



Legislation Details (With Text)

**File #:** 19-764B      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 8/8/2019      **In control:** City Council

**On agenda:** 9/3/2019      **Final action:** 9/3/2019

**Title:** Pass the ordinance approving a major change to the Schweikert Square PUD in order to grant a conditional use to permit a cultural institution in B3 (General Commercial District) at the subject property located at 1568 W. Ogden Avenue, Naperville (Sri Panchamukha Hanuman Religious Social Club) - PZC 19-1-063

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. SPH - Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat, 4. Exhibit C - Standards, 5. Description of Use, 6. Application, 7. Floor Plan, 8. Location Map, 9. 8.7.19 PZC Minutes

Date	Ver.	Action By	Action	Result
9/3/2019	1	City Council	passed	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving a major change to the Schweikert Square PUD in order to grant a conditional use to permit a cultural institution in B3 (General Commercial District) at the subject property located at 1568 W. Ogden Avenue, Naperville (Sri Panchamukha Hanuman Religious Social Club) - PZC 19-1-063

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission considered this matter on August 7, 2019 and voted to recommend approval of the request (approved 7-0). Staff concurs.

**BACKGROUND:**

The petitioner, Sri Panchamukha Hanuman, is requesting a major change to the Schweikert Square Planned Unit Development (PUD) in order to grant a conditional use to permit a cultural institution. The petitioner requests to operate a religious social club.

The subject property was developed in 1991 as a part of the Schweikert Square PUD and improved with an approximately 100,000 square foot commercial shopping center. Located at the southeast corner of Ogden Avenue and Jefferson Avenue, the subject property has a common address of 1568 W. Ogden Avenue. The proposed tenant space, Suite 146, is approximately 3,075 square feet in size. The East Sector Plan (1998) identifies the future land use of the subject property as commercial. While the proposed cultural center is not a commercial use, it is compatible with the surrounding

businesses and may serve to draw additional patrons to those businesses.

## **DISCUSSION:**

### ***Conditional Use - Cultural Institution***

Section 6-1-6 (Definitions) of the Municipal Code defines cultural institutions as “establishments such as museums, botanical, and zoological gardens of a historic, educational or cultural interest, or art galleries which are operated primarily for the display, rather than the sale, of works of art.” A cultural institution requires a conditional use permit in the B3 District per Section 6-7C-3 (B3 District: Conditional Uses).

The petitioner proposes to operate a religious social club, considered a cultural institution, on the subject property and requests conditional use approval. Per the petitioner, the club will meet to discuss cultural discourses, meditation, Vedic teachings, etc. The club will operate from 9am to 9pm daily and expects a maximum of 45 visitors at a time. The existing surface lot on the subject property will accommodate the required parking.

Per Section 6-7C-1 (B3 District: Intent), B3 is intended to accommodate those commercial activities whose service area is not confined to any one neighborhood. The proposed social club is expected to draw visitors from several neighborhoods. The club’s location in a busy shopping center will allow patrons to visit several destinations in one trip. The petitioner’s responses to the standards for granting a conditional use are attached. Upon review, staff is in agreement with the petitioner’s findings and recommends their adoption by the City Council.

### ***Major Change to Amend a Planned Unit Development***

Per Section 6-4-6:1 (Changes to Final Planned Unit Development: Major Change), a major change to the PUD is required when a conditional use is requested. The proposed tenant space is located within the Schweikert Square PUD, which includes mostly commercial uses such as a specialty grocery store, a flower shop, a bakery, a salon, a liquor store, and restaurants. Staff finds that an institutional use, such as the proposed religious social club, will be complimentary to the existing commercial uses and is in support of the major change request. The petitioner’s responses to the standards for amending a PUD are attached. Upon review, staff agrees with the petitioner’s findings and recommends their adoption by the City Council.

### ***Planning & Zoning Commission Action***

The Planning and Zoning Commission considered this matter at their meeting on August 7, 2019. Antonio Fanizza architect with Antoni Fanizza LTD and Narasimha Reddy spoke on behalf of the petitioner. No one from the public provided testimony. PZC inquired as to the use of the property. Mr. Reddy stated the club will be used for classes and discussion groups.

PZC closed the public hearing and moved to adopt the findings of fact as presented by the petitioner and approve PZC 19-1-063 (approved, 7-0). PZC recommended that the conditional use permit be tied to the petitioner instead of tied to the land. If the petitioner were to vacate the property, any new cultural institutions intending to occupy the space would be required to apply for a new conditional use permit. Staff concurs with the Planning and Zoning Commission's recommendation and has added the recommended condition to the ordinance.

### ***Key Takeaways***

- The petitioner is requesting a major change to amend a planned unit development (PUD) in order to grant a conditional use to permit a cultural institution.

- Staff finds the proposed religious social club meets the intent of the B3 District and is complimentary to the existing uses within the PUD.

**FISCAL IMPACT:**

N/A