



#2011-46

**Foundation Baptist Church – 7105 Virginia Road
Project Review for Planning and Zoning Commission**

<u>Meeting Dates:</u>	October 5, 2011
<u>Request:</u>	Special Use Permit (Article 2 Section 2-300) to allow a religious establishment.
<u>Location:</u>	7105 Virginia Road
<u>Acreage:</u>	Approximately 2,200 square foot tenant suite (Suite 5)
<u>Existing Zoning:</u>	O PUD Office
<u>Surrounding Properties:</u>	North: B-2 General Commercial South: R-1 Single Family Residential East: R-3B PUD Multi-Family Residential West: R-1 Single Family Residential
<u>Staff Contact:</u>	Latika Bhide (815.356.3615)

Background:

When conducting an occupancy inspection for the Vineyard Church located in Unit #18 at the Virginia Park Condominiums, it was discovered that Foundation Baptist Church was situated in Unit #5 and was apprised of the requirement to obtain a Special Use Permit. Virginia Park Condominiums were approved as a Planned Unit Development to allow a mix of uses, shared parking and the two separate office condo buildings. The uses permitted in this center were not restricted through this PUD; in fact additional uses for retail use were added to the list of permitted uses. Religious establishments require a Special Use Permit in any zoning district except the B-2 and W districts, where they are not permitted.

Land Use Analysis:

SITE DETAILS

Foundation Baptist Church occupies an approximately 2,200-square-foot tenant suite at this location. No modifications to the existing building or parking layout were made or are currently proposed. With the exception of the signage (which is installed), no changes are proposed to the elevations. The petitioner has indicated that the location will be primarily used on Sundays (for Sunday school and morning and evening worship service) and Wednesdays (for Bible Study). Occasionally, other events such as Vacation Bible School or revivals may be held. No day-care center, food pantry or other uses are planned at this time. The petitioner has indicated that the congregation is 30-40 persons on Sunday morning.

PARKING

Parking for religious establishments is calculated at 1 per 4 fixed seats + 1 per 8 feet of bench seating + 1 per 28 square feet of open gathering or worship area. Parking for ancillary uses is calculated separately. The other tenants in the center are mostly office tenants and there are numerous vacancies in the center. The office tenants and proposed church need the parking at different peak times. There are a total of 158 parking spaces on site and it does not appear there will be any parking issues.

SPECIAL USE PERMIT

Religious establishments require the approval of a Special Use Permit. Based on their unique characteristics, Special Uses require special consideration of their impacts on surrounding properties and the orderly development of the community. Article 2 Section 2-400 B of the Unified Development Ordinance establishes general standards for all Special Uses in Crystal Lake. The criteria are as follows:

1. That the proposed use is necessary or desirable, at the location involved, to provide a service or facility which will further the public convenience and contribute to the general welfare of the neighborhood or community.

Meets *Does not meet*

2. That the proposed use will not be detrimental to the value of other properties or improvements in the vicinity.

Meets *Does not meet*

3. That the proposed use will comply with the regulations of the zoning district in which it is located and this Ordinance generally, including, but not limited to, all applicable yard and bulk regulations, parking and loading regulations, sign control regulations, watershed, wetlands, and flood plain regulations, Building and Fire Codes and all other applicable City Ordinances.

Meets *Does not meet*

4. That the proposed use will not negatively impact the existing off-site traffic circulation; will adequately address on-site traffic circulation; will provide adequate on-site parking facilities; and, if required, will contribute financially, in proportion to its impact, to upgrading roadway and parking systems.

Meets *Does not meet*

5. That the proposed use will not negatively impact existing public utilities and municipal service delivery systems and, if required, will contribute financially, in proportion to its impact, to the upgrading of public utility systems and municipal service delivery systems.

Meets *Does not meet*

6. That the proposed use will not impact negatively on the environment by creating air, noise, or water pollution; ground contamination; or unsightly views.
 Meets *Does not meet*

7. That the proposed use will maintain, where possible, existing mature vegetation; provide adequate screening to residential properties; provide landscaping in forms of ground covers, trees and shrubs; and provide architecture, which is aesthetically appealing, compatible or complementary to surrounding properties and acceptable by community standards, as further detailed in Article 4, Development and Design Standards.
 Meets *Does not meet*

8. That the proposed use will meet standards and requirements established by jurisdictions other than the City such as Federal, State or County statutes requiring licensing procedures or health/safety inspections, and submit written evidence thereof.
 Meets *Does not meet*

9. That the proposed use shall conform to any stipulations or conditions approved as part of a Special Use Permit issued for such use.
 Meets *Does not meet*

10. That the proposed use shall conform to the standards established for specific special uses as provided in this section.
 Meets *Does not meet*

Additionally, Special Uses for a religious establishment must document compliance with these specific criteria:

- a. Site design: Where possible, open space areas, including but not limited to storm water detention facilities shall be located adjacent to residential property. Parking lots shall be located close to the right-of-ways and away from adjacent residential property.
- b. Outdoor activities: Group outdoor activities shall not be permitted after 10:00 p.m. in residential districts or on lots which are adjacent to residential property.
- c. Traffic Control: For high attendance events, manual traffic control by the Police Department may be required, if determined to be necessary by the Chief of Police.
- d. Nursery School/Pre-school: Any accessory nursery school or pre-school associated with the religious establishment shall comply with the standards of Section 302C-20, Nursery School, Pre-school.
- e. Modification of Standards: The Zoning Administrator shall have the authority to grant modifications to any of the standards listed in this Section in order to eliminate a substantial burden on religious exercise as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. Sec. 2000), as amended. In granting

such a modification, the Zoning Administrator may require conditions consistent with the Federal act that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties.

Comprehensive Land Use Plan 2020 Vision Summary Review:

The Comprehensive Plan designates this area as Office. Office represents existing office areas and indicates areas for future office uses. Within the Commerce/Office/Industry land use designation, this petition is supported by the following Goal, Objective and Policies.

Goal: Facilitate a dynamic and sustainable base of commercial, office and industrial uses that provide jobs, goods and services to people in the city and throughout the surrounding regions, as well as a solid tax base to the City.

Objective #4: Encourage mixed-use developments that allow people to live, work and play in the same area, as well as support the transfer of goods and services between businesses and limit the number of traffic trip generations.

- Target undeveloped areas or encourage the redesign of appropriately developed areas to incorporate different uses.

Recommended Conditions:

If a motion is made to recommend approval of the petitioner's request, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Pastor Huston, received 9/15/11)
 - B. Site Plan (Muterspaugh & Associates, dated 4/25/88, received 9/15/11)
 - C. Floor Plan (Pastor Huston, received 9/15/11)
 - D. Use Letter (Pastor Huston, received 9/15/11)
2. If the use is intensified (adding additional space or larger services) beyond that which has been stated within this report, the petitioner shall be required to seek a Special Use Permit Amendment.
3. This Special Use Permit does not allow for daycare or pre-school uses. If the petitioner would like to use the facility for any of these uses, an additional Special Use Permit will be required.
4. An accurate floor plan shall be submitted with the building permit plans so the total parking requirement can be calculated.
5. The petitioner shall comply with all of the requirements of the Planning, Building & Engineering Divisions, Public Works, Fire/Rescue and Police Departments.

City of Crystal Lake Development Application

Office Use Only
File # 462011

Project Title: Foundation Baptist Church Special Use Permit

Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Plat of Subdivision |
| <input type="checkbox"/> Conceptual PUD Review | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Final PUD | <input checked="" type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Final PUD Amendment | <input type="checkbox"/> Variation |
| <input type="checkbox"/> Final Plat of Subdivision | <input type="checkbox"/> Other |

RECEIVED
SEP 15 2011
BY: _____

Petitioner Information

Owner Information (if different)

Name: <u>Jeremy Huston, Pastor/President</u>	Name: <u>VIRGINIA PARK INVESTMENT LLC</u>
Address: <u>7105 Virginia Rd, Ste 5</u>	Address: <u>209 ALPINE DR.</u>
<u>Crystal Lake, IL 60014</u>	<u>VERNON HILLS IL 60061</u>
Phone: <u>815-271-2121</u>	Phone: <u>847-281-6699</u>
Fax: _____	Fax: <u>847-546-0003</u>
E-mail: <u>pastorhuston@foundation</u>	E-mail: _____
<u>baptist-illinois.com</u>	

Property Information

Project Description: Special Use Permit - see attached
Description

Project Address/Location: 7105 Virginia Rd, Ste 5,
Crystal Lake, IL 60014

PIN Number(s): _____

Development Team

Please include address, phone, fax and e-mail

Developer: N/A

Architect: N/A

Attorney: N/A

Engineer: N/A

Landscape Architect: N/A

Planner: _____

Surveyor: N/A

Other: N/A

Signatures

Jeremy M. Huston, Pastor/President 9/13/11
PETITIONER: Print and Sign name (if different from owner) Date

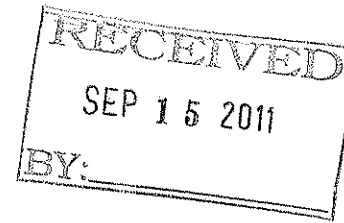
As owner of the property in question, I hereby authorize the seeking of the above requested action.

Khaled Mahmood 8-26-11
OWNER: Print and Sign name Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

TO: CITY OF CRYSTAL LAKE, IL
PLANNING DEPARTMENT
100 W. WOODSTOCK STREET
CRYSTAL LAKE, IL 60014

4 6 2011



FROM: FOUNDATION BAPTIST CHURCH
7105 VIRGINIA RD, SUITE 5
CRYSTAL LAKE, IL 60014

PURPOSE: SPECIAL USE PERMIT
FOR CHURCH USE

DESCRIPTION OF USE: We have a lease at 7105 Virginia Rd, Suite 5, which is a part of the Virginia Park business condominium complex. We use this unit for our church services, mainly using the building on Sundays and Wednesdays. We have Sunday School at 9:45 AM, Sunday Worship service at 10:30 AM, and Sunday evening service at 5:30 PM. Wednesday evening at 7:00 PM we have a Bible study. Each of these services last 45 minutes to 1.25 hours.

We occasionally have other events, such as Vacation Bible School or revivals that are week-long events, normally lasting no more than two hours per day, and these events are limited to four times a year or less.

We have no day-care center, food pantry, or any other extra uses at this time; nor are we planning on those things in this facility.

Our congregation is currently 30-40 people on Sunday mornings.

PUBLIC NOTICE

BEFORE THE PLANNING AND

**ZONING COMMISSION
OF THE CITY OF CRYSTAL LAKE,
MCHENRY COUNTY, ILLINOIS**

**IN THE MATTER OF THE APPLI-
CATION OF Jeremy Huston, on behalf
of Foundation Baptist Church**

LEGAL NOTICE

Notice is hereby given in compli-
ance with the Unified Development
Ordinance of the City of Crystal
Lake, Illinois that a public hearing
will be held before the Planning
and Zoning Commission of the City
of Crystal Lake upon the applica-
tion of Jeremy Huston, Pastor/Pres-
ident on behalf of Foundation Bap-
tist Church, for approval of a Spe-
cial Use Permit relating to the fol-
lowing described real estate com-
monly known as 7105 Virginia
Road, Crystal Lake, Illinois 60014,
PIN: 19-08-130-001 to 19-08-
130-031

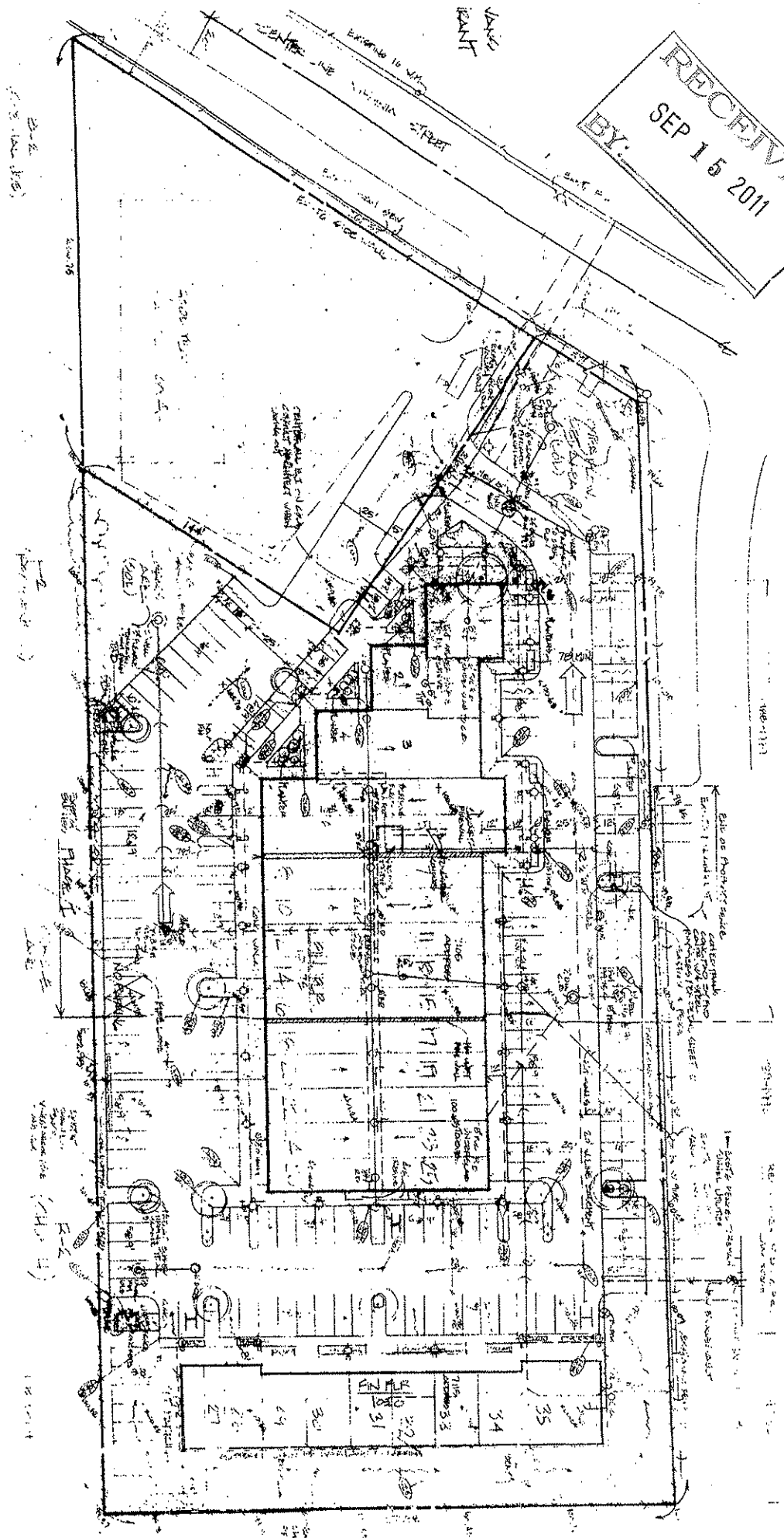
This application is filed for the
purposes of seeking a Special Use
Permit to allow a religious estab-
lishment at the above specified lo-
cation pursuant to Article 2 of the
Unified Development Ordinance, as
well as any other variations that
may be necessary to allow the
plans as presented. Plans for this
project can be viewed at the City of
Crystal Lake Community Develop-
ment Department at City Hall.

A public hearing before the Plan-
ning and Zoning Commission for
this request will be held at 7:30
p.m. on Wednesday October 5,
2011, at the Crystal Lake City Hall,
100 West Woodstock Street, at
which time and place any person
determining to be heard may be
present.

Tom Hayden, Chairperson
Planning and Zoning Commission
City of Crystal Lake
(Published in the Northwest Herald
September 20, 2011)

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BY: SEP 15 2011

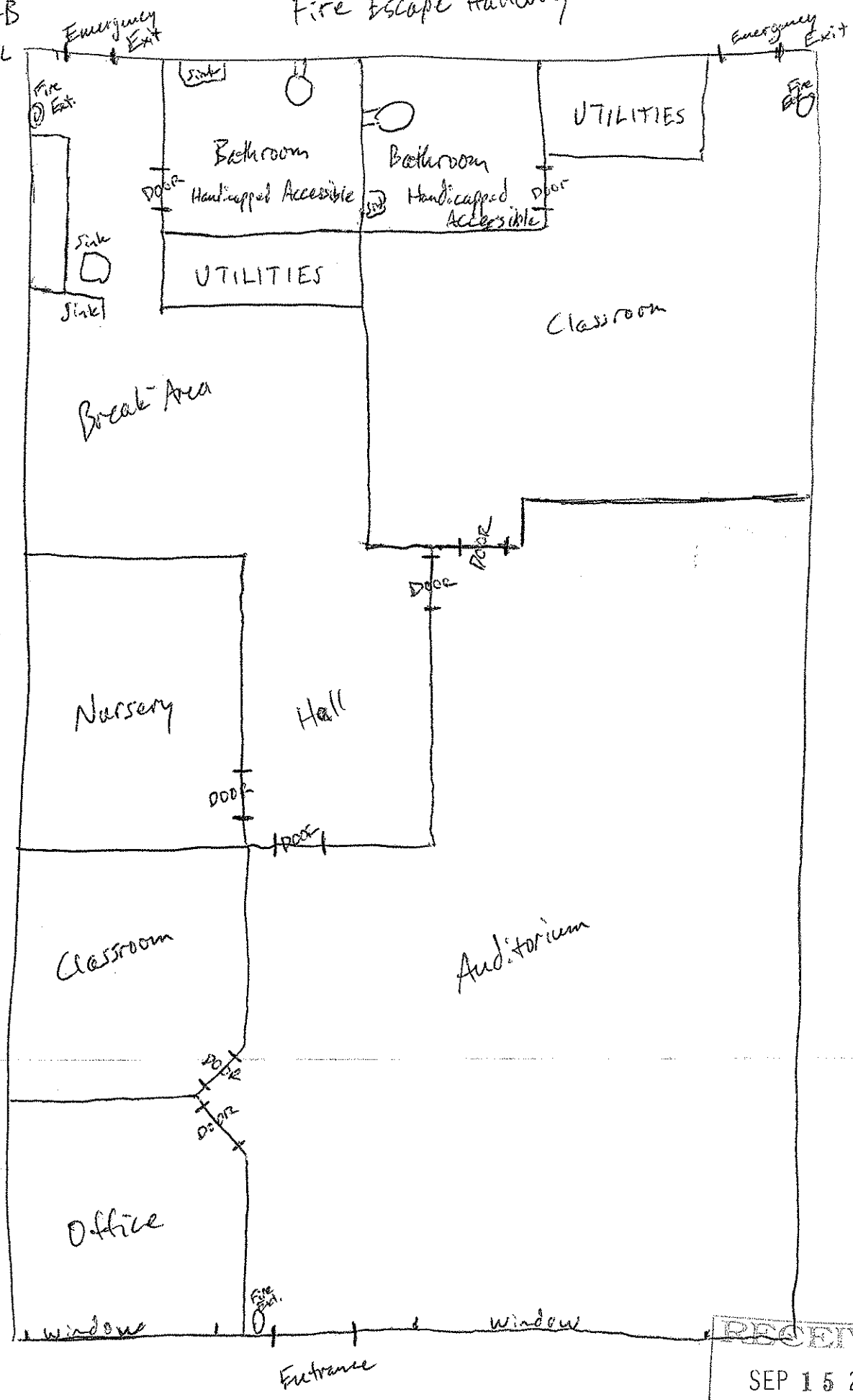
16 2011



7105 Virginia Rd Unit 5A-B
Crystal Lake, IL

Foundation Baptist Church

Fire Escape Hallway



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 BY: