detention pond for storm sewer management...storm water...?

Mr. Rawlings said yeah, the existing detention in the back of the site would need to be extended in the event that the parking goes in because of the impervious area adding.

Mr. Pickens said but only the parking? The building does not affect that?

Mr. Rawlings said yes. They have these outdoor fairs once a year, and it gets a little full at that point. And they're thinking maybe we ought to put in a parking lot, but we really don't have that requirement per the calculations.

Mr. Pickens said okay, but you're showing the future parking so I would think you've got to show future pond expansion as well if you're going to show this on the plans.

Mr. Rawlings said yeah, he...he shows that future detention...

Mr. Pickens said oh, okay. I missed that, I'm sorry.

Mr. Broadwell said yeah, sorry. Maybe I should've explained that. You can see the future detention there in the southeast corner...I've zoomed in...which would, I think satisfy the...

Mr. Pickens said okay.

Mr. Broadwell said concerns, yeah...

Mr. Pickens said alright, thank you.

Chairman Pilmer said any other questions?

Mr. Chambers said I'm sorry, I do have a question. For the future parking, is there any consideration for that future parking to be permeable pavers?

Mr. Rawlings said uhh...we haven't really got that down the road. Pavers are good...it...it's calculated at somewhat pervious, but right now the parking is asphalt, and it might cut out a few yards of detention. But we haven't really thought about that.

Mr. Chambers said okay.

Mr. Rawlings said do you like pavers for parking?

Mr. Chambers said I just think it may be something you want to consider.

Mr. Rawlings said yeah, we do, as a rule when the detention is a problem.

Mr. Chambers said thank you.

Chairman Pilmer said anything else? Thank you. This is a public hearing, so at this time if anyone in the audience would like to testify, they have the opportunity to do so...umm...and I will...actually, if anyone wants to testify, I'll swear everyone in at once and then we'll do one at a time. So, I'll just...if you want to stand and raise your right hand, I'll swear you both in. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Both: yes.

Chairman Pilmer said thank you.

Ms. Taylor said so help me, God.

Chairman Pilmer said thank you. Do you want to go first? And then if you'll just state your name and address for the record. And what we'll do is take all the questions at once, and then once the testimony's done, we'll either get Staff or the Petitioner back to answer them.

Ms. Cyko said alright.

Chairman Pilmer said thanks.

Ms. Cyko said my name is Catherine Cyko and I live directly across the street from the temple. Their driveway...first of all, my first point...it lines up directly with my bedroom window. So, you can imagine what it's like when I try to go to bed at night with these high-beam headlights and their speed bumps. Constant flashing. And I want to also point out that they do not have...uhh...a service at a particular time like typical, traditional churches in the area. They have people coming and going at all hours of the day and night. They...the traffic is constant, and I mean constant. It's backed up for the neighborhood. It creates...you know, a lot of inconvenience for all of the neighbors, me in particular. I believe that I'm the most impacted. And I really don't understand why this expansion is needed because they're not all there at one time. And two, if they have that many members, a growing membership, why not build a facility somewhere else out of residential area? Right? So, that's basically my point and I just don't see why this temple needs to be built all the way out to the street. You know, it's affecting my property values. I can't imagine how they're gonna decrease when I decide I'm gonna go sell my house. Who's gonna wanna live right across from a temple that's right in their front yard? That's pretty much all I have to say.

Mr. Sieben said (off mic) ma'am, what's your address?

Chairman Pilmer said alright, thank you. Are you at 1100?

Ms. Cyko said yes, I'm 1100...

Chairman Pilmer said 1100 Foran? Alright, thank you.

Ms. Taylor said so, I just want to tell you my name is Alice Taylor and I run the neighborhood organization. And I did invite them to my last meeting, which I have...

Chairman Pilmer said could I...I'm sorry, could I just get your address, please?

Ms. Taylor said my address? I'm sorry.

Chairman Pilmer said thank you.

Ms. Taylor said I'm 938 Old Indian Trail.

Chairman Pilmer said thank you.

Ms. Taylor said and so the temple is right in behind me. So, I did invite them to my meeting because I wanted to hear what they wanted to say and their concerns. A lot of the neighbors showed up. Umm...some neighbors text me today because they wouldn't...they couldn't make it and the thing that they said that they have that bothers them is the traffic flow. And one of the neighbors close to me said it was the noise on...at their celebration time.

Ms. Cyko said (from audience) yeah...

Ms. Taylor said so, I wanted to address those 2 things for my neighbors. Umm...pretty much, you know, they've when I've asked them to do things, because they're right in my backyard, they've done them so I can't say anything about that. They actually are people of their word, so they've done them. But my neighbors are kind of the celebration's really loud. Umm...I had a good report with the last man that ran it, I can't think of his name. But he would...he would call me. When they had an event, he

would call me and say, "Alice, I want you to alert your neighbors we're having an event." So, I would prepare my neighbors for heavy traffic...heavier traffic that day. And I asked him the same thing. I would like you to call me and let me know when they're having a special event, so I can let my neighbors know there are...are...umm...you know, our road's going to...there's going to be a little bit more traffic this time. So, like I said, the 2 things was noise and traffic. And that's what my neighbors told me to come up and say and address that with you guys, so you guys could know what's going on. Also, we have another...we have a church, St. Rita's, and that's on Old Indian Trail. If you're familiar with our neighborhood, which most people are when I say St. Rita's. So, we have that as well. And I've even asked for a count on my street, because not only the 2 places, the temple and the church, but we have people cutting from Indian Trail because they don't want to go through the lights. So, they cut through Old Indian Trail, and they cut through, so I have...I mean tons of traffic, so much traffic sometimes I can't get out of my driveway. Now, I've complained to the City. I've asked them to do a survey for me, and they came back with the survey, but the survey was for Indian Trail, not for Old Indian Trail. So, now I've asked my police officers...umm...would they do a traffic count for me, which they're gonna do, you know, for me. But I just wanted to tell you who I was 'cause I'm the one that everybody comes to. So...but I have a rapport now. I had a better rapport with the other people. I've just met them, though, recently. So, those are the things that my neighbors wanted me to address. Is there any questions for me? (Laughing)

Chairman Pilmer said thank you. I do have a question. On the traffic, is...are people parking on Indian Trail at all for...

Ms. Taylor said no...

Chairman Pilmer said like, generally? It's all self-contained?

Ms. Taylor said no, they're not parking on...you can't park on Old Indian Trail because of the...it's open for traffic controllers, and that way nobody can park, and you know we have a street parking problem in Aurora as it is, but Old Indian Trail they can't.

Chairman Pilmer said yeah...

Ms. Taylor said and Foran Lane they...half of Foran Lane they can't either because we put up No Parking signs.

Chairman Pilmer said and then the noise, is that indoor...from indoor or is when these outside...

Ms. Taylor said I think it was outside the day they had a celebration 'cause myself, I was just pulling up from church and my neighbors came running out like, "Do something!" So...umm...all I did was, you know, I just called our officers and I just..."I got a little problem over there, you guys. You guys wanna go down there and tell them to tune it down a little bit." And so, I'm sure my officers work directly with them and they're good to them, so they tuned it down right away.

Chairman Pilmer said good. Thank you.

Ms. Taylor said alright.

Mr. Chambers said I just have something. You know, first of all, just to commend you and being able to work with those that are in the neighborhood, umm...and secondly...umm...hoping that moving forward...I guess my other question is previously were your neighbors receptive when you gave them advance notice of the celebration?

Ms. Taylor said uhh...yes, they were...'cause they knew then what to expect. But even the noise, even when he told me he was having it, the noise wasn't loud. The traffic picked up more cars, but...umm...because I prepared them for that, they were kind of ready for it, so...

Mr. Chambers said that's great. And hopefully you can continue working...umm...with this group to...uhh...when they do have that celebration, to be able to inform those neighbors so they'll have that understanding...uhh...so, just thank you for that.

Ms. Taylor said yeah, I told them I'm open to it, 'cause I've gotta protect my neighborhood. Any more questions for me?

Mr. Kuehl said how frequent are the celebrations?

Ms. Taylor said I think it's...umm...maybe once or twice a year. Am I correct?

Ms. Cyko said (from audience) it's more than that.

Ms. Taylor said is it more? How many celebrations though?

Mr. Inampudi said (from audience) maybe one (inaudible)...may I speak?

Chairman Pilmer said I just...you've got to come up to the microphone, though.

Mr. Inampudi said yeah, once or twice a year, she's absolutely right. And I apologize if there's been a discontinue of communication, but we are on text now. I'll make sure that she's aware at least a week, 2 weeks ahead of time. And we have fliers going out to all patrons at least 3 to 4 weeks ahead of time. We'll make sure she's part of the mailing addresses that email goes out to so that she (inaudible)...yeah.

Chairman Pilmer said thank you.

Ms. Taylor said so, Cathy, how many times do you think it's...uhh...how many times you think a year?

Ms. Cyko said (from audience) well, it's not so much the celebrations...

Chairman Pilmer said uhh...please, I'm sorry. We have to get you on the microphone, sorry.

Ms. Cyko said oh, okay. Sorry.

Chairman Pilmer said we...we...uh record the minutes so that's why.

Ms. Cyko said oh, I see.

Chairman Pilmer said thank you.

Ms. Cyko said I believe they're correct that it's maybe 2 celebrations per year. The other part is that they have a function every Thursday night where, I don't know, you feed everybody?

Mr. Inampudi said our main services is going to be on Thursday night, and that's where the patrons will come. The philosophy that we follow is we'll feed free for anybody who's hungry. Whoever comes hungry to the facility, not necessarily...we don't have any membership as such who can walk in, they will have it. Similarly, Hesed House or Wayside Ministries or Marie Wilkinson kitchen will go and serve the food there and they'll give to the needy people. That's our philosophy that we follow very strictly. And Thursday night is our services and activities so that anybody can just walk in, and they can have free food there.

Ms. Cyko said I wouldn't mind that if they were...if, you know, if you close the doors, like, at 9 o'clock, but they're there 'til 10, 11 o'clock at night.

Mr. Inampudi said sorry to...uhh...correct that, ma'am. We never do services beyond 9:30. The whole purpose of our addition here that we're doing is we have a main hallway the main services are going on right now. People want to meditate while they... before they go to meal, so we want to give us a break facility where, hey you know what, while we clean up the room and send people for food services, if you want to meditate, there's a next hall where you can go for facilities set up, the shoe rack, the restrooms. Next to that, there's a meditation hall you can (unintelligible), so that we can rush and leave the facility by 9:30. Our services end at 9, Thursday. Food service, food distribution will end by 9:30, so expectation is before 10. As per the City rule, beyond 10 o'clock there's no noise level, even inside. Forget about outside. We don't want to make any noise. We want to make sure we are part of the neighborhood. We want to make sure that you're all comfortable, as such, we'll make every effort possible to be part of the neighborhood and make sure that we (inaudible.) And when we are meeting with the neighborhood neighbors as well, we volunteer any meetings or any organizational block parties, they can do it in our facility. You don't have to go anywhere outside. And we're open for any City side, anything you can use our facility out for, we volunteer for it.

Ms. Taylor said so, I just wanna ask...so, you're saying that they leave out of the building...that everybody's out by 10 o'clock at least? Is that what you're saying?

Mr. Inampudi said our services...our services end by 9, and then by, you know, maybe they'll go down, take the food, and by 9:30 they should all go. We'll be hurried to make sure that we empty our room and lock it up before 10 o'clock, yes.

Ms. Cyko said also, there's another point I wanted to make is that we were under the understanding when they first acquired their zoning, that they were not going to be expanding like this. Umm...so, I'd like that to be taken into consideration. And it sounds like even after this expansion, they'll be planning more of an expansion. And, you know, I'm just not...I'm not in agreement with that, plain and simple.

Chairman Pilmer said alright...

Ms. Cyko said so, I mean I would like my neighborhood to stay residential.

Chairman Pilmer said we'll get an answer to that, do the best we can to answer it. This does about in the...on the east property line, right? It does about St. Rita's...

Ms. Cyko said yeah...

Chairman Pilmer said is that right? Yeah. Alright.

Ms. Cyko said okay.

Chairman Pilmer said thank you.

Ms. Taylor said any more questions for me? Thanks for listening to us.

Chairman Pilmer said thank you. Thank you very much.

Ms. Taylor said you're welcome to come to any of my meetings as well. Mike Saville is my Alderman.

Chairman Pilmer said thank you.

Ms. Taylor said and I worry him. Thank you. (laughing)

Chairman Pilmer said alright, I'm going to go ahead and close the Public Hearing at this time, and then I might...I do have a question for Staff regarding...uhh...maybe, I think, the last question regarding...umm...additional building improvements or expansions. I think, and maybe I can answer that, but I think that's why we're here tonight. Umm...

Mr. Sieben said you mean...

Chairman Pilmer said yeah, go ahead.

Mr. Sieben said the last comment?

Chairman Pilmer said yeah...well, the last comment.

Mr. Sieben said my name is Ed Sieben, I'm the Planning and Zoning Director. Umm...typically, any expansions they have to come in for approvals, and that's what they're doing. This was approved in 2002. As Steve mentioned, they got a revision in 2013 to build an addition on the south side, which they never did. So, now they're back. They have a new plan for the facility with the two phased addition on the north side, and that's why they're coming back for the...for the, what we now call Conditional Use.

Chairman Pilmer said alright. And in the future, if 5, 7, 10 years down the road they decide the Petitioner wants to expand, they have to come back.

Mr. Sieben said anything beyond, if this gets approved, correct.

Chairman Pilmer said correct.

Ms. Taylor said (from audience) I have another question.

Chairman Pilmer said umm...and then...hold on just a minute. And then, is there...is there a Conditional Use or anything from original that it was at 10 o'clock? Is there...are there any set hours?

Mr. Sieben said I don't recall.

Ms. Cyko said (from audience) that's what we were told.

Mr. Sieben said is there a condition, Steve?

Mr. Broadwell said I did a pretty thorough...umm...review of the legislative history and there weren't any conditions to that... that effect.

Chairman Pilmer said alright. I think...umm...I know there were some discussions about, but I think that got answered, as far as traffic on Old Indian Trail and that's working with the City, and perhaps the Alderman as well. I think...did...I closed the Public Hearing, but I'll allow you to...

Ms. Taylor said (from audience) okay, I'm sorry...

Chairman Pilmer said if you want to have one additional question.

Ms. Taylor said my meetings are so much laid back from this one. But anyway...umm...so, I was gonna ask them what happened in 2013 that they couldn't expand?

Chairman Pilmer said yeah, I'll ask them to come forward and...

Ms. Taylor said yeah, I just kinda wanted to know what happened with that.

Chairman Pilmer said sure, sure.

Mr. Inampudi said the plan that we had in 2013 is very similar. We expanded immediately south there in that time. But, as part of the philosophy again, sorry I'll go back there but we don't believe in raising the debt for any organization, right? So, we want to make sure that we have funds in the bank before we start any facility. It's just a financial reason.

Ms. Taylor said oh, okay.

Mr. Inampudi said did I answer your question?

Ms. Taylor said yes, yes you did.

Mr. Inampudi said thank you.

Chairman Pilmer said alright, thank you.

Ms. Taylor said thanks. Yeah, thank you.

Chairman Pilmer said umm...does Staff...uhh...if...I'll move to Staff if you want to present the Findings of Fact.

Mr. Broadwell said yeah, thank you. So, I'll just do the Findings of Fact real quick:

1) Staff does not believe the establishment, maintenance or operation of the Conditional Use Revision will be unreasonably detrimental to or endanger the public's general well-being. Staff feels this second Conditional Use Revision is allowing the temple, which has been at this location since 2002, to continue its operations without generating a greater impact on the surrounding neighborhood.

2) Staff does not feel the Conditional Use will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impact property values within the neighborhood. Per the provided plans, the Subject Property is to be developed consistently with its built environment. The Petitioner has prepared a proposal that is not intended to increase the number of on-site members at a given time. The proposal also includes plans that indicate how the property is to be developed in two (2) phases to manage the impact of future development, which includes building and parking lot expansion.

3) Staff does not feel the establishment of the Conditional Use Revision will impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. This is apparent as the new development is entirely contained within the Subject Property.

4) Staff feels the proposal provides for adequate utilities, access roads, drainage, and other necessary facilities as part of the Conditional Use. As part of the Subject Property's second phase of construction, the existing detention pond is to be expanded.

5) Staff believes the proposal takes adequate measures to provide ingress and egress to minimize traffic congestion in the public streets. The Petitioner's plans include an expanded parking lot that is to be built during the second phase of construction, which is intended to mitigate any increase in traffic entering and exiting the Subject Property.

One thing I did want to point out is we, you know, spent a lot of time...Staff did...working with the Petitioner to, you know, address some of these concerns about parking, and one of the conditions on the Final Plan that we'll get to is they've agreed to work with St. Rita's to the east to do...to create an off-site parking agreement to help, you know, minimize the impact of parking.

6) It is Staff's evaluation that the Conditional Use, in all other respects, conforms to the applicable regulations of the district in which it is located, excepted as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Commission.

Chairman Pilmer said thank you. Before we move to Staff's recommendation, I'll just...I'll state for those that are in the audience, and we appreciate the input, we're a recommending body. So, this will continue on to Building and Zoning, and then eventually to City Council. So, this case will be heard a couple more times. So, your input's valuable to us. It's...the Aldermen will read that as part of the minutes, as part of their duties as well, so I think it's good that you're working closely with the Petitioner to continue to work with the neighborhoods. With that, I'd ask Staff for a recommendation.

Mr. Broadwell said Staff would recommend approval of the Ordinance granting revisions to the Conditional Use permit for a religious institution use on the property located at 1101 Foran Lane.

Chairman Pilmer said you've heard Staff's recommendation. Is there a motion?

MOTION OF APPROVAL WAS MADE BY: Mr. Kuehl

MOTION SECONDED BY: Mr. Roberts

AYES: Chairman Pilmer, Mr. Chambers, Mr. Kuehl, Mr. Pickens, and Mr. Roberts.

NAYS: 0

Motion carried.

Chairman Pilmer said motion carries. You did hear Staff read, there are 6 Findings of Fact. Staff did read those into the record. Is there a motion to accept as read?

MOTION OF APPROVAL OF FINDINGS OF FACT WAS MADE BY: Mr. Chambers

MOTION SECONDED BY: Mr. Roberts

AYES: Chairman Pilmer, Mr. Chambers, Mr. Kuehl, Mr. Pickens, and Mr. Roberts.

NAYS: 0

Motion carried.

Chairman Pilmer said motion carries. Will Staff state where this will next be heard?

Mr. Broadwell said this will next be heard at the Building, Zoning, and Economic Development Committee, Wednesday, July 24th at 4 pm, City Council Chambers.

Aye: 5 Chairperson Pilmer, At Large Chambers, At Large Pickens, At Large Roberts and At Large Kuehl

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