

STAFF REPORT**2019-29P: Special Use Permit**

Community Development Department

Council Chambers, 7:30 PM, August 15, 2019

To: Paul Luke, Chairman, Skokie Plan Commission
 From: Steve Marciani, AICP, Planning Supervisor
 Re: **2019-29P: Special Use Permit**
 Assyrian Church of the East

Related Cases – 2019-26P: Map Amendment
 2019-27P: Site Plan Approval
 2019-28P: Parking Determination

General Information	
<i>Location</i>	5050 Church Street
<i>Purpose</i>	A request for a special use permit for religious assembly in a B2 Commercial zoning district, and any relief that may be discovered during the review of this case.
<i>Petitioner</i>	Holy Apostolic Catholic Assyrian Church of the East Diocese of North America
<i>Size of Site</i>	184,140.85 ft ² (4.227 acres) with frontage on Church Street and Lawler Avenue.
Existing Zoning & Land Use	B2 Commercial – vacant community center
<i>Adjacent Zoning & Land Use</i>	North R2 Single-Family – park
	South M2 Light Industry – consumer goods rental, special trades contractor, landscaping services, rental housing management, upper-story residence over nonresidential use, vacant office space
	East R2 Single-Family – detached residences R4 Multifamily Housing – 3-or more unit multifamily residences
	West M2 Light Industry – public utility distribution facility
<i>Comprehensive Plan</i>	The site is designated as other residential within the R4-zoned portion of the subject site and single family detached residential within the R2-zoned portion of the subject site.

SITE INFORMATION

- Sidewalks exist on both Church Street and Lawler Avenue.
- Some street trees exist in the parkway along Church Street. Most street trees exist along Lawler Avenue.
- The site is occupied by the former Jewish Community Center, which had contained recreational facilities, an auditorium, meeting rooms, and offices.
- There are two large parking lots on the site that are in need of maintenance.
- Driveway access to the subject site at two locations on Church Street.
- Overhead utilities serve the site, including transmission lines that are in an easement across the front parking lot.

PETITIONER'S SUBMITTAL

The petitioner is requesting a special use permit for religious assembly in a B2 Commercial zoning district, and any relief that may be discovered during the review of this case.

They submitted the following statement:

As outlined at our meeting our priority and intended immediate use is for our Diocese is to have Christian prayer services and bible study to our congregation/Parishioners, utilizing the existing gym as a prayer hall and the dance studio and social assembly spaces as our fellow ship hall.

Our Assyrian population living in Skokie are very much excited about this wonderful space, we estimate about 300 parishioners using the facility from 8 am or in some cases could be as early as 6 am for Deacons and priests with some staff, but generally parishioners come in as early as 8-8.30 am for services to start at 9 am, generally the service last between 1½ hrs. to 2 hrs. followed by tea, coffee or donuts in fellowship hall.

Usually the volunteer ladies auxiliary and cleaning staff will stay till about 2 pm to 3 pm.

While the parents will be in the service, those with children will register them for bible study classes from age 5 through to 15, they would attend bible study in the class rooms during the service. We believe we will have about 50 children in bible study.

We also feel there will be times where the use during the weekday for Assyrian comfort and condolences giving to a bereaved family, generally this is between 5 pm to 8 pm. We usually do not see more than 150 people at these unfortunate occasions.

We would have funeral services, usually Friday's but sometime it could be other weekdays as well. That is the same time use as prayer service and fellowship hall 8 am prayer, service at 9 am till about 11 am flowed by tea and coffee in the fellowship hall.

Our youth would likely use the theater for bible study, it has 260 seats and bible study is Fridays from 6 pm to 8 pm. Attendance varies as the weather changes, but usually 50 youth members.

We would utilize office space for clergy and administrative personnel use usually 5 days a week 9 am to 5 pm. This could also include certain Saturdays.

Looking ahead, we would like to change the pool use and create a gym for our youth members, basketball, and volleyball.

We would like to bring our elderly members who are in nursing facilities to come and have tea and coffee and socialize with our children and other church parishioners during the Sundays or weekdays, we would estimate about 50 people on Sunday or other days.

We would also like to have summer camps in the future for our kids, St. Andrews has about 70 children, St. George has about 70 children, St. Mary's about 50 children.

Mayor G. Van Dusen has often asked why the Assyrian food festival is not held in Skokie, currently we have held it at Morton Grove PD, we would like to ask Skokie PD if we can use the baseball field north of building for 2020 Assyrian Food Festival. That's just an idea.

STAFF ANALYSIS

Staff Comment and Review sheets were sent to all pertinent departments. Staff comments on the subject case were received from the Engineering and Planning Divisions. All other departments returned the requests with no comments regarding the subject case.

Engineering Division

The parking requirement is met for the religious assembly portion of the building. As uses are added to the building, parking will need to be reevaluated prior to any new occupancy.

The petitioner should be aware that Lawler Avenue is zoned permit parking, members will not be able to park on the east side of Lawler. There is no on-street parking on Church Street. Further, there are parking restrictions on the west side of Lawler between the months of November - April. Members will not be able to park on the west side of Lawler between those dates.

Planning Division

The religious assembly use requires a special use in the B2 Commercial district due to its potential impact on the surrounding neighborhood.

This site is well suited for the proposed use, being on a large, well landscaped site with ample parking. An institutional use was on this site for nearly 50 years with multiple assembly uses operating in the building. Religious assembly is intended to be located in residential neighborhoods. The site is already visually buffered from the residential uses to the east and north.

No additional relief was discovered during the review of this case.

APPEARANCE COMMISSION

No changes to the building exterior are planned. Exterior modifications to the building or the installation of signage, beyond what is allowed by the Sign Code, will require Appearance Commission review and approval.

STAFF RECOMMENDATIONS

Staff recommends that the petitioner's request for a special use permit for religious assembly at 5050 Church Street be **APPROVED**, based upon the Proposed Positive Findings of Fact and the recommended conditions below.

RECOMMENDED SPECIAL USE PERMIT CONDITIONS

1. The petitioner shall develop the Subject Property in substantial conformance with the final Village approved plans per Ordinance Number <final approval site plan approval ordinance>
2. The maximum seating capacity in the worship area shall be limited to 300 seats. Any increase in the seating capacity or the overall area that the religious assembly use occupies in the building shall require an amendment to the special use permit through the full public hearing process.
3. Any change in user to another religious group shall require an application for a new special use permit, including public hearings.
4. All new construction, alterations, and remodeling shall meet current International Building and NFPA Life Safety Codes as amended. (Standard)
5. The petitioner shall obtain all required permits and approvals for improvements to County, State, or Federal rights-of-way from the governing jurisdiction. (Standard)
6. All signage shall conform to the Skokie Village Code. Any sign on the Subject Property that is in violation of that Code must be removed or modified to conform with the Village Code prior to the issuance of an occupancy permit. (Standard)
7. All modifications to building elevations, signage, and landscaping shall be subject to the review and approval of the Skokie Appearance Commission. (Standard)
8. The petitioner shall submit to the Planning Division electronic files of the site plan in their approved and finalized form. (Standard)
9. Prior to the issuance of building permits, the petitioner shall submit to the Planning Division of the Community Development Department the name, property address, email address, and telephone number of the company and contact person responsible for site maintenance in compliance with this special use permit. (Standard)
10. If work is to be performed on public property or if public property is utilized or impacted during construction and/or development, the owner shall provide, or shall cause the developer and/or contractor to provide, the Village of Skokie with a certificate of insurance naming the Village of Skokie as additionally insured for any and all claims related to any and all work. The owner shall hold, and shall cause the developer and/or contractor to hold, the Village of Skokie harmless and indemnify the Village for any and all claims for property damage or personal injury related to work on or use of public property. (Standard)
11. The petitioner shall comply with all Federal and State statutes, laws, rules and regulations and all Village codes, ordinances, rules, and regulations. (Standard)

12. Failure to abide by any and all terms of this Ordinance shall be cause for the Village to initiate hearings to determine whether the subject Ordinance, as well as any applicable business licenses, should be revised or revoked. The petitioner shall pay all costs related to any hearings conducted as a result of non-compliance with any of the provisions of the enabling ordinance. The costs shall include but not be limited to court reporter fees, attorney fees, and staff time required researching and conducting said hearing. (Standard)

ATTACHMENTS

1. Proposed Positive Findings of Fact for 2019-29P
2. Site Plan/Church Streetscape Plan, dated July 8, 2019
3. Floor Plans (2 pages), dated January 1, 2019
4. Land Use and Zoning Map

Proposed Findings of Fact

2019-29P: Special Use Permit

Community Development Department

Council Chambers, 7:30 PM, August 15, 2019

<i>Consideration</i>	<i>Finding</i>
The request is consistent with the intent of the Comprehensive Plan.	The request is consistent with the Comprehensive Plan in so far that religious assembly is intended to be located in residential neighborhoods.
The request will not adversely affect adjacent properties.	The proposed use does not adversely affect the current uses on adjacent properties since the site was operated for assembly and institutional uses for almost 5 decades.
The request is compatible with the existing or allowable uses of adjacent properties.	The proposed use is currently compatible with the existing uses of adjacent properties.
The request demonstrates that adequate public facilities, including roads, drainage, utilities, and police and fire protection exist or will exist to serve the requested use at the time such facilities are needed.	The proposed request does demonstrate that all existing public facilities are adequate.
The request demonstrates adequate provision for maintenance and use of the associated structures.	The request demonstrates adequate provision for maintenance and use of the associated structures.
The request has considered and, to the degree possible, addressed the adverse effects on the natural environment.	There will be little to no additional adverse effect on the natural environment.
The request will not create undue traffic congestion.	The proposed use is not expected to create undue traffic congestion.
The request will not adversely affect public health, safety, and welfare.	The proposed use will not adversely affect the public health, safety, or general welfare.
The request conforms to all applicable provisions of this code, except where relief is granted with the request.	The request as amended by Staff conforms to all applicable provisions of this code.