



# City of Aurora

44 East Downer Place  
Aurora, Illinois 60505  
www.aurora-il.org

## Legistar History Report

**File Number: 16-00285**

**File ID:** 16-00285

**Type:** Petition

**Status:** Draft

**Version:** 2

**General Ledger #:**

**In Control:** Planning & Development Committee

**File Created:** 03/22/2016

**File Name:** Ministerios Adonai / Special Use / 303 N. Lake Street

**Final Action:**

**Title:** An Ordinance Granting a Special Use Permit for a Religious Institution (6400) Use on the Property located at 303 N. Lake Street (Ministerios Adonai - 2015.277 / AU22/1-15.277-Su/Fpn - ES - Ward 6) (PUBLIC HEARING)

**Notes:**

**Agenda Date:** 06/16/2016

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** EXHIBIT A Legal Description.pdf, EXHIBIT B Memorandum of Agreement.pdf, Invest Aurora letter received May 31, 2016.pdf, Land Use Petition and Supporting Documents - 2016-03-21 - 2015.277.pdf, Property Research Sheet - 2015-11-18 - 2015.277.pdf, Aerial - 303 Lake and Surrounding Area - 2016-06-08 - 2015.277.pdf, Plat of Survey - 2016-03-21 - 2015.277.pdf, Legistar History Report (Special Use) - 2016-06-02 - 2015.277.pdf, Findings of Facts.pdf

**Enactment Number:**

**Planning Case #:** AU22/1-15.277-Su/Fpn

**Hearing Date:**

**Drafter:** esieben@aurora-il.org

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Committee of the Whole	04/05/2016	Forward to Planning Council	DST Staff Council (Planning Council)				
	<b>Action Text:</b> Forwarded to the DST Staff Council (Planning Council)							
1	DST Staff Council (Planning Council)	04/12/2016						
	<b>Notes:</b> <i>Representatives Present: Eric Mancke, Tony Vera, Elovinda Hoera, Elisa Chapa, Anna Samudro, Nick Weis and Jay Wyeth</i>							
	<i>Mr. Sieben said do you just want to kind of go over the background of the church, where they are at and then how you guys got to this property and what your plans are?</i>							

Mr. Mancke said absolutely. Currently the church is located at 543 Lake Street here in Aurora. The church has been a prominent focal point of the city for almost 20 years. Over that time, they have witnessed very good quality growth within their congregation. They are at a point now in their church life where they need a new facility. They need a new facility to do what they do best and that is improve the life of the people that visit them on a weekly, a regular basis that are committed to their church, and there is only so much that they can do right now in their current space and fortunately they found a new facility at 303 N. Lake Street with Nick's help. This facility has everything they need in order to assist their congregation. But more importantly, and I really want to articulate this, to improve the City of Aurora. They are doing a lot of good in this community and through this facility they are going to be able to have a greater outreach with the people of the City of Aurora. Along those lines, I can share with you that in this new facility they are going to have congregation seating within maybe 260 to 270 congregants. This new facility also affords them the opportunity to have some classroom spaces that they will use for counseling, for Sunday school, for youth groups throughout the week and then also there are some office spaces for administration efforts. As you can see, this is a little bit more than just a steeple and pew type of church facility. It is more ministry work. With their ministry work, it really is based on the facility. In order to do this kind of work for the people, for the City of Aurora, they need a facility that allows them that benefit and this is what they've really zeroed in on and we are here today before you to try to work together. Obviously, we need the Special Use Permit and we need staff's support and we need the Plan Commission's support and we need the Alderman's support and so this is our first step in the process. We are excited about this opportunity. Thank you for your time and with that being said we can dive into the details.

Mr. Sieben said how many members does the church currently have?

Mr. Mancke said currently there are around 200.

Mr. Sieben said 200 members?

Ms. Samudro said 180.

Mr. Sieben and just a little background of this property. This was formerly the Bible Lutheran Translators facility and just for the record, the church is planning on purchasing this property if the Special Use is granted. Is that correct?

Mr. Mancke said yes.

Mr. Sieben said and just for the record also, the property has been off the tax rolls for, I think, over 30 years with the Bible Translators under the tax exempt status, and then obviously if this went through it would stay at that tax exempt status.

Mr. Mancke said also correct.

Mr. Sieben said and there are currently, I think, 35 or so spaces on site. Is that correct?

Mr. Mancke said 42, currently 42 and that is documented on the ALTA Survey. It is 42 existing parking spaces.

Mr. Sieben said and we had talked about with some of the preliminary meetings that the staff, obviously, supports churches in the city. The concern we had was with the potential for the on-site parking and the lack thereof. So we had talked about that even though there is some city parking nearby, there can't be any guarantee forever that that parking will be there if there is redevelopment. Do you want to talk a little bit about, we talked yesterday, you guys have inquired with some other churches or business about potentially maybe leasing some of that extra parking that you would need based on your seating capacity.

Mr. Mancke said that is correct, yes. When we talk about the parking, we understand there are parking requirements based on the ratios for the usage in the facility. Along those lines, we are short parking spaces. We've also gone through the details in our Qualifying Statement to demonstrate that based on the actual amount of people that we have coming and attending throughout the week many of the days there aren't going to be any parking spaces in use, but for the larger services, we feel comfortable that we're going to be able to maintain the amount of parking on our site. That being said, we do know that we have to meet the city requirements and we've gone through a couple of efforts with a local church, the First Baptist Church on Oak Street, who has provided us with written

correspondence that they are allowing Ministerios to use their 40 spaces throughout the week.

Mr. Seiben said and that is the lot that is actually on New York Street. Is that correct?

Mr. Mancke said that is correct.

Mr. Sieben said just to the west of Lake Street.

Mr. Mancke said correct, also correct. So with their 40 spaces and the 42 spaces at the site at 303 N. Lake we have access to over 80 parking spaces that we can use throughout the week.

Mr. Seiben said now the concern, I know we talked a little yesterday, looking at that lot, which is a little bit west of Lake Street there, it is about 850 feet from the actual church building. Typically what the Zoning Ordinance allows for is you can lease or have an agreement for off-site parking. We usually look at a 400 foot distance just because of typical walking space, so that is something that we will have to look at. Did you also indicate that there may be some other properties closer that might also be an option too?

Mr. Mancke said there are also, directly across Lake Street. We are negotiating with the landowners as well, the property owners, for additional parking. But right now the church would like the city to consider the parking that is being offered to us by the First Baptist Church. One of the other items that the church is willing to include with this parking is the availability to offer shuttle service from the parking space. They have vans at their disposal to transport the congregants from the parking to 303 N. Lake Street. So we ask that that be taken into consideration as well in order to offset that 400 foot.

Mr. Sieben said that is something that we will take a look at and we can discuss this. It is going through review. One last question, I don't know if you mentioned it, what days and times is the largest congregation there?

Mr. Mancke said exactly and that's spelled out in detail in the Qualifying Statement and just to summarize that Sunday morning, obviously, is the peak followed closely by Friday evenings. We've shown, just to state from the Qualifying Statement, to put it into perspective, on Sunday morning we expect 160 to 170 attendees that could use about 42 parking spaces and on Friday evenings they expect anywhere from 50 to 60 attendees that could use upwards of say 15 to 20 parking spaces. I offer that as a way of just putting into perspective the amount of spaces that will be used at their peak. Just to expound on that, on Monday, again this is documented in the Qualifying Statement, on Monday they won't be used at all. The facility at 303 will not be used at all, so no parking spaces will be used. On Tuesday, we expect the ushers to use the facility, about 12 or so ushers and we expect maybe 10 to 12 parking spaces to be used, again, keeping in mind there are 42 spaces available at 303. Then on Wednesday, we have administrative staff that meets for 2 hours during the morning. There could be 3 parking spaces used. On Thursday, there is a youth group that meets from ages 12 to 20. We expect 10 to 12 attendees and possibly as much as 12 parking spaces used on Thursday. Then on Friday, we have the evening service and we expect, again, 15 parking spaces to be used. On Saturday, there is a cleaning crew that comes in, in preparation for Sunday's activities and we expect 4 parking spaces to be used. And then again, we hit Sunday with the peak morning service of between 160 to 170 attendees using about 42 parking spaces. Then lastly, there is an evening service on Sunday that brings about 50 to 60 attendees, and again, maybe 15 parking spaces. So you can see when we lay that out that intensification of the use is really diminished. It is really diminished and what we are talking about are the actual numbers the site at 303 can safely accommodate the parking, but as an aside, we've gone above and beyond to obtain additional parking to try and offset the city's needs and meet the zoning requirements.

Mr. Sieben said does the Petitioner have any plans to potentially lease out other areas of the building for other office users? Do you want to touch on that? Aren't there some restrictions with the building code review as far as occupancy?

Ms. Phifer said before we go to that question, can I just clarify something on the table that you just read from? So I just want to understand. You've got it listed in here as maximum parking spaces and use, but I think what you actually are representing there is the parking required for our ordinance because you guys didn't like do a parking study and look at, or did you, look at different times of days for your current use or did parking counts to determine that, or are you just taking our parking regulations?

Mr. Mancke said taking the parking ratio, exactly. No they are not looking at leasing out any other

parts of the building.

Mr. Sieben said I don't know if, John do you want to come up and just explain, there are, I guess, some occupancy limits here. Do you want to just touch on that?

Mr. Curley said as part of the Chapter 34 study, a tenancy or exceeding 300 people in the building would trigger sprinklering. You cannot lease to another tenant unless you want to go through a sprinklering of the building, or once you exceed 300 people the same thing is true. In fact, we are going to placard the building so that it indicates that in the lobby or something so that's clear to the Fire Inspectors.

Mr. Mancke said we acknowledge it and are in full support.

Mr. Feltman said there is nothing with Engineering.

Mr. Sieben said we will review this over the next couple of weeks and take a look at, obviously, the parking is really the main issue here and we will correspond back with you guys and then we will look at setting it for a date for Planning Commission. This is going to be my case directly, so you can work with me. We do have to do public notice so we will pick a date sometime in the future and then work backwards on the notices for that.

Mr. Mancke said is there any other information we can get you on the parking?

Mr. Sieben said not at this time. I'm sure we'll have a few questions and we'll get back to you guys in the next week or two. You do not need to come back next Tuesday.

Mr. Feltman said the one thing that, I don't know if it came up in DST or not, but I believe this building is located in what we have as the PE use fee area, so when you add any plumbing fixtures, the existing, which I don't know whether you are going to in the net, but there would be a fee associated with that. So if you can use whatever you have in the existing building and meet all building code, then there is no fee, but I think I gave that to you in the first meeting.

Mr. Mancke said I did get a copy of that and am familiar with it.

Mr. Feltman said so just realize that's going to be part of the building permit process.

Mr. Sieben said I'm sorry, just one last question. If you guys do get approved here and move, what are the plans for your current building?

Ms. Chapa said we would sell it.

Mr. Sieben said you would sell it. Probably, obviously, to another congregation.

Ms. Samudro said yes.

I'm Jay Wyeth. I'm the attorney for the church. I'm just trying to figure out a timeframe as to where we are because we've got certain limits within our contract so I just need to know if I need to extend it or not.

Mr. Sieben said the first one we can get to would be the 2nd Planning Commission in May, I believe it is May 20th. It is the third Wednesday and then we have to work backwards for notices, so the notices we would be getting out at the end of this month. So if you go May 20th you would be at the first City Council meeting in June, which would be the 2nd Tuesday in June.

Mr. Wyeth said which would be the vote for approval or not?

Mr. Sieben said for the Special Use, correct.

Mrs. Vacek said I take that back. It is May 18th.

Mr. Sieben said May 18th it would be at Planning Commission.

**Notes:** Mrs. Vacek said we're looking at the review of this, but right now I think it is going to be tentatively set for the first Planning Commission in June.

1 DST Staff Council 04/26/2016  
(Planning Council)

**Notes:** Mr. Sieben said we had some discussions internally late last week. We're still doing some internal discussions regarding the review of this, but I did relay to the Petitioner that this will be going to the first Planning Commission meeting in June, so we will be reviewing that over the next couple of weeks and then get any comments needed back to the Petitioners.

1 DST Staff Council 05/03/2016  
(Planning Council)

**Notes:** Mr. Sieben said staff has started to review this. Again, this is going to the first June Planning Commission meeting. As stated from the beginning, staff does have concerns about the intensification of the use of this building going from an office to the higher intensity religious institution use with their 270 to 280 seats and the limited parking on site. Staff does have concerns with what is proposed right now, which includes the possible shuttle parking, which is about 850 to 900 feet away and a proposed lease on the west side of Lake Street with an office building that does not have a designated pedestrian walkway to cross Lake Street, which is a busy arterial highway. It does not meet the letter of the Zoning Ordinance. Also, on street parking is really not specifically allowed for in the Zoning Ordinance for this type of a new use. With all those issues, we do have some concerns, so we will be responding accordingly.

1 DST Staff Council 05/10/2016  
(Planning Council)

**Notes:** Mr. Sieben said this will go to the June 8th Planning Commission. I will be getting out the notices to the Petitioner. I think tomorrow I need to get those out to them. I made comments last week.

1 DST Staff Council 05/17/2016  
(Planning Council)

**Notes:** Mr. Sieben said I will be putting together a staff report by next week and we will be voting this out next week to go to the June 8th Planning Commission. Otherwise, I don't have any additional comments from what was stated last week.

1 DST Staff Council 05/24/2016  
(Planning Council)

**Notes:** Mr. Sieben said I did talk a little bit about this last week. I'm in the process of putting together the staff report for the June 8th Planning Commission meeting. Therefore, we will have that finished for next Tuesday and we will vote this out next Tuesday.

1 DST Staff Council 05/31/2016 Forwarded Planning 06/08/2016 Pass  
(Planning Council) Commission

**Action Text:** A motion was made by Mr. Sieben, seconded by Mrs. Vacek, that this agenda item be Forwarded to the Planning Commission, on the agenda for 6/8/2016. The motion carried by voice vote.

**Notes:** Mr. Sieben said I'm going to make a motion to vote out 285 and 286. This is the Special Use and Final Plan for a proposed religious institution at 303 N. Lake Street. This is going to be moved forward with a recommendation of denial. Staff did a full review on this and will be putting together the staff report this week to send to the Petitioner. First off, on-site it does not meet the parking requirements for this new intensified use going from an office to an assembly use. They are at least 27 parking spaces shy, at least, based on what they are showing with a restricted occupancy of 283. Some of the solutions they have come up with don't meet the intent or the section of the Zoning Ordinance, which I'll state in the staff report. Essentially, there is not a permanent parking solution with the proposed change of use. It also does not comply with the Comp Plan for the area or the proposed development projected for the area with the mixed use. With that being said, I make a motion. Mrs. Vacek seconded the motion. The motion carried unanimously.

2 Planning Commission 06/08/2016 Forwarded Planning & 06/16/2016 Pass  
Development Committee

**Action Text:** A motion was made by Mr. Bergeron, seconded by Mr. Cameron, that this agenda item be Forwarded to the Planning & Development Committee, on the agenda for 6/16/2016. The motion carried.

**Notes:** See Attachment for 16-00285 and 16-00286.

Aye: 6 At Large Bergeron, At Large Cameron, Aurora Twnshp Representative Reynolds, At Large Divine, At Large Truax and Fox Valley Park District Representative Chambers

Nay: 3 At Large Cole, At Large Engen and SD 204 Representative Duncan



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Aurora, Illinois 60505  
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## Legistar History Report

File Number: 16-00285

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Attachment for 16-00285 and 16-00286:

- 16-00285      An Ordinance granting a Special Use Permit for a religious institution (6400) use on the property located at 303 N. Lake Street (Ministerios Adonai – 2016.277 / AU22/1-15.277-Su/Fpn – ES – Ward 6) (PUBLIC HEARING)
- 16-00286      A Resolution approving a Final Plan on Lots 1-3 & 14 of Wilder’s Amended Addition Subdivision located at 303 N. Lake Street (Ministerios Adonai – 2016.277 / AU22/1-15.277-Su/Fpn – ES – Ward 6)

Chairman Truax said the first item of business this evening is an Ordinance granting a Special Use Permit for a religious institution use on the property located at 303 N. Lake Street by Ministerios Adonai in Ward 6 and this is a public hearing.

Mr. Sieben said good evening Commissions, ladies and gentlemen. For those who may not know me, my name is Ed Sieben. I’m the City of Aurora Zoning Administrator. As you indicated, this is a request for a Special Use Permit for a religious institution at the property located at 303 N. Lake Street by the Petitioner, Ministerios Adonai. The property owner is Messengers of Christ Lutheran Bible Translators, or at least that is what it was when the petition was submitted. There’s also an accompanying Final Plan, so a lot of this that I’ll go over really relates to the Final Plan, but there’d be two separate votes. The background – the subject property is located at 303 N. Lake Street and is currently utilized as an office building. It has B-2 General Retail zoning and it’s got about 18,700 square feet of primarily office space. There are 42 parking spaces currently on-site. I have a picture of the Plat of Survey on the property. It is almost identical to the Final Plan that was submitted, but I think this might be pretty clear to see the building and the parking on the site. What I’ll do is I’ll go through a background of why the need for the Special Use and then what the Petitioner is requesting and then I’ll turn it over to the Petitioner for them to really go over in more detail the project and how they are working out some of the issues with parking and then what I’d like to do then is come back and kind of go over the staff’s review of it and how that parking fits in or doesn’t fit in with the zoning requirements. A Special Use is required for this change in use per Section 4.2-1 – Religious Institutions. This is that section of the Aurora Zoning Ordinance that would be required if certain conditions are not met for a proposed religious institution. There are two items that are not being met on this site. The first one is c) green space. At least 25% of that portion of the lot shall be landscaped and maintained with grass or other cover and shall be landscaped to the applicable ordinance. Currently only about 8% of the lot in question is green space. Secondly, the other issue that is not being met is f) parking requirements. A religious institution shall provide parking spaces as required in the off-street parking and loading section of the bulk restrictions section in the Aurora Zoning Ordinance. Based on the limited use that’s being proposed for the occupied space of the building, that is submitted in the packet and they can talk about that, they would be required to have 71 parking spaces off-street or on-site. Therefore, this site does not meet the green space or the parking requirement, hence the Special Use request. As I stated, the property has been owned by Lutheran Bible Translators since 1984 and the property has been tax exempt since that time. They vacated the building in late summer 2015 and have put it on the market and again, their use was as an office. Just briefly, the details of the proposal include the purchase of the property by Ministerios Adonai and remodeling the building for sanctuary space for religious services and they have Sunday school classrooms and office use. The Petitioner currently owns and operates their church at 543 S. Lake Street and they’ve been there since 2006. Briefly again, the proposal is to create a sanctuary for religious services on the first floor with 273 seats, plus they would like to use 4

office and 5 classroom spaces on both levels for their ministry efforts. They currently have about 200 members and I think maybe half of them are here tonight. Because the building is not sprinkled per the Building Code, the maximum count would be limited to 299 at any one time. The architect is indicating that no more than 283 occupants would use the space at any one time. However, the floor plan, if you look at the floor plan, it does indicate besides sanctuary seating there are 24 office or classrooms that could be used either as office or classroom. There are 24 of them. There are 2 kitchens and there is 1 large open area which could accommodate large gatherings. Remodeling of the building for a sprinkler system would allow full use of these spaces in the future resulting in a large increase of the potential parking demand. Again, as I stated, concurrently under separate action a Final Plan for the church is being requested. So that's really the background of it. I will turn it over to the Petitioner and their representatives unless you have any questions for me, but I would like to come back and just describe, just comment on what they are proposing with parking.

The Petitioners were sworn in.

Eric Mancke, ESM Civil Solutions. Address locally is 436 Burr Oak Drive, Oswego. Thanks Ed. Thank you for the introduction to our project. Chairman Truax and Commissioners, thank you for the opportunity to speak here before you tonight. There is a lot of excitement. There is a lot of energy right now and you are going to hear a lot of it this evening. We do have a story to tell quite honestly. I'd like to first start by introducing myself. My name is Eric Mancke. I'm a registered Professional Engineer here in the State of Illinois. I work locally. Part of our development team is Nick Weis from Third Day Real State, Managing Broker, born and raised in Aurora. His family still lives in Aurora. Also part of our team is Attorney Jay Wyeth. I'm sure many of you know the Wyeth family. Jay works here in Aurora. They live in Aurora and Jay's father, Mr. Wyeth, was a Commissioner before there were Aldermen in the city. I share that with you because I want you to know that we are stakeholders too. We consider ourselves all a part of this community, and it is an awesome community. Part of that community then is the fine folks at Ministerios Adonai. They've been a part of this community for almost 20 years. They first started operating their ministry in 1999, and as Ed mentioned, in 2006 they took up their ministry efforts at 543 S. Lake and they find themselves now growing, expanding their church, their mission, the word of God. Everything that they've stood for over the last nearly 20 years is paying off and is paying off for the community, for the people of Aurora, for all of us. This is good work. This is the work that we learned, many of us learned about when we were children and we went to Sunday school or whatever your beliefs may be. But it is working. It is growing and they are doing good things. So now you must be sitting wondering what exactly is going on and why are there almost 100 people here in attendance. Why is there a denial before you on our humble request? Why has the CEO of Invest Aurora taken his time to write a narrative against the project? I'd be asking those questions. I'd want to know what in the world is going on here. That's my job. My job tonight is to answer those questions. I also want to make your jobs very easy. I think we have a tremendous plan and we're going to describe that tonight and when it's all over I hope that we can collaborate on a resolution that works for you, works for your superiors, works for us, works for the people of Aurora. So to help answer that first question why are we here, what's going on, why the denials, we have to start with the facility, right? We all know there's plenty of property here in Aurora. There is a lot of space. Why is Ministerios set on this property at 303 N. Lake? Why not just take up a church down the street, or maybe there is a vacant church over there that we all know or we see or we drive by to and from work? What is magical about 303? Why are we continuing to fight and push? I think it would be great for you hear directly from Ministerios Adonai themselves. With me tonight is their youth leader. The importance of youth, the importance of connecting with our youth. If we want this community to turn around and be solid and raise good citizens, it starts with our youth and that's what they are doing at Ministerios and they are doing it in a



big way. Vicky Del Rio is the youth leader, the manager of their youth division. I'd like for her to explain to you why it is so important, what brought 100 people out tonight because of 303 N. Lake.

Good afternoon everyone. My name is Victoria Del Rio. I am the Youth Leader at Ministry Adonai. I was born in the City of Aurora and raised in the City of Aurora. Right now I am currently a college student attending Waubensee. I'm working towards becoming an oral surgeon and I'm also part, like I said before, of the Ministry Adonai. I just wanted to start off by telling you why Ministry Adonai needs the city's approval and why the city also needs Ministry Adonai. We are very proud to say that we are a part of Aurora, Illinois. Throughout the years, we've seen that there's been a lot of changes. We've seen how there's been new construction, there's been road changes, and awesomely there has been really low crime rates now. From past years they have decreased over the years. We've seen how, unfortunately, we've seen how there's been higher dropout rates in high school. There's been less chances of students continuing their education and college right after high school and we've sadly seen a lot teen pregnancies happen and increase the rates. We are working, actually, with the City of Aurora to help stop that. We're not just any sort of big religious based group, any religious based church that wants to stop that because no one wants to see a teenager raise a child at 15 years old. No one wants to not continue their education. No one wants to drop out of high school, but this is why Ministry Adonai is working towards this. We are a ministry of theological teachings and we are a ministry of fine arts. We are working with the City of Aurora to help lower those rates of high school dropouts, to lower the rates of changes of students not continuing their education. We are helping lower the rates of teen pregnancies. We are also helping the City of Aurora do this through Jesus Christ since we are believers. We are a growing ministry that also restores the families from dysfunctional families. We restore the lives of those teenagers that come from poverty, that come from drugs, that come from prostitution, that come from alcohol. We help them and we encourage them to keep their studies going, to keep going in high school and not drop out because they need to work. We are helping the City of Aurora lower those rates down. We do, I believe we all agree that we all need a generation, a new generation in this city that is going to make a difference for the City of Aurora. We want a youth that will continue their studies. We want a youth that we can encourage to go to school and receive higher education and receive higher status. Because of this, we need the city and the city needs Ministry Adonai because think about it. Is there any other church that does this other than just show you and teach you about God? No, there's not. There may be fundraisers, there may be extra programs that may help those people out there, but that's not going to help them if they are going to keep staying in poverty, if they are going to keep staying in drugs. This is why we are here, to help the city make everything change. The reason why I'm telling you this is because this also benefits the city. It just doesn't benefit us a ministry, as an institution, but it benefits the city in certain ways because what we want is we want a different reputation for Aurora. I'm going to tell you because I'm only 19, but like I said before, I was raised, I was born in Aurora and people would rather go, let's say, I'm going to be really honest, people would rather go to Naperville, people would rather move to Geneva because that's where the wealth is, because that's where the better schools are for their kids, because they feel safe because it is a better community. People don't want to move to Aurora because they think oh no there's poverty there. They don't see the wealth here and all these other factors. People would rather leave to those other cities and that's what we want to change. We're working with you to change the reputation of Aurora. We are working with you for people to be like I want to go and move to Aurora because they have better schools for my children. I want to move to Aurora because they are wealthy. Honestly, I know you will agree with me, people think that the wealth is in Naperville, in Geneva or St. Charles, but they don't think the wealth is here in Aurora. That's what we're striving for, to change the reputation of Aurora. The more professionals there are in the city it will also benefit you because businesses will open up. There will be more opportunities for people. People are going to be like I'm going to go to Aurora

because they have the best dental clinic there. I want to go to Aurora because they have the best businesses. I don't know what type of business you're thinking of, but people will say that if you have us work with you because that's what we want. We want to work with the City of Aurora for this reason. When there are more professionals, I would say as doctors, as lawyers here in the City of Aurora, there are higher tax rates, so that will benefit you economically because not only do the taxes benefit the state, but it also benefits the city and that's what we want. That's what you want. We want to work with you to have that wealth here in the City of Aurora. We want to work with you to have that reputation in the city. I only speak of this directly because I have seen, as when I grew up in high school, they would always say Naperville has the best schools. I'd rather go live over there because that's where the rich people are. I'd rather go over there because it is safe over there. I know that we all want for people to say that about the City of Aurora, but as a teenager, as a 19 year old, I'm not comparing myself to you guys, but as the age that I'm in I've heard the reputation of Aurora. That isn't here and that's what we want to cause. We want to cause that wealth to come here. That's why we are willing to work with you. That's why we need that permit, that approval, to open up the organization, the ministry where we're going. This is why it makes us different from any other religion associations, any other religious institutions because we don't bring, we're not trying to bring a religion to the City of Aurora. We're not telling you you have to follow this religion. That's not what we're doing. What we want is we want to work with the City of Aurora to bring that wealth here. I will repeat, to bring professionals to come out of the City of Aurora, where people will say I went to the schools of Aurora and now I'm a doctor. I went to the schools of Aurora and now I'm a lawyer. This is what makes us different. We don't bring a religion. What we bring is the truth. What we bring is we are willing to work. We are determined to work with the city. We are determined to work with the city to bring that wealth here. We are determined to work with the city to make a change in the City of Aurora. We are also determined to work with you because by working we will work with you not only economically, but encouraging students to keep their education by encouraging for them to go to higher statuses as in a doctor, as in a lawyer, as in I don't know what type of career they want to go into, but we will encourage them and that will help you economically and we will help you politically. We're not just saying that so we can get the approval, but we've been here for more than 10 years and we're proud to say that we are from Aurora. That's what I want to be proud of. Honestly, I'm not going to just say this because I want you guys to be on my side, but I'm going to say this because I grew up and I was raised here and I see a better and bigger future the way people see it in Naperville they see it here. So that's why we really need that approval from you.

Chairman Truax said thank you for your comments.

Mr. Mancke said well there is one word that I wrote down in my notes and it is passion. I've had the chance to work with Ministerios now for over 6 months and that is, by far, the word that I use to describe them, the passion that they have. That's the reason that their message is expanding and why they are growing. There is no secret. They are just doing good work. They have a proven track record and that's a good note too, proven track record. This is not fly by night. They're not coming and trying to inject themselves into the city. They've been doing this for almost 20 years now and it is working and now they have their eyes set on the facility at 303 N. Lake Street. It has everything they need. It has the offices, it has classrooms for the youth, for the single moms, for counseling. It has enormous space for sanctuary seating so they can come together as one as a community, as family and pray, do what they do. And it actually has parking. Ed mentioned that too in his notes, 42 parking spaces. Remember that's key. I promise we will get to the technical side of things. I am, after all, an engineer and we will break apart the technical aspects of this, but the 42 parking spaces are there and existing and we intend to utilize all of them. So let's look at now, let's look at where we're at, let's look at why we have the

denial and Ed mentioned the parking right. Based on the building floor plan we have capacity for 283. Right now that's our design. With that, based on city standard calculations, we need 71 spaces, and I mentioned we have 42, so we are short. I want to point this out too. We're not asking for any favors or concessions here. We are asking for collaboration. There is a sign back there and the one that really caught my attention are the 2 hands coming together and shaking. That's our goal. That's my goal, number one. I want us to work for this because it is a good cause. It's community, it's church, it's impactful on our youth and I think it really does bear that kind of collaboration on all of us because if we throw our hands up and we say forget it, they are short on parking and we have a community plan, I think it could show that we're turning our back possibly for the wrong reason and I want to try and work that out starting with you folks tonight. So with the 42 spaces, in working with staff we were encouraged to try and gain some more spaces. Fortunately, we have First Baptist. The First Baptist, which is several blocks away, has allowed us 40 parking spaces and we understand that's outside of the city ordinance. It is over 400 feet. I want you to keep in mind Ministerios is agreeable to also providing shuttle services for those parking spaces. So we have a written acknowledgement by First Baptist Church to use those spaces and we're considering them. They are sort of helping us with our cause. Then the next thing is the Pancake House right across the property line, the north property line. The Pancake House is affording us their parking spaces. They close at 3:00 o'clock. They close at 3:00 o'clock so they don't have any cars there in the evening for the Friday evening service and they also don't have any cars there for the Sunday evening church service. Obviously, those are the high traffic times for Ministerios on Friday night and on Sunday evenings where we see the majority of our traffic. But fortunately now, and this is a new revelation, and I know that was something that Ed had planned to talk later and we can discuss in more detail, but I wanted to share that with you that we're getting there. We are taking the city's advice and we are working toward a resolution and here's the great part about it, we have the benefit of wonderful neighbors that are sharing in this, yes whatever you need Ministerios, we believe in you, we believe in your work. It is written from the Pancake House. He is on board. He's on board because of who they are and what they do for this community and he is offering his parking spaces and I'd like us to consider that as a way of us meeting our goal. So we take the 42, we take the 42 parking spaces and in the lower level, I'm sorry in the upper level they have 32 parking spaces, so that puts us at 74. That's over our 71. Then also they have the lower level parking spaces, which they are affording to us on Sunday mornings when they are open, and that has 20 to 22 parking spaces, so now that puts us at 64 and again we need 71. So we are real close. Throw in the parking that is being offered to us by First Baptist, over 40 parking spaces, and we are there and we're committed to even helping our members provide shuttle, offering a shuttle service to our members. So I feel like we are getting there. We're at least at a point where we can have open dialogue. You'll notice in these calculations that I'm sharing with you I haven't mentioned the over 600 available parking spaces within one block of us. Public parking spaces, 600 spaces within walking distance of one block, 636 to be exact. Remember I am an engineer. I do keep tabs of these kind of things. I counted every single stall myself. There are 636 parking spaces and we're saying that we may generate between 60 and 70 cars worth of vehicles. The point folks is that there is parking available. We don't view ourselves as a burden. We certainly don't view ourselves as intensifying the use as you may have seen in the staff report. I don't like that word quite honestly. I don't like it. It sounds negative and this is not negative. This is not negative. It is intense, I'll give you that, but it is not a negative term when you look at what they are doing and what is there and provided to them. The other part I'd like you to keep in mind, if we can go through real quickly here, the church's operating schedule, let's call it an operating schedule. Let me break down for you the 7 days of the week, just so you can have a sense on what their daily activities look like or will look like at 303 N. Lake. Monday – nothing and this is in the qualifying statement that we put together. There is no planned activities at Ministerios on Monday, i.e. no traffic, no intensified use. On Tuesday they have their usher's meeting and I think there are 12 ushers. Let's say each usher

drives himself to the church, 12 cars, alright. Then we get to Wednesday and they have administration hours, office hours, during the middle of the day I think from 10:00 until 1:00 and I'm working off of memory here. I've got all of this in my notes, but I'm coming at you with it right from the heart and from memory. They have office hours and administration hours and I think there may be, let's call it a handful of cars, as part of the office hours. On Thursday they have their youth nights with ages from 12 – 20, a lot of them getting dropped off by their parents, some of them driving, but they estimate, and again this is based on what they have right now at their current facility, about 20 cars. How many do we have in our existing parking lot? 42. So that's on Thursday. Now we get to Friday and as I explained earlier, we have the benefit now of using the Pancake House, which is right next door, easy access away from us. Saturday they have custodial care come to the church and prepare for Sunday services, again, let's say maybe a handful of cars on Saturday. Then on Sunday we get to our 2 services, 10:00 in the morning, which has about say 60 to 75 attendees, again maybe 20 to 25 to 30 cars or so, and then on Sunday evening we have our bigger service and our bigger service that may generate maybe 150 to 160 members right now and 40 to 50 parking spaces. This is what this actually may generate and we have the on-site parking and now the shared parking to go along with that. So I hope I painted a picture for you in terms of the actual use of what we feel is really going to be happening at 303, and that's just the logistics. Of course, there is all this hard work and effort and the greater good, but that was the technical part of it. There isn't any stormwater. There isn't any utility conflicts. There isn't any grading. It is a couple of parking spaces here. I feel that we are close to getting this worked out and hopefully moving along our way. If you'd just give me one second, I want to make sure that I did cover everything and then I'll conclude. At this point we'd like to open it up for dialogue. I know Ed has a few things to say in his part of the public hearing, so I want to thank you for your attending and I'm anxious to hear what we have to say. Thank you.

Chairman Truax said thank you for your comments.

Mr. Sieben said everything Eric has mentioned, the qualifying statement, the schedule, that's all in their packet, so you guys do have that available. I just wanted to maybe for the record just touch on some of the discussion items. I do want to compliment the church. I have met with Eric and the representatives and Jay and so on and they are a great group to work with and we've said that. But any time, we have to look at it from a technical point of view. That's kind of our duty, and anytime we have a change of use, no matter what that use is, one of the key issues, as you know, you guys, some of you have been doing this for a long time, parking is a big issue and so on. With that being said, I just wanted to touch on some of the more technical aspects, but I guess before I do that, as Eric mentioned, we do have a letter from Invest Aurora from David Hulseberg. He's the President of Invest Aurora. That's the city's economic development arm. I think for the record I would just like to read it into the record if that's okay. It is in your packet and I think you did see it, but I just wanted to read that in. This letter was received May 31 of this year. It is regarding the Special Use Petition. It is "Dear Honorable Weisner, Invest Aurora was created by the City of Aurora as a public private partnership to serve the community in addressing the economic development interests of the city. The Petitioner, Ministerios Adonai, is requesting approval of a Special Use for a Religious Use on the property at 303 N. Lake Street." He talks about the size of the building. It is an 18,787 square foot office building with B-2 zoning. There are 42 spaces and then what the Comprehensive Plan calls for this area, which is an extension of downtown, calls for mixed use – office/research/commercial/residential. He does indicate also a new Master Plan for the downtown as being developed. He goes on to state "The Petitioner does not meet the required parking. The area around the property has been slated for redevelopment with the City of Aurora scheduled to make capital improvements for a pedestrian bridge across the Fox River to the transit center and other improvements nearby. This \$12-\$16 million dollar public investment will provide a

dramatic change to the near west side. Those properties east of Lake Street, south of West Park and north of West New York Street, which he has called the Redevelopment Area, has been depicted in Mayor Weisner's vision for the future at the most recent State of the City. The property in question, which is under parked for the proposed use, will rely on the neighboring streets for parking when they open and as they continue to grow and expand. It is not in the city's best interest to allow a use that cannot meet the parking standards and also take away street parking for future uses. As the pedestrian bridge is completed, the marketability for change of this Redevelopment Area will occur. The proposed redevelopment calls for high density residential and commercial, all of which will provide the requisite parking. The use of on street parking may be discouraged as the city looks to maximize the density in the area. Due to design guidelines for this area, the city may seek smaller street widths and not to allow any on street parking. Alternatively, the city may instead rely on deck parking and private surface lots which then will discourage street parking as it impedes traffic flow. The redevelopment area has the unique opportunity to set future trends for urban redevelopment. As such, no uses should be encouraged in the area which cannot satisfy parking on their property. The existing city parking lots will become higher and more utilized for the city. Invest Aurora recommends denial of the Special Use Permit for the Religious Institution use at 303 N. Lake Street. Sincerely, David Hulseberg." So I just wanted to read that into the record because that does factor into some of the, I think, some of the city recommendation here. Again, this is just staff recommendation and I know you guys are a recommendation. This does go onto City Council. Again, in the discussion section, staff does have some concern because this is a change of use. This is from an office use to the proposed use and the conversion to the assembly use as it relates to the somewhat limited parking on site. As Eric did mention, a minimum of 71 off-street parking spaces are required based on the building code limited 283 occupant load proposed, although they could go up to 299 occupants without the sprinkler, which would require an additional 4 spaces, which would be 75 parking spaces. But just looking at the 71 based on the occupant count that they are saying, they only meet 59% of the required off-street parking. Then I just wanted to touch on the church is currently down at 543 S. Lake Street. They are in a much smaller space down there. Per the Assessor's records it is just under 5,000 square feet, 4,749. They also have, I believe they have, about 36 off-street parking spaces there. Despite being a much smaller space than proposed here and only 6 less parking spaces, the congregation does generate a great deal of traffic and parking on streets in the surrounding area during services on Fridays and Sundays, which is good. I guess they are a growing congregation. That's good they have a lot of people, but parking sometimes is an issue down there. Also the qualifying statement supplied by the Petitioner indicates that congregants do travel from Chicago and the north suburbs on a weekly basis, leading to the belief that this congregation may generate traffic and additional vehicles and parking demand above and beyond what a typical neighborhood or a local church may generate. Therefore, I think the bottom line is staff is concerned that there is a lack of a permanent parking solution for this site based on the intensification of the use. Then just real briefly, I can just touch on the, we did talk about potential options, so we were working with the church and, I think, continue to do that. One of them being the First Baptist Church at 15 Oak Avenue. They do own an overflow lot on West New York that's actually a little bit separate from where their main church parking is. It is actually sometimes used as overflow parking for the body shop across the street. The only issue with that is that that proposal does not meet the technical requirements of the Zoning Ordinance, Section 5.13-3.2 B – Location of parking facilities states that off-street parking may occur on a separate parcel or land not over 400 feet from the entrance from the principal building. This lot would be about 1,250 feet walking distance away, although as Eric mentioned they have proposed a shuttle system. One other option I think that has been dropped, they were looking at the office use across the street on Lake Street at 312 Lake Street. That's directly to the west side of Lake Street. There were about 30 spaces possible there. The problem with that is there is no direct crosswalk across Lake Street. You had to go all the way up to West Park,

cross at the crosswalk at the light, and come back down. That was about 1,350 feet, so that was about a quarter of a mile away and I think you guys have dropped that. They have looked at, and this is recent information since the staff report was done, Eric sent to me the possibility of using some of the parking at the Aurora Pancake House. That is a business at 321 N. Lake Street, immediately to the north. I did take a look at that early this morning. I went out there. They actually have 2 lots. The lot at 329 S. Lake Street is angled parking with a one-way loop around the building. I think Eric mentioned 32 spaces. I counted 31. However, among that 31 they did not have the handicap spaces striped properly. They had, I think, 4 handicap spaces. They were each individually the same size as a regular space, just the wheelchair painted in them, so really I think you cut that in half so there is probably instead of, well Eric said 32, I counted 31, so minus 2 would be 29, so maybe at maximum there might be 29 spaces there. He did mention, and they do own an overflow lot at, I think it is, 112 Vine Street, it is immediately behind them, behind the retaining wall, there is an access off Vine Street. Again it is a one-way looped parking area. There actually 22 spaces. That's what's supposed to be there. However, there's some, let's just put it this way, I don't think that parking lot has had much maintenance over the last 40 years. There are some weed trees growing out of the edges of some of the spaces that are literally 40 foot tall weed trees as I would call them. Also, the striping would need to be redone. They also use that area for their dumpsters. There is a large double-wide dumpster and there is a grease tallow dumpster that they keep back there that aren't enclosed. If they had to put those within an enclosed space they would probably lose a few more spaces with that, but yes there is 22 there minus whatever would be need for the trash enclosures. As Eric did say, the restaurant apparently closes at 3:00 p.m. The required parking for the Aurora Pancake House is 1 per 3 seats. To be honest with you, I don't know what their seating count is because this is all recent information, but if they only have 29 spaces on their main site that doesn't allow for a lot of seating and then they do have the overflow. I guess my only comment with that would be I think that could work for their Friday night/Sunday night thing, but obviously their main services are going to be Sunday morning and I would imagine when I've gone to breakfast places, Sunday morning is one of their busiest times, so I'm guessing they may need all that parking, so I think there's going to be a conflict there that I don't think it's going to really meet all of the required parking. But, obviously, that's something that could be looked at for further discussion. So I just wanted to mention that. It really hasn't been looked at in any detail until today. So that is that. So with those options being said, those proposals don't appear to still meet the requirements of the Zoning Ordinance, nor are they necessarily a permanent parking solution. Section 4.2-1.2-F.iii, sorry for the technicality, but I had to say that, allows for parking off site if such lot is, again, within a reasonable distance of the religious institution and adequate pedestrian walkways are provided. I guess another concern is future use of the building if the building were to be sprinkled the occupant load could increase quite a bit. Maybe Eric can address that, but if that were the case, it could exasperate the parking situation. Staff didn't feel it would be a good long-term solution to never be able to concurrently use the full potential of the building. Full use of the building, office space in conjunction with sanctuary space, could result in the need for 100 parking spaces. Now that would be worst case scenario. Eric did mention that there are some city owned parking lots in the vicinity of the site and we do agree with that. It was mentioned in Dave Hulseberg's letter. However, he does state that these sites are right for redevelopment per the downtown Master Plan as recently unveiled by the city and staff has, therefore, stressed to the Petitioner that relying on the city lots is not a good long-term solution of the parking deficiency. So in conclusion I would just say I think we would be willing to still work with the Petitioner, but at this time staff does not feel the proposal complies with Section 4.2-1.3 of the Aurora Zoning Ordinance, which would allow the Petitioner to vary the standards of the requirements of the religious institution section. Staff does feel that the parking issue will result in increasing traffic congestion in the subject neighborhood and is not consistent with the city's Comprehensive Plan or physical development

policies. Are there any questions of me at this time, otherwise, I can turn it back over to Eric for comment?

Mr. Cameron said there's been, at least I haven't noticed any discussion on the green space requirements. Would you care to review that?

Mr. Sieben said all that meant when I mentioned that at the beginning, that's really a technical issue. For a proposed church use or religious institution use not to have to go through a Special Use public hearing process, they have to meet, I think it is, 7 items. The green space is a technical issue. I don't think the staff has a big concern about the green space. I think, obviously, the bigger issue is the parking and the potential impact on surrounding properties. The site is what it is. It was built in 1956 and the parking is really maxed out on the site. You really can't add any more parking. I hope that answers that question.

Mr. Bergeron said is there any concern now about the traffic? I came down Lake Street today and, of course, Lake Street is two-ways now all the way from Oswego clear north. The trucks are using that. The traffic this morning, I was there at 10:00 o'clock and I was following, I don't know, 3 or 4 semis that were in front that thing. I'll tell you the traffic scares the dickens out of me.

Mr. Sieben said I could comment on that. We just actually had discussion of that with our Engineering Department and Traffic Engineer regarding another project. What the city has found regarding traffic counts, they have gone up quite a bit on Lake Street and specifically what we are seeing since Route 31 was taken off of River and everything was added on to Lake Street as a two-way, we're seeing a lot more, exactly what you said, we are seeing a lot more large truck traffic because what people are doing instead of like coming out of Montgomery and some of those industrial areas, instead of avoiding the area and taking alternate routes, they are staying on Lake Street/Route 31 directly up to the Tollway. So that is something that has occurred. Now there is obviously a lot less traffic on River Street, but they are all staying on the State Route as a direct shot up to the Tollway.

Mr. Cameron said there has been a fair amount of discussion on the original Pancake House. My question would be is the agreement that exists, or supposedly exists, is that...

Mr. Sieben said there is none that exists right now. They are talking.

Mr. Mancke said it is in writing. There is signed letter by the owner of the Pancake House.

Mr. Cameron said is that agreement with the owner of the property? In other words, is it an easement for a perpetual lease as long as you are there? What happens if he sells the business or goes to a 24 hour, or whatever?

Mr. Mancke said excellent question Commissioner. At this point, we just have a written agreement, but that is absolutely the next step if it is supported by staff. If we need an agreement like that for City Council, or City Council approval we can absolutely work to get that. That's a great point.

Mr. Cameron said it's for your protection.

Mr. Mancke said absolutely. No, no we would take it to the next step and get any kind of easement, covenant, whatever type. That's where Mr. Wyeth, his expertise, could come in with the agreements,

but absolutely we would take it the next step and give the city what they are looking for too, that solidification that those spaces are ours to use. You want that. You want to know that too.

Mr. Engen said Eric, can you go over Sundays attendance again, because I thought you said Sunday morning you had like around 60 or 70, but then you said Sunday evening...

Mr. Mancke said there are 2.

Mr. Engen said what time is Sunday evening?

Mr. Mancke said at 6:00 o'clock. I will turn to my notes. On Sunday evening the service is from 6:00 until 8:00. Currently they have between 50 and 60 attendees on Sunday evening.

Mr. Engen said the bigger one is Sunday morning?

Mr. Mancke said the bigger one is Sunday morning. That is correct. Between 160 and 170 right now. So even as it is right now, if they are generating 160 to 170, if you want to apply that same parking ratio of 4 to 1, that's where they are right at. They are at 42 right now. So I thought it was very important to document that so you get a real good concept of how things are operating or will operate.

Mr. Engen said I guess that's what was going through my head. If I'm calculating 3 to a car or 4, let's just say 4 times 40 is 160, then you just need some off-street parking, so it isn't that huge of a number.

Mr. Mancke said exactly.

Mr. Engen said and it is maximizing maybe 50 parking spots so it has to be somewhere else and whether it is in public parking I understand that we need to figure out a long-range plan that would benefit the church.

Mr. Mancke said and you're right Commissioner Engen. We are looking at 2 things. There's what is required per the Zoning Ordinance and that's my job to convey to you on how we intend to meet it. But it is also important to look at what actually is occurring. What do we expect to occur based on the 20 year track record? I thank you for looking at.

Mr. Bergeron said your plan is also to grow, is it not? In growth, isn't your problem going to be created bigger and bigger and bigger parking, traffic and everything else with that space? And you don't have any way to accommodate it.

Mr. Mancke said well I think we do have, I respectfully disagree, that we do have a way to accommodate that. Let's just say we needed 71 parking spaces, right.

Mr. Bergeron said the parking wasn't really the problem. I'm thinking now of the future growth. You're wanting to expand, meet more people, the young people and get even more people in the services on Sunday morning and Sunday night, just more and more people.

Mr. Mancke said and that's fine and some of those hours that you are talking about are off-peak hours. You saw it today, right? Peak traffic is in the morning. I was driving Route 31 myself at the same time, but a lot of their activities are in the evening hours. It is not necessarily during peak traffic times.



Mr. Bergeron said well you're right say 5 days a week. But now you've got Saturday and Sunday, particularly Sunday, where you have just a tremendous amount of traffic.

Mr. Mancke said right. Sunday's our day right, Sabbath Day, the day of the Lord. That's where a lot of the church activity is. Now we don't have commuter traffic. We would agree that is down a little bit. You don't have the morning or afternoon rush hours. That's the fortunate thing about working with the church is their peaks are a little different than the rest of us.

Mrs. Cole said I have a question, a clarification. In the staff report, I believe, I'm not sure it was you, but someone from the organization said that you have permission from the First Baptist Church on Oak Street.

Mr. Mancke said we do.

Mrs. Cole said and they have provided us with written correspondence that they are allowing Ministerios to use their 40 spaces throughout the week. It says nothing about Sundays, so do you have access in writing to that parking lot on Sundays or just during the week? Like I said, it is just a clarification.

Mr. Mancke said could I read the actual letter from First Baptist for the record? Would that be okay?

Chairman Truax said sure.

Mr. Mancke said okay. Thanks you. "Dear Pastor Toni, (and this was prepared by First Baptist Church) it was good to meet and talk with you Tuesday and share our mutual concerns in ministering to the people of Aurora. You mentioned then that you have a need for additional parking. We, the First Baptist Church, have a parking lot off of New York Street that will hold 40 plus cars that we would make available to Ministerios Adonai. We understand that you would use the lot on Friday evenings and Sunday mornings and would expect that there would be no overnight parking and/or abandoned cars left. We can work with our towing service to insure this. That being said, we look forward to working with you. As you know, we share our building with 2 other Hispanic congregations. It might be fun to sit together sometime to see if there are other ways we can work together to bring the good news of our risen Savior to the people of Aurora. In Emmanuel's name, Gary A. Gates, Property Chair Person, the First Baptist Church of Aurora."

Mrs. Cole said so it sounds like you've got it on the weekends, but maybe not during the week, which is what it says in the report.

Mr. Mancke said well as this letter states, we have it on the weekend. We can go back to them and ask the question. If you'd like that letter to say Monday through Friday...

Mrs. Cole said no. I just wanted to clarify it was available on Sunday.

Mr. Mancke said it is.

Chairman Truax said they are not using, in other words, that congregation is not using that lot?

Mr. Mancke said that is correct. So we have it available Sunday mornings.

Mrs. Cole said so they don't use it at all on Sundays?

Mr. Mancke said that is our understanding, yes.

Mr. Engen said so then you would be looking at purchasing a shuttle bus to transport them over?

Mr. Mancke said that's exactly right. They have, the church has current shuttle services.

Chairman Truax said are there other questions for the Petitioner?

Mr. Mancke said could I clarify, or just respond to some of the points that Ed brought up?

Chairman Truax said you can. You might want to wait until after we have the public hearing and then we can ask you to respond to what comes up there.

Mr. Mancke said however you prefer.

Chairman Truax said if you'd like we can wait until after the public hearing and then you can have a chance to respond to things that come up in the public hearing part of the meeting.

Mr. Mancke said okay.

Chairman Truax said this is a public hearing. How this works is if you want to ask a question or make a comment, you need to come forward. We will need to swear in everyone who wishes to speak. I would ask you to keep in mind a couple of things. One of them is if you hear someone say the same thing that you were about to say, please come and just say I agree with so and so. We don't need to hear the same point repeated a number of times. The other thing I ask you to remember is we have heard testimony on the good works that are being done in Aurora and I think we all understand and appreciate that. So our job here is to look at the zoning regulations for the city and see if a project coming in meets those zoning regulations. So I would ask you please as much as you can to keep your comments and questions to the zoning issues that are before us tonight. If you wish to speak you will need to sign. There is a clipboard somewhere. You'll need to make sure that you've signed that and you'll need to be sworn in.

The public input portion of the public hearing was opened. The witnesses were sworn in.

My name is Julissa Del Rio. My address is 220 N. River Street, Montgomery, Illinois. So I grew up in Oswego, but now the border of where I live is Montgomery and Aurora, so I started attending high school in Aurora. Everything that Victoria said about high school students and the schools that we consider the greater schools is true. But what I want to bring up right now is the fact that the questions Mark and Bill were asking and maybe even you Margaret, in school what we've learned a lot about in arguments in our writing and our research is about something called a red herring. I don't know if you guys are familiar with what that is, but our focus here today is to speak about the things that are stopping us from growing as a church or stopping us from moving into our new building. We need the space that this new building has so that we can grow. We don't plan on staying here for more than 5 years, so to answer your question, we do have plans of leaving, so I don't think that bringing up the fact

of growing is really a problem when we are here to speak about the actual problem, which is the parking. So we're willing to answer any questions that you guys have in regard to what we're trying to have permission here for. So yes we are going to grow. We are going to continue to grow as a church, but I don't think that the growth should stop us from receiving our permit because for the solutions that we have for the problem now have been stated and I think that everything has been spoken about and the problems that could occur in the future, which is growth, which in reality is not really a problem to us. I think it would be a beautiful problem, if anything. We don't plan on staying here too long. We just really need it for now. But we will be gone soon and that is a promise.

My name is Victorino Martinez. I'm a business owner here in Aurora. My address is 412 Seminary Avenue, Aurora, Illinois. What I see for all these people is they are doing a lot of good work here and I see just like negatives from all you people right here sitting on the Board. For example, Mr. Bergeron you said that you are concerned about the growth, right, and the future growth of the site. I'm a landscaper, a business owner and a lot of the jobs that I get are to find solutions for a space. What we've got right here is this church is overgrowing a site already here on Lake Street that's got parking problems. Now we want to go to a bigger place so we can grow. We got a problem there, but I think this site would fit us better. Then I see Ed, he is hand counting parking spaces that can be used for the church. I still don't understand why the reason the church cannot use the public parking right there on Lake Street. I just see like a lot of negative comments not allowing this church to do the good work that it is doing. Maybe you guys have relatives that this church can help and you are putting all these issues maybe because they don't find 29 parking spaces. Is that common sense for you guys? It doesn't sound to me like it.

Chairman Truax said I will respond to you. We are a recommending body. Our job is to evaluate projects that come before us. We are not being negative. We are trying to evaluate the proposal that's come before us. What we recommend will be recommended to the City Council. They are the people that ultimately will make the decision of whether the project goes forward or not. I would suggest to those of you who are interested that it is your City Council people that you need to contact, get in touch with, talk to because they are the ones that will ultimately decide this. Our role is to evaluate the project and recommend something to City Council. As I said, I'm sorry you perceive this as being negative. It is our role to evaluate the project. I thank you for your comments.

Mr. Mancke said I made some notes as Ed was talking and I can respond and clarify. I want to say too I know we jumped into this right away. I had the fortune of working with Ed and staff last year on the Bickford Senior Living project. I was the engineering representative at that time and was before you on a couple of different evenings there throughout preliminary plan and final plan and just felt Ed and his staff's professionalism. They are great to work with and it is absolutely carried through with this project as well. We have some differences, you know, but that's a democracy right and we get a change here to talk and try and work it out. That's what I'm working for here, collaboration. So as it relates to Mr. Hulseberg's letter, he's doing his job. He's got a great master plan for the downtown area. My question is what kind of timeline are we looking at here? I mean that's concept, that's vision. I get it. I totally get it and we need it. He also needs investment dollars to the tune of \$12 to \$15 million. Now where does the church fit in that plan, in that development plan? The way I see it, quite honestly, you need the church involved. It's okay to put a church in a downtown district. You see steeples all the time in a downtown community. It brings that sense of community and commitment to making the town better. So just because we have our guidelines and our policies, which I know we have for the downtown district that talk about commercial and industrial and warehouses and that sort of thing and economic tax dollars, let's not forget the importance of the community in the church. It helps bring that

wholesome and togetherness to the downtown. I think it is missing from that plan. I also question the timeframe. Here's our timeframe. Ministerios' timeframe is right now. It is immediate. That's part of the parking problem you see at the current location that Ed talked about, the cars that are being generated. We're going to clean that up. We're going to clean that up and we're going to move into the bigger facility where we have more parking, more availability, better walking distance from the parking spaces, less off-street parking, less cumbersomeness. The 59%, as Ed mentioned, is where we are at right now on-site, 42% divided by 71, that's the 59% of on-site parking that we are meeting. I could take you back to a letter that was prepared by staff directed to us and it said our target should be the majority. That was instruction to us. Your target should be to provide the majority of the parking required on-site. 59% is a majority of parking on-site. Now we were also later, after further reviews, encouraged to get more parking, you know, get to 71, which the plan before you does do that, but we do have the majority of parking, which was in city notes presented to us. I also want to back up a second too to Mr. Hulseberg. He was also invited to those 2 staff planning meetings that we had. We had 1 in December and we had 1 in February and the record shows he was not in attendance. That's a good time to start that collaboration. We were there. We were all there, but he took it on himself later to write the letter to the Mayor. I think we need to make sure we have all stakeholders at the initial onset of these meetings and he was invited too. I do want to put that in there. I felt it was necessary. We talked about some of the parking on Friday evenings and we do need to point out at the current location at 543 S. Lake Street, a lot of the parking is overflow parking from the soccer club that's next door. That's a fact, so it is not all being generated by us. But once we leave that site, move on to the new facility at 303 Lake, there is more room for the soccer folks to park. We heard about possible congregants and members coming from Chicago, coming from farther northern suburbs to hear the word and the belief that Ministerios is preaching in their ministry efforts. That's a good thing. We were actually encouraged to put that in our qualifying statement after meeting with staff and some of the key stakeholders. Share that, share that, let everyone know that there is economic development that goes along with the church efforts. These are folks coming from out of town, family, families coming from out of town. What are they going to do when they are in Aurora? They are going to go have dinner. They maybe do some shopping. I personally didn't like the fact that that was then turned on us to be as though we are generating ill-conceived traffic because some of the people are coming from out of town. It's a good thing. Permanent parking solutions, Commissioner Cameron we did mention absolutely we'll go all the way with securing recorded agreements against the property. I believe that's been done prior as well in other ways of meeting the parking requirements. I know the casinos use the shuttle service as well to help meet their parking, so we're not looking to do anything really above and beyond what we have seen in other areas. We mentioned some cleanup work at the Pancake House for the parking. We are open to anything. We could sit down and work out an arrangement where maybe the fine youth that you see here could help clean some of that up. Anything is on the table. Ed had asked me to talk about the sprinkler system. I can tell you this, and if we need to take it a step further in terms of getting it on the formal record or written agreement by the actual members of the church, we are prepared to do that. It is not our plan to sprinkle that building. It is not our plan to exceed the 299 occupancy load. This is a 5 year plan that the church is moving forward with. That's their strategic plan by their directors, a 5 year plan, and if they are growing the way they are continuing to grow they are going to need another facility. It is in their desires and I think you see some of that here tonight. I wouldn't bet against them right now. They'd look for another facility with more auditorium style seating. It's their plan. It's their vision. If the city has a downtown redevelopment vision plan, so too can the church, and that's good. That's a good thing. The last thing I'd like to say is we really want to move forward for this Special Use Permit. We understand it starts with the Planning Commission. We are hopeful we can get something worked out. We are going to continue the process and when we get to that point, let's look at, if the guidelines aren't being followed, pull the permit. You can pull a Special Use Permit on us. I

don't think it will get to that, but I'm just saying if it gives you a level of comfort that we are serious and we are going to abide by the regulations, you have the recourse of taking that permit away. The last thing I'll leave with you, and I mentioned it earlier, is that I've been a part of this organization now, hired by them to represent them and to help them navigate this Special Use process. I've worked with them closely for 6 months. They are amazing people. Their hearts are in the right place. I'm honored to call them my clients and I'm here on their behalf. They are great people. They are family people. They have their priorities in the right place and I believe with all my heart there is no greater use than that building at 303 then that of a church, that of a ministry for Ministerios Adonai. Thank you for your time you're your attention and we look forward to your comments.

The public input portion of the public hearing was closed.

Mr. Sieben said there is nothing else I have to add. I think staff reiterated the technical points. I would like to just reciprocate Eric's comments. It's been a pleasure working with Eric, not only on this project but on other projects, so I do appreciate their passion and professionalism, so I just want to say that. Unfortunately with that being said, at this time with the information that we do have as was stated, and again, maybe things may still change as we go through the process, but at this time staff would recommend denial of the granting of the Special Use Permit for a religious institution use on the property at 303 N. Lake Street for the reasons previously discussed in the staff report and under the testimony.

Chairman Truax said are there any questions for Ed?

Mr. Cameron said I think maybe it's in response to your comments, but there were some comments about negativity and that type of thing, but you do need to understand that when we put zoning or changes in place, those, in effect, run with the building and with the use. So if, as the young lady noted, that you're planning to leave in 5 years, whatever we decide does go in place on that building until it would receive either another rezoning or a change. So the question of how long isn't really a question. We have to look at it because it would be in place, in effect, forever. I would also comment that you were wise in your choice of your engineer. I've hired a lot of engineers in my life, as I was a builder and developer for 30 years. Most of them aren't as eloquent. In fact, he's more eloquent than most of the attorneys I've known, so you are to be commended for that choice.

Mrs. Duncan said Ed, a quick question. Is my understanding that today was the day that you really found out about the possible agreement with the Pancake House and that parking option?

Mr. Sieben said I was informed, I believe it was late Thursday from Eric via an e-mail that that was a possibility. I'll be honest with you, I've been slammed with a lot of stuff going on, so I've had...

Mrs. Duncan said no this not a criticism. I'm just trying to...

Mr. Sieben said no, no, no. I understand it. I'm just trying to say I've had limited time to review it. The staff report was already being looked at and then I went out this morning, but that's as far as it really has gotten.

Mrs. Duncan said if that would come to fruition, if that option, when you look at the map, very viable from just the appearance of the map location and some of the obstacles that you are finding in some of the other off-site parking areas, if that option is available do you need time to really investigate and

determine that would, that could change the outcome here or do we need to vote as is? Am I making myself clear?

Mr. Sieben said my opinion is you'd probably need to vote it as is based on the testimony you heard. I did get the e-mail from Eric. I haven't received anything, I don't think there is anything in writing yet at this time.

Mr. Mancke said I'm sorry Commissioner Duncan, would you ask the question one more time for clarity?

Mrs. Duncan said well because I know that it came at a late, his information came at a late date and they did not have time as a staff to really investigate that and to put that consideration of that into the staff report. So my question is if this option is truly as viable as it sounds and would provide the parking that would get you to the 71 spaces and would meet the requirements of the law from distance, safety, all of those things, would that, in fact, have an impact on the staff recommendation for denial that maybe they would say that option does provide the right opportunities and we could then go ahead and say it wouldn't be a denial because we have resolved the issue with parking at the Pancake House? That's really my question.

Mr. Sieben said I guess I have two answers to that. One being all I received was the e-mail without any real, a lot of detail about it. There is a letter in front of me signed by the owner, but really haven't had time to look at it or evaluate how many seats are at the Pancake House. Like I said, I went there. There is some deficient parking spaces. There might need to be some improvements. What I will say is it is something that staff will look at between Planning Commission and the Planning and Development Committee which would be possibly next Thursday. We'll have to let you know, the only reason being the minutes. That is certainly something we can investigate between now and then, but in my opinion it is up to you. You guys would have to judge it based on what you've seen. With that being said, based on my quick analysis, I think the staff may still have some concerns with the full parking being met by using the Pancake House. Again, I still don't have all the information.

Mrs. Duncan said please know that I'm feeling very conflicted because there is a possible solution that due to a timeline is not anyone's fault. Please know that I believe that to my core that we would be putting a denial into something that may have a solution that we just haven't had, you haven't had time to investigate to the fullest for us. So my real question is kind of a rules of order kind of thing. Do you have to vote on what's currently in front of us with this sticking out here?

Mr. Sieben said you have testimony from Eric regarding what they've offered. It is just that staff hasn't fully analyzed that.

Mrs. Duncan said I know that this is all eminent, but is there an option for some kind of an extension which would allow that investigation to take place where we're not voting on a denial that perhaps has real potential or possibility? I'm not trying to throw something in. I'm not trying to throw a wrench in this. I'm just feeling conflicted when there is a denial and a possible option that could be workable, and so as a Commissioner I will be quite frank with you and I appreciate the fact you have the same number of hours we all do in a day and they are never enough.

Chairman Truax said my suggestion would be there would be part of a motion with conditions on it that would be acceptance given the conditions that the Pancake House lot meets with staff approval. That is one suggestion. I don't make the motion, so that is a suggestion for resolving your issue.

Mr. Bergeron said shouldn't this go before the staff if there is that possibility and the staff is going to recommend to us that this possibility is in existence and that they might change from a denial to approval? But I think the step is going to go to the staff first.

Chairman Truax said but we make decision. The staff makes a recommendation. We vote it up or we vote it down. If what Mrs. Duncan is suggesting is that staff needs to look further at, then I think that can be part of a motion that we either agree to or not agree to.

Mrs. Duncan said because what I can see before me is how you have really tried to work together as you always do to do what's right for the community and for the citizens of our community. That's the one thing I've learned being on this Board is I've never seen people work harder for the good of the city and for the good of the people of the city. I may be the only one that's feeling this way and if I am I apologize to my fellow Commissioners. But that's the thing and I see the work that's been done. I mean it is evident in what's been put before us. I'm just feeling uncomfortable.

Chairman Truax said Mrs. Duncan would you like to put that in the form of a motion?

Mrs. Cole said my question goes back to Mr. Cameron and one of his questions. The owner of the Pancake House, is he also the owner of the property? Because if he just owns the Pancake House and leases the property then this would need to be a long-term solution not a short-term solution.

Mr. Sieben said you are correct Mrs. Cole because I looked at property records today and this name on this is not the owner of the property, so I don't know how that plays into it, so that is another technical issue that would have to be looked at. In fact, I just noticed that when you said that.

Mrs. Cole said because frequently you own the business but you don't own the property.

Mr. Sieben said correct. So I think it has to be with the property owner and this is not the property owner.

Mrs. Cole said and it would need to be a long, it would almost need to be a...

Mr. Sieben said a long-term lease of some sort.

Mrs. Cole said a long-term lease.

Mr. Cameron said a cross use easement.

Mr. Sieben said so in other words, there are still several unaddressed questions. I'm not saying maybe something could, the ordinance couldn't be met, but it would have to be looked at further. At this point, we would stick with our recommendation at this time.

MOTION OF DENIAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr. Cameron

AYES: Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mr. Divine, Mr. Reynolds

NAYS: Mrs. Cole, Mrs. Duncan, Mr. Engen

## FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said these are listed in the staff report and they are for denial because that's what the staff recommended.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Mr. Cameron said the prime concern is the fact that there is inadequate parking. I don't think there is any question in the terms of the land uses and the zoning except for the parking problem and the green space concern.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Cole said well actually that area has been developed for a good many years, so I'm not sure there is a trend of development in that area. The city has a new downtown master plan that they are working on and I believe the old one has that listed as high density residential. Is that what you said?

Mr. Sieben said yes, mixed including high density.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mr. Cameron said traffic patterns are as they have been for some time.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mr. Cameron said they are already in place.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Cameron said the general uses of this property would have been typically at off time peaks so it wouldn't have increased the congestion, etc.



9a. Will the Special Use not preclude the normal and orderly development and improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Chairman Truax said I don't believe that's applicable to this particular issue.

9b. Is the Special Use in all other respects in conformance 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 Plan Commission?

Mr. Cameron said it is basically in conformance with everything except the parking and the green space requirements.

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, June 16, 2016, at 4:00 p.m. in the 5<sup>th</sup> floor conference room of this building.

Mr. Sieben said and again, the Planning Commission recommendation will go on to Planning and Development Committee, which is made up of 3 Aldermen of the City Council. It is not a public hearing, but they will again read the testimony, hear new comments and then they will recommend on to full City Council.

Chairman Truax said we have the second item before us tonight, which is a Resolution approving a Final Plan on Lots 1-3 and 14 of Wilder's Amended Addition Subdivision located at 303 N. Lake Street.

Mr. Sieben said as it is related to the Special Use, the staff would also recommend denial of the Final Plan for 303 N. Lake Street as it relates to the Special use.

MOTION OF DENIAL WAS MADE BY: Mr. Bergeron

MOTION SECONDED BY: Mr Cameron

AYES: Mr. Bergeron, Mr. Cameron, Mr. Chambers, Mr. Divine, Mr. Reynolds

NAYS: Mrs. Cole, Mrs. Duncan, Mr. Engen

Mr. Sieben said this will next be heard at the Planning and Development Committee meeting on Thursday, June 16, 2016, at 4:00 p.m. in the 5<sup>th</sup> floor conference room of this building.