



City of Aurora

44 E. Downer Place
Aurora, IL 60505
www.aurora-il.org

Cover Memorandum

File Number: 24-0032

Agenda Date: 2/7/2024

Version: 1

Status: Agenda Ready

In Control: Planning and Zoning Commission

File Type: Petition

TO: Planning & Zoning Commission

FROM: Stephen Broadwell, Planner

DATE: January 31, 2024

SUBJECT:

An Ordinance Requesting Approval of a Conditional Use for a Religious Institution (6400) Use on Lot 2 in West Aurora Plaza, Unit No. 2, located at 555 Redwood Drive (Maranatha Hispanic Seventh-Day Adventist Church - 24-0032 / AU18/4-24.011-CU - SB - Ward 5) (PUBLIC HEARING)

PURPOSE:

The Petitioner, Illinois Association of Seventh-day Adventists, on behalf of Maranatha Hispanic Seventh-Day Adventist Church, is requesting approval of a Conditional Use for a Religious Institution (6400) use on Lot 2 of West Aurora Plaza, Unit No. 2, located at 555 Redwood Drive, which includes rehabilitation of the former bank and associated drive-through for a church with enough space for up to one hundred-seventy (170) members.

BACKGROUND:

The Subject Property is zoned B-2(C), Business District - General Retail with a Conditional Use Planned Development. The Comprehensive Plan designates the property as Commercial and the adjacent block of Redwood Drive as Minor Collector. There are forty-six (46) striped parking spaces on the Subject Property. The existing commercial building, which was used in the past as a bank with a drive-through, is one-story and has an area of approximately four thousand, five hundred (4,500) square feet.

The Petitioner, Illinois Association of Seventh-day Adventists, on behalf of Maranatha Hispanic Seventh-Day Adventist Church, is requesting approval of a Conditional Use for a Religious Institution (6400) use on the Subject Property. The details of the request include an interior remodel of the existing building for worship space with one hundred-seventy (170) seats, five (5) classrooms for congregation members, and a dedicated Pastor's office. The Subject Property has forty-six (46) striped parking spaces, which exceeds the minimum requirement of forty-three (43) spaces. The building also has a drive-through from the previous bank user, which the Petitioner has indicated may be used for member pick-up and drop-off. This proposal does not include any major exterior changes to the building or the site, such as enclosing the drive-through for further office space or meeting rooms.

DISCUSSION:

Staff has reviewed the Conditional Use petition and have sent comments back to the Petitioner on those submittals. The Petitioner has made the requested revisions to these documents and they now meet the applicable codes and ordinances. Staff feels this conversion from the former Old Second Bank to a church use will act as a nice transition from the more intense commercial uses of West Aurora Shopping Center to the south, and the residential neighborhood to the north.

PUBLIC HEARING:

Due public notice was given for the public hearing on this matter. As of the date of this memo, staff has not

received any public inquiries regarding this petition.

FINDINGS OF FACT:

1) Will the establishment, maintenance or operation of the Conditional Use be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare?

Staff does not believe the establishment, maintenance, or operation of the Conditional Use will be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Staff believes the Religious Institution use at this location will not only offer a benefit to its members, but provide an additional resource to the neighborhood.

2) Will the Conditional Use be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood; factors including but not limited to lighting, signage and outdoor amplification, hours of operation, refuse disposal areas and architectural compatibility and building orientation?

Staff does not believe 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 impair property values within the neighborhood. Rather, Staff believes the proposed Religious Institution use, which is to operate from a built-out commercial property, will create any impact on the adjacent residential properties that a commercial user might otherwise create.

3) Will the establishment of the Conditional Use impede the normal and orderly development and improvement of surrounding property for uses permitted in the district?

Staff believes the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. Staff believes the Religious Institution use will provide a buffer between the commercial center to the west and south, and the residential properties to the north and east.

4) Will the proposal provide for adequate utilities, access roads, drainage, and/or other necessary facilities as part of the Conditional Use?

Staff believes that, because the Subject Property is already built out, the adequate utilities, access roads, drainage, and/or other necessary facilities are currently available.

5) Does the proposal take adequate measures, or will they be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets?

Staff believes the proposal takes adequate measures to provide ingress and egress, so designed to minimize traffic congestion in the public streets.

6) Does the Conditional Use in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the commission?

Staff believes the Conditional Use does, in all other respects, conform to the applicable regulations of the district in which it is located.

POLICIES AND GUIDELINES:

The Staff's evaluation and recommendation are based on the following physical development policies:

12.1 (7): To protect residential development from the negative effects of high volume traffic corridors and incompatible land uses.

14.1 (2): To promote the preservation and revitalization of older residential neighborhoods and commercial areas within the City of Aurora.

31.1 (5): To promote the vitality of existing commercial centers within the commercial hierarchy.

RECOMMENDATIONS:

Staff would recommend approval of the ordinance requesting approval of a Conditional Use for a Religious Institution (6400) Use on Lot 2 in West Aurora Plaza, Unit No. 2, located at 555 Redwood Drive.

ATTACHMENTS:

Exhibit "A" - Legal Description
Exhibit "B" - Memorandum of Agreement
Land Use Petition and Supporting Documents
Qualifying Statement
Floor Plan
Property Parcel Maps

cc: Edward T. Sieben, Zoning & Planning Director
John P. Curley, Chief Development Services Officer

CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____
DATE OF PASSAGE _____

An Ordinance Requesting approval of a Conditional Use for a Religious Institution (6400) use on Lot 2 in West Aurora Plaza, Unit No. 2, located at 555 Redwood Drive (Maranatha Hispanic Seventh-Day Adventist Church - 24-0032 / AU18/4-24.011-CU - SB - Ward 5) (PUBLIC HEARING)

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, MZG Real Estate LLC - 211 Dixie Highway LILC is the owner of record of the real estate legally described on Exhibit "A", attached hereto and incorporated herein by reference as if fully set forth, and hereafter referred to as Exhibit "A"; and

WHEREAS, by petition dated January 11, 2024, Maranatha Hispanic Seventh-Day Adventist Church filed with the City of Aurora a petition Requesting approval of a Conditional Use for a Religious Institution (6400) use on Lot 2 of West Aurora Plaza, Unit No. 2, located at 555 Redwood Drive. in the form of Exhibit "B" attached hereto, and have been duly submitted to the Corporate Authorities of the City of Aurora for review for the property described in Exhibit "A"; and

WHEREAS, after due notice and publication of said notice, the Planning and Zoning Commission conducted a public hearing on February 7, 2024, reviewed the petition and recommended APPROVAL of said petition; and

WHEREAS, on February 14, 2024, the Building, Zoning and Economic Development Committee of the Aurora City Council reviewed said petition and the before mentioned recommendations and recommended APPROVAL of said petition; and

WHEREAS, the City Council, based upon the recommendation and the stated standards of the Planning

and Zoning Commission, finds that the proposed Conditional Use is not contrary to the purpose and intent of Chapter 49 of the Code of Ordinances, City of Aurora.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: In accordance with Sec. 104.3 of Chapter 49 of the Code of Ordinances, City of Aurora, being the Zoning Ordinance and the Zoning Map attached thereto, and Article V of Chapter 34 of the Code of Ordinances, City of Aurora, a Conditional Use permit is hereby granted for a Religious Institution (6400) use for the real estate property legally described in Exhibit "A".

Section Six: That this Conditional Use permit hereby granted is solely for the purpose of a Religious Institution (6400) use and is subject to all of the conditions set forth herein which shall be binding and remain in full force and effect upon the property, the petitioner and their respective heirs, executors, administrators, successors, assigns and devisees for the duration of said Conditional Use.

Section Seven: That the petitioner agrees to sign the Memorandum of Agreement attached hereto as Exhibit "B" within fourteen (14) days from the date of passage of this Ordinance and that said Conditional Use permit is granted.

Section Eight: That should any of the above-stated conditions not be met or that the property described in Exhibit "A" is not developed in accordance with the Conditional Use the City Council shall take the necessary steps to repeal this Ordinance.

Section Nine: That future proposals for expansion or intensification of whatever kind for the property legally described in said Exhibit "A", except as provided for herein, shall be considered only upon proper application, notice and hearing as provided by Article V of Chapter 34 of the Code of Ordinances, City of Aurora.

Section Ten: That the property legally described in Exhibit "A" shall remain in the underlying zoning classification of B-2(C), Business District - General Retail with a Conditional Use Planned Development and upon termination of the use of said property for a Religious Institution (6400) use, this Conditional Use permit shall terminate and the classification of B-2(C) shall be in full force and effect.

Section Eleven: That this Religious Institution (6400) use shall remain subject to compliance, except as herein modified, with the minimum standards of all applicable City Ordinances.