



**PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY**

**Project Title/Address:** Maranatha House of Prayer, 525 S. Tyler Rd. Units N-2 & O

**City Staff:** Ellen Johnson, Planner

<b>PUBLIC HEARING</b> 9/20/16	X	<b>MEETING</b> 9/20/16	X
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**APPLICATION:** Special Use for a Place of Worship

**ATTACHMENTS AND SUPPORTING DOCUMENTS:**

Staff Report | Special Use Application, received 8/19/16

**SUMMARY:**

Pastor Raul Laracuenta of Maranatha House of Prayer has applied for Special Use to establish a Place of Worship at the Tyler Ridge Business Park.

Services will be held on Tuesdays at 7:00 p.m. and Sundays at 9:00 a.m.

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

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

**SUGGESTED ACTION:**

Conduct the public hearing and close if all testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission feel that they have enough information to make a recommendation.

Staff has found the application materials to be complete. Staff recommends the Plan Commission add the following condition to a recommendation for approval:

1. The maximum number of people at any given church service shall not exceed 45.
2. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.

**INFO / PROCEDURE – SPECIAL USE APPLICATIONS:**

- Per **Sec. 17.04.330**, the purpose of a Special Use is as follows: “Special Uses listed within the various zoning districts include those uses that may be acceptable if established in an appropriate manner and location within a zoning district, but may not be acceptable if established in a different manner or location. Special Uses may include, but are not limited to, public and quasi-public uses affected with the public interest, and uses that may have a unique, special or unusual impact upon the use or enjoyment of neighboring property.”
- Public hearing is required, with a mailed notice to surrounding property owners.
- 7 findings of fact – ALL findings must be in the affirmative to recommend approval.

Community & Economic Development  
 Planning Division

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



**Staff Report**

**TO:** Chairman Todd Wallace  
 And the Members of the Plan Commission

**FROM:** Ellen Johnson, Planner

**RE:** Special Use for a Place of Worship – 525 S. Tyler Rd. Units O & N-2

**DATE:** September 16, 2016

**I. APPLICATION INFORMATION:**

**Project Name:** Maranatha House of Prayer

**Applicant:** Raul Laracuate

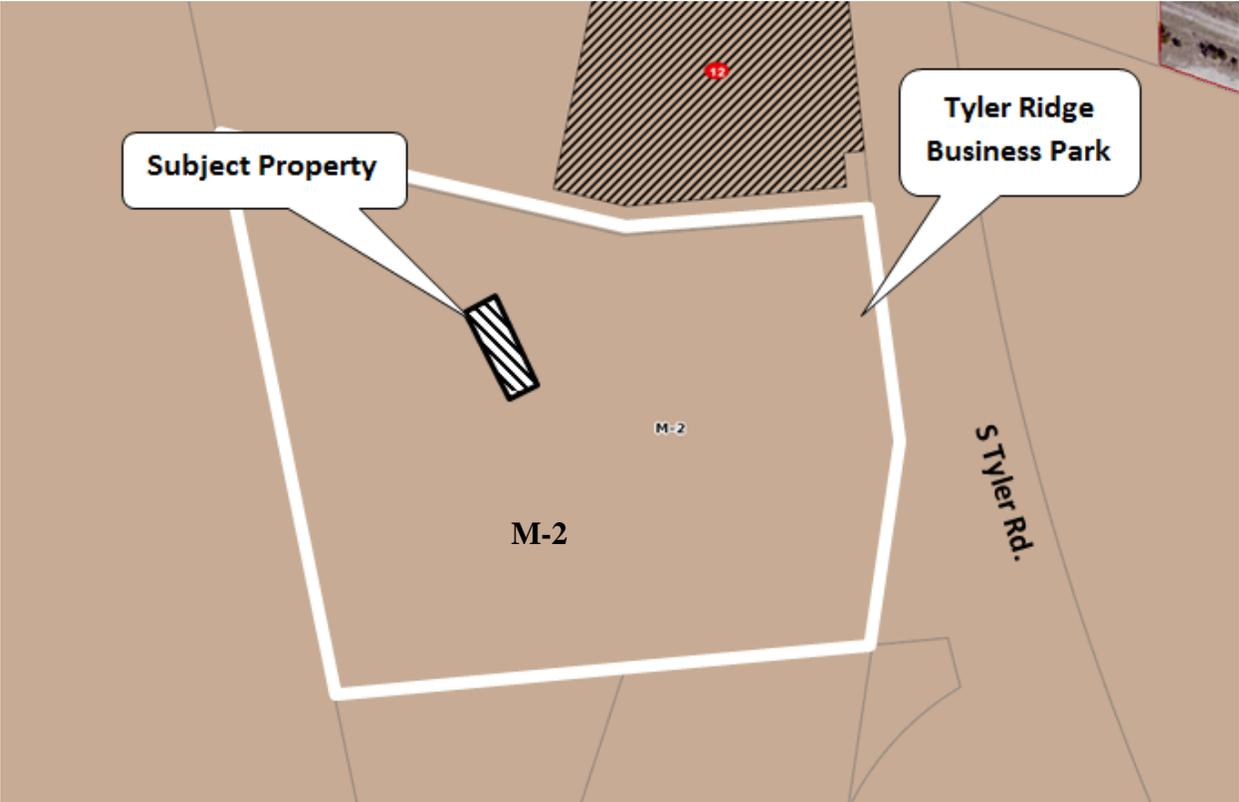
**Purpose:** Special Use for a Place of Worship

<b>General Information:</b>		
<b>Site Information</b>		
Location	525 S. Tyler Rd. Units O & N-2 (Tyler Ridge Business Park)	
Acres	4.3 acres (Tyler Ridge Business Park)	
Applications	<b>Special Use for a Place of Worship</b>	
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	
<b>Existing Conditions</b>		
Land Use	Multi-tenant office building	
Zoning	M-2 Limited Manufacturing	
<b>Zoning Summary</b>		
North	M-2 Limited Manufacturing & Special Use for Car Wash	Office, car wash
East	M-2 Limited Manufacturing	Vacant (Ryder Truck facility planned for site)
South	M-2 Limited Manufacturing	Vacant, single-family home
West	M-2 Limited Manufacturing	Vacant
<b>Comprehensive Plan Designation</b>		
Industrial/Business Park		

**Aerial**



**Zoning**



## II. BACKGROUND

### A. PROPERTY HISTORY

The 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.

### B. PROPOSAL

Pastor Raul Laracuente of Maranatha House of Prayer, applicant, is proposing to utilize Units O and N-2 in the Tyler Ridge Business Park for his church. He will be leasing the space from the property owner. The size of the space is 1,890 sf.

Services will be held on Tuesday evenings at 7:00 p.m. and Sunday mornings at 9:00 a.m. The church has approximately 30 members.

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

## II. ANALYSIS

Staff has performed an analysis of the Special Use for Place of Worship 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 Township Assessor data of unit sizes and the current uses of the units, a total of 212 parking spaces are required per the Zoning Ordinance. 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 table below compares the Zoning Ordinance parking requirement for a Place of Worship with the proposed use:

	<b>Requirement</b>	<b>Proposed Use</b>
<b>Parking Requirement</b>	1 per 3 seats based on the maximum capacity in the main place of worship	Based on Fire Dept. Max. Occupancy of 45 people: 15 parking spaces required

The unit Maranatha House of Prayer will be occupying was constructed for office purposes, and therefore does not have the type of worship hall found in buildings specifically constructed for churches. Folding chairs will be set up for church seating. The Fire Dept. conducted a site visit and determined the maximum occupancy load for the assembly area is 45 people. The applicant has indicated there are currently about 30 members of the church, however the parking requirement will be based on the maximum occupancy load.

While there are not 15 parking spaces available to be dedicated solely to the church, the Zoning Ordinance does permit shared parking, 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 Tuesday evenings at 7:00 p.m. and Sunday mornings at 9:00 a.m. Staff collected the hours of operation for each existing business in the business park to determine if adequate parking will be available during those times. Staff found the following:

- On weekdays, only one business, a hair and nail salon, is open past 7:00 p.m.
- No businesses are open on Sundays.
- Most of the businesses that are open on Saturdays close by noon. Two businesses, a hair and nail salon and a dentist, stay open into the afternoon.

Based on this information, parking demand will be very low at the business park during the times the proposed church plans to hold services. 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 to ensure availability of adequate parking for the church and to avoid a negative impact on parking availability for existing businesses.

#### **IV. SUGGESTED ACTION**

Conduct the public hearing on the Special Use and close if all the testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission determine that they have enough information to make a recommendation. The applicant has provided findings of fact in support of their proposal as part of the Special Use application.

Staff has found the application materials to be complete. Staff recommends the Plan Commission add the following conditions to a recommendation for approval:

1. The maximum number of people at any given church service shall not exceed 45.
2. Church services shall not be held before 7:00 p.m. on weekdays or before 12:00 p.m. on Saturdays.

#### **V. ATTACHMENTS**

- Aerial image of Tyler Ridge Business Park
- Application for Special Use; received 8/19/16
- Letter of support from Condo Association



# City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

# Tyler Ridge Business Park

RAYMOND ROGINA *Mayor*

MARK KOENEN *City Administrator*



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
North American Datum 1983  
Printed on: September 16, 2016 12:19 PM



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**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)

<b>For City Use</b>	
Project Name:	Maranatha House of Prayer
Project Number:	2016 -PR- 010
Application Number:	2016 -AP- 028



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.

<b>1. Property Information:</b>	Location: 525 S. Tyler Rd.	
	Parcel Number (s): Unit 0, N2; 09-26-378-016; 09-26-378-018	
	Proposed Name:	
<b>2. Applicant Information:</b>	Name Raul Laracuenta MARANATHA HOUSE OF PRAYER	Phone (312) 420-8202
	Address 1907 JEANETTE AVE ST. CHARLES, IL 60174	Fax
		Email RAUL@MHOPUSA.COM
<b>3. Record Owner Information:</b>	Name MARTIN J. FASEN	Phone (906) 289-4306
	Address P.O. BOX COPPER HARBOR, MI 49918	Fax
		Email MARTY@HIGHWAY-41.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?

TWO TEMPORARY WALLS WILL BE REMOVED AND THE WALLS WILL BE PAINTED.

**For Special Use Amendments only:**

Why is the proposed change necessary?

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

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\* **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)**

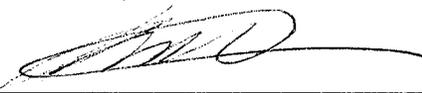
A plan or plans showing the following information:

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 5/19/16

  
Applicant or Authorized Agent \_\_\_\_\_ Date 8-19-16

**Martin J. Faassen**  
**P.O. Box 48**  
**Copper Harbor, MI 49918**

August 19, 2016

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

To Whom it May Concern,

The following person has permission to act on my behalf for the process of applying for a special use permit at 525 Tyler Rd., St. Charles, IL, Units O/N-2.

Pastor Raul Laracuenta  
Maranatha House of Prayer  
1907 Jeanette Ave  
Saint Charles, IL 60174

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Faassen', written in a cursive style.

Martin J. Faassen  
Owner, Units O/N-2

# 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.*

5255 TYLER RD.  
Project Name or Address

8/19/16  
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 INSIDE A BUSINESS PARK,  
NEAR MAIN STREET, WHICH IS A MAJOR ROAD. INSIDE  
THIS BUSINESS PARK, THERE IS ADEQUATE PARKING WHICH  
WILL NOT IMPACT THE SURROUNDING STREETS.

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

THE SPACE WAS USED AS A BUSINESS AND IT  
HAS BEEN FITTED WITH ALL THE NECESSARY FACILITIES.  
IT'S LOCATION IS VERY CLOSE TO MAIN STREET AND IS  
INSIDE OF TYLER RIDGE BUSINESS PARK, WHICH IS  
AWAY FROM THE NEIGHBORHOOD HOMES.

- 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.**

THIS SPACE ISN'T GOING TO BE USED FOR A LARGE CHURCH. WE ARE A YOUNG CHURCH WITH LESS THAN 30 MEMBERS. THIS YOUNG CONGREGATION WILL PLACE NO BURDEN ON THE IMMEDIATE VICINITY OR AFFECT PROPERTY VALUES.

- 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.

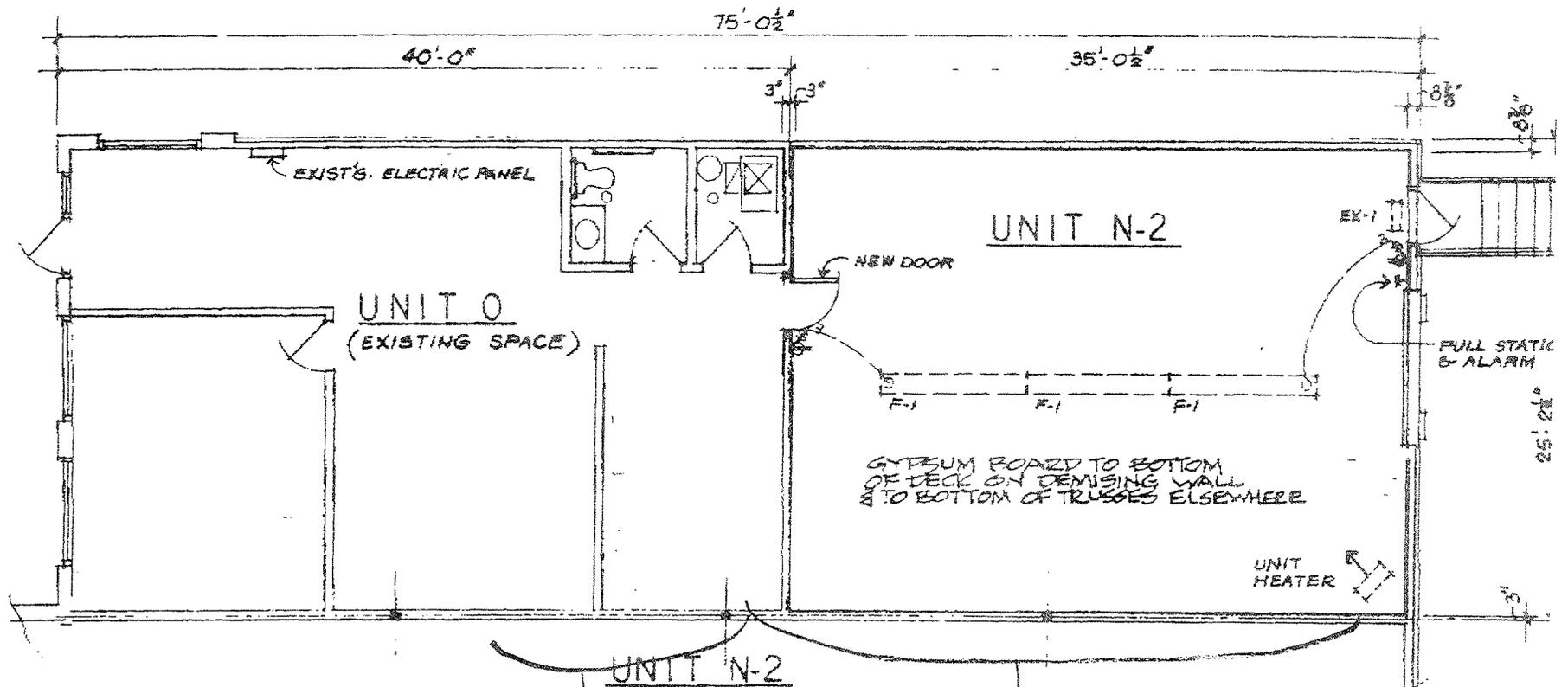
THIS SPECIAL USE REQUEST IS TO USE THE SPACE TILL WE OUTGROW IT. WE WILL NEVER EXPAND TO THE NEARBY SPACES SINCE IT IS ONLY ~~SO~~ SUITABLE FOR A SMALL CHURCH. THIS WON'T AFFECT ANY FUTURE DEVELOPEMENT TO THIS BUSINESS PARK.

- 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.

THIS SPACE IS INTENDED TO BE USED AS A CHURCH THAT WILL PROVIDE ANY AND ALL WHO ATTEND, OR LIVE NEARBY, WITH A PLACE OF REFUGE AND SPIRITUAL COMFORT.

- 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.

WE ARE A CHURCH REGISTERED IN THE STATE AND FEDERAL GOVERNMENT.



**FLOOR PLAN - UNIT N-2**

SCALE -  $\frac{1}{8}'' = 1'-0''$

6 Sures  
3 Probes

16 ~~8~~ 8' sp. cuts for T's etc + more

LIGHTING FIXTURES

EX-1 SURELITES EP H-1-RIC SINGLE FACE  
EXIT SIGN WITH EMERGENCY LIGHTS.

**H. James Hestrup & Associates**  
Architects • Land Planning  
Interiors • Landscape Architecture  
ST. CHARLES, ILLINOIS

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

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

RE: Special Use Permit for Maranatha Church Group

To Whom It May Concern:

Martin Faassen, the owner of a unit in our business condominium park, is hoping to rent his open unit to a group known as Maranatha, to hold religious services on Sunday mornings and Tuesday evenings. The owner notified our board of directors of this and requested feedback on any concerns the board might have with regard to such a tenant.

We asked and received assurances from owner and tenant 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.

After discussion following their answer, we see no problem having this organization as a tenant in Mr. Faassen's unit. We have no objection to the issuance of a special use permit for them.



Rachel J. Hess, Director  
Tyler Ridge Condominium Association