



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** Mayor Diane Wolfe Marlin and City Council Members

**FROM:** Lorrie Pearson, AICP, Community Development Services Director  
Marcus Ricci, AICP Planner II

**DATE:** November 5, 2020

**SUBJECT:** **An Ordinance Approving a Major Variance** (1111 West Kenyon Road / Plan Case ZBA-2020-MAJ-06)

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### Introduction

On behalf of VitalSkin Physician Management, LLC, (VitalSkin) David Line requests a Major Variance to reduce the minimum front yard from 15 feet to 1 foot, to allow additional parking in front of the building at 1111 West Kenyon Road (Kenyon Road) in the B-3, General Business District. Section VI-5. and Table VI-3. of the Urbana Zoning Ordinance require a minimum 15-foot front yard in the B-3 district.

At its October 21, 2020, meeting, the Zoning Board of Appeals voted to forward the case to City Council with a recommendation to **APPROVE** the request as submitted (five ayes, one nay). Staff found that four of the six variance criteria weigh for the request, and two criteria weigh against the request. Because the special circumstances of the parcel are not great enough to require the variance, and because there are alternatives to the proposed parking configuration that would eliminate the need for the, staff recommended the Board **DENY** the request and recommends that City Council **DENY** the request.

### Background

The applicant is renovating the 40,000-square-foot building in three phases: Phase 1 is exterior renovations; Phase 2 is renovating approximately 17,500 square feet of office space; and Phase 3 is renovating approximately 6,000 square feet into dermatology clinic space (Exhibit E). On September 24, 2020, the Urbana Plan Commission heard Plan Case 2404-SU-20, a request by the applicant to allow the operation of a dermatology clinic at this property. The commission forwarded the request to City Council with a recommendation to approve the request: allocating approximately 6,000 square feet to clinic space, in conformance with the submitted site plans.

### Site Description, Land Use and Zoning

The 9.46-acre parcel is owned by the applicant and lies on the south side of Kenyon Road between North Lincoln Avenue and Federal Drive (Exhibit A). The north half of the parcel contains the existing building and parking; the south half of the property is undeveloped woodland. There is mature landscaping between the north face of the building and the north parking lot and drive aisle, including mature trees along the northern property line and along the two access drives (Exhibit F). The right-of-way from the centerline of Kenyon Road to the north property line belongs to the Illinois Department of Transportation (IDOT) and is 110 feet wide at this site and eastward. Other nearby uses include Campus Ink and Peoria Motor Coach (west), Holiday Inn Express and Garden Hotel Urbana (east), and One Illinois North Apartments (south). Table 1. below summarizes the current zoning, existing land uses, and 2005 Comprehensive Plan future land use designations

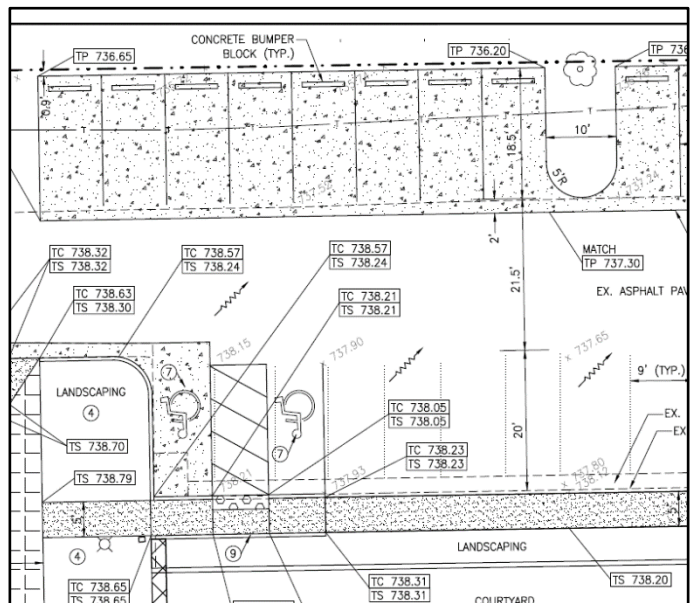
of the site and surrounding land (Exhibits B and C).

**Table 1. Zoning, Existing Land Use, Future Land Use Designation**

	Zoning	Existing Land Use	Future Land Use
<b>Site</b>	B-3, General Business	Professional Office, Printing & Copy Service	Light Industrial
<b>North</b>	None	Interstate Highway	Undesignated
<b>East</b>	B-3, General Business	Hotel	Regional Business
<b>South</b>	R-4, Medium Density Multiple Family Residential	Multifamily Residential (apartments)	Multifamily
<b>West</b>	IN-1, Light Industrial	Agriculture, Printing & Copy Service	Industrial

**Proposed Parking**

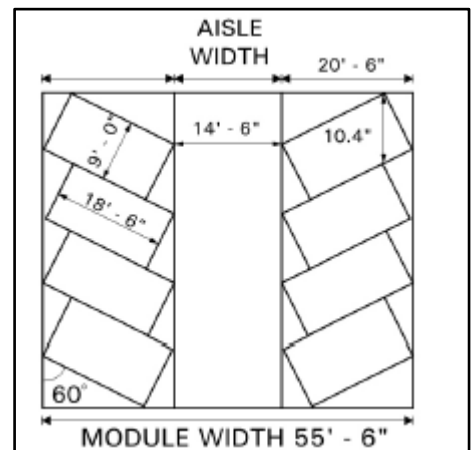
The applicant wants to provide additional parking that is convenient to the patients at the new dermatology clinic. They propose to construct an additional 14 parking spaces in front of the building: 2 more in the existing parking row, and a new row of 12 parking spaces oriented at 90-degrees along the northern property line (Figure 1.). There are approximately 61 feet between the south side of the parking lot and the northern property line (Exhibit D, Civil Sheet). The current row of 13 parking spaces (11 standard, 2 accessible) is 20 feet deep, leaving 41 feet of space between the parking spaces and the property line. The proposed configuration includes a 21.5-foot-wide aisle and an 18.5-foot-deep row of parking, leaving one foot of space between the edge of the parking area and the property line. The parking would avoid the mature trees along the northern property line.



**Figure 1. Proposed parking configuration (excerpt).**

The applicant states that the available space between the access drive and the north property line does not allow them to construct additional parking without a variance, nor is there enough room to install the additional parking with a landscape buffer that would allow them to encroach up to 10 feet into the required 15-foot front yard without a variance.

As the applicant states, parking is permitted to encroach up to 10 feet into the required front yard in the B-3 district if a landscape buffer is installed.<sup>1</sup> Although the proposed parking configuration may be the most straightforward, staff does not find that it represents the minimum deviation from the Zoning Ordinance. There are alternative parking configurations where the option to install a landscape buffer and allow parking up to 10 feet into the required yard would eliminate the need for a variance, or at the very least would reduce the encroachment into the yard. This fact, coupled with the fact there are already 105 parking spaces on a site where only 91 parking spaces are required by the Zoning Ordinance, led staff to recommend alternatives to the proposed configuration. Staff discussed several alternatives internally, and shared the three most feasible options with the applicant:



**Figure 2. Narrowed access drive.**

<sup>1</sup> VIII-4.F.6. allows parking to encroach ten feet into the required yard if the landscape buffer yard requirements set forth in Section VI-6.A.2.b.3-8 are met.

Narrowing access drive: If both rows of parking were angled rather than 90-degree, the two-way access drive could be converted to a one-way access drive, allowing it to be narrowed to 14'-6". Figure 2. shows a 60-degree parking module with a 55.5-foot width with two rows of angled parking (Figure VIII-1 of the Zoning Ordinance). This would leave 5.5 feet between the parking and the property line, or a 9.5-foot encroachment into the required front yard. A landscape buffer that would allow this encroachment could then be installed in the remaining 5.5 feet.<sup>2</sup>

This option appears to provide adequate space for two rows of angled parking, a one-way access drive, and a landscape buffer. No variance would be required in this case.

Parallel parking: A row of parallel parking spaces is only 8.5-feet wide. Parallel parking could be installed on the north side of the access drive, which would leave 11 feet between the edge of parking and the property line (Figure 3.). This is more than enough space to install a landscape buffer, which would allow the parking without requiring a variance.

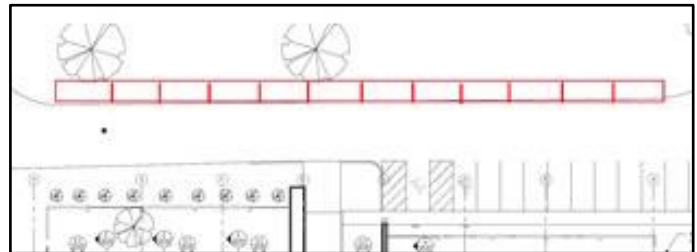


Figure 3. Parallel parking.

Either of the two options above could provide the additional parking the applicant desires without requiring a variance. Finally, it is worth noting that the site currently has 105 parking spaces, which is 15% more spaces than are required by the Zoning Ordinance. The additional 14 spaces on the north side of the building may be desirable, but they are not required.

Expanding parking to the west: A third option would be to remove the mature landscaping along the west side of the north building face and construct the additional parking there (Figure 3.). Neither the applicant nor staff are in favor of this option. No variance would be required in this case.

## Discussion

### Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings based on variance criteria. Staff consulted with Urbana's Legal Division, who confirmed that the Zoning Ordinance requires only that Council consider how the request addresses each of the criteria. The request is not required to meet a minimum number of criteria, nor must it meet any specific criteria. The following is a review of the variance criteria as they pertain to this case:

1. *The proposed variance will not serve as a special privilege because the variance requested is necessary due to special circumstances relating to the land or structure involved or to be used for occupancy thereof, which is not generally applicable to other lands or structures in the same district.*

The applicant states that the special circumstances in this case are that there is not enough space in front of the building to accommodate both additional parking and the necessary landscape buffer. Although there is sufficient parking on-site, the applicant states that it must be "patient-friendly" and convenient for clinic patients to access, which is not the case for the parking located south of the building, over 300 feet away, with no sidewalk connecting it to the future clinic entrance. Nearby businesses are not as "public-oriented" as the future clinic and do not require this convenient parking.

<sup>2</sup> Section VI-6.B.1.b. requires three feet of space to install landscape screening for off-street parking.

Staff has suggested two alternative parking options that would satisfy the desire to add parking and would not require a variance. There is sufficient space for the desired amount of parking and a landscape buffer, so the applicant's claim that there is not enough room is not a sufficiently special circumstance (see Discussion section).

Something that could be considered a special circumstance is that the right-of-way at this location is exceptionally wide, extending 110 feet from the centerline of Kenyon Road: further west, the right-of-way extends only 50 feet from the centerline. If the right-of-way at the applicant's site was the same as the parcels to the west, or were a more standard width, a variance would not be necessary.<sup>3</sup> *However, since there is still sufficient space to add parking and a landscape buffer despite the exceptionally wide right-of-way, this factor should weigh against the request.*

2. *The variance request is not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The front (north) entrance of the building was designed to access the former office space, while the back (south) entrance was used to access the warehouse space. The applicant would like the future clinic to be easily identifiable and accessible from Kenyon Road, and plan to use the north entrance as the clinic entrance. Staff concur that the north entrance and its parking area are the most logical for the dermatology clinic. The 6,000 square feet for the clinic recently approved with a special use permit has not been designed yet, so the patient load cannot be determined. Table VIII-7 requires 1 parking space for each 250 square feet of clinic space, which means that 24 parking spaces are required for the clinic, or 11 more spaces than the north parking area currently has. *This factor should weigh in favor of the request.*

3. *The variance will not alter the essential character of the neighborhood.*

The current view from Kenyon Road of the neighborhood includes the north end of metal prefabricated buildings (Campus Ink and Peoria Motor Coach) and the rear of the Holiday Inn Express. The only main entrance visible from the road is VitalSkin's building, which is set back over 100 feet from the street, across a grassy lawn with several mature trees. Adding a row of parking to the parking lot should not significantly alter the view of the building, and should not alter the essential character of the neighborhood. The applicant's north parking lot is further back from the centerline of Kenyon Road than nearby properties' parking lots, and expanding it northward 30 feet would still leave it further back than the others' parking lots (Exhibit D – Application: Neighborhood Plan). *This factor should weigh in favor of the request.*

4. *The variance will not cause a nuisance to the adjacent property.*

Adding parking in the proposed location should not increase traffic or noise, and should not cause a nuisance to the adjacent property. Given the large setback from Kenyon Road, the additional parking should be barely noticeable. The proposed variance should not cause a nuisance to adjacent properties. *This factor should weigh in favor of the request.*

5. *The variance generally represents the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request.*

The applicant states that the clinic parking must be adjacent to the clinic entrance – the north entrance – as other locations would be inconvenient for patients. They also contend that the available space

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<sup>3</sup> The right-of-way standard for a local collector is 66-foot wide, or 33-foot-wide on either side of the street centerline. Table A., *Urbana Subdivision and Land Development Code*, Ordinance No. 8889-33, 1988.

would not accommodate both additional parking and the landscape buffer that would be required to allow parking to encroach into the required yard. Finally, they state that the existing green space and landscaping would negate the benefits that a landscape buffer would provide. Staff has determined that other parking configurations could provide additional parking, and that there is sufficient space for both parking and the landscape buffer, eliminating the need for the requested variance. *This factor should weigh against the request.*

6. *The variance requested is the result of practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Ordinance relating to the use, construction, or alteration of buildings or structures or the use of land.*

The practical difficulty in carrying out the Zoning Ordinance is the exceptional width of the right-of-way at this location and the location of the existing building. Both of these factors mean that there is only 61 feet of space on the north side of the building to install parking, and 61 feet is not enough space to meet the applicant's desire to include two rows of 90-degree parking and a two-way access drive without encroaching into the front yard. While staff has shown that other parking configurations may be possible without requiring a variance, the variance request is the result of the aforementioned practical difficulties. *This factor should weigh in favor of the request.*

## **Zoning Board of Appeals**

At its October 21, 2020, meeting, the Board voted to forward the case to City Council with a recommendation to approve the request as submitted (five ayes, one nay), which differed from the staff recommendation to deny the request. Discussion focused on the right-of-way: ownership; communication with IDOT regarding purchase; and maintenance. Bob Kapolnek (VitalSkin) explained why VitalSkin staff selected the proposed configuration over the alternatives suggested by City staff: that the proposed lot would be reserved for patients; that parallel parking is more difficult; and that the angled parking configuration requires a one-way access pattern that may confuse visitors. Board members had questions regarding the parking lot construction, which were answered by Mr. Line.

The Board voted to recommend approval of the request as submitted because the exceptionally wide right-of-way – 110 feet at this property – with its well-maintained lawn and landscaping would provide sufficient buffer between the expanded parking lot and the roadway, and fulfill the same purpose as the landscape buffer required by the ordinance to allow parking to encroach into the required front yard.

## **Summary of Findings**

1. David Line, on behalf of VitalSkin Physician Management, LLC, requests a Major Variance to reduce the minimum front yard requirement from 15 feet to 1 foot, as required by Section VI-5. and Table VI-3., to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District.
2. The special circumstance of the site is that space available between the exceptionally wide right-of-way and the front of the building does not leave sufficient room for the desired parking configuration.
3. The proposed variance should grant relief from a situation not created by the petitioner, and would allow them to create a desirable parking configuration for the medical clinic near the logical building entrance for clinic patients.
4. The proposed variance should not alter the essential character of the neighborhood nor cause a nuisance to adjacent properties, as it would not bring parking significantly closer to the main road or alter the current view from the road, and should not increase traffic or noise.

5. The proposed variance is not the minimum deviation from the requirements of the Zoning Ordinance, as there are other parking configuration alternatives that would not require the proposed variance.

## Options

The Urbana City Council has the following options:

1. Approve the Ordinance; or
2. Approve the Ordinance with certain terms and conditions; or
3. Deny the Ordinance.

## Recommendation

At its October 21, 2020, meeting, the Zoning Board of Appeals voted – with five ayes, one nay – to forward ZBA Case ZBA-2020-MAJ-06 to the Urbana City Council with a recommendation to **APPROVE** the major variance request as submitted, with the following condition:

- Construction must be in general conformance with the attached site plan, entitled “1111 W. Kenyon Road,” dated August 25, 2020 (Exhibit D, Sheets C1-C2)

Because there are alternative parking lot configurations that would not require a variance, staff still recommend that City Council **DENY** the request as submitted.

Attachments:           Exhibit A: Location Map  
                              Exhibit B: Zoning Map  
                              Exhibit C: Future Land Use Map  
                              Exhibit D: Major Variance Application  
                              Exhibit E: Exterior Renovation Plans  
                              Exhibit F: Site Photos

**ORDINANCE NO. 2020-11-061**

**AN ORDINANCE APPROVING A MAJOR VARIANCE**

**(1111 W. Kenyon Rd. / Case ZBA-2020-MAJ-06 – VitalSkin Dermatology)**

**WHEREAS**, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

**WHEREAS**, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for a major variance where there is a special circumstance or condition with a parcel of land or a structure; and

**WHEREAS**, VitalSkin Physician Management, LLC, has petitioned the City for a major variance to reduce the minimum front yard from 15 feet to 1 foot to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District; and

**WHEREAS**, the Zoning Board of Appeals held a public hearing on such petition at 7:00 p.m. on October 21, 2020, in ZBA Case No. 2020-MAJ-06; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Zoning Board of Appeals voted five (5) ayes and one (1) nay to forward the case to the Urbana City Council with a recommendation to approve the requested variance with one condition; and

**WHEREAS**, the City Council finds that the requested variance conforms with the major variance procedures in Article XI, Section XI-3(C)(2)(d), of the Urbana Zoning Ordinance; and

**WHEREAS**, the City Council has considered the variance criteria established in the Urbana Zoning Ordinance and has made the following findings of fact:

1. The property is zoned B-3, General Business, Zoning District.
2. VitalSkin Physician Management, LLC, requests a major variance to reduce the minimum front yard requirement from 15 feet to 1 foot to allow additional parking in front of the building at 1111 West Kenyon Road, in the B-3, General Business, Zoning District.
3. The special circumstance of the site is that space available between the exceptionally wide right-of-way and the front of the building does not leave sufficient room for the desired parking configuration.
4. The proposed variance should grant relief from a situation not created by the petitioner, and would allow them to create a desirable parking configuration for the medical clinic near the logical building entrance for clinic patients.
5. The proposed variance should not alter the essential character of the neighborhood nor cause a nuisance to adjacent properties, as it would not bring parking significantly closer to the main road or alter the current view from the road, and should not increase traffic or noise.
6. The proposed variance does not represent the minimum deviation from the requirements of the Zoning Ordinance, as there are other parking configuration alternatives that would not require the proposed variance.



**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Urbana, Illinois, as follows:

**Section 1.**

In ZBA Case No. 2020-MAJ-06, the major variance requested by VitalSkin Physician Management, LLC, to reduce the minimum front yard requirement from 15 feet to 1 foot to allow parking in front of the building is hereby approved in the manner proposed in the application with the following condition: Construction must be in general conformance with the attached site plan, entitled “Site Plan - 1111 West Kenyon Road,” dated August 25, 2020 (Attachment 1).

Legal Description:

A Part of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian, in Champaign County, Illinois, described as follows:

Commencing at the intersection of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian and the South right-of-way line of F.A.I. 74, thence North 89 degrees 31 minutes 18 seconds East 30.00 feet to the True Point of Beginning; thence North 89 degrees 31 minutes 18 seconds East along the South right-of-way line of F.A.I. 74, 472.15 feet more or less to the Northwest corner of a tract of land owned by the Marathon Oil Company as recorded in the Office of the Recorder of Deeds of Champaign County in Book 758 at Page 382, Document No. 712606; thence South 0 degrees East along the West line of said tract, 876.80 feet to the Southwest Corner of the tract of land owned by the Marathon Oil Company; thence North 90 degrees West, 469.69 feet more or less to a point 30 feet East of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East; thence North 0 degrees 08 minutes 39 seconds West parallel to said West line of the East Half of the Southeast Quarter of Section 6, 872.68 feet to the place of beginning. Situated in Champaign County, Illinois.

P.I.N.: 91-21-06-426-001      Address: 1111 West Kenyon Road, Urbana, Illinois

**Section 2.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code. Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**PASSED BY THE CITY COUNCIL** this date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

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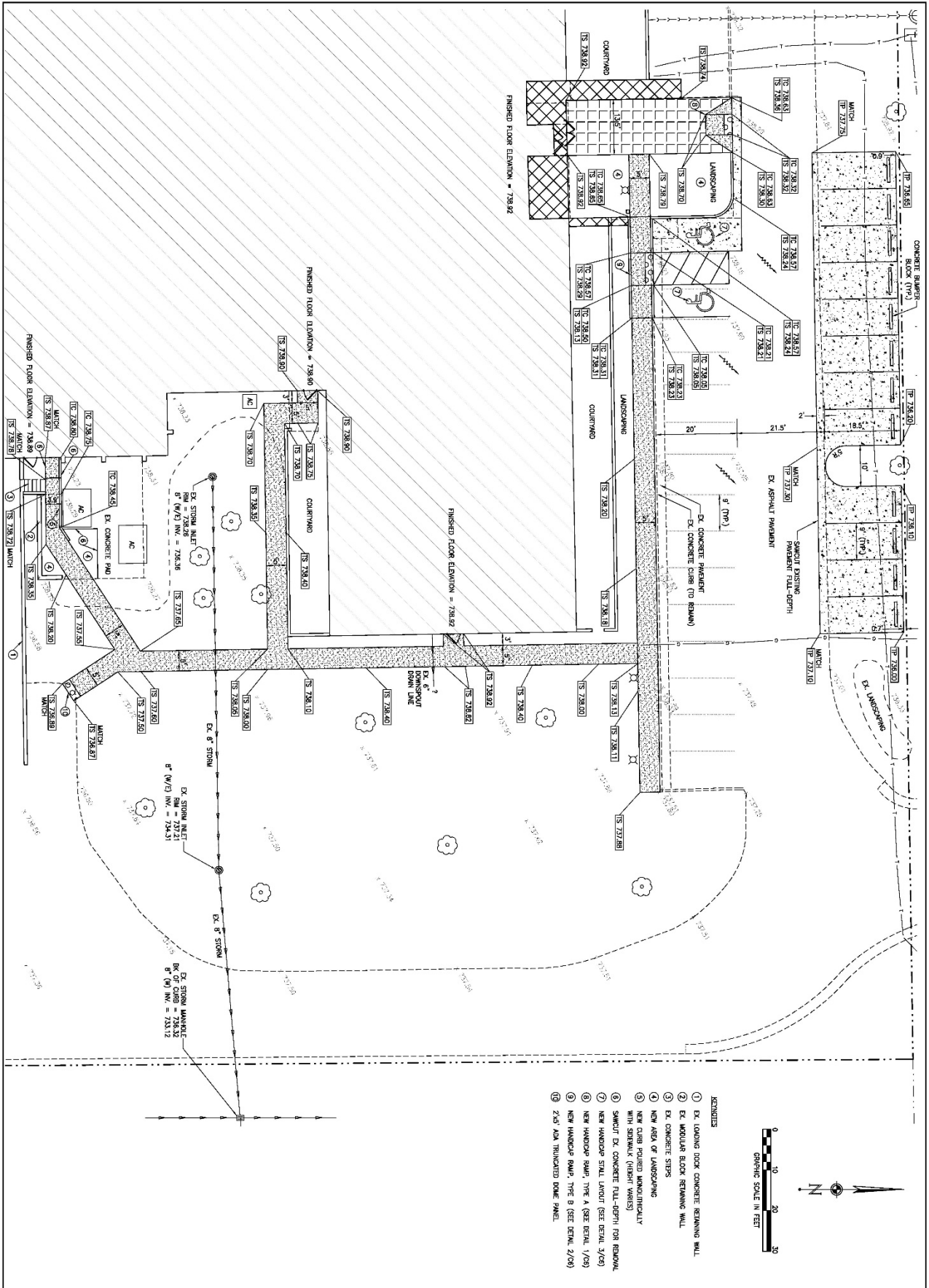
Phyllis D. Clark, City Clerk

**APPROVED BY THE MAYOR** this date day of Month, Year.

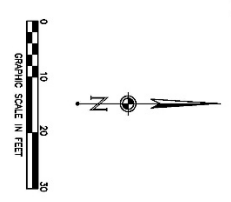
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Diane Wolfe Marlin, Mayor

# Attachment 1: Site Plan - 1111 West Kenyon Road

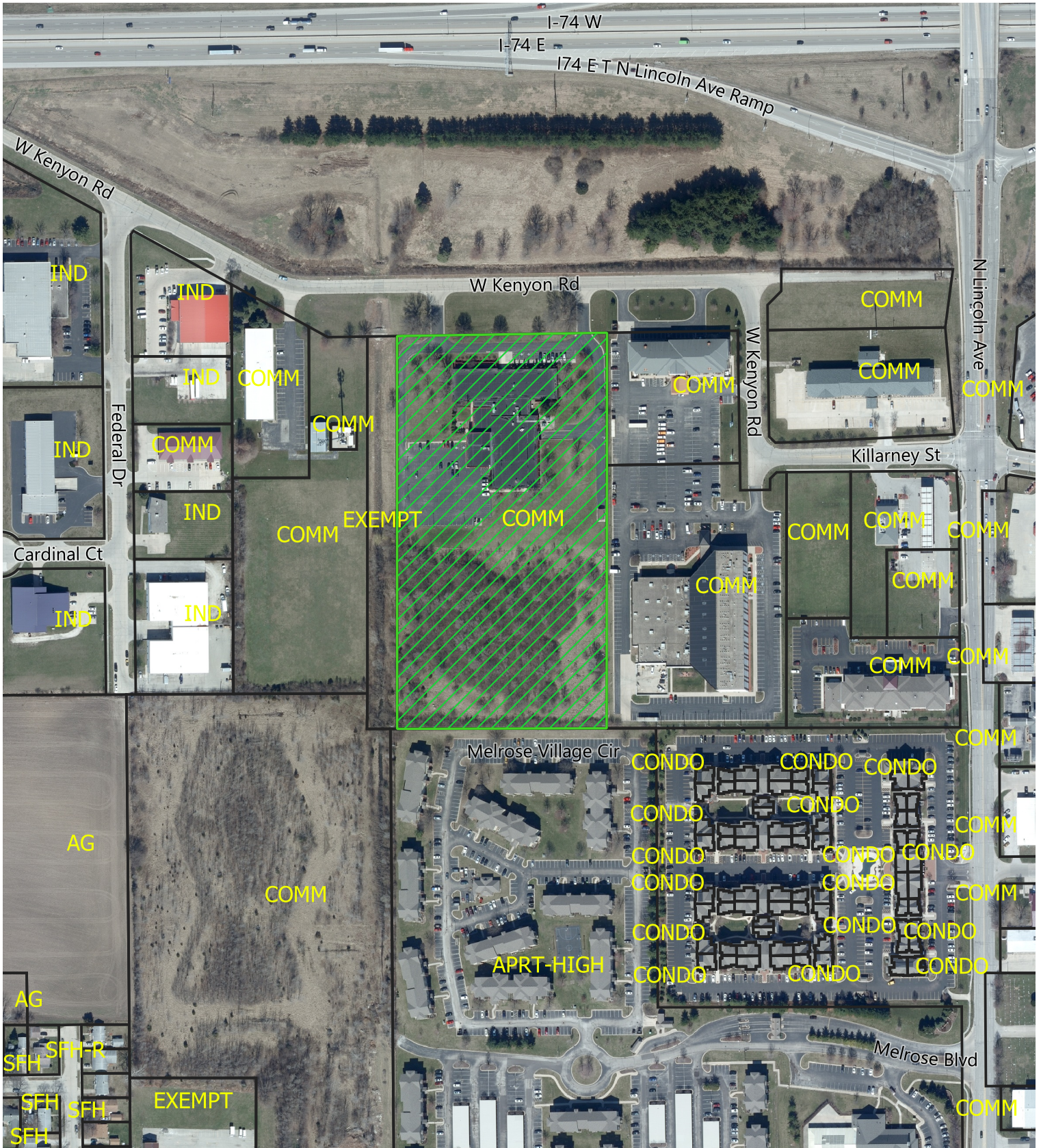


- KEYNOTES**
- 1 EX. LOADING DOCK CONCRETE REMAINING WALL
  - 2 EX. MODULAR BLOCK REMAINING WALL
  - 3 EX. CONCRETE STEPS
  - 4 NEW AREA OF LANDSCAPING
  - 5 NEW CURB FINISHED UNOCCUPANCIALLY WITH SERRAVALLO CHEST WARSIS
  - 6 SAWCUT EX. CONCRETE FULL-DEPTH FOR REMOVAL
  - 7 NEW HANDCAP STAIR LAYOUT (SEE DETAIL 3/09)
  - 8 NEW HANDCAP RAMP, TYPE A (SEE DETAIL 1/09)
  - 9 NEW HANDCAP RAMP, TYPE B (SEE DETAIL 2/09)
  - 10 2x6 ADA TRUNCATED DOME PANEL



<p><b>NORTHEAST PLAN</b></p> <p>1111 W. KENYON ROAD URBANA, ILLINOIS</p>	<p><b>B K B</b> E R I N G S</p> <p>301 N. NEL STREET, SUITE 400   CHAMPAIGN, IL 61820 CELL 217.640.3546   OFFICE 217.531.2871   FAX 217.531.2211</p>	<p><b>REVISIONS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 10%;">DATE</th> <th style="width: 85%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION										<p>PROJECT: 138-2001 DESIGN BY: BK8 DRAWN BY: BK8 DATE: 8/25/20 SHEET: C2</p>
NO.	DATE	DESCRIPTION													

# Exhibit A - Location & Land Use



Case: ZBA-2020-MAJ-06  
 Subject: Front Yard Major Variance  
 Location: 1111 West Kenyon Road  
 Owner: VitalSkin Physician Management, LLC

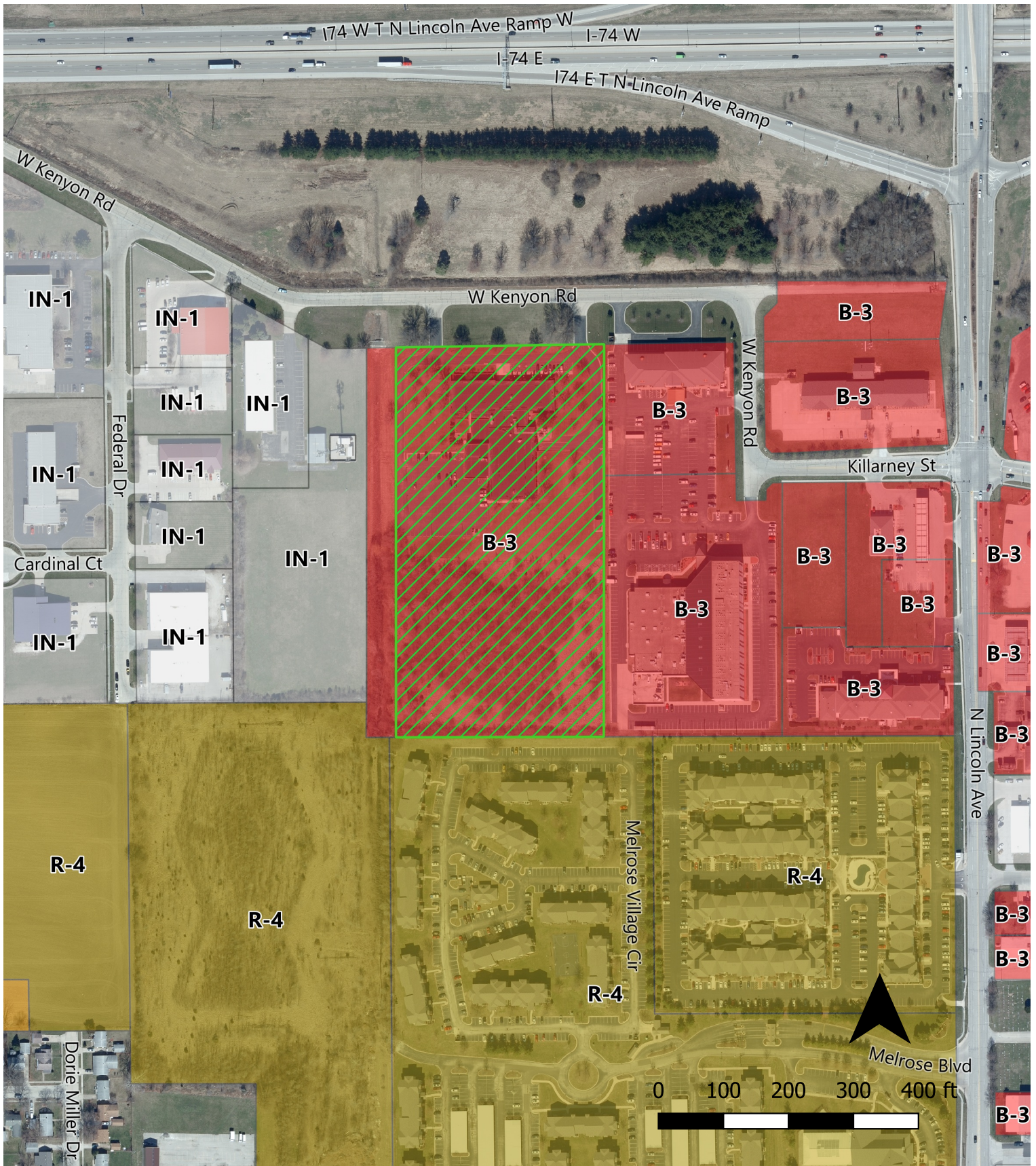
## Legend

 Subject property

0 100 200 300 400 ft



# Exhibit B - Current Zoning

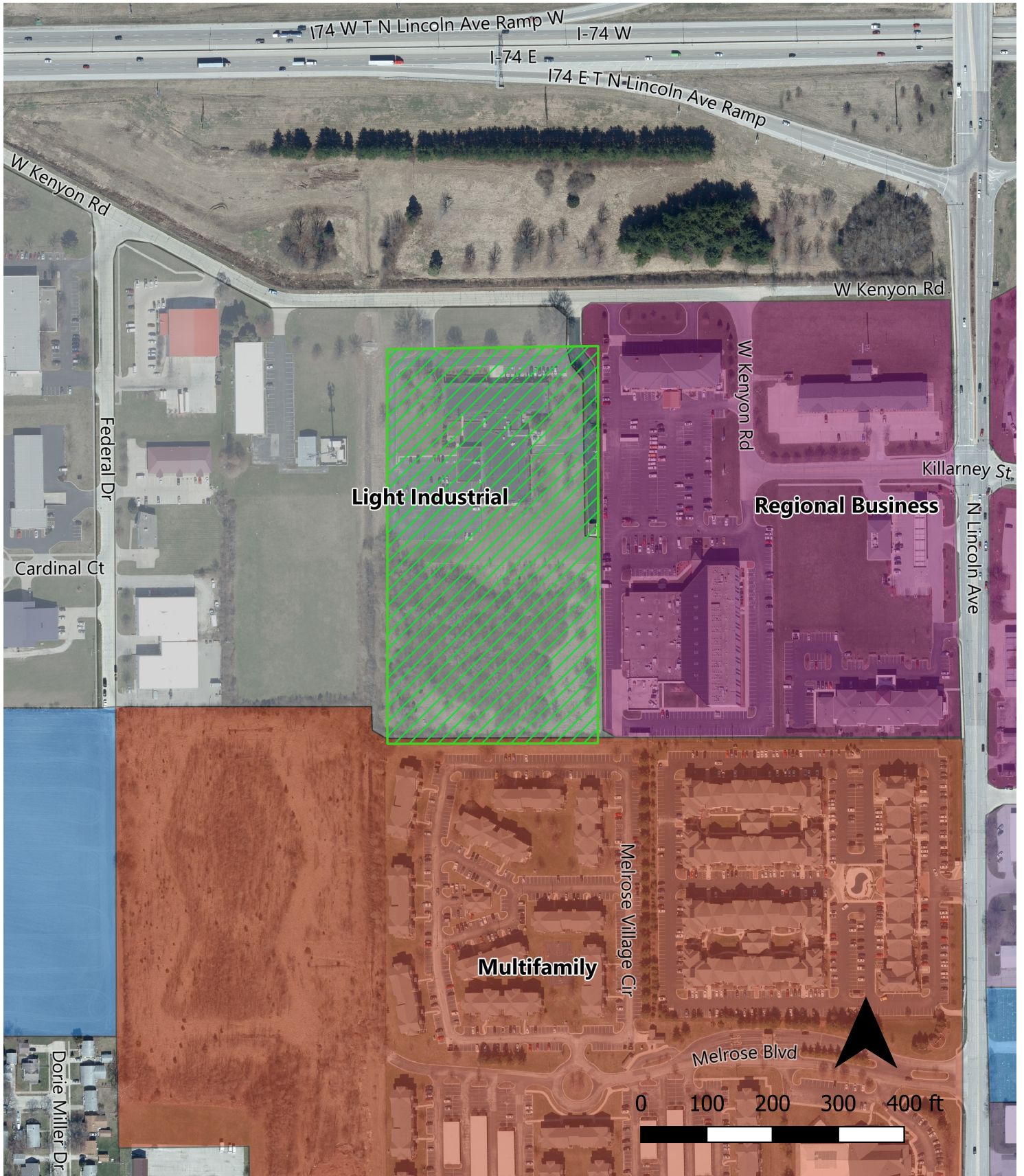


Case: ZBA-2020-MAJ-06  
 Subject: Front Yard Major Variance  
 Location: 1111 West Kenyon Road  
 Owner: VitalSkin Physician Management, LLC

## Legend

- Subject property
- IN-1
- R-3
- B-3
- R-4

# Exhibit C - Future Land Use



Case: ZBA-2020-MAJ-06  
Subject: Front Yard Major Variance  
Location: 1111 West Kenyon Road  
Owner: VitalSkin Physician Management, LLC

## Legend

 Subject property

# Exhibit D - Major Variance Application



## Application for Variance

## ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

### DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 09-18-2020 ZBA Case No. ZBA-2020-MAJ-06  
Fee Paid - Check No. 25943 Amount \$200.00 Date 09-22-2020

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following variation (*Describe the extent of the Variation Requested*)

Construction of parking spaces within the setback on the north property line that does not allow for the required buffer yard or landscape buffer. on the property described below, and in conformity with the plans described on this variance request.

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **VitalSkin Physician Management, LLC** Phone: **217-840-6934**  
Address (*street/city/state/zip code*): **1111 West Kenyon Road, Urbana, Illinois**  
Email Address: **david.line@vitalskinderm.com**  
Property interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **Owner**

#### 2. OWNER INFORMATION

Name of Owner(s): **VitalSkin Physician Management, LLC** Phone: **217-840-6934**  
Address (*street/city/state/zip code*): **1111 West Kenyon Road, Urbana, Illinois**  
Email Address: **david.line@vitalskinderm.com**

Is this property owned by a Land Trust?  Yes  No  
*If yes, please attach a list of all individuals holding an interest in said Trust.*

#### 3. PROPERTY INFORMATION

Location of Subject Site: **1111 West Kenyon Road**  
PIN # of Location: **91-21-06-426-001**  
Lot Size: **412, 277 SF**

# Exhibit D - Major Variance Application

Current Zoning Designation: **B-3**

Current Land Use (*vacant, residence, grocery, factory, etc.*): **Office/warehouse Building**

Proposed Land Use: **Office Building**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

**See attached**

## 4. CONSULTANT INFORMATION

**Name of Architect(s):** KAP Architecture, LLC (Bob Kapolnek, AIA) Phone: 217-351-6005

**Address (street/city/state/zip code):** 3019 Village Office Place, Champaign, IL 61822

**Email Address:** bob@kaparchitecture.com

**Name of Engineers(s):** BKB Engineering, Inc. (Bryan Bradshaw) Phone: 217-840-3546

**Address (street/city/state/zip code):** 301 N Neil Street, Suite 400, Champaign, IL 61820

**Email Address:** bbradshaw@bkbeng.com

**Name of Surveyor(s):** BKB Engineering, Inc. (Bryan Bradshaw) Phone: 217-840-3546

**Address (street/city/state/zip code):** 301 N Neil Street, Suite 400, Champaign, IL 61820

**Email Address:** bbradshaw@bkbeng.com

**Name of Professional Site Planner(s):** NA Phone:

**Address (street/city/state/zip code):**

**Email Address:**

**Name of Attorney(s):** Phone:

**Address (street/city/state/zip code):**

**Email Address:**

## 5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

Vital Skin Dermatology will be constructing a medical clinic within the existing building at this address. In order to provide the most convenient access for their patients, additional parking needs to be provided in close proximity to the main entrance on the north side of the building. Adequate space is available within the property lines for the parking, however, the new parking would extend into the north setback. Per VIII-4.F.6 in the Urbana Zoning Ordinance, parking is permitted to encroach ten feet into the required front yard if the buffer yard requirements set forth in VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met. We will not be able to meet this requirement as the parking space would end approximately 1' from the property line.



## Exhibit D - Major Variance Application

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

The position of the existing building (which will remain) and the existing row of parking and parking access aisle adjacent to the north face of the building cannot be changed. The clinic portion of the building must be "patient-friendly" with easily accessible parking near the main entrance due to the mobility of the patients. Although there is additional parking on site, it is too far-removed from the entrance to the clinic, presenting mobility and safety challenges for patient access the clinic. Other properties & businesses within this same district are more industrial in nature and not as "public oriented" as a medical clinic must be.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

The north side of the existing building is constructed as office space, whereas the south side was constructed as warehouse space. The clinic must be easily identifiable from the main road (Kenyon) and accessed from same. The building owner is dedicated to preserving the architectural integrity of the existing building, thereby keeping the footprint of the building, as well as the existing parking/access configuration in tact. The only location for additional patient parking is on the north side of the existing parking aisle.

Explain why the variance will not alter the essential character of the neighborhood.

The existing Vital Skin dermatology building is the only structure that has a main entrance facing Kenyon Road. The view you would see driving down Kenyon are the rear of the Holiday Inn Express (east) and the end wall of the metal buildings to the west. The Vital Skin building is the most developed and architecturally pleasing building along Kenyon. Existing landscaping would not be altered between Kenyon and the new row of parking. Even with the new parking installed, the green space between Kenyon and the parking will be deeper (north to south) than the adjacent property.

Explain why the variance will not cause a nuisance to adjacent property.

Adjacent properties on the east (Holiday Inn Express) and West (Multiple businesses) currently have parking that is closer to Kenyon Road than the parking we are proposing. There is generous green space on the north side of this building due to the depth of the right of way along Kenyon Road, as well as the green space between Kenyon and Interstate 74. The property also has existing established, mature trees within the greenspace that will not be removed for the parking. The adjacent properties do not. The potential for development of property across Kenyon is minimal therefore there would not be any detrimental effects to the property north of this site.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

It is our contention that the request to reduce the north parking setback is the minimum deviation possible to accommodate the requirement for clinic parking. The patient parking for the clinic must be located adjacent to the main entrance to the facility, which is on the north side of the building. If the parking were located on the east or west sides of the building it would present mobility and safety issues for the patients, and we would be required to remove existing mature trees to locate the parking in those areas. There is not sufficient space between the north edge of the proposed parking and the property line to install a landscape buffer, however the existing landscaping and generous green space negate the effects the landscape buffer would provide.

***NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.***

***By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.***

## Exhibit D - Major Variance Application

### CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

9/16/20

Date

### PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367

## **Exhibit D - Major Variance Application**

### **EXHIBIT A**

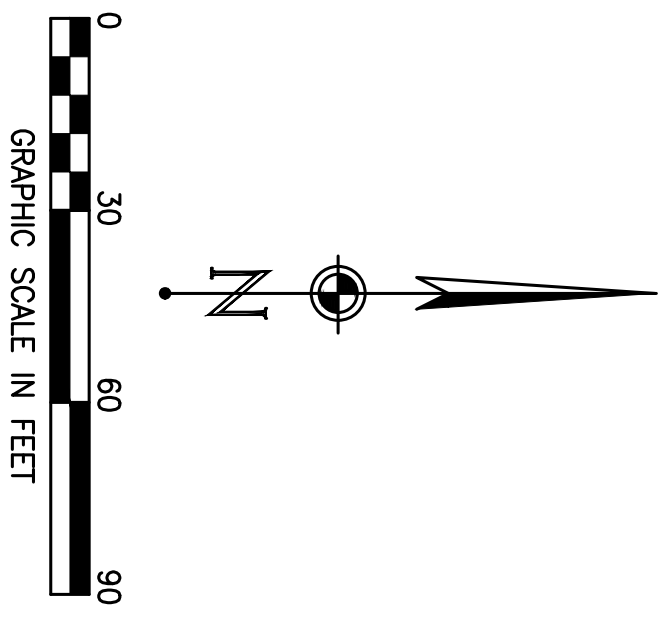
**A Part of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian, in Champaign County, Illinois, described as follows:**

**Commencing at the intersection of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East of Third Principal Meridian and the South right-of-way line of F.A.I. 74, thence North 89 degrees 31 minutes 18 seconds East 30.00 feet to the True Point of Beginning; thence North 89 degrees 31 minutes 18 seconds East along the South right-of-way line of F.A.I. 74, 472.15 feet more or less to the Northwest corner of a tract of land owned by the Marathon Oil Company as recorded in the Office of the Recorder of Deeds of Champaign County in Book 758 at Page 382, Document No. 712606; thence South 0 degrees East along the West line of said tract, 876.80 feet to the Southwest Corner of the tract of land owned by the Marathon Oil Company; thence North 90 degrees West, 469.69 feet more or less to a point 30 feet East of the West line of the East Half of the Southeast Quarter of Section 6, Township 19 North, Range 9 East; thence North 0 degrees 08 minutes 39 seconds West parallel to said West line of the East Half of the Southeast Quarter of Section 6, 872.68 feet to the place of beginning, situated in Champaign County, Illinois.**

# Exhibit D - Major Variance Application

INDEX OF CIVIL SHEETS

C1	OVERALL PLAN
C2	NORTHEAST PLAN
C3	WEST PLAN
C4	SOUTH PLAN
C5	SITE SPECIFICATIONS
C6-C7	PIPE DETAILS
C8	EROSION CONTROL DETAILS

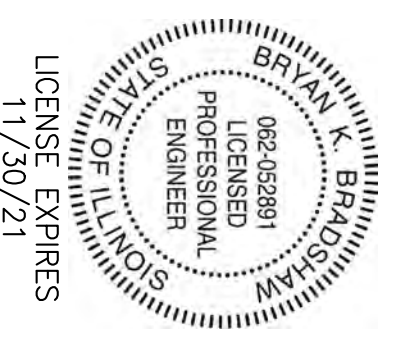


- LEGEND**
- [Pattern] P.C. CONCRETE SIDEWALK, 5" THICK W/ 1.5% CROSS SLOPE (TYP.) & 2% CROSS SLOPE (MAX.) & 5% LONGITUDINAL SLOPE (MAX.) - UNLESS NOTED)
  - [Pattern] P.C. CONCRETE SIDEWALK, 5" THICK (SEE ARCHITECTURAL PLANS FOR ADDITIONAL DETAILS) W/ 1.5% CROSS SLOPE (TYP.) & 2% CROSS SLOPE (MAX.) & 5% LONGITUDINAL SLOPE (MAX.) - UNLESS NOTED)
  - [Pattern] PATTERNED P.C. CONCRETE SIDEWALK, 5" THICK (SEE ARCHITECTURAL PLANS FOR ADDITIONAL DETAILS) W/ 1.5% CROSS SLOPE (TYP.) & 2% CROSS SLOPE (MAX.) & 5% LONGITUDINAL SLOPE (MAX.) - UNLESS NOTED)
  - [Pattern] EXISTING BUILDING
  - [Pattern] PROPOSED ADDITION (SEE ARCHITECTURAL PLANS)
  - [Dashed] BOUNDARY OF TRACT
  - [Dotted] PROPERTY LINE
  - [Dashed] EXISTING CENTERLINE
  - [Dashed] EXISTING OVERHEAD ELECTRIC
  - [Dashed] EXISTING UNDERGROUND ELECTRIC
  - [Dashed] EXISTING SANITARY SEWER
  - [Dashed] EXISTING STORM SEWER
  - [Dashed] EXISTING WATER MAIN / SERVICE
  - [Dashed] EXISTING UNDERGROUND TELE / COMMUNICATIONS / FIBER OPTIC
  - [Dashed] EXISTING GAS LINE
  - [Dashed] EXISTING FENCE
  - [Dashed] EXISTING CONTOUR LINE
  - [Dashed] EXISTING PAVEMENT, CURB, SIDEWALK
  - [Circle with dot] EXISTING TREE
  - [Circle with dot] IRON PIPE / PIN FOUND
  - [Circle with dot] EXISTING MANHOLE
  - [Circle with dot] EXISTING STORM MANHOLE
  - [Circle with dot] EXISTING LIGHT POLE
  - [Circle with dot] EXISTING POWER POLE
  - [Circle with dot] EXISTING TELEPHONE PEDestal
  - [Arrow] PROP. DIRECTION OF FLOW
  - [Line with arrow] PROP. TOP OF PAVEMENT ELEVATION
  - [Line with arrow] PROP. TOP OF SIDEWALK ELEVATION
  - [Line with arrow] PROP. TOP OF CURB ELEVATION
  - [Line with arrow] PROP. TOP OF GROUND ELEVATION
  - [Circle with arrow] INLET AND PIPE PROTECTION

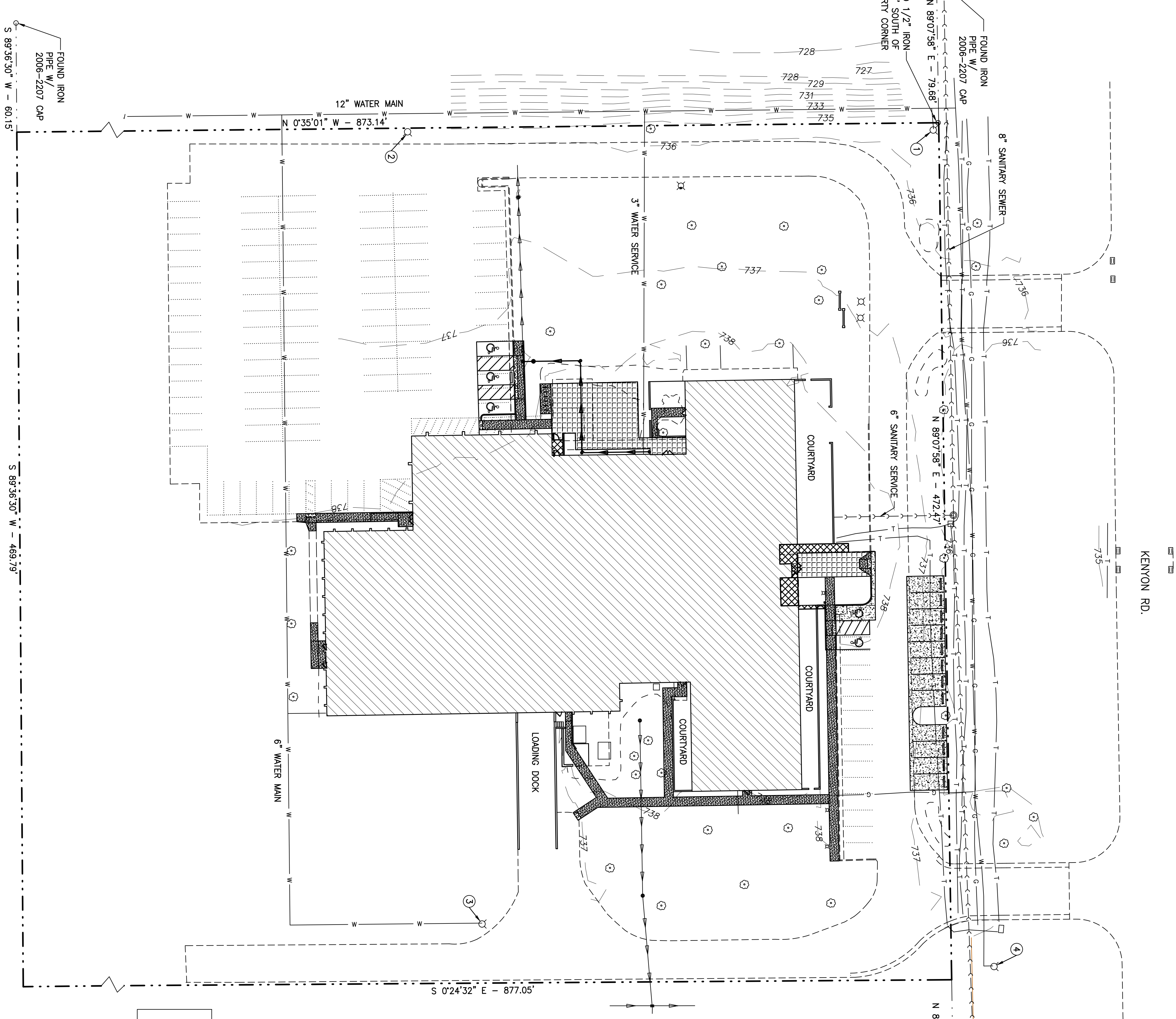
CIVIL PLANS PREPARED BY:

*[Signature]*

BRYAN K. BRADSHAW  
ILLINOIS PROFESSIONAL ENGINEER NO. 52891  
DATE: SEPTEMBER 10, 2020

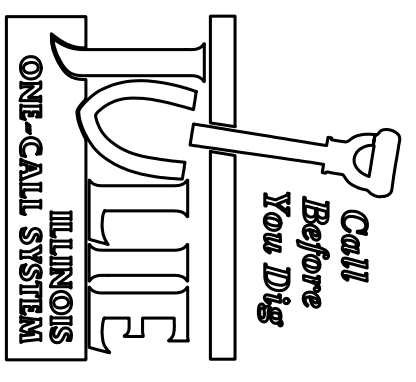


I, BRYAN K. BRADSHAW, BEING AN ILLINOIS PROFESSIONAL ENGINEER, REGISTRATION NUMBER 082-052891, DO HEREBY CERTIFY THAT THIS SITE DEVELOPMENT PLAN WAS PREPARED UNDER MY DIRECTION. IN ADDITION, I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DRAINAGE OR SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OR DEVELOPMENT OF THE PROPOSED USE, BUILDING OR STRUCTURE.



- KENNOTES**
- 1 BENCHMARK NO. 1: TOP CENTER BOLT ON FIRE HYDRANT. ELEV. = 737.33'
  - 2 BENCHMARK NO. 2: TOP CENTER BOLT ON FIRE HYDRANT. ELEV. = 736.90'
  - 3 BENCHMARK NO. 3: BOLT IN "WUELLER" ON FIRE HYDRANT. ELEV. = 739.96'
  - 4 BENCHMARK NO. 4: BOLT IN "WUELLER" ON FIRE HYDRANT. ELEV. = 739.20'

J. U. L. L. E.  
NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL: JUILLE, T. (800) 892-0123



REVISIONS		
NO.	DATE	DESCRIPTION

**B K B**  
ENGINEERING

301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820  
CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

OVERALL PLAN

1111 W. KENYON ROAD  
URBANA, ILLINOIS

PROJECT: 138-2001

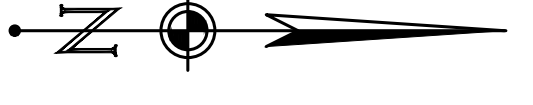
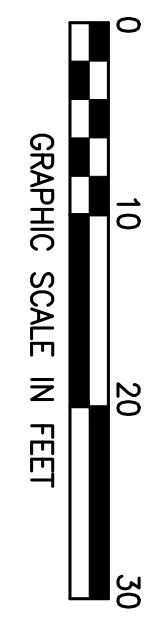
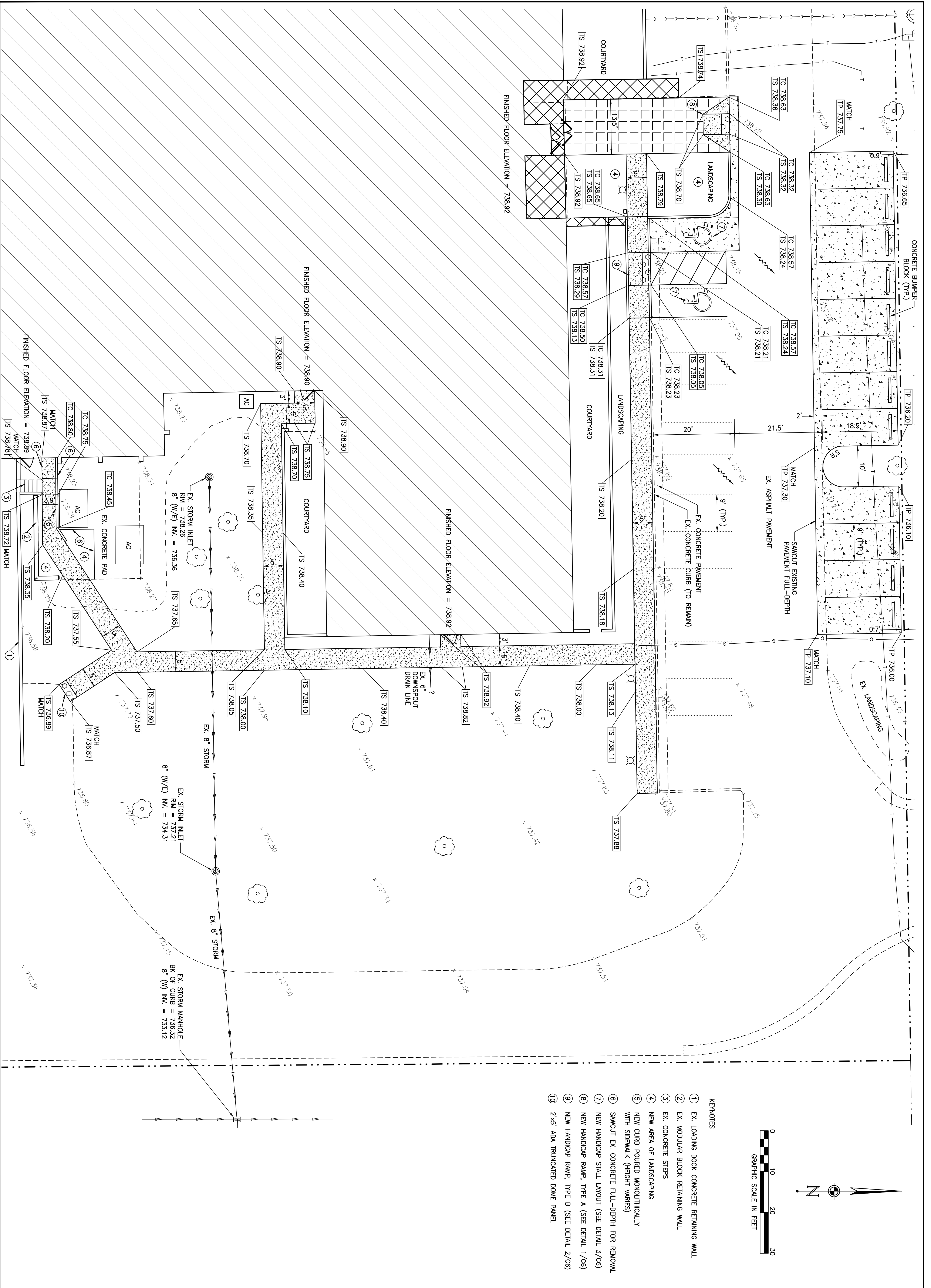
DESIGN BY: BKB

DRAWN BY: BKB

DATE: 8/25/20

SHEET: C1

# Exhibit D - Major Variance Application



- KEYNOTES**
- ① EX. LOADING DOCK CONCRETE RETAINING WALL
  - ② EX. MODULAR BLOCK RETAINING WALL
  - ③ EX. CONCRETE STEPS
  - ④ NEW AREA OF LANDSCAPING
  - ⑤ NEW CURB POURED MONOLITHICALLY WITH SIDEWALK (HEIGHT VARIES)
  - ⑥ SAWCUT EX. CONCRETE FULL-DEPTH FOR REMOVAL
  - ⑦ NEW HANDICAP STALL LAYOUT (SEE DETAIL 3/06)
  - ⑧ NEW HANDICAP RAMP, TYPE A (SEE DETAIL 1/06)
  - ⑨ NEW HANDICAP RAMP, TYPE B (SEE DETAIL 2/06)
  - ⑩ 2'x5' ADA TRUNCATED DOME PANEL

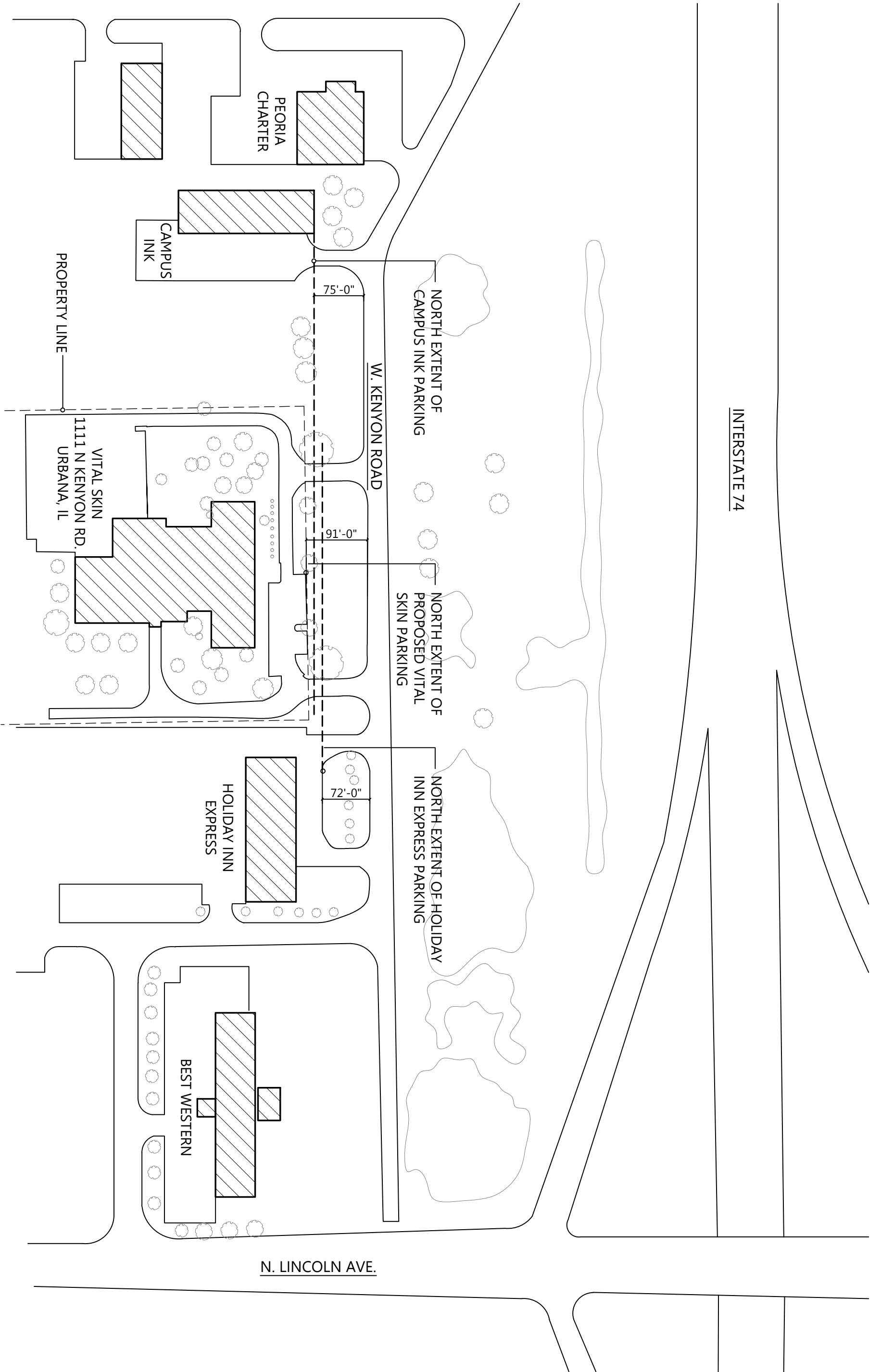
NORTHEAST PLAN  
 1111 W. KENYON ROAD  
 URBANA, ILLINOIS

**B K B**  
 ENGINEERING  
 301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820  
 CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

REVISIONS		
NO.	DATE	DESCRIPTION

PROJECT: 138-2001  
 DESIGN BY: BKB  
 DRAWN BY: BKB  
 DATE: 8/25/20  
 SHEET: C2

# Exhibit D - Major Variance Application



Neighborhood Plan

# VITAL SKIN DERMATOLOGY HUB BUILDING EXTERIOR RENOVATIONS & IMPROVEMENTS

## INDEX OF DRAWINGS

<b>General</b>	
G1.00	Cover Sheet and Code Study
<b>Architectural</b>	
A0.00	Site Demolition Plan
A1.00	Site Improvements
A1.01	Overall Floor Plan
A1.02	Roof Plan
A2.00	Exterior Elevation
A2.01	Exterior Elevation - New Entrance
A5.01	Roof Details
A5.02	Wall and Roof Details
A5.03	Wall Sections
A5.04	Facade Details
A5.05	Window Types
A5.06	Site Details
A5.07	Details
S1.00	Structural Work



### CODE INFORMATION:

Use Group: Commercial - 2-8 Occupancy (IBC 2015) (310.1)  
 General Description: 1 Story - Steel frame, Type 2B construction  
 Total Gross Square Feet = 40,172 SF

1. The maximum building height in feet shall not exceed the limits set forth in section 504.3 for the building having the smaller allowable height as measured from the grade plane.

Construction Type:	TYPE 2B (602.2) (TABLE 601) & TYPE VA (602.3) (TABLE 601) - Fully Sprinklered (NFPA 13)
Allowable Height:	TYPE 2B - 4 stories (7'5" EFT) (Fully Sprinklered NFPA 13) (TABLES 504.3 & 504.4)
Actual Height:	TYPE 2B: 1 Story, 22'-6" (CA)
Allowable Area:	TYPE 2B: 92,000 of (Table 506.2) (Section 506)
Actual Area:	TYPE 2B: 40,172 SF (CA)

Table 2B Construction Fire Resistance - Primary Structural Frame

Roof	1 HR
Exterior Wall	0 HR
Interior Wall	0 HR
Non-Exterior Window	2 HR
Interior Window	0 HR
Floor	0 HR
Roof Construction & Secondary Members	0 HR
Roof Construction & Secondary Members	0 HR

Egress: 9 egress doors are provided. Pathways leading to the doors will be upgraded to meet ADA requirements as a portion of the interior improvements package.  
 Corridor: 15 in. per occupant (Section 1005.3.2)  
 402 occupants/ 9 doors = 67" min. (60" provided)

Max. Travel to Exit: 250'  
 Per Section 506 of the 2018 Illinois Accessibility Code

506 Accessible Means of Egress  
 506.1 Accessible Means of Egress required. Accessible means of egress shall comply with this section. Accessible spaces shall be provided with not less than one accessible means of egress. Where more than one accessible portion of the space shall be served by not less than two accessible means of egress. No exceptions pertain to this project.

### 506.2 Community of Components. Each required accessible means of egress shall be continuous to a public way and shall consist of one or more of the following components:

1. Accessible route complying with chapter 4.
2. Horizontal route complying with the requirements of the applicable building code.
3. Vertical route complying with the requirements of the applicable building code.
4. Accessible route complying with the requirements of the applicable building code.
5. Exterior areas of assessed rescue complying with 506.7 and serving exits at the level of exit discharge.

ZONING: City of Urbana B-3 (Use - Professional/Business Office) (Warehouse/Storage)  
 MAX. FEE = 4.0  
 MIN. FRONT YARD SETBACK = 10'  
 MIN. REAR YARD SETBACK = 10'  
 Existing building complies with all above regulations

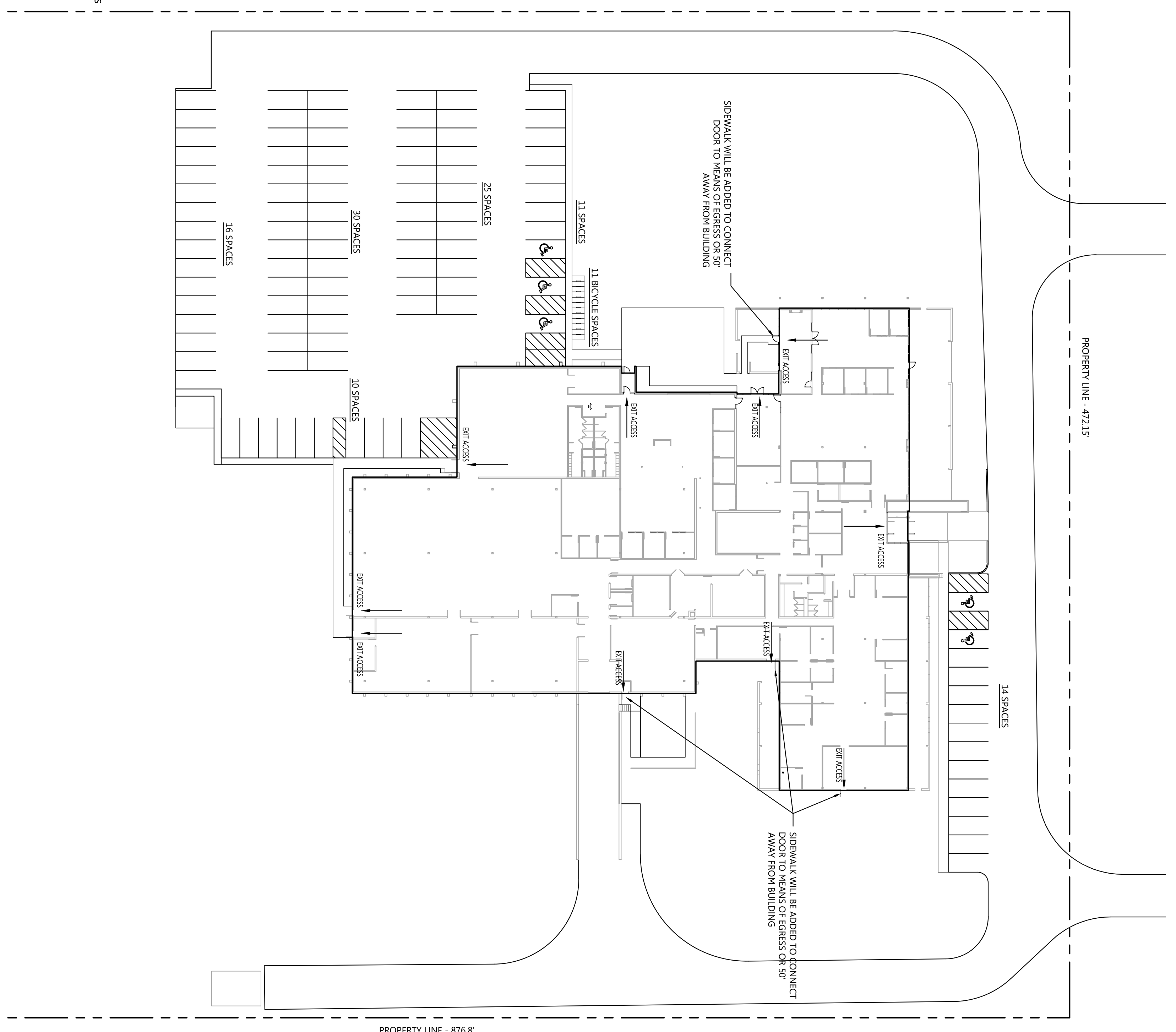
PARKING: (Table VII.7)  
 Office/Clinic - 250sf/parking spot = 15,479sf = 8  
 Warehouse/Storage - 2000sf/parking spot = 15,479sf = 8  
 (Sec. VII.7 A2)(1)(a) 2000sf/parking spot = 15,479sf = 8  
 convenient and accessible manner.

TOTAL CAR PARKING: 200  
 TOTAL BIKE PARKING: 11  
 (Table VIII.6)  
 Bicycle = 10% Office/Clinic  
 20 bicycle parking spots  
 Bicycle = 10% Warehouse/Storage  
 20 bicycle parking spots  
 TOTAL BIKE PARKING: 11

GENERAL NOTES  
 1. These drawings are intended to be a guide for plan review.  
 2. A stamped code analysis is included on this sheet.  
 FIRE SUPPRESSION SYSTEM  
 A complete NFPA 13 fire suppression system is existing in the building.

### APPLICABLE CODES

- 2015 INTERNATIONAL BUILDING CODE with Local Amendments
- 2014 ILLINOIS PLUMBING CODE with Local Amendments
- 2015 INTERNATIONAL MECHANICAL CODE with Local Amendments
- 2015 INTERNATIONAL FIRE CODE with Local Amendments
- 2018 ILLINOIS ENERGY CONSERVATION CODE
- 2018 NATIONAL ELECTRICAL CODE with Local Amendments
- 2018 ILLINOIS ACCESSIBILITY CODE with Local Amendments
- 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

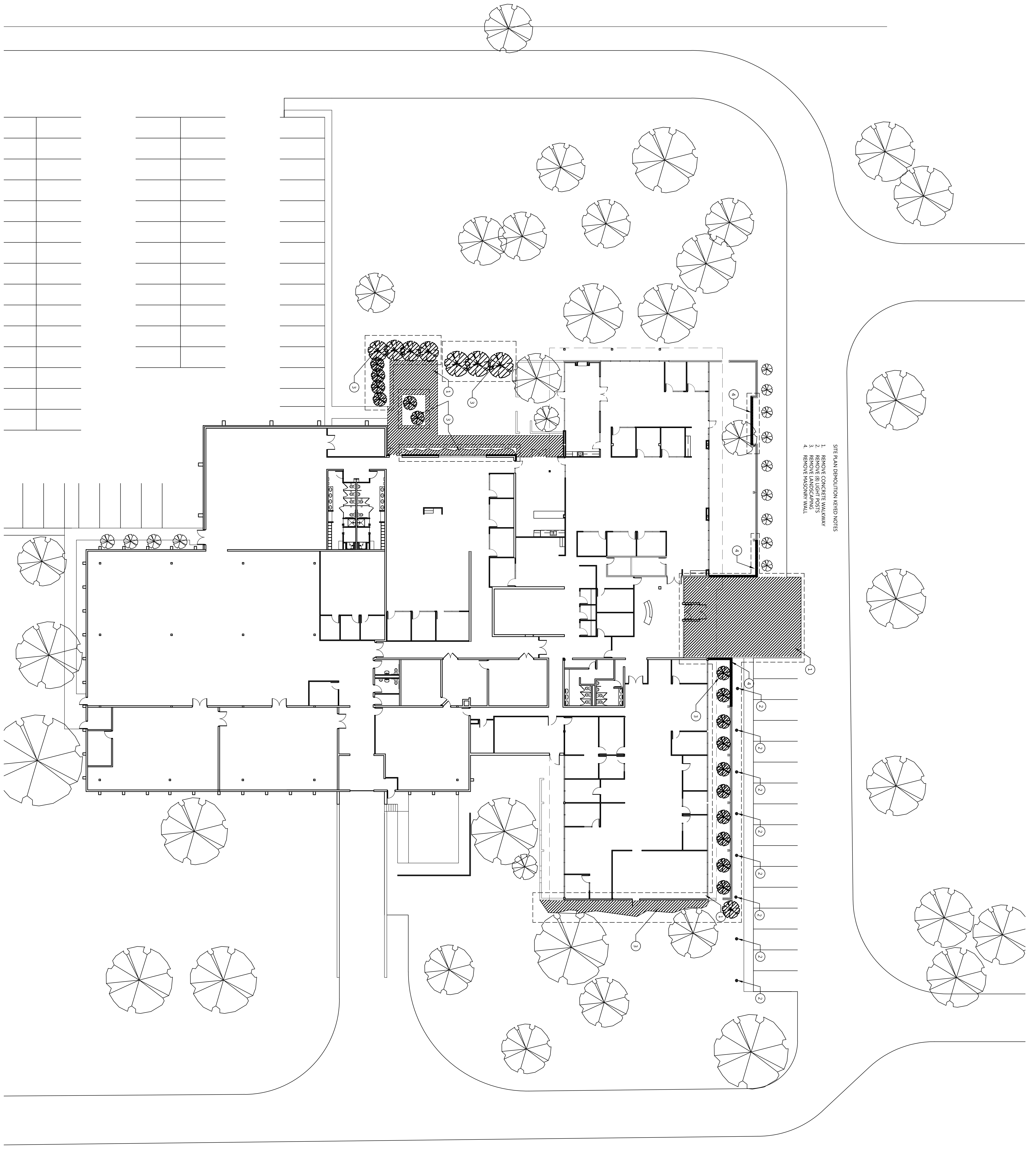


VITAL SKIN DERMATOLOGY CORPORATE OFFICES  
 EXTERIOR RENOVATION & IMPROVEMENT PACKAGE  
 1111 W. KENYON ROAD  
 URBANA, IL

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 3019 VILLAGE PRINCE PLACE  
 CHAMPAIGN, ILLINOIS 61822  
 217.251.6005  
 www.kaparchitecture.com

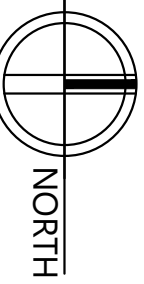
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# Exhibit E - Exterior Renovation Plans



SITE PLAN DEMOLITION KEYED NOTES  
 1. REMOVE CONCRETE WALKWAY  
 2. REMOVE 8' LIGHT POSTS  
 3. REMOVE 4' MASONRY WALL  
 4. REMOVE MASONRY WALL

A  
 A0.00  
 SCALE 3/32" = 1'-0"  
 SITE DEMOLITION PLAN



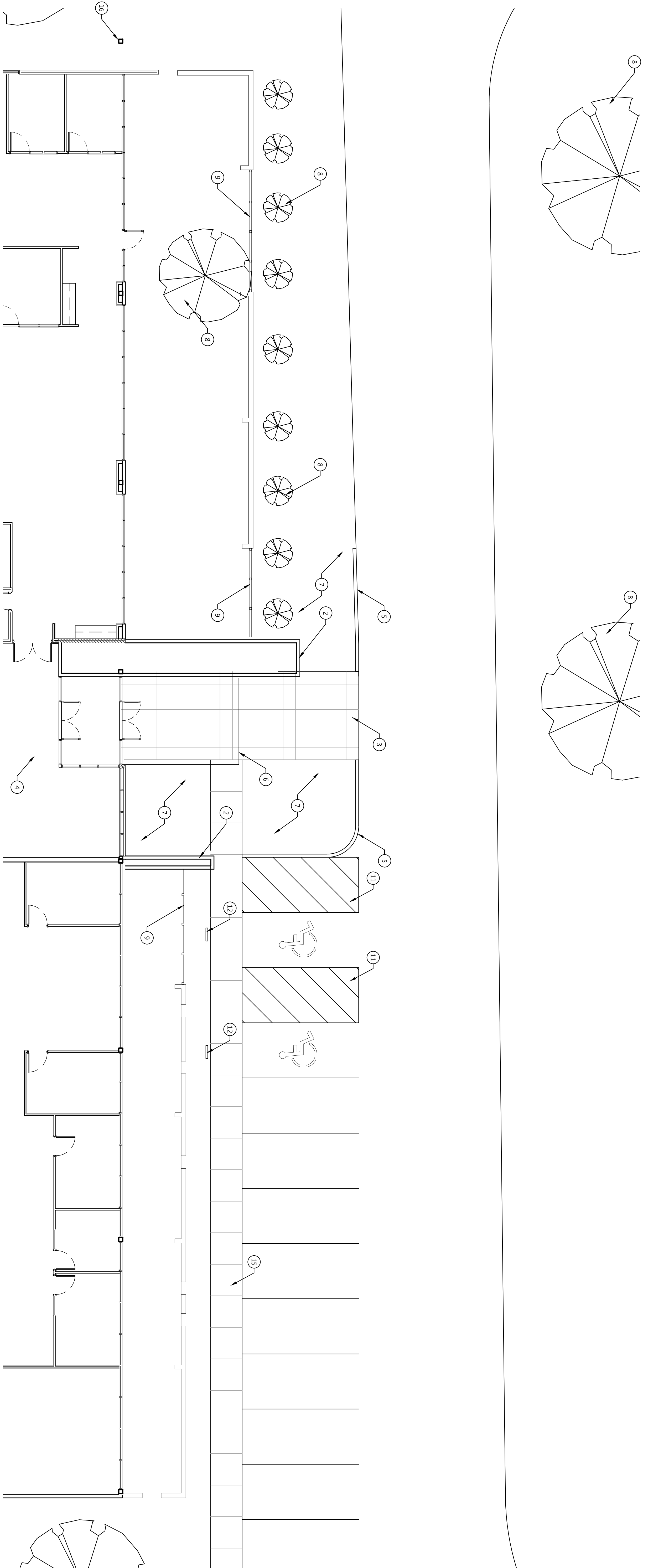
VITAL SKIN DERMATOLOGY CORPORATE OFFICES  
 EXTERIOR RENOVATION & IMPROVEMENT PACKAGE  
 1111 W. KENYON ROAD  
 URBANA, IL

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 CHAMPAIGN, ILLINOIS 61822  
 217.351.6005  
 www.kaparchitecture.com

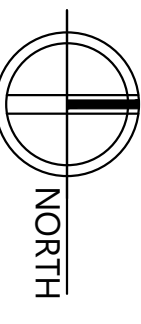
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 DATE: 08/10/2020  
 DESIGNER: ROBERT G. KAPOLNER, ARCHITECT  
 LICENSED ARCHITECT, STATE OF ILLINOIS, LICENSE NO. 001-013372  
 EXPIRES: 03/31/2026  
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 DATE: [Blank]  
 REVISIONS: [Blank]



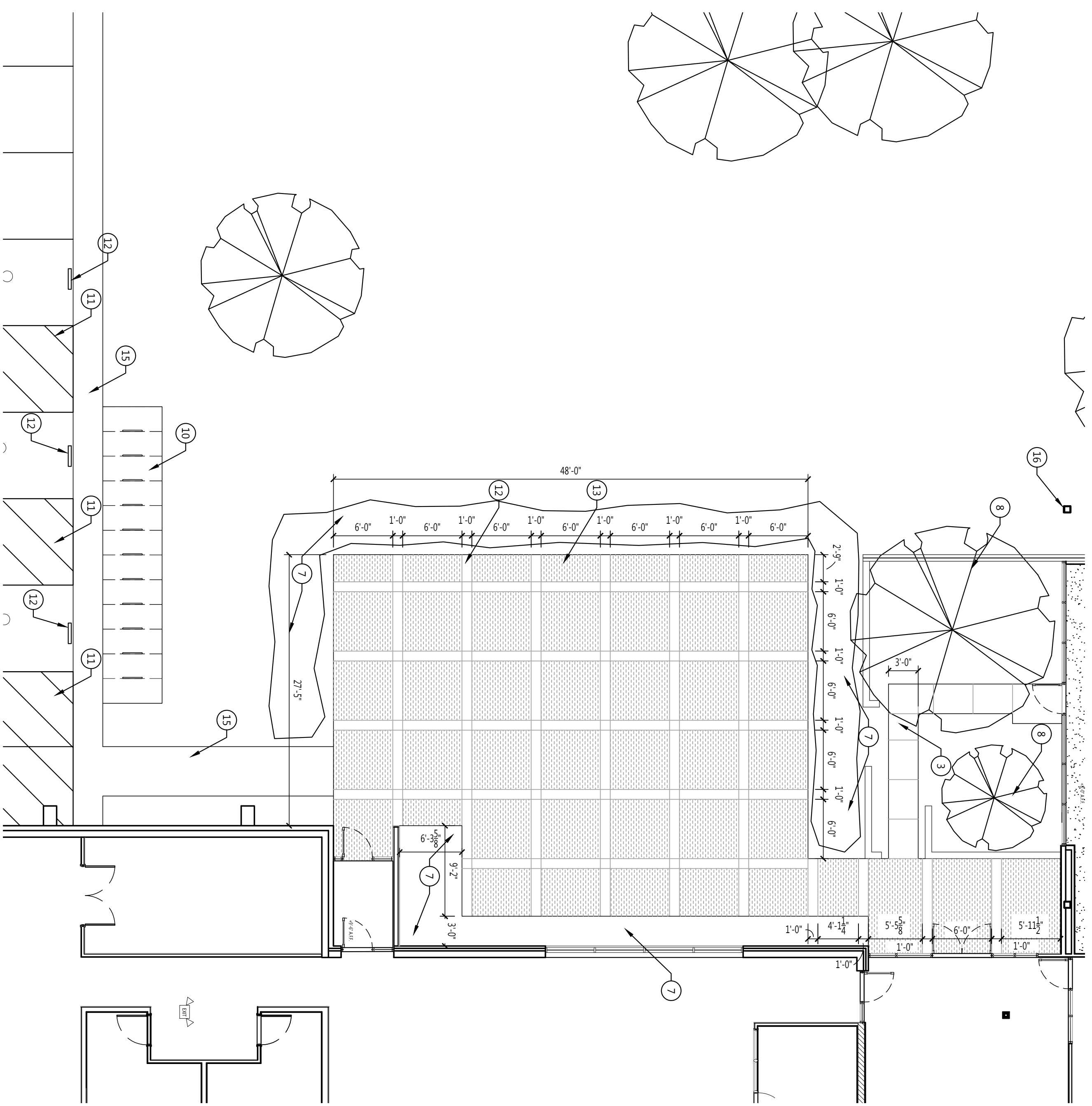
# Exhibit E - Exterior Renovation Plans



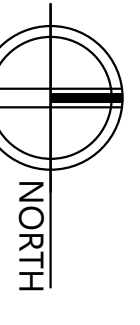
**A**  
SITE IMPROVEMENTS - NORTH  
SCALE: 1/8" = 1'-0"



- SITE PLAN REVISION NOTES
1. NEW PARKING - CONFORMANCE ON ZONING VARIANCE
  2. NEW CONCRETE WALKWAY
  3. NEW CONCRETE WALKWAY
  4. NEW ENTRANCE VESTIBULE
  5. NEW RAMP
  6. NEW LANDSCAPE AREA
  7. NEW LANDSCAPE AREA
  8. NEW SIGNAGE
  9. NEW SIGNAGE
  10. NEW BIKE RACK AREA
  11. NEW ADA PARKING STRIPING
  12. NEW ADA PARKING STRIPING
  13. NEW CONCRETE PAD - TEXTURED FINISH
  14. NEW CONCRETE PAD - SMOOTH FINISH
  15. REPAIR EXISTING SIGNWALK SEE CIVIL
  16. REPAIR COLUMNS



**B**  
SITE IMPROVEMENTS - WEST  
SCALE: 1/8" = 1'-0"



- SITE PLAN REVISION NOTES
1. NOT USED
  2. NEW VERTICAL BLADE WALLS FOR SIGNAGE
  3. NEW CONCRETE WALKWAY
  4. NEW CONCRETE WALKWAY
  5. NEW RAMP
  6. NEW LANDSCAPE AREA
  7. NEW LANDSCAPE AREA
  8. EXISTING LANDSCAPING
  9. NEW 4' HIGH METAL FENCE
  10. NEW ADA PARKING STRIPING
  11. NEW ADA PARKING STRIPING
  12. ADA PARKING SIGN - TEXTURED FINISH
  13. ADA PARKING SIGN - SMOOTH FINISH
  14. NEW CONCRETE PAD - SMOOTH FINISH
  15. REPAIR EXISTING SIGNWALK SEE CIVIL
  16. REPAIR COLUMNS

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3019 VILLAGE OFFICE PLACE  
CHAMPAIGN, ILLINOIS 61822  
217.331.6005  
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VITAL SKIN DERMATOLOGY CORPORATE OFFICES  
EXTERIOR RENOVATION & IMPROVEMENT PACKAGE  
1111 W. KENYON ROAD  
URBANA, IL

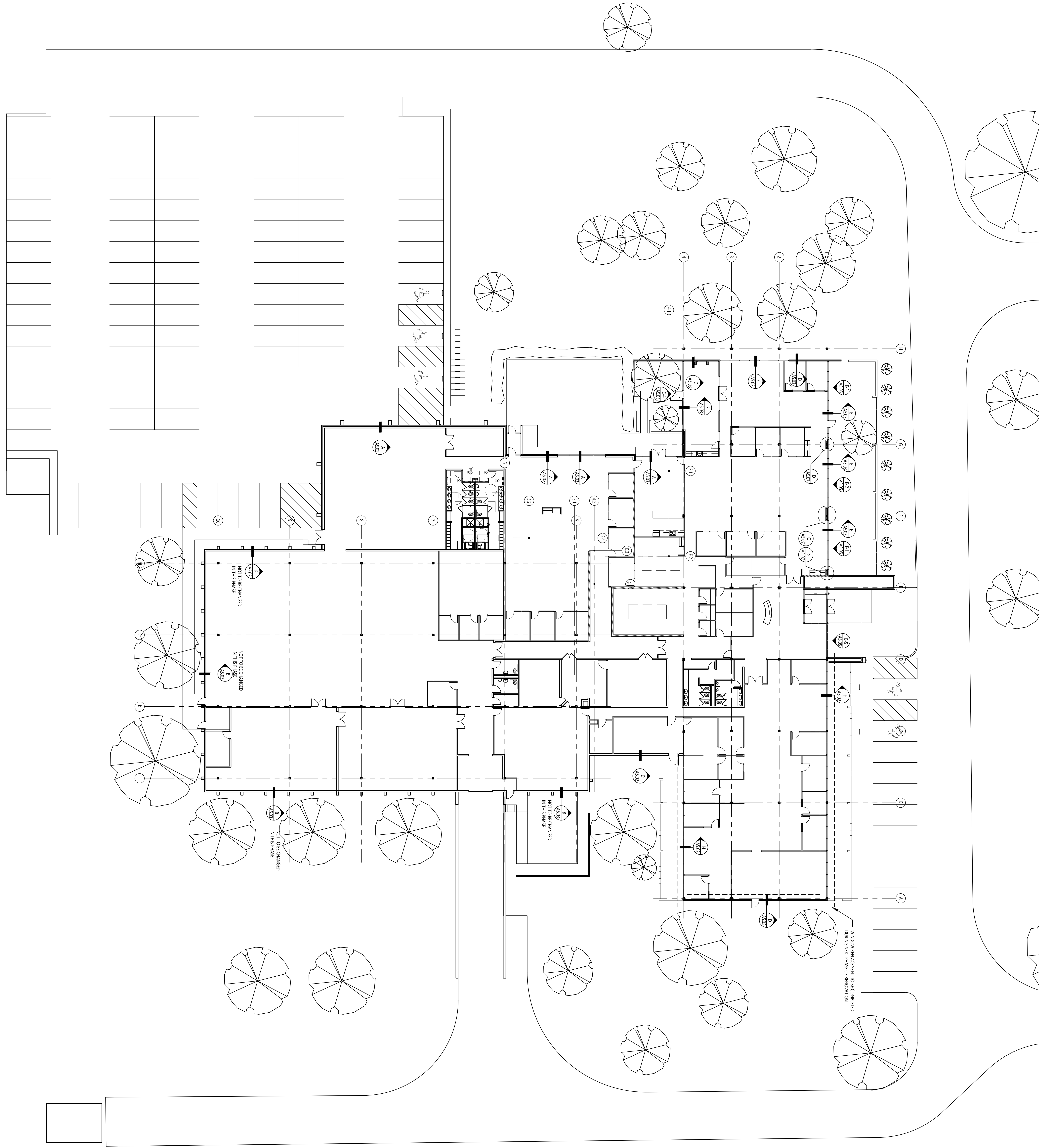
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APPROVED BY: RGT  
DATE: 08/10/20  
PROJECT NO.: 301-2020  
SHEET TITLE: SITE IMPROVEMENTS  
SHEET NUMBER: A100  
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LIBERATED ARCHITECT  
STATE OF ILLINOIS  
ROBERT G. KAPOLNER  
001-013372

# Exhibit E - Exterior Renovation Plans

A  
A1.01  
SCALE 1/8" = 1'-0"

OVERALL BUILDING PLAN



**KAP**  
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3019 VILLAGE OFFICE PLACE  
CHAMPAIGN, ILLINOIS 61822  
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VITAL SKIN DERMATOLOGY CORPORATE OFFICES  
EXTERIOR RENOVATION & IMPROVEMENT PACKAGE  
1111 W. KENYON ROAD  
URBANA, IL

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 PROJECT: VITAL SKIN DERMATOLOGY CORPORATE OFFICES EXTERIOR RENOVATION & IMPROVEMENT PACKAGE  
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 EXPIRES: 03/30/2020  
 STATE OF ILLINOIS ARCHITECT LICENSED ARCHITECT  
 ROBERT G. KAPOLNER  
 001-0133172  
 CHAMPAIGN, ILLINOIS  
 2019 VILLAGE OFFICE PLACE  
 CHAMPAIGN, ILLINOIS 61822  
 217.351.6005  
 www.kaparchitecture.com

# Exhibit F – Site Photos



*Figure 1. Looking south across north lawn from West Kenyon Road.*



*Figure 2. Looking south across north lawn - closeup - note mature landscaping.*

# Exhibit F – Site Photos



Figure 3. Looking west across parking lot.

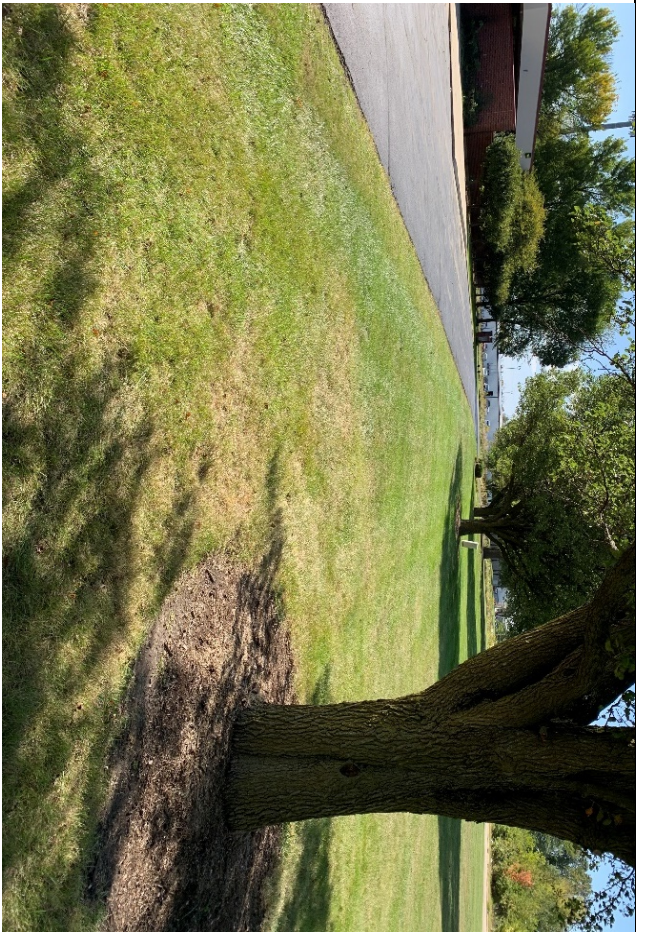


Figure 4. Looking west along north property line.



Figure 3. Looking southeast across north lawn.

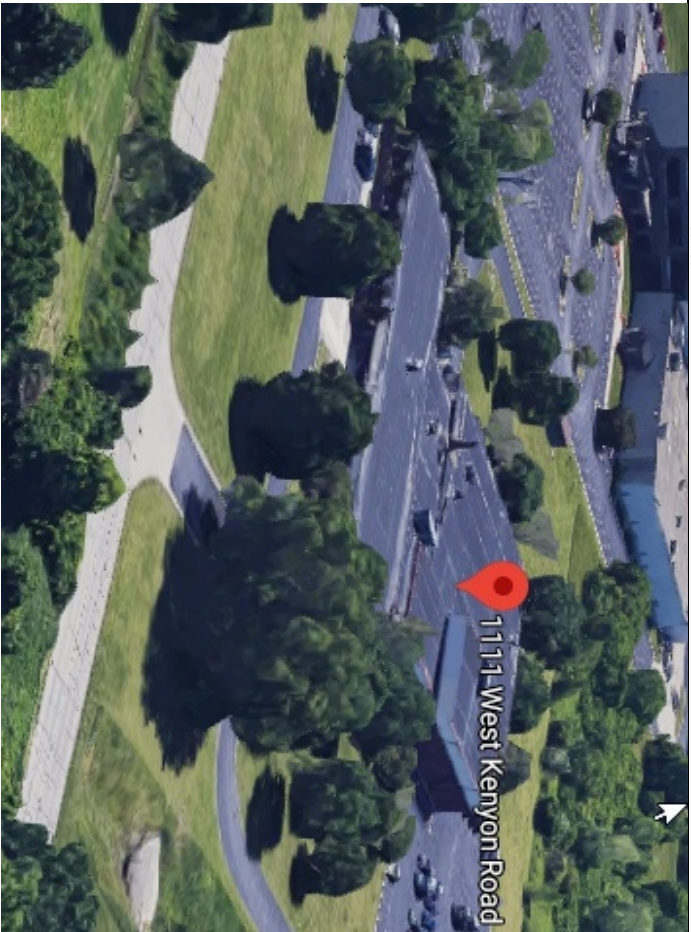


Figure 4. Looking southeast from the sky - note mature landscaping.