



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IE

Title:

Motion to approve An Ordinance Granting Approval of a Special Use for a Place of Worship (525 S. Tyler Rd., Unit L – Bartlett United Pentecostal Church).

Presenter:

Russell Colby

Meeting: City Council -New Business

Date: July 20, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

Chance Badertscher of Lavelle Law Ltd., on behalf of United Pentecostal Church of Schaumburg, Inc., has requested approval of a Special Use to establish a Place of Worship in Unit L of the Tyler Ridge Business Park.

In 2019, the City approved a Special Use for the same church to locate in Units M1 and M2. The church is under contract to sell its existing units and has purchased Unit L.

Services will be held on Sundays from 1-4 p.m. and Thursdays from 7-9:30 p.m.

No changes to the exterior of the building or site are proposed.

Special Use approval is required to permit a Place of Worship in the M-2 Limited Manufacturing zoning district.

Plan Commission Recommendation

Plan Commission held a public hearing on the Special Use application on 7/7/20. There was no significant items of discussion and no public comment. Plan Commission voted 7-0 to recommend approval subject to the following conditions, as recommended by staff:

1. The maximum number of people at any given church service shall not exceed 97.
2. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.
3. The Special Use for a Place of Worship granted for Units M1 and M2 under Ordinance No. 2019-Z-14 shall be terminated.

The attached ordinance approving the Special Use is included on tonight’s agenda.

Attachments *(please list):*

Plan Commission Resolution, Staff Report, Application, Ordinance

Recommendation/Suggested Action *(briefly explain):*

Motion to approve An Ordinance Granting Approval of a Special Use for a Place of Worship (525 S. Tyler Rd., Unit L – Bartlett United Pentecostal Church).

City of St. Charles, Illinois
Plan Commission Resolution No. 9-2020

**A Resolution Recommending Approval of a Special Use for a Place of
Worship for Bartlett United Pentecostal Church, 525 S. Tyler Rd. Unit L
(Chance Badertscher, Lavelle Law Ltd.)**

Passed by Plan Commission on July 7, 2020

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for Special Use; and,

WHEREAS, the Plan Commission held a public hearing and reviewed the application for Special Use for a Place of Worship for Bartlett United Pentecostal Church, 525 S. Tyler Rd. Unit L (Chance Badertscher, Lavelle Law Ltd.); and,

WHEREAS, the Plan Commission adopts the following Findings of Fact for Special Use in accordance Section 17.04.330.C of the Zoning Ordinance:

- A. Public Convenience: The Special Use will serve the public convenience at the proposed location.**
This space is located in a business park off Tyler Rd., south of Main St. The business park has adequate parking available to accommodate the attendees of Sunday services. Petitioner only intends to use the space on Sundays between the hours of 1:00 p.m. and 4:00 p.m. and 7:00 p.m. to 9:30 p.m. on Thursdays.
- B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**
Unit L is a commercial condo unit. The unit has been outfitted with all necessary utilities, access roads and necessary facilities.
- C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**
The space will be used for a small church with up to 97 attendees. The church will not place a burden on the surrounding properties due to its small size and minimal affect on Sunday traffic in the vicinity of the business park.
- D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**
The establishment of a special use for this property will not impede the normal and orderly development and improvement of the surrounding property because of the minimal day to day affect of the church on current businesses. The church plans on only

occupying the space on Sundays and Thursdays evenings, resulting in very minimal impact on the surrounding properties. The church currently holds services in Unit M of the same complex, but wishes to move the services to Unit L.

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The space is intended to be used as a church that will provide any attendees a place of refuge and spiritual comfort. The public health, safety, comfort and general welfare will not be endangered.

F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

The church conforms to all existing federal, state and local legislation and regulation and meets or exceeds all applicable provisions.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a Special Use for a Place of Worship for Bartlett United Pentecostal Church, 525 S. Tyler Rd. Unit L (Chance Badertscher, Lavelle Law Ltd.), subject to the following conditions:

1. The maximum number of people at any given church service shall not exceed 97.
2. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.
3. The Special Use for a Place of Worship granted for Units M1 and M2 under Ordinance No. 2019-Z-14 shall be terminated.

Roll Call Vote:

Ayes: Kessler, Funke, Holderfield, Melton, Pretz, Purdy, Vargulich

Nays: 0

Absent: Wallace, Becker

Recused: 0

Motion carried: 7-0

PASSED, this 7th day of July 2020.

Chairman
St. Charles Plan Commission

Community & Economic Development
 Planning Division

Phone: (630) 377-4443
 Fax: (630) 377-4062



Staff Report

TO: Chairman Rita Payleitner
 And the Members of the Planning & Development Committee

FROM: Ellen Johnson, Planner

RE: Special Use for a Place of Worship – 525 S. Tyler Rd. Unit L

DATE: July 8, 2020

I. APPLICATION INFORMATION:

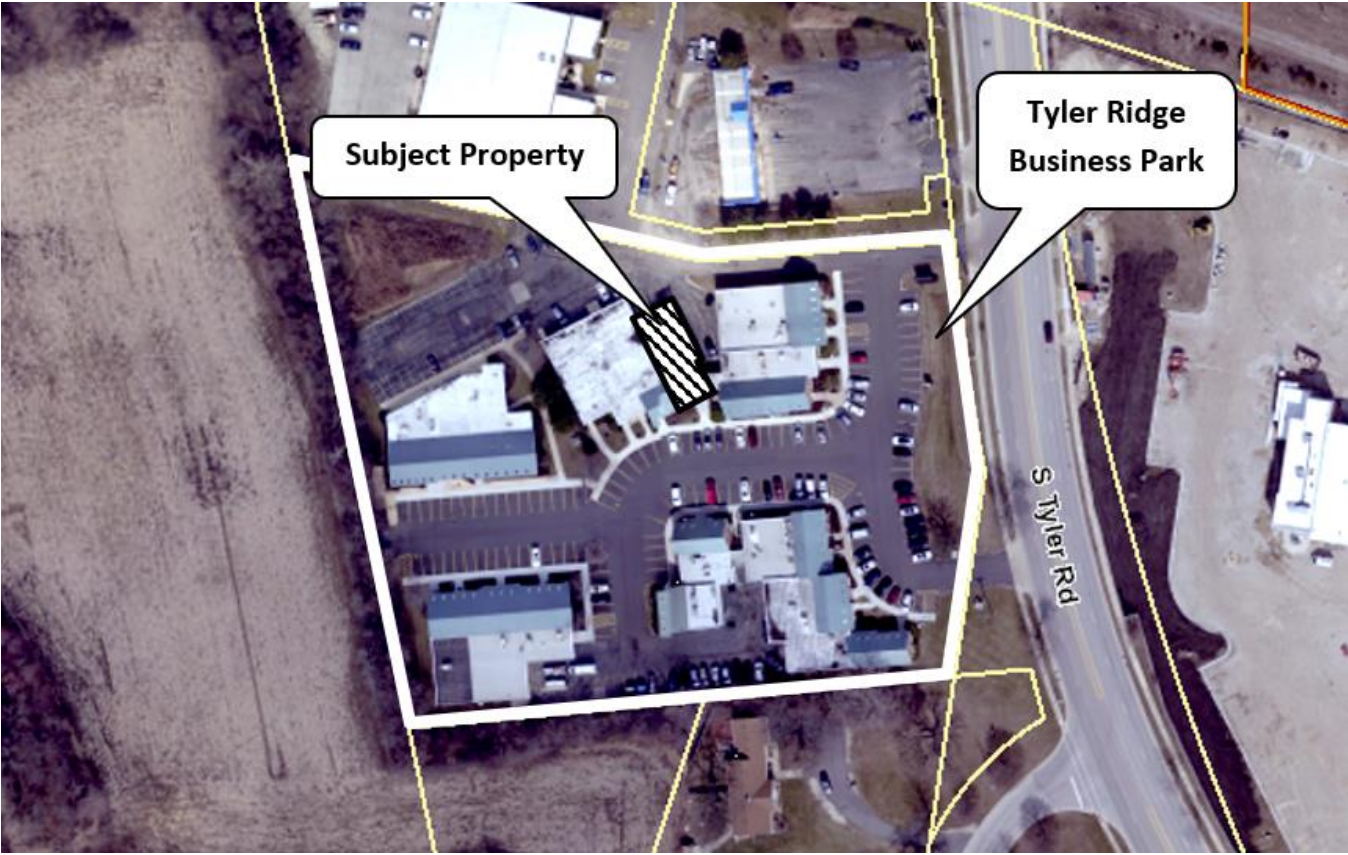
Project Name: Bartlett United Pentecostal Church- Unit L

Applicant: Chance Bedertscher, Lavelle Law Ltd.

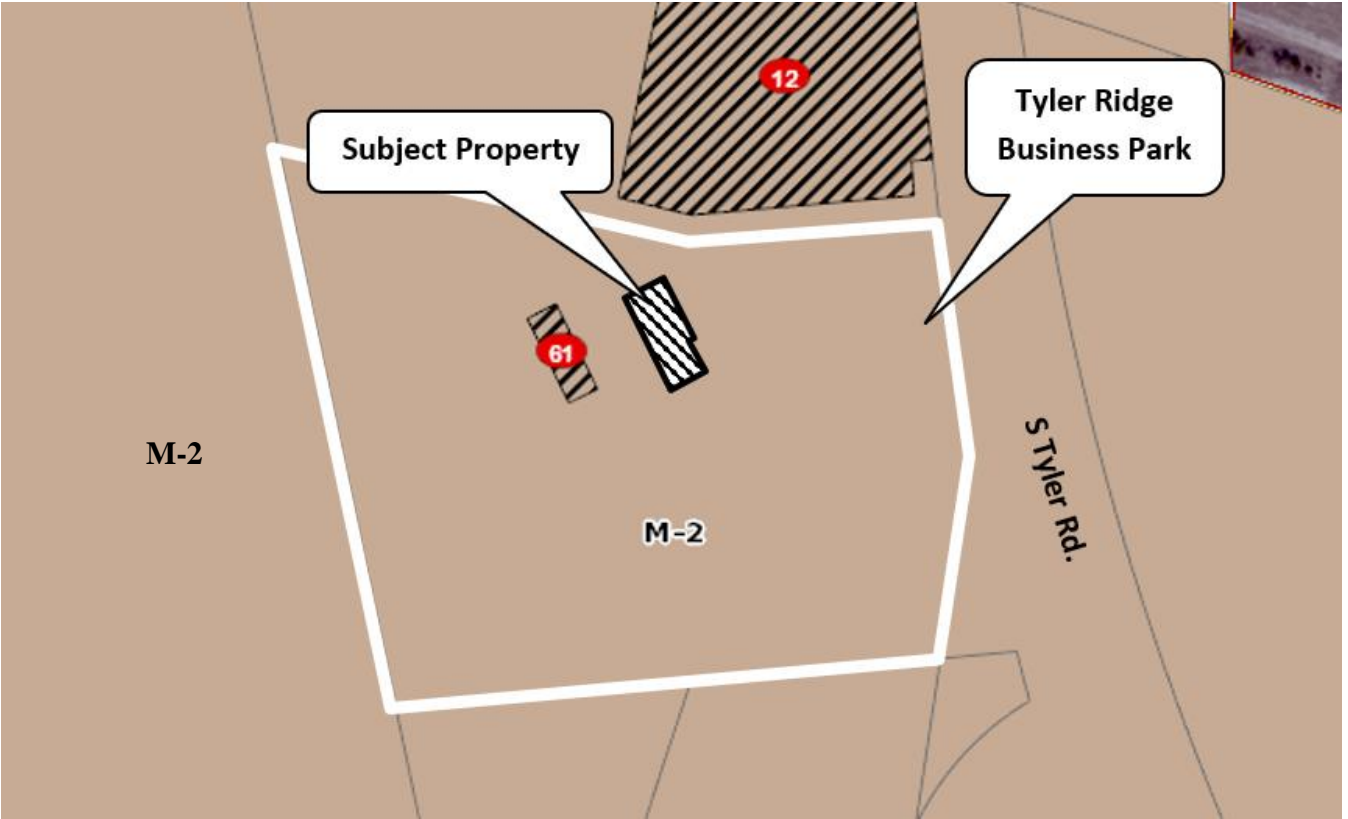
Purpose: Special Use for a Place of Worship

General Information:		
Site Information		
Location	525 S. Tyler Rd. Unit L (Tyler Ridge Business Park)	
Acres	4.3 acres (entire business park)	
Applications	Special Use for a Place of Worship	
Applicable Ordinances and Zoning Code Sections	17.04.330 – Special Uses and Amendments to Special Uses 17.16 Office/Research, Manufacturing and Public Lands Districts 17.24 Off Street Parking, Loading & Access	
Existing Conditions		
Land Use	Multi-tenant office building	
Zoning	M-2 Limited Manufacturing	
Zoning Summary		
North	M-2 Limited Manufacturing & Special Use for Car Wash	Office, Tyler Car Wash
East	M-2 Limited Manufacturing	Ryder Truck Rental
South	M-2 Limited Manufacturing	Vacant, single-family home
West	M-2 Limited Manufacturing	Vacant
Comprehensive Plan Designation		
Industrial/Business Park		

Aerial



Zoning



II. OVERVIEW

A. PROPERTY HISTORY

Tyler Ridge Business Park consists of five buildings. The eastern three buildings were constructed in 1990 while the western two buildings were completed in 1996. The buildings are divided into several units which are separately owned as condominium units. Most of the units house general offices and medical clinics.

In 2016, the City approved a Special Use for Place of Worship for Units O and N-2 in the business park (Maranatha House of Prayer). In 2019, the City approved a Special Use for a place of Worship for Units M1 and M2 (Bartlett United Pentecostal Church) under Ordinance No. 2019-Z-14.

B. PROPOSAL

Chance Badertscher of Lavelle Law Ltd., representing United Pentecostal Church of Schaumburg, Inc. has requested approval of a Special Use to utilize Unit L in the Tyler Ridge Business Park for a Place of Worship.

The church currently occupies Units M1 and M2, which they are under contract to sell. Unit L is located directly east of Units M1 and M2. The church has purchased Unit L which is 1,911 sf in size.

The application materials state the church desires to move units because Unit L better facilitates church gathering. The church plans to hold services on Sundays from approximately 1:00 to 4:00 p.m. and Thursdays from 7:00 to 9:30 p.m.

Approximately 25 individuals currently attend the church's Sunday services. Proposed is to accommodate up to 95 individuals.

No changes to the exterior of the building or the site are proposed.

III. ANALYSIS

Staff has performed an analysis of the Special Use application for conformance with all relevant standards in the Zoning Ordinance. No physical changes are proposed to the exterior of the building or to the site. As such, the two review items to be considered are the Special Use itself and whether there is adequate parking provided on site to accommodate the proposed use.

A. SPECIAL USE

The property is zoned M-2 Limited Manufacturing. A Place of Worship is a Special Use in the M-2 district, meaning that the use may be acceptable if established in an appropriate manner and location with the zoning district.

The Zoning Ordinance defines "Place of Worship" as follows:

A church, temple, synagogue, mosque or other religious place of assembly, which may or may not include schools and/or meeting facilities and accessory uses such as a parish house, recreational facilities and other non-profit operations that serve members of the religious organization.

The applicant has provided Findings of Fact to support the Special Use request.

B. PARKING

Parking for the Tyler Ridge Business Park is shared among the various businesses. Based on the current tenant mix and square footage of the units, a total of 220 parking spaces are required to meet the Zoning Ordinance requirement. Only 180 spaces are provided on-site. It is not certain why the business park was initially approved with the amount of parking provided, however it is an existing non-conforming condition.

The parking requirement for a Place of Worship is based on the maximum capacity of the worship space. The table below compares the parking requirement with the proposed use:

	Requirement	Proposed Use
Parking Requirement	1 per 3 seats based on the maximum capacity in the main place of worship	Based on Fire Dept. Max. Occupancy of 97 people: 32 parking spaces required

The applicant has provided a floor plan indicating the layout of the space which includes a sanctuary. The applicant has stated about 25 people currently attend Sunday services, but they plan to set up the space to accommodate up to 95 people. The Fire Dept. estimated the maximum occupancy load for the assembly area is 97 people. The parking requirement will be based on the maximum occupancy load.

While there are not 32 parking spaces available to be dedicated solely to the church, the Zoning Ordinance allows shared parking to be approved under certain conditions, per Section 17.24.050 “Shared Parking”, as follows:

“The same off-street parking spaces may be shared between two or more separate use on the same lot, but only to the extent that the demand for such spaces by the separate uses will not occur at the same hours during the same days of the week.”

The applicant has indicated that church services will be held on Sundays between the hours of 1:00 and 4:00 p.m. and Thursdays from 7:00 to 9:30 p.m.

The applicant has provided information on the hours of operation of the existing businesses in the park to determine if adequate parking will be available on Sundays and Thursdays during those times. No businesses are open on Sundays other than Maranatha House of Prayer, which offers Sunday services from 9:30 a.m. to 12:30 p.m.; the church service times do not overlap. Regardless, the parking requirement for Maranatha House of Prayer is 15 parking spaces, leaving the remainder of the spaces in the business park available.

On Thursday evenings when the church is proposed to hold services from 7-9:30 p.m., only Katrina’s Hair & Nails is open, until 8:00. There is adequate parking to accommodate both uses.

Due to the existing nonconforming parking count for the business park, it would be appropriate to place a limitation on the times that church services may be held should the church choose to change their service days/times, in order to ensure availability of adequate parking for the church and other businesses in the park.

IV. PLAN COMMISSION RECOMMENDATION

Plan Commission held a public hearing on the Special Use application on 7/7/2020 and voted 7-0 to recommend approval, subject to the following conditions which were recommended by staff:

1. The maximum number of people at any given church service shall not exceed 97.
2. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.
3. The Special Use for a Place of Worship granted for Units M1 and M2 under Ordinance No. 2019-Z-14 shall be terminated.

V. ATTACHMENTS

- Application for Special Use; received 6/9/20

CITY OF ST. CHARLES

TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

SPECIAL USE APPLICATION

(To request a Special Use or Amendment, or a Special Use for PUD or Amendment)

For City Use	
Project Name:	Bartlett United Pentecostal Church 2020
Project Number:	2020-PR-008
Application Number:	PLSU 202000029



To request a Special Use for a property, or to request to amend an existing Special Use Ordinance for a property, complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

1. Property Information:	Location: 525 S. TYLER ROAD, UNIT L	
	Parcel Number (s): 09-26-378-013	
	Proposed Name: BARTLETT UNITED PENTECOSTAL CHURCH	
2. Applicant Information:	Name Chance Badertscher, Lavelle Law Ltd.	Phone 847-241-1779
	Address 1933 N. Meacham Suite 600 Schaumburg, IL 60173	Fax 847-241-1780
		Email cbadertscher@lavellelaw.com
3. Record Owner Information:	Name United Pentecostal Church of Schaumburg, Inc.	Phone 847-241-1779
	Address 525 S. TYLER ROAD, UNIT L	Fax
		Email cbadertscher@lavellelaw.com

Please check the type of application:

- Special Use for Planned Unit Development - PUD Name:** _____
- New PUD
- Amendment to existing PUD- Ordinance #: _____
- PUD Preliminary Plan filed concurrently
- Other Special Use (from list in the Zoning Ordinance):** Place of Worship _____
- Newly established Special Use
- Amendment to an existing Special Use Ordinance #: _____

Information Regarding Special Use:

Comprehensive Plan designation of the property: Industrial/Business Park

Is the property a designated Landmark or in a Historic District? No

What is the property's current zoning? M2

What is the property currently used for? Office

If the proposed Special Use is approved, what improvements or construction are planned?

For Special Use Amendments only:

Why is the proposed change necessary?

What are the proposed amendments? (Attach proposed language if necessary)

Note for existing buildings:

If your project involves using an existing building, whether you plan to alter it or not, please contact the St. Charles Fire Department (630-377-4458) and the Building and Code Enforcement Division (630-377-4406) for information on building, life safety and other code requirements. Depending on the proposed use, size of structure and type of construction, these requirements can result in substantial costs.

Attachment Checklist:

If multiple zoning or subdivision applications will be submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

❑ APPLICATION FEE:

Application fee in accordance with Appendix B of the Zoning Ordinance. (Special Use for PUD \$1,000; all other Special Use requests \$750)

❑ REIMBURSEMENT OF FEES AGREEMENT:

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

❑ REIMBURSEMENT OF FEES INITIAL DEPOSIT:

Deposit of funds in escrow with the City. Required deposit is based on review items (number of applications filed) and the size of the site:

Number of Review Items	Under 5 Acres	5-15 Acres	16-75 Acres	Over 75 Acres
1	\$1,000	\$2,000	\$3,000	\$4,000
2 or 3	\$2,000	\$4,000	\$5,000	\$7,000
4 or more	\$3,000	\$5,000	\$7,000	\$10,000

❑ PROOF OF OWNERSHIP and DISCLOSURE:

- a) A current title policy report; or
- b) A deed and a current title search.

If the owner is not the applicant, an original letter of authorization from the owner permitting the applicant to act on his/her behalf is required. If the owner or applicant is a Trust, a disclosure of all beneficiaries; if the owner or applicant is a Partnership, a disclosure of all partners; if the owner or applicant is a Corporation, a disclosure of all owners with an interest of at least ten percent (10%).

NOTE: Private covenants and deed restrictions can limit private property rights with respect to the use of land even though the City's Zoning Ordinance may authorize the use or a less restrictive use. We strongly advise that you perform a title search on the property to determine if there any private covenants containing use restrictions or other deed restrictions. As those private covenants and deed restrictions may conflict with the City's Zoning Ordinance, it is further recommended that you consult with an attorney to obtain an opinion with respect to whether your intended use is compatible with those restrictions.

❑ LEGAL DESCRIPTION: For entire subject property, on 8 1/2 x 11 inch paper

❑ PLAT OF SURVEY:

A current plat of survey for the Subject Realty showing all existing improvements on the property, prepared by a registered Illinois Professional Land Surveyor.

❑ FINDINGS OF FACT:

Fill out the attached forms or submit responses on a separate sheet (*Submit "Criteria for PUD" for any PUD application; "Findings for Special Use" for all other Special Use applications.*)

❑ LIST OF PROPERTY OWNERS WITHIN 250 FT.:

Fill out the attached form or submit on a separate sheet. The form or the list must be signed and notarized.

❑ **SOIL AND WATER CONSERVATION DISTRICT APPLICATION:**

Copy of completed Land Use Opinion application as required by state law, as submitted to The Kane-Dupage Soil and Water Conservation District. <http://www.kanedupageswcd.org/>

Submit the application form and fee directly to the Kane-DuPage Soil and Water Conservation District. Provide a copy with this application.

❑ **ENDANGERED SPECIES REPORT:**

Copy of Endangered Species Consultation Agency Action to be filed with the Illinois Department of Natural Resources. <http://dnr.illinois.gov/EcoPublic/>

Fill out the online form, print the report and submit with this application.

❑ **TRAFFIC STUDY:** If requested by the Director of Community Development.

Staff will advise you whether a traffic study is recommended based on the project. Regardless, the Plan Commission or City Council may request a traffic study as a part of the review process.

❑ **PLANS:**

All required plans shall be drawn on sheets no larger than 24" x 36", unless the Director of Community Development permits a larger size when necessary to show a more comprehensive view of the project. All required plans shall show north arrow and scale, and shall be drawn at the same scale (except that a different scale may be used to show details or specific features). All plans shall include the name of the project, developer or owner of site, person or firm preparing the plan, and the date of plan preparation and all revisions.

Copies of Plans:

Initial Submittal - Ten (10) full size copies, Three (3) 11" by 17", and a PDF electronic file (On a CD-ROM or may be emailed to the Project Manager). For subsequent submittals, please contact the Project Manager to determine how many copies are required.

❑ **SITE PLAN (Note: For a Special Use for PUD, submit PUD Preliminary Plan Application in lieu of Site Plan)**

A plan or plans showing the following information:

1. Accurate boundary lines with dimensions
2. Streets on and adjacent to the tract: Name and right-of-way width
3. Location, size, shape, height, and use of existing and proposed structures
4. Location and description of streets, sidewalks, and fences
5. Surrounding land uses
6. Date, north point, and scale
7. Ground elevation contour lines
8. Building/use setback lines
9. Location of any significant natural features
10. Location of any 100-year recurrence interval floodplain and floodway boundaries
11. Location and classification of wetland areas as delineated in the National Wetlands Inventory
12. Existing zoning classification of property
13. Existing and proposed land use
14. Area of property in square feet and acres
15. Proposed off-street parking and loading areas
16. Number of parking spaces provided, and number required by ordinance
17. Angle of parking spaces
18. Parking space dimensions and aisle widths
19. Driveway radii at the street curb line
20. Width of driveways at sidewalk and street curb line

21. Provision of handicapped parking spaces
22. Dimensions of handicapped parking spaces
23. Depressed ramps available to handicapped parking spaces
24. Location, dimensions and elevations of freestanding signs
25. Location and elevations of trash enclosures
26. Provision for required screening, if applicable
27. Exterior lighting plans showing:
 - a. Location, height, intensity and fixture type of all proposed exterior lighting
 - b. Photometric information pertaining to locations of proposed lighting fixtures

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Record Owner	Date
	5-1-2020
Applicant or Authorized Agent	Date

This is a general building use statement for St Charles UPC and the 525 Tyler Rd unit L property, we are moving our church from unit M to unit L because it better facilitates the church gathering.

The Church will hold gatherings on Sunday afternoons from approximately 1PM until 4PM and Thursday evenings from 7:00PM until 9:30PM

Sundays services consist of prayer, worship, teaching / preaching the word of God and another time of prayer. There is generally a time of fellowship following.

On Thursday evenings would be fairly similar except that the fellowship might include light snacks and is at the beginning of the gathering.

There may be times where meetings may be held but they would be as needed and would generally only include a few people.

The occupancy limit for unit L would be 97 according to the St Charles Fire Dept as long as the panic hardware is installed on the exits. Or current Sunday afternoon attendance is about 25, we would like to set up the new space to seat 95. There should be plenty of parking available since only two places of business are open at the times we use the building.

A summary of planned renovations

The 525 Tyler Rd unit L property is currently divided into a warehouse and office. As we are converting the property into a Church the warehouse portion will be set up as the sanctuary and the office will be unchanged.

Renovations to the warehouse portion are intended to be as follows:

1. Build an insulating cap over the garage doors
2. Build a 10' by 6' platform (6" raised) for the pulpit and keyboard.
3. Carpet the floor, paint the ceiling.
4. Updating the exit doors with panic hardware - fire code
5. Bathroom(s) added and updated for ADA compliance and occupancy - will work with architect

FINDINGS OF FACT – SPECIAL USE

Use this form for all Special Uses, except for PUDs or PUD Amendments

The St. Charles Zoning Ordinance requires the Plan Commission to consider the factors listed below in making a recommendation to the City Council.



As the applicant, the “burden of proof” is on you to show how your proposed Special Use will comply with each of the applicable standards. Therefore, you need to “make your case” by explaining specifically how your project meets each of the following standards.

525 S. TYLER ROAD, UNIT L
Project Name or Address

5/1/2020
Date

From the Charles Zoning Ordinance, Section 17.04.430.C.2:

No Special Use or amendment to Special Use shall be recommended by the Plan Commission unless it finds that the proposed Special Use or amendment to Special Use will conform with each of these standards. The Plan Commission shall submit its written findings together with its recommendations to the City Council after the conclusion of the Public Hearing, and also may recommend such conditions as it may deem necessary to ensure conformance with these standards.

On the basis of the evidence presented at the public hearing, the Plan Commission shall record its reasons for recommending approval or denial of the petition (findings of fact) in accordance with the following standards:

A. Public Convenience: The Special Use will serve the public convenience at the proposed location.

THIS SPACE IS LOCATED IN A BUSINESS PARK OFF TYLER ROAD, SOUTH OF MAIN STREET. THE BUSINESS PARK HAS ADEQUATE PARKING AVAILABLE TO ACCOMMODATE THE ATTENDEES OF SUNDAY SERVICES.
PETITIONER ONLY INTENDS TO USE THE SPACE ON SUNDAYS BETWEEN THE HOURS OF 1:00pm AND 4:00pm ON SUNDAYS AND FROM 7:00PM UNTIL 9:30PM ON THURSDAYS.

B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.

UNIT L IS COMMERCIAL CONDO UNITS.
UNIT HAS BEEN OUTFITTED WITH ALL NECESSARY UTILITIES, ACCESS ROADS AND NECESSARY FACILITIES.

C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

THE SPACE WILL BE USED FOR A SMALL CHURCH WITH UP TO 97 ATTENDEES.
THE CHURCH WILL NOT PLACE A BURDEN ON THE SURROUNDING PROPERTIES DUE TO ITS
SMALL SIZE AND MINIMAL AFFECT ON SUNDAY TRAFFIC IN THE VICINITY OF THE BUSINESS PARK.

D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

THE ESTABLISHMENT OF A SPECIAL USE FOR THIS PROPERTY WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF THE SURROUNDING PROPERTY BECAUSE OF THE MINIMAL DAY TO DAY AFFECT OF THE CHURCH ON CURRENT BUSINESSES. THE CHURCH PLANS ON ONLY OCCUPYING THE SPACE ON SUNDAYS AND THURSDAY EVENINGS, RESULTING IN VERY MINIMAL IMPACT ON THE SURROUNDING PROPERTIES. THE CHURCH CURRENTLY HOLDS SERVICES IN UNIT M OF THE SAME COMPLEX, BUT WISHES TO MOVE THE SERVICES TO UNIT L.

E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

THE SPACE IS INTENDED TO BE USED AS A CHURCH THAT WILL PROVIDE ANY ATTENDEES A PLACE OF REFUGE AND SPIRITUAL COMFORT. THE PUBLIC HEALTH, SAFETY, COMFORT AND GENERAL WELFARE WILL NOT BE ENDANGERED.

F. Conformance with Codes: That the proposed Special Use conforms to all existing Federal, State and local legislation and regulation and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.

THE CHURCH CONFORMS TO ALL EXISTING FEDERAL, STATE AND LOCAL LEGISLATION AND REGULATION AND MEETS OR EXCEEDS ALL APPLICABLE PROVISIONS.

**OWNERSHIP DISCLOSURE FORM
CORPORATION**

STATE OF ILLINOIS)
) SS.
KANE COUNTY)

I, Jeff Jenneman, being first duly sworn on oath depose and say that I am the **TREASURER** of UNITED PENTECOSTAL CHURCH OF SCHAUMBURG, INC., an (Illinois) (NOT FOR PROFIT) Corporation and that the following persons are all of the shareholders of 7% or more of the common stock of said Corporation:

_____	_____
_____	_____
_____	_____
_____	_____

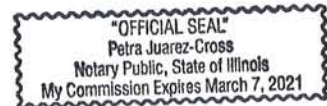
BY: Jeff Jenneman
TITLE: TREASURER



Subscribed and Sworn before me this 21 day of May, 2020.



Notary Public



TYLER RIDGE CONDOMINIUM ASSOCIATION
525 TYLER ROAD, SUITE Q2
ST. CHARLES, IL 60174

April 20, 2020

City of St. Charles
Zoning Board
2 E. Main Street
St. Charles, IL 60174

RE: Special Use Permit for the United Pentecostal Church of Bartlett

To Whom It May Concern:

The United Pentecostal Church of Bartlett is the owner of a unit in our business condominium park, Tyler Ridge Condominium Association. The church is planning to hold their religious services only at night after 5:00 P.M. and on weekends at this location. The owner notified our Board of Directors of this and requested feedback on any concerns the board might have regarding such an owner.

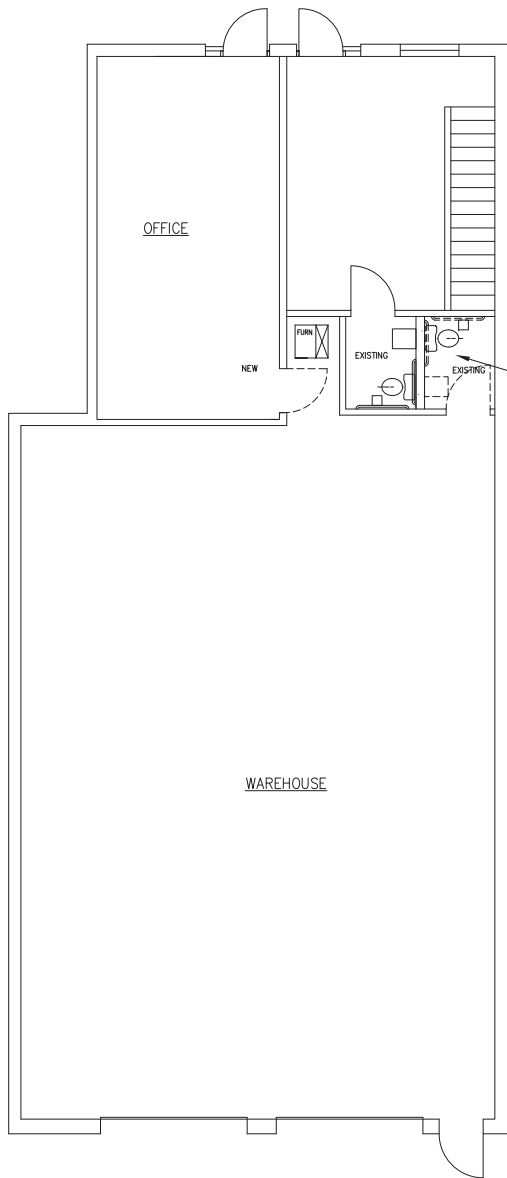
We asked and received assurances from the church on three issues of concern to us:

1. This is not a cult organization.
2. The group size is reasonable for the premises.
3. The activities will not affect parking for other businesses in the complex, as they will be limited to nights after 5:00 P.M. and weekends only.

After discussion following their answer confirming these issues, we see no problem having this organization as an owner in Unit M. We have no objection to the issuance of a Special Use Permit for their church.

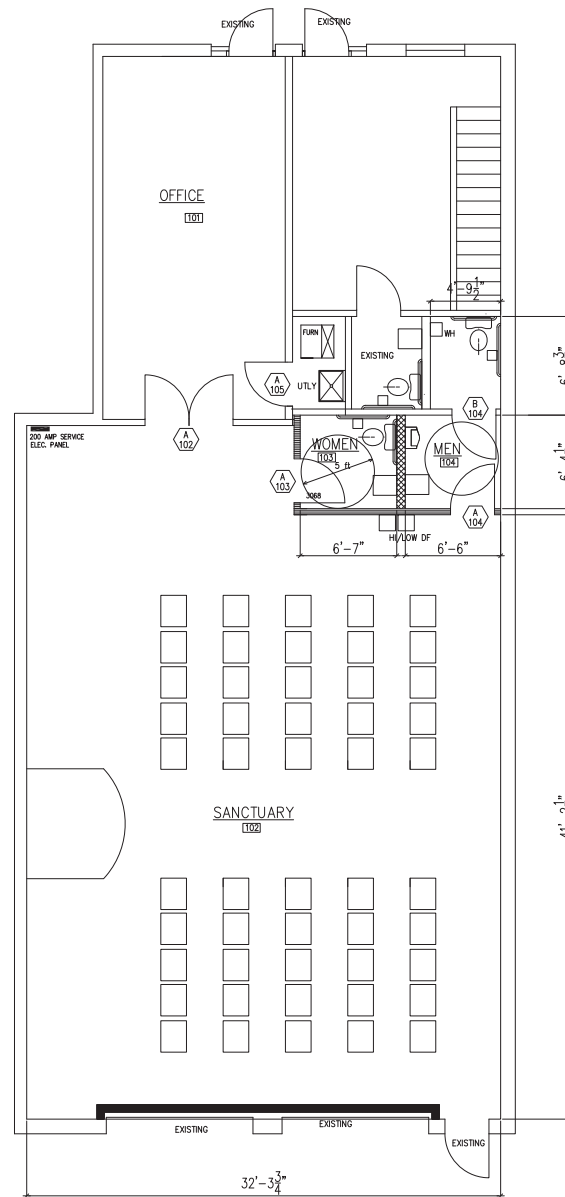


Timothy W. Sheehan, President
Tyler Ridge Condominium Association



EXISTING FLOOR PLAN
SCALE: 1/4"=1'-0"

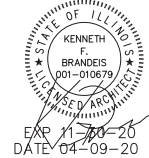
REMOVE EXISTING
TOILET PLUMBING
FIXTURES WHERE
INDICATED



PROPOSED FLOOR PLAN
SCALE: 1/4"=1'-0"

LEGEND

- EXISTING WALL CONSTRUCTION
- NEW WALL CONSTRUCTION SEE DETAIL A/A-4
- - - - EXISTING WALL CONSTRUCTION TO BE REMOVED
- NEW WALL CONSTRUCTION SEE DETAIL B/A-4
- ▬ NEW PLUMBING WALL CONSTRUCTION



JAKL BRANDEIS ARCHITECTS LTD.
1800 HAWTHORNE LANE
WEST CHICAGO, ILLINOIS 60185
PH. (630) 562-3900 FAX (630) 562-2570

ISSUE	DATE
PRELIMINARY	05-15-20
FOR PERMIT	06-12-20
CODE REVISION	

NEW CHURCH
525 TYLER ROAD—UNIT L
ST CHARLES, ILLINOIS

City of St. Charles
Ordinance No. 2020-Z-_____

**An Ordinance Granting Approval of Special Use for a Place of Worship
(525 S. Tyler Rd., Unit L – Bartlett United Pentecostal Church)**

WHEREAS, on or about June 9, 2020, Chance Badertscher, Lavelle Law Ltd. (“the Applicant”) filed a petition for Special Use for a Place of Worship for the real estate commonly known as 525 S. Tyler Rd. Unit L and legally described and depicted in Exhibit “A”; said Exhibit being attached hereto and incorporated herein (the "Subject Property"), for the purpose of allowing a Place of Worship on the Subject Property; and,

WHEREAS, Notice of Public Hearing on said petition for Special Use was published on or about June 18, 2020, in a newspaper having general circulation within the City, to-wit, the Daily Herald newspaper, as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said Notice, the Plan Commission conducted a public hearing on July 7, 2020 on said petition in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said petition and all interested parties were afforded an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said petition on or about July 7, 2020; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendation of the Plan Commission and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as though fully set out in this Section 1.
2. That the Special Use for a Place of Worship heretofore granted with respect to the property addressed as 525 S. Tyler Rd. Units M1 and M2 by Ordinance No. 2019-Z-14, “An Ordinance Granting Approval of a Special Use for a Place of Worship (525 S. Tyler Rd., Units M1 & M2 – St. Charles United Pentecostal Church)”, shall be null, void and of no further force or effect.
3. That passage of this Ordinance shall constitute approval of a Special Use for a Place of Worship with respect to the Subject Property pursuant to the provisions of Title 17

of the St. Charles Municipal Code, as amended, and based upon the Applicant's petition and the evidence presented at the Public Hearing, the City Council hereby adopts the Findings of Fact for Special Use, set forth in Exhibit "B", which is attached hereto and incorporated herein.

4. That the Subject Property shall be developed and used only in accordance with all ordinances of the City as now in effect and as hereafter amended, and subject to the following conditions:

- a. The maximum number of people at any given church service shall not exceed 97.
- b. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.

4. That after the adoption and approval hereof, the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of July, 2020.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of July, 2020.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 20th day of July, 2020.

Raymond P. Rogina, Mayor

Attest:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

Exhibit "A"

Legal Description & Location Map

UNIT L IN TYLER RIDGE CONDOMINIUM IN SECTION 26, TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND PLAT OF SURVEY ATTACHED THERETO AS EXHIBIT "A", RECORDED FEBRUARY 20, 1990 AS DOCUMENT 90K08890, IN KANE COUNTY, ILLINOIS; TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS APPURTENANT TO SAID UNIT AS SET FORTH IN SAID DECLARATION, AS AMENDED FROM TIME TO TIME.

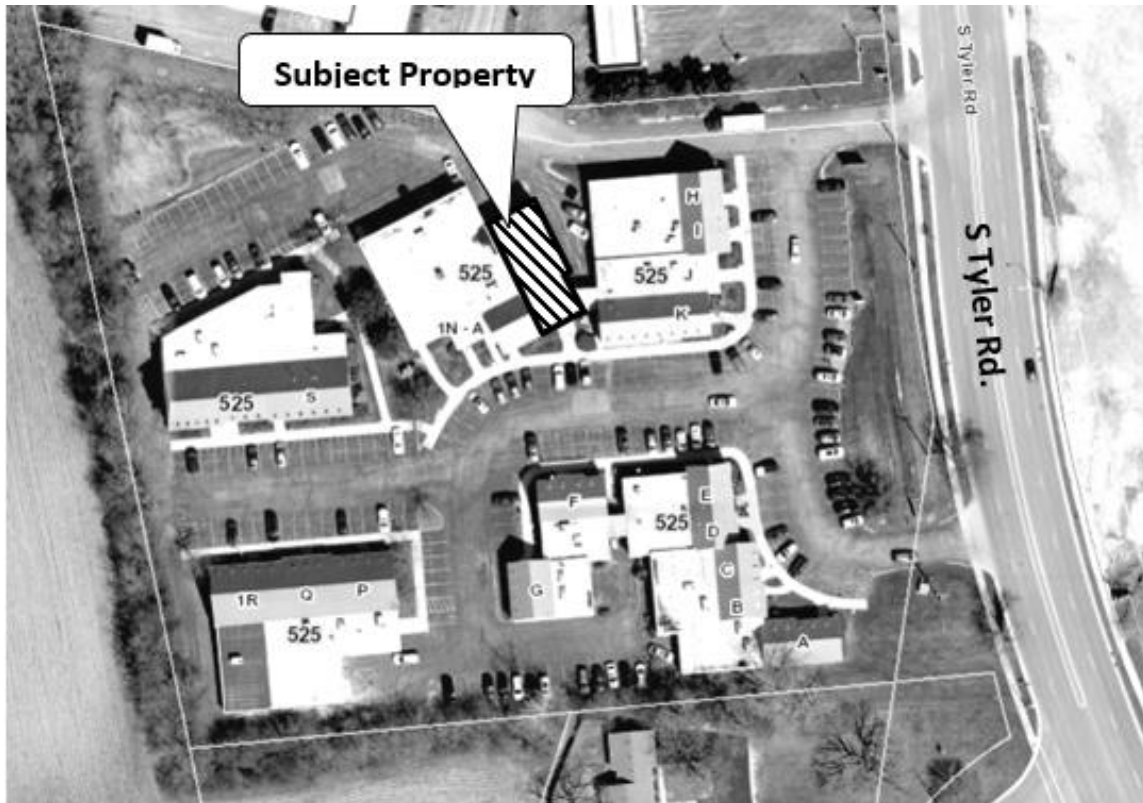


Exhibit “B”

Findings of Fact for Special Use

- A. Public Convenience: The Special Use will serve the public convenience at the proposed location.**

This space is located in a business park off Tyler Rd., south of Main St. The business park has adequate parking available to accommodate the attendees of Sunday services. Petitioner only intends to use the space on Sundays between the hours of 1:00 p.m. and 4:00 p.m. and 7:00 p.m. to 9:30 p.m. on Thursdays.

- B. Sufficient Infrastructure: That adequate utilities, access roads, drainage and/or necessary facilities have been, or are being, provided.**

Unit L is a commercial condo unit. The unit has been outfitted with all necessary utilities, access roads and necessary facilities.

- C. Effect on Nearby Property: That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.**

The space will be used for a small church with up to 97 attendees. The church will not place a burden on the surrounding properties due to its small size and minimal affect on Sunday traffic in the vicinity of the business park.

- D. Effect on Development of Surrounding Property: That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.**

The establishment of a special use for this property will not impede the normal and orderly development and improvement of the surrounding property because of the minimal day to day affect of the church on current businesses. The church plans on only occupying the space on Sundays and Thursdays evenings, resulting in very minimal impact on the surrounding properties. The church currently holds services in Unit M of the same complex, but wishes to move the services to Unit L.

- E. Effect on General Welfare: That the establishment, maintenance or operation of the Special Use will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The space is intended to be used as a church that will provide any attendees a place of refuge and spiritual comfort. The public health, safety, comfort and general welfare will not be endangered.

- F. Conformance with Codes: That the proposed Special Use conforms to all applicable provisions of the St. Charles Municipal Code and meets or exceeds all applicable provisions of this Title, except as may be varied pursuant to a Special Use for Planned Unit Development.**

The church conforms to all existing federal, state and local legislation and regulation and meets or exceeds all applicable provisions.