



## Legislation Details (With Text)

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**Title:** Reconvene the public hearing for the Islamic Center of Naperville located at 3540 248th Avenue (ICN) - PZC 20-1-052

**Sponsors:**

**Indexes:**

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**Attachments:** 1. Project Updates - Letter from Petitioner, 2. Email to PZC from Len Monson 7-9-21 with attachment, 3. Site Plan Phase 1, 4. Site Plan Overall, 5. Prelim Engineering Phase 1, 6. Prelim Engineering Overall, 7. Prelim Landscaping, 8. Phasing Plan, 9. Building Elevations, 10. Parking Study, 11. Traffic Study, 12. School Drop Off Plan, 13. School Drop Off Summary, 14. Development Petition, 15. Response to Standards, 16. Legal Description, 17. Disclosure of Beneficiaries, 18. Ed Seifert CV, 19. Joe Zgonina Report Email and CV, 20. Mary Linberger Report and CV, 21. Chris Heinen Report and CV, 22. Shapiro Exhibits for Naperville PZC Meeting 08.18.2021

Date	Ver.	Action By	Action	Result
8/18/2021	1	Planning and Zoning Commission		

### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Reconvene the public hearing for the Islamic Center of Naperville located at 3540 248<sup>th</sup> Avenue (ICN) - PZC 20-1-052

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Sara Kopinski, AICP

#### **ENTITLEMENTS REQUESTED:**

1. A conditional use to develop a religious facility including a mosque, school, multi-purpose hall, and gymnasium uses to be built in 5 phases over the next 40 years; and,
2. A variance to Section 5-10-3:5.2.4.1 to eliminate the fencing requirements on the north property line.

\*Note: the front-yard setback variance request originally sought by petitioner was eliminated in the revised plans submitted by the Petitioner prior to the August 4, 2021 Public Hearing.

#### **BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission reconvened the public hearing for PZC 20-1-052 on August 4, 2021, and continued it to August 18, 2021.

#### **BACKGROUND:**

The subject property consists of 13.36 acres on the east side of 248<sup>th</sup> Avenue at the intersection with Honey Locust Drive. The property is zoned R1 (Low Density Single-Family Residence District) and is owned by the Islamic Center of Naperville (ICN). ICN proposes developing the property with a religious facility including a mosque, school, multi-purpose hall, and gymnasium in 5 phases over the next 40 years. To do so, the petitioner has requested approval of a conditional use for a religious institution in the R1 zoning district and a variance to eliminate the fencing requirement along the north property line.

### **DISCUSSION:**

At the August 4, 2021 ICN Public Hearing, during the petitioner's presentation, Chairman Hanson raised a question regarding the capacity of the Ogden Avenue mosque, specifically noting the 409 peak parking space demand as noted in the ICN Parking Study. The petitioner did not have the occupancy information necessary to respond at the time, which prompted staff to conduct additional research.

Based on a further review of ICN's Parking Study in response to Chairman Hanson's question, staff has identified concerns with the data collected by the petitioner that is being used to determine parking needs for the proposed 248<sup>th</sup> mosque as detailed below.

#### *ICN Parking Study Submitted with the 248<sup>th</sup> Application*

Per the Naperville Municipal Code, a religious institution is required to provide 1 parking space per 3 worshippers. As stated during the 248<sup>th</sup> Avenue ICN public hearing by petitioner's legal counsel, there is agreement between city staff and the petitioner that the city parking code requirement of 1 parking space per 3 worshippers would result in insufficient parking for a mosque. As part of ICN's submission for the proposed 248<sup>th</sup> entitlements, staff requested that the petitioner conduct a parking study of the three ICN facilities currently operating on Ogden Avenue, Olesen Drive, and 75<sup>th</sup> Street ("the **248<sup>th</sup> Parking Study**").

#### *Ogden Mosque Capacity and Parking*

Since the August 4<sup>th</sup> public hearing, the petitioner has confirmed to staff that the worship area at ICN's Ogden mosque facility is approximately 3,200 square feet in size with a capacity of 457 worshippers (at a ratio of 7 sq. ft. of floor area per worshipper). The worship area of Phase I for the 248<sup>th</sup> Avenue mosque is also 3,200 square feet in size with a capacity of 457 worshippers.

The 248<sup>th</sup> Parking Study noted that the peak parking demand at the Ogden ICN facility was on Friday, January 17, 2020 measuring at 409 cars (382 cars on site; 27 cars off-site). The parking study also concluded that, based on informal tallies taken at all Naperville ICN facilities during the study, the average vehicle attending a worship service carried approximately 1.4 occupants.

Based on the peak parking finding noted above, (including the number of cars and the informal tally of occupants), it appears that either: (1) the Ogden Mosque's occupancy on January 17, 2020 exceeded ICN's stated capacity of 457 occupants (i.e., 409 cars x 1.4 occupants per car = 573 attendees), OR (2) the actual number of occupants per car was lower than 1.4 (i.e., 457 attendees/409 cars = 1.12 occupants per car). Additionally, it could be possible that concurrent use of the worship and other spaces was occurring. Any of these scenarios cause concern as to how they may impact the parking and occupancy assumptions that are being applied to the proposed 248<sup>th</sup> ICN facility.

Because the 248<sup>th</sup> Parking Study did not include an occupancy count of any of the three current ICN

facilities, to substantiate assumptions regarding number of worshippers per car, staff requested that the petitioner conduct additional Friday (peak day) parking counts at each of the three current Naperville ICN facilities. The supplemental parking data should include a vehicle count, the number of worshippers in attendance, and the capacity of the mosques' worship space for the City's consideration. The petitioner has agreed to this request and intends to complete the additional counts on Friday, August 13, 2021.

### **Staff Recommendations**

Staff recommends that one of the conditions of approval of the proposed ICN conditional use be that the petitioner should be required to provide parking for the 248<sup>th</sup> mosque at a minimum ratio of 1.4 occupants per car (unless that number is modified as a result of the supplementary parking data). This parking should be provided in addition to the parking required for the remaining phases of the project as outlined in the "Staff Recommended Parking" column in the table below.

	<b><u>Parking Required by Code (for each Phase)</u></b>	<b><u>ICN Proposed Parking (for each Phase)</u></b>	<b><u>ICN Proposed Parking (Cumulative)</u></b>	<b><u>Staff Recommended Parking (Cumulative)</u></b> ***
<b>Phase I (Mosque)</b>	249	343	343	422
<b>Phase II (School)</b>	37*	54	397	454
<b>Phase III (Multi-Purpose Hall)</b>	183	193	590	637
<b>Phase IV (Gymnasium)</b>	100**	-	590	738
<b>Phase V (Mosque Expansion)</b>	120	136	726	858
<b>TOTALS</b>	<b>689</b> (once parking adjusted as outlined in footnotes)	<b>726</b>	<b>726</b>	<b>858</b>

\*In compliance with Code requirements Petitioner will adjust required parking for preschool use (increase to 4 parking spaces per 1000 sq. ft.)

\*\*In compliance with Code requirements Petitioner will adjust required parking for gymnasium use (reduce to 4 parking spaces per 1000 sq. ft.)

\*\*\*1 parking space per 1.4 worshippers for the mosque (unless the 1.4 number is modified as a result of supplementary parking data) plus Code required parking for all other uses. In addition, parking may be adjusted based on need as noted in the section below.

### **Needs-Based Parking**

By proposing the parking recommendations in the chart above, staff is attempting to ensure adequate onsite parking for each phase of the project. However, staff is cognizant of the fact that it is not beneficial to require more parking than is needed. To that end, staff recommends a needs-based parking approach by which parking will be evaluated prior to construction of Phases 2 through 4 of the project to determine if more or less parking is needed than has been projected in the table above.

Therefore, staff recommends a condition that requires the administrative review and approval of parking demand and occupancy prior to the construction of Phases 2 through 4. If some or all of the parking spaces projected in the last column of the table above for each phase is determined to be unnecessary following review of then current parking data, staff can administratively permit the land-banking of excess spaces. In contrast, if additional spaces beyond those identified by staff in the

table above for each phase are needed, staff can also administratively require that portions of parking designated for a future phase be constructed with an earlier phase. This approach provides maximum flexibility in the future to ensure that constructed parking spaces on the site match demand.

*Proposed Parking Related Conditions for the 248<sup>th</sup> ICN Facility*

Preliminarily, staff recommends the following conditions with respect to parking and occupancy at the 248<sup>th</sup> ICN site:

1. Worship capacities should be identified as not to exceed numbers in any approval ordinances, and City staff should have the right to request occupancy logs or other evidence to confirm that maximum occupancies are not being exceeded.
2. 422 parking spaces should be required to be constructed with Phase 1. Parking demand and occupancy will be reviewed for Phases 2 through 4 using a needs based approach as described above.
3. A minimum parking ratio of 1.4 occupants per car (unless modified as a result of a supplementary parking data) shall be maintained at all times for areas designated as worship space.

Finally, it is staff's opinion that additional evaluation is needed to determine the best approach by which to process the proposed Phase 5 expansion of the mosque, anticipated to occur in 40 years, in order to account for conditions that will exist at that time.

***Related Files***

- N/A