



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** Bruce K. Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, AICP, Director/City Planner

**DATE:** October 31, 2002

**SUBJECT:** Case No. 1842-SU-02, Request for a Special Use Permit to establish an 8,675 square foot addition to the gymnasium/education building and to approve a proposed Master Site Plan at the Urbana Assembly of God Church, located at 2502 South Race Street.

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**Introduction and Background**

The Urbana Assembly of God Church is proposing an 8,675 square-foot addition to the existing education building on the northern portion of the church property, located on four parcels at the northeast corner of the intersection of South Race Street and Windsor Avenue. The proposed addition would be located east of the existing gymnasium and education wing. The purpose of the new addition is to provide additional classroom space, with a space for youth church service activities. To fulfill a condition of a previous Special Use Permit, a Master Site Plan has been submitted showing the proposed future use for the entire church site.

**Recent History**

A Special Use Permit was granted in 1988 to allow the expansion of a church use and parking lot. This previous Special Use Permit was approved with conditions that have subsequently been met. One of the conditions of this Special Use Permit states that, *“proposed additional buildings are approved only for general location. An amendment to this Special Use Permit will be needed to approve the specific location and use of each of these buildings in the future”*. For this reason, a Special Use Permit is required for the one-story addition to the education building.

Recently in Plan Case 1829-SU-02, the Church petitioned the Urbana Plan Commission for a Special Use Permit to construct a building addition at the currently proposed location. On July 11, 2002 the Plan Commission voted 6-1 to recommend denial of the Special Use Permit. Some of the major concerns of Commissioners were that the church had not yet completed work on the parking lot addition that was approved with a previous Special Use Permit, and that the church had not yet completed a Master Site Plan. The current request is for a building addition in a similar location, but the request has been modified to address the concerns of the Plan Commission as well as adjacent neighbors.

### **Building Addition**

As shown on the attached Site Plan, the proposed addition would be 135 feet long and 65 feet wide, with a 40 foot by 10 foot “cut-out” area at the northwest corner of the proposed addition. The cut-out portion is proposed for the area beneath most of the dripline of the tree at the north end of the church’s property. Entrance to the facility would be from the south portion of the addition, and a hallway measuring approximately 30 feet by 18 feet would also connect the addition to the existing gymnasium/education building. The petitioner indicates that the south face of the building would be constructed with brick to match the existing building, and the brick would wrap three feet around the east end. The north, west, and east faces of the building would have horizontal vinyl siding, and the pitched roof would have asphalt shingles to match the existing building. The building materials to be used for the proposed addition are intended by the designer to be residential in character.

The required setback for a rear yard in the R-3 Zoning District is ten feet. The proposed addition would be set back approximately 23 and 32 feet from the north property line, and 29 feet from the east property line. The church building with the proposed addition is easily compliant with floor area and open space requirements. The proposed average height at grade would be well below the maximum allowable height of 35 feet. The pitch height for the proposed addition would be approximately 24 feet and 22-½ feet. The connecting hallway would be approximately 16-½ feet tall at the pitch. Therefore, the proposed addition would comply with applicable zoning regulations for the R-3 Zoning District, including setbacks, floor area ratio, open space ratio, and maximum height.

The City Arborist indicates there are several dead trees on the site that will need to be removed and replaced to satisfy the tree planting requirements of the zoning ordinance. The church indicates they will pursue this task. No additional plantings or screening would be required with the proposed addition.

### **Master Site Plan**

As indicated previously, a Master Site Plan has been included with this memorandum that indicates the proposed future use for the remainder of the church site. The Master Site Plan indicates a new sanctuary would be constructed south and east of the existing sanctuary, with a proposed addition along the southwest of the existing sanctuary. Most of the southern portion would be used for parking, with required tree plantings throughout the lot and a detention basin in the southeast corner of the site. Drainage plans for the entire site were submitted to the City Engineer on October 17, 2002 and additional time is needed to review the plans for compliance. The church indicates that all setback requirements would be met or exceeded under the proposed master plan. At the time of the writing of this memorandum, staff has not determined there to be any significant concerns with the site layout under the Master Site Plan in terms of drainage, access, parking, screening, or other requirements.

The church has requested that the Master Site Plan be for general future layout on the site only, and that obtaining an additional Special Use Permit precede any further development on the site. Staff is recommending that if the Master Site Plan is approved, future developments on the site that substantially conform to the submitted Master Site Plan would not require a future Special Use Permit.

## **Plan Commission**

On October 24, 2002 a public hearing was held in regard to this plan case. At the public hearing, the petitioner described the design of the proposed building addition and explained the master site plan. The petitioner discussed changes to the previous request that the church made in response to concerns from nearby residents. The proposed building layout has been modified so as not to interfere with the existing ash tree along the north property line. In addition, building materials would consist of horizontal vinyl siding, brick, and asphalt shingles to be more residential in character. Tom Berns spoke on behalf of a group of neighbors who met with the church prior to the public hearing, and he expressed support for the proposed Special Use Permit, with the request that the agreement between the church and the neighbors be included as part of the Special Use Permit request. While no representatives from the City attended the special meeting, the church indicates they have agreed to the items discussed in the meeting, as represented by the minutes. Staff has attached the minutes of this meeting, and certain provisions that were agreed upon at the meeting have been included in the staff recommendation as conditions of the approval.

Some questions were raised in regard to the future sanctuary and parking lot proposed in the master site plan. The church indicated that parking is currently provided in excess of zoning requirements, and there have still been parking problems. For this reason, the church is proposing substantially more parking in the master site plan to accommodate the expected parking need as a result of the construction of a future sanctuary. The issue of the maximum height was discussed, and the church will comply with the maximum height requirement under the proposed Special Use Permit. The maximum average height at grade is 35 feet in the R-3 Zoning District; however, under Section VI-2 of the Zoning Ordinance, *Public buildings, sanitariums, schools or institutions of an education, philanthropic, religious, or eleemosynary nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.* Under this provision, the future sanctuary could be built to a maximum height of 75 feet.

At the close of the public hearing the Plan Commission voted 6-0 in favor of recommending that the City Council approve the Special Use Permit for the church expansion with the conditions set forth in the October 17, 2002 memorandum. As discussed previously, minutes of the October 22, 2002 meeting between the church and a group of adjacent neighbors was presented to the Plan Commission representing an agreement between the two parties. While Plan Commission did not include the agreement as part of their recommendation to the City Council, staff is including four specific items from the agreement as recommended conditions for approval. The recommended conditions relate to the siding on the building, provisions regarding windows and fencing along the north, and lighting for the building.

For more information, please refer to the October 17, 2002 staff memorandum to the Plan Commission and to the draft minutes of the October 24, 2002 Plan Commission meeting.

## **Discussion**

### **Requirements for a Special Use Permit**

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate specific criteria. On October 24, 2002 the Urbana Plan Commission considered the following:

1. *That the proposed use is conducive to the public convenience at that location.*

The proposed addition is conducive to the public convenience at this location because the addition will allow for needed religious education space, as well as providing space for other youth activities of the church.

2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed one-story addition will not change the number or circulation pattern of vehicles entering and exiting the site, and is not expected to significantly increase the amount of vehicular traffic, noise, waste or negative environmental effects. The petitioner indicates that storm water from the addition will be drained by downspouts and the water will flow west to the existing inlet next to the existing church building. The rear yard setbacks in excess of 20 feet should help provide a buffer of open space from neighboring properties to the north and east, and maintenance of the fence along the north is recommended as a condition of the Special Use Permit approval. The height of the proposed addition is well within the development regulations for the R-3 Zoning District. The proposed addition should not pose a detriment to the district in which it is proposed to be located.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

A Church is permitted as a Special Use in an R-3 District. The proposed addition will not affect the church's compliance with the applicable regulations and standards. Off-street parking provisions currently exceed zoning requirements and will continue to do so with the proposed addition. Building materials in the proposed addition consist of brick and asphalt shingles, with portions of the building to be constructed with horizontal vinyl siding. These materials are intended by the designer to be residential in character. Substantial adherence to the Perspective Drawing is included as a recommended condition for approval.

One condition of the previous Special Use Permit requires that a Master Plan be completed to address drainage and other concerns. The Master Site Plan submitted with the current Special Use Permit request would generally satisfy this condition, and should conform to the applicable regulations and standards of, and preserve the essential character of, the district in which it shall be located. Additional detail would be required to verify compliance with all applicable City codes when improvements are proposed.

## **Summary of Findings**

1. The proposed addition is conducive to the public convenience because it will allow for additional needed educational and general activity space.

2. The proposed addition should not pose a detriment to the district in which it is proposed to be located.
3. The proposed addition is consistent with the Comprehensive Plan and zoning designations of the subject site and the surrounding area.
4. The proposed addition is compatible with the existing land use pattern of the subject site and the surrounding area
5. The proposed addition meets with all setback and other requirements established by the Zoning Ordinance.
6. The proposed future development indicated on the Master Site Plan should not pose a detriment to the district in which it is proposed to be located. An additional Special Use Permit should be approved for any buildings or structures not included on Exhibit "T", Proposed Master Site Plan.

## **Options**

The City Council has the following options with respect to this request:

1. Approve the request for a special use permit without any additional conditions or waivers.
2. Approve the request for a special use permit with any waivers or conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance
3. Deny the request for a special use permit.

## **Recommendation**

For the reasons articulated above, the Plan Commission and staff recommend that the City Council **APPROVE** the requested special use permit in Plan Case No. 1842-SU-02 with the following **CONDITIONS**:

1. That the proposed addition be constructed in substantial conformance to the design indicated on Exhibit H (Exhibit A of the Proposed Ordinance), Perspective Drawing of Proposed Addition
2. That the existing dead trees on the lot be removed and that the trees be replaced to bring the existing parking lot into compliance with tree planting requirements of the Urbana Zoning Ordinance, as determined by the Zoning Administrator and the City Arborist.

3. That the City Engineer approve the drainage plan for the Master Site Plan.
4. That the proposed Master Site Plan be approved, but that an additional Special Use Permit be ~~requested~~ approved prior to construction of any buildings or structures not in substantial conformance to those shown on Exhibit I, Proposed Master Site Plan.

In addition, staff is recommending the following four conditions to the approval that reflect the October 22, 2002 agreement between the church and the group of neighbors:

5. That siding used on the building fascias be of vinyl or similar material
6. That there be no windows on the north side of the youth building
7. That the fence that exists between the church and the neighbors' property remain in place as a buffer between the building and the neighboring properties
8. That any added outdoor lighting be directed toward the youth building and not toward the residential area.

Prepared by:

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Tim Ross, AICP, Senior Planner

Attachments:      Proposed Ordinance approving a Special Use Permit  
Draft Minutes from the October 24, 2002 Plan Commission meeting  
Perspective Drawing of Proposed Addition  
Proposed Master Site Plan  
Proposed Site Plan with addition  
Drainage Plans  
Minutes of the Special Meeting held on October 22, 2002 between the Church and neighbors

c: Wayne Shaw, Abris Ltd.  
James Merz, Urbana Assembly of God  
Tom Berns

ORDINANCE NO. 2002-11-129

**ORDINANCE APPROVING A SPECIAL USE PERMIT**

(to establish an 8,675 square foot addition to the gymnasium/education building at the Urbana Assembly of God Church and to approve a master site plan for the development of the remainder of the site located at 2502 South Race Street in the R-3, Single and Two-Family Zoning District - Plan Case No. 1842-SU-02)

WHEREAS, the subject property is zoned R-3, Single and Two-Family Residential and a church is allowed only as a Special Use in an R-3 zone.

WHEREAS, on June 1, 1992 City Ordinance number 9192-98 was approved to allow the expansion of The Urbana Assembly of God Church and parking lot with several conditions; and

WHEREAS, the conditions of the previous Special Use Permit have generally been satisfied; and

WHEREAS, the Urbana Assembly of God Church has petitioned the Urbana Plan Commission in Case No. 1842-SU-02 to consider a request for a special use permit to establish an 8,675 square foot addition to the gymnasium/education building at the Urbana Assembly of God Church and to approve a master site plan for the development of the remainder of the site located at 2502 South Race Street; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 24, 2002 concerning the petition filed by the petitioner in Plan Case No. 1842-SU-02; and

WHEREAS, on October 24, 2002, the Urbana Plan Commission voted 6 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, at the public hearing a document was presented to the Plan Commission that summarizes an agreement between the church and a group of adjacent neighbors, in which certain details regarding the design and impact

of the building were addressed, and staff has included portions of the agreement as conditions of approval of the Special Use Permit; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, and with the general intent of that Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to establish an 8,675 square foot addition to the gymnasium/education building at the Urbana Assembly of God Church and to approve a master site plan for the development of the remainder of the site located at 2502 South Race Street with the following conditions:

1. That the proposed addition be constructed in substantial conformance to the design indicated on Exhibit A, Perspective Drawing of Proposed Addition
2. That the existing dead trees on the lot be removed and that the trees be replaced to bring the existing parking lot into compliance with tree planting requirements of the Urbana Zoning Ordinance, as determined by the Zoning Administrator and the City Arborist
3. That the City Engineer approve the drainage plan for the Master Site Plan
4. That the proposed Master Site Plan be approved, but that an additional Special Use Permit be approved prior to construction of any buildings or structures not in substantial conformance to those shown on Exhibit B, Proposed Master Site Plan



5. That siding used on the building fascias be of vinyl or similar material
6. That there be no windows on the north side of the youth building
7. That the fence that exists between the church and the neighbors' property remain in place as a buffer between the building and the neighboring properties
8. That any added outdoor lighting be directed toward the youth building and not toward the residential area

LEGAL DESCRIPTION:

Lot "B" In Ennis Ridge Eleventh Subdivision, And The North Sixty (60) Feet Of Tract "C" In Ennis Ridge Eleventh Subdivision, A Subdivision In Champaign County, Illinois, As Per Plat Recorded In Plat Book "S" At Page 5 In The Recorder's Office Of Champaign County, Illinois.

And Also:

The South 40 Feet Of Tract "C" Of Ennis Ridge Eleventh Subdivision, Champaign County, Illinois, As Per Plat Recorded In Plat Book "S" At Page 5 In The Recorder's Office Of Champaign County, Illinois, And Commencing At The Southwest Corner Of Said Tract "C", Thence West 40 Feet To The Centerline Of The Race Street Road, Thence South Along The Centerline Of Said Road A Distance Of 52 Feet, Thence East And On A Line Parallel With The South Line Of Said Tract "C" To A Point Which Is 52 Feet South Of The Southeast Corner Of Said Tract "C", Thence North 52 Feet To The Southeast Corner Of Said Tract "C", Thence West Along The South Line Of Tract "C" To The Place Of Beginning, All In Section 20, Township 19 North, Range 9 East Of The Third Principal Meridian, In Champaign County, Illinois.

And Also:

Commencing At The Southwest Corner Of The Southeast Quarter Of Section 20, Township 19 North, Range 9 East Of The Third Principal Meridian, Thence North Along The West Line Of The Southeast Quarter Of Said

Section 20, 318.63 Feet To A Point 40 Feet West Of The Southwest Corner Of Tract "C" Of Ennis Ridge Eleventh Subdivision, Thence East Along Said South Line Of Tract "C" Extended West And The South Line Of Said Tract "C", 435.6 Feet To The West Line Of University Downs Fourteenth Subdivision, Then South Along Said West Line, 318.63 Feet To The South Line Of Said Southeast Quarter Of Section 20, Thence West Along The South Line Of Said Southeast Quarter Of Section 20, 435.6 Feet To The Place Of Beginning, Except The North 52 Feet Thereof, Which Exception Was Conveyed In Document No. 74r 13085, Recorded In Recorder's Office Of Champaign County, Illinois, September 16, 1974, In Book 1039, Page 475, In Champaign County, Illinois.

Except:

Beginning At The Southwest Corner Of Tract "C" Of Ennis Ridge Eleventh Subdivision; Thence Southerly Along A Line Parallel With The North-South Quarter Section Line Of Said Section 20, 52 Feet; Thence Westerly 20.00 Feet To The Existing East Right-Of-Way Line Of Race Street; Thence Northerly Along Said East Right-Of-Way Line 52 Feet; Thence Easterly 20.00 Feet To The Point Of Beginning. The Above Described Tract Of Land Contains 0.0239 Acres, More Or Less.

And Also Except:

A Part Of The Southeast Quarter Of Section 20, Township 19 North, Range 9 East Of The Third Principal Meridian, Champaign County, Illinois, Which Is More Particularly Described As Follows:

Beginning At A Stone At The South Quarter Section Corner Of Said Section 20; Thence N 0 00' 00" E (An Assigned Bearing) Along The North-South Quarter Section Line Of Said Section 20, 318.63 Feet To The Southwest Corner Of Ennis Ridge Eleventh Subdivision; Thence Easterly Along The South Line Of Said Subdivision, 40.00 Feet To The Existing Right-Of-Way Line Of Race Street; Then S 0° 00' 00" E, 52.00 Feet To A

Point On The South Line Of A Parcel Of Land As Described By Warranty Deed Document #74r 13085 And Recorded On Page 475 Of Book 1039 In The Champaign County Courthouse, Urbana, Illinois, Said Point Is The True Place Of Beginning; Thence S 0° 00' 00" E, 177.13 Feet; Thence S 45° 00' 00" E, 56.67 Feet; Thence 89° 38' 42" E 355.90 Feet; Thence S 0° 21' 18" W, 30.00 Feet To The Existing North Right-Of-Way Line Of Windsor Road; Thence N 89° 38' 42" W Along Said North Right-Of-Way Line 415.72 Feet To The Existing East Right-Of-Way Line Of Race Street; Thence N 0° 00' 00" E Along Said East Right-Of-Way Line, 246.75 Feet; Thence Easterly, 20.00 Feet To The True Place Of Beginning. The Above Described Tract Of Land Contains 0.404 Acres, More Or Less.

PERMANENT PARCEL #: 93-21-50-451-003, 004, 010, and 011

LOCATED AT: 2502 South Race Street

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Tod Satterthwaite, Mayor

**CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the \_\_\_\_ day of \_\_\_\_\_, 2002, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled "AN ORDINANCE APPROVING A SPECIAL USE PERMIT (to establish an 8,675 square foot addition to the gymnasium/education building at the Urbana Assembly of God Church and to approve a master site plan for the development of the remainder of the site located at 2502 South Race Street in the R-3, Single and Two-Family Zoning District - Plan Case No. 1842-SU-02)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_ day of \_\_\_\_\_, 2002, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2002.