**RESOLUTION NO.**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RESOLUTION MAKING SEPARATE STATEMENT OF FINDINGS OF FACT**

**IN CONNECTION WITH ORDINANCE GRANTING SPECIAL USE PERMIT TO GEORGE FERO, D/B/A CYCLING BY GEORGE, LLC, FOR THE OPERATION OF A BICYCLE REPAIR / SERVICE BUSINESS, AND PEDICAB SERVICE, AT 2 HARMON DRIVE, LEBANON, ILLINOIS**

WHEREAS, the City of Lebanon, St. Clair County, Illinois (hereinafter “City”), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 *et seq*. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, Section 36-760 of the City Code of Ordinances, provides that the City Council “may approve or disapprove a special use permit by an ordinance,” but requires “in a separate statement accompanying any such ordinance, the Council shall state their finding of fact, and indicate their reasons for approving (with or without conditions) or denying the request for a special use permit;” and

WHEREAS, George Fero, d/b/a Cycling by George, LLC (“Owner”), has filed a Petition for a Special Use Permit to allow for the operation of a bicycle repair service business and pedicab service at 2 Harmon Drive, Lebanon, Illinois (*See* Petition for Special Use Permit attached hereto as **Exhibit A**); and

 WHEREAS, **Exhibit A**, as well as oral discussion, were all considered as part of the Petition for a Special Use Permit by the City Planning Commission; and

 WHEREAS, the City Planning Commission recommended approval of this special use pursuant to discussion and **Exhibit A**.

 **NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LEBANON:**

 *Section 1.* The City Council makes the following findings of fact concerning the *procedures* followed to present the Petition for a Special Use Permit (*see* **Exhibit A**) for approval:

1. The Administrator to whom the Petition for a Special Use Permit was submitted referred the matter to the City Planning Commission.
2. The Planning Commission met in regular session, via properly noticed public meeting, to consider and act upon the Petition for a Special Use Permit.
3. Public notice of the hearing to be held by the City Planning Commission was published pursuant to Illinois state law, and the applicant was notified of the hearing to be held at the meeting by mail, with postage thereon fully prepaid.
4. At the hearing, the Planning Commission took and heard evidence, and prepared and submitted its advisory report to the City Council recommending approval of the Petition for a Special Use Permit.
5. The City Council finds the steps recited above, in compliance with the *Code of Ordinances, City of Lebanon*, to be facts, and further finds and determines that the matters and proceedings to date are in accordance with the *Code of Ordinances, City of Lebanon*.

 *Section 2.* The City Council makes the following findings of fact concerning the *merits* of the Petition for a Special Use Permit (*see* **Exhibit A**):

1. The proposed Special Use will adequately protect the public health, safety, welfare and the physical environment of the surrounding area and the City.
2. The proposed Special Use is not consistent with the City’s Comprehensive Plan, but similar businesses uses are in close proximity to this Special Use.
3. The proposed Special Use would not have an adverse effect on public utilities or traffic circulation on nearby streets.
4. There are no facilities near the proposed Special Use that require the need for special protection.
5. The location – where the Special Use will be made pursuant to the Special Use Permit – is zoned residential.
6. The granting of this Special Use Permit would be in the best interest of the City, and, so, the Special Use Permit should be granted by ordinance.

 *Section 3.* This resolution shall constitute the separate statement of findings of fact, supporting the granting of the Special Use Permit, required by Section 36-760 of the *Code of Ordinances, City of Lebanon*, and shall be permanently attached to the ordinance adopted granting the Special Use Permit.

 *Section 4.* This Resolution shall be known as Resolution No. \_\_\_\_\_\_\_\_\_\_\_\_\_ and shall be effective upon its passage and approval in accordance with law.

Passed by the City Council of the City of Lebanon, Illinois, approved by the Mayor, and deposited and filed in the Office of the City Clerk, on the \_\_ day of \_\_\_\_\_ 2023 the vote being taken by ayes and noes, and entered upon the legislative records, as follows:

AYES:

NOES:

 APPROVED:

 Cheri Wright

 Mayor

 City of Lebanon

 St. Clair County, Illinois

ATTEST:

Luanne Holper

City Clerk

City of Lebanon

St. Clair County, Illinois