

**HEARING OFFICER –Kelly Conference Room #155
July 16, 2025 @ 2:00 p.m. - Record of Meeting**

The Hearing Officer meeting was held on Wednesday, July 16, 2025 in the Kelly Conference Room #155 and on Zoom. Hearing Officer present: Ryan Robling

REPORTS RESOLUTIONS AND COMMUNICATIONS:

PETITIONS CONITUED TO JULY 30, 2025:

CU-27-25/ ZR2025-06-0079

Everywhere Signs (Lids)

512 E. Kirkwood Avenue

Parcel: 53-05-33-405-074.000-005

Request: Conditional Use approval to allow a Standardized Business in the University Village Downtown Character Overlay of the Mixed Use Downtown (MD-UV) zoning district.

Case Manager: David Brantez

PETITIONS:

CU-25-25 / ZR2025-06-077

Apostolic Church of Jesus Christ

1100 E. Miller Drive

Parcel: 53-08-09-108-017.000-009

Request: Conditional Use approval for a "Place of Worship" to facilitate expansion of a church in the Residential Medium Lot (R2) zoning. Case Manager: Joe Patterson

Joe Patterson, case manager, presented CU-25-25. See meeting packet for more detail. The department recommends that the Hearing Officer adopt the proposed findings and approve CU-25-25 with the following conditions:

1. A Staff level Minor Site Plan and a Site Development Permit are required prior to any land disturbing activity.
2. Unless otherwise approved by the Planning and Transportation Director, a compliant sidewalk and tree plot are required along Highland Avenue.
3. This approval is valid for the petition as submitted and approved. Any future construction or work must meet all UDO requirements.

Daniel Butler, Consultant, didn't have any additional information to add but was happy to answer any questions.

Robling asked if proposed findings (B), "A landscaping plan provides for a landscape buffer and fencing between the "Place of Worship" use and adjacent dwelling units," is a requirement by the UDO. Patterson stated that the finding is a requirement within the UDO for a conditional use request. Eric Greulich, Development Services Manager, stated that the UDO only requires buffering adjacent to different districts. This request is not adjacent to a different district so staff found this finding appropriate.

Robling asked if this finding should be a condition instead; Greulich confirmed.

Robling stated that the impervious surface coverage shows 49.5% whereas the UDO requirement is 40%. Robling stated that the petitioner doesn't meet the UDO and doesn't know how he could approve this petition. Greulich stated there could be a condition added that a variance is not being granted and that it has to meet the site plan.

Robling asked if the site plan were to change, would condition number three nullify the conditional use. Greulich stated that condition number three is related to the located design of the expansion, not the details of the site plan.

Robling made a motion to approve CU-25-25 the following condition amendments:

- 1. A Staff level Minor Site Plan and a Site Development Permit are required prior to any land disturbing activity.**
- 2. A compliant sidewalk and tree plot are required along Highland Avenue.**
- 3. This approval is for the general site plan and petition as submitted and approved. Any future construction or work must meet all UDO requirements.**
- 4. The petitioner must modify the site plan to meet all development standards in the R2 zoning district.**
- 5. Required to meet the landscape plan as proposed in the petition.**

Motion passes.

CU-28-25/ ZR2025-06-0080

City Church for All Nations

803 S. Madison Street

Parcel: 53-08-05-100-145.000-009

Request: Conditional Use approval for a "Place of Worship" to facilitate placement of a church in the Residential High-Density Multifamily (RH) zoning district.

Case Manager: Joe Patterson

Patterson, case manager, presented CU-28-25. See meeting packet for more detail. The department recommends that the Hearing Officer adopt the proposed findings and approve CU-28-25 with the following conditions:

1. A Staff level Minor Site Plan and a Site Development Permit are required prior to any land disturbing activity.
2. This approval is valid for the petition as submitted and approved. Any future construction or work must meet all UDO requirements.

Seth Pate, petitioner, didn't have any additional information to add.

PUBLIC COMMENT:

Kay Fields, owner of 229 W. 1st Street, stated that she is in the process of turning this property into a restaurant, which will most likely obtain a liquor license. Fields wanted clarification on if selling liquor would be allowed within so many feet of the petitioner's property.

Greulich stated that the liquor license regulations comes directly from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Greulich urged Fields to reach out to ATF and find out the regulations.

Robling made a motion to approve CU-28-25 with the following amended conditions:

- 1. A Staff level Minor Site Plan and a Site Development Permit are required prior to any land disturbing activity.**
- 2. This approval is for the general site plan and petition as submitted and approved. Any future construction or work must meet all UDO requirements.**

Motion passes.

Meeting adjourned 2:47 P.M.