



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, FAICP, PhD, Community Development Director

DATE: March 29, 2012

SUBJECT: Request by Advantage Properties for Major Variances to construct a building wall and install an accessory parking lot which encroach into a required five-foot side yard in the B-3U, General Business – University District at 1003 W Main Street. (ZBA Case Nos. 2012-MAJ-02 and 2012-MAJ-03)

Introduction & Background

Advantage Properties is constructing an apartment building at 1003 W. Main Street. The property is zoned B-3U, General Business – University District which requires a minimum 5-foot side yard setback. Advantage Properties has submitted an application to construct a ground-floor masonry wall and install an accessory parking lot which would encroach up to three feet six inches into a required five-foot side yard. The subject wall is required under the International Building Code for fire protection purposes.

The basis for the variance request is that the lot measures 66 feet 4½ inches wide, but the Zoning Ordinance essentially requires a minimum lot width of 68 feet 6 inches to fully comply with parking lot module width requirements and building side yard setback requirements. The lots in this block were platted a standard 66 feet wide.

Since the requested variances exceed 25% of the required setback, the Zoning Ordinance classifies these as major variances. Consequently, in order to vary the setback the Zoning Board of Appeals must recommend approval by a two-thirds favorable vote. At a special meeting held on Wednesday, March 28, 2012, the Urbana Zoning Board of Appeals reviewed this request and voted 4-ayes and 0-nays to recommend that the City Council approve these variance requests. No one from the public spoke against the applications.

Area Development Trends

The subject site is generally located west of Lincoln Avenue and south of University Avenue in an area within walking distance of the University of Illinois' Engineering Campus. The area has a long history of land uses which serve University populations. In the post World War II period the demand for new housing in proximity to the University expanded and many more houses

were converted from single-family to apartments and rooming houses. In later years where land owners could acquire contiguous lots they demolished older houses to construct larger apartment buildings, again to serve University populations. At the same time the University also acquired many properties in the area and either converted them to University uses or replaced them with new University structures.

In recent years, the City has become concerned about the erosion of its tax base through acquisition of properties by the University of Illinois. These acquisitions in the engineering campus areas have resulted in City-University efforts to delimit potential acquisition areas and to promote tax-generating redevelopment efforts. The proposed project can contribute to the stabilization of the area via investment in tax-revenue generating property that also serves to accommodate some of the high demand for student housing.

Urbana Comprehensive Plan

The Urbana Comprehensive Plan, adopted by City Council in April 2005, created a new Future Land Use designation of “Campus Mixed Use.” According to Chapter V of the plan:

“The Campus Mixed-Use classification is intended for limited areas that are close to campus. These areas promote urban-style private development with a mix of uses that commonly include commercial, office and residential. Design Guidelines shall ensure that developments contain a strong urban design that emphasizes a pedestrian scale with buildings close to the street, wide sidewalks, and parking under and behind structures. The design and density of development should capitalize on existing and future transit routes in the area. Large-scale developments containing only single uses are discouraged within this classification.”

The Comprehensive Plan Future Land Use Map #8 annotations call for Campus Mixed Use areas to be:

“Urban designed mixed-use buildings which include business/office on the ground floor and residential on upper floors; developments consisting of only multi-family is discouraged”

The proposed building on this lot is a three-story apartment building in a context built in a walkable area at a human scale, with parking underneath the building and behind the front face of the building.

B-3U, General Business – University Zoning District

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-3U Zoning District is as follows:

“The B-3U General Business-University District is intended to provide areas in proximity to the University of Illinois for a range of business and office uses to meet the needs of persons and businesses associated with the University. This district is also intended to provide areas for high-density residential uses to insure an adequate supply of housing

for persons who desire to reside near the campus. These businesses and residential uses may occur as mixed uses in the same structure. The development regulations in this district are intended to allow building which are compatible with the size and scale of the University's buildings."

The B-3U zoning district designation was created in 1990 as an outgrowth of the Downtown to Campus Plan. It was intended in part to address the lack of services offered in areas adjacent to the University, with a primary focus on the engineering campus surrounding the subject property of this case.

Similar Variance Requests

During the period 2005-2012, the Zoning Board of Appeals has reviewed the following similar requests, all essentially concerning meeting parking geometric requirements in the B-3U Zoning District. Each request was approved except for ZBA Case 2006-MAJ-01.

- ZBA 2005-MAJ-05: A request for a major variance to allow a 100% encroachment for parking into the required 5 foot side yard setback at 903 W. Nevada, in Urbana's B-3U, General Business – University zoning district. (David Barr, applicant)
- ZBA 2005-MAJ-06: A Major Variance to encroach 8 feet into the required 15 foot front yard setback on Main Street at 1014-1016 W. Main St. in the B-3U, General Business-University zoning district. (Howard Wakeland, applicant).
- ZBA 2005-MAJ-07: A Major Variance to encroach 10 feet into the required 15 foot front yard setback on Harvey Street at 1014-1016 W. Main St. in the B-3U, General Business-University zoning district. (Howard Wakeland, applicant)
- ZBA Case 2006-MAJ-01: A Major Variance to encroach 8 feet into the required 15 foot front yard setback at 1010, 1012 and 1012½ W. Main Street in the B-3U, General Business-University zoning district. (Howard Wakeland, applicant)
- ZBA-2008-MAJ-05: Major Variance Request to reduce the required side yard setbacks to allow for the construction of an off-site accessory parking lot at 908 W. Clark Street in the B-3U, General Business – University zoning district. (Vermilion Development, applicant)
- ZBA 2009-MAJ-03: Request for a Major Variance to encroach 10 feet into the required 15 foot front yard setback on Harvey Street at 1011 W Clark Street in the B-3U, General Business-University zoning district. (Howard Wakeland, applicant)

Site Description

The property in question is located mid-block in the 1000 block W. Main Street between Harvey and Gregory Streets. This and adjoining blocks are zoned B-3U, General Business – University District.

A three-story apartment building is under construction on this lot with parking underneath and behind the front face of the building. Lots in this block were all platted approximately 66 feet wide. The subject property is 66 feet 4½ inches wide which is an important consideration in this case.

Should the variance not be granted, a row of parking would be relocated to a nearby lot also owned by the applicant. The Zoning Ordinance permits dedicated off-site parking within 600 feet to help meet the minimum parking requirements.

Zoning and Land Use Table

The property is now surrounded on three sides by apartment buildings – to the north, west, and south – and is adjoined on the east by two single-family residences on “half lots”. Please refer to Exhibit A for an aerial photograph showing adjoining and nearby uses.

The following table summarizes surrounding zoning and land uses for the subject site:

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Subject Property	B-3U, General Business - University	(construction site for apartment building)	Campus Mixed Use
North	B-3U, General Business - University	Apartment Building	Campus Mixed Use
South	B-3U, General Business - University	Apartment Building	Campus Mixed Use
East	B-3U, General Business - University	Single-Family Residence	Campus Mixed Use
West	B-3U, General Business - University	Apartment Building	Campus Mixed Use

Discussion

The attached application includes a site plan for ground-level parking of the proposed building. The bottom level would contain a parking lot taking access only from the rear alley. Parking spaces will be 90 degree angle (perpendicular). Above the parking level will be two floors of apartments.

Parking requirements tend to be the limiting design factor for building multi-family housing on single lots. In this case, to meet the Urbana Zoning Ordinance’s minimum width requirements for parking lot modules, two rows of parking with a center aisle must be a minimum of 58 feet 6 inches wide. (Table VIII-2 of the Urbana Zoning Ordinance.) At the same time, Table VI-3 (Development Regulations by District) requires minimum side yard setbacks for building walls of five feet. Section VIII-4.F prohibits parking in a required side yard, and in this case the property does not qualify for any of the exceptions listed for such parking. The project cannot meet both the minimum parking module width requirement and side yard setback requirements – 68 feet 6 inches in this case – when the lot is only 66 feet 4½ inches wide. Rather than narrowing the parking lot drive aisle, the applicant proposes to extend the first floor masonry fire wall out an additional 3 feet 6 inches toward the west. The concrete block walls on each side of the ground-level parking lot would be 7 5/8 inches thick and approximately 9 feet tall.

To the west is another apartment building also owned by the applicant. Expanding on the west side avoids encroaching on two single-family homes (one owner occupied) located to the east

which are on small “half lots” and built quite close to the common property line. The site plan shows the masonry wall on the east side of the lot conforming to the minimum 5 foot side yard setback requirement.

Should either variance be denied, the petitioner has indicated that he will relocate a row of parking at an off-site property within 600 feet, as allowed by Section VIII-4.L of the Zoning Ordinance. Doing so would have impacts on properties not owned by the applicant.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires findings based on variance criteria. The following is a review of the criteria as they pertain to this case and the criteria outlined in the ordinance:

1. *Are there special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance?*

The existing lot width of 66 feet 4½ inches is a limiting factor as the minimum parking module width and minimum side yard requirements essentially mandate a minimum of 68 feet 6 inches. The parking module could be narrowed if angled parking were used, but that would mean exiting the building on Main Street and removing the first floor front of the building, creating a building “on stilts”. Constructing buildings “on stilts” is considered counter to the Campus Mixed use design character.

Not constructing a wall along the west property line and simply allowing parking to encroach into the west side yard is not an option because the International Building Code adopted by the City of Urbana requires a fire-rated wall – in this case a masonry wall approximately 9 feet tall -- to protect the neighboring building in case a fire ever occurred in the parking garage underneath the subject apartment building.

2. *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 special circumstances relating to the land in this instance is the existing lot width of 66 feet 4½ inches in relation to the 68 feet 6 inches essentially mandated by the parking and development regulations in Table VI-3, Table VIII-2, and Section VIII-4.F of the Urbana Zoning Ordinance.

Not constructing a wall along the west property line and simply allowing parking to encroach into the west side yard is not an option because the International Building Code adopted by the City of Urbana requires a masonry fire wall to protect the neighboring building in case a fire ever occurred in the parking garage underneath the new apartment building at 1003 W. Main Street.

3. *The variance requested was not the result of a situation or condition having been knowingly or deliberately created by the Petitioner.*

The variance application is based on the existing lot width of 66 feet 4½ inches when a greater width is necessary in this case to meet the Zoning Ordinance and International Building Code.

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

The variance will not appreciably alter the essential character of the neighborhood. This block is mostly constructed with apartment buildings of similar height, scale, and setbacks. The exception to this is two single-family homes adjoining on the east, but the encroachment would instead be located on the west side. The adjacent lot to the west, closest to the encroachment, is owned by the applicant and also constructed with an apartment building. The parking encroachment in the side yard will be hidden behind a 9-foot tall masonry wall so will not be visible. The subject wall and parking will adjoin parking on the neighboring lot, a portion of which is located behind a similar masonry wall.

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

Rather than impacting the east side of the lot, which adjoins two single-family residences on small “half lots”, the application is proposing to construct the fire wall and accessory parking lot towards the west property line. The adjoining property to the west is an existing apartment building also owned by the applicant. The ground floor adjacent uses on the two properties will be parking, each behind a masonry fire wall, with residences on the above stories. Placing the encroachment on the west side of the property will avoid impacts to the two single-family residences, one of which is owner occupied.

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

Although a ground floor fire wall will encroach into the required 5-foot side yard, the second and third storey building wall will comply with the setback requirement. The proposed 18 inch masonry wall setback from the west property line would leave no more than a half an inch to spare for the remainder of the project to comply with other zoning and building code requirements.

Summary of Findings

1. Advantage Properties is applying for variances to allow a 9-foot tall, fire-rated masonry wall and accessory parking lot to encroach up to 3 feet 6 inches into a required minimum 5-foot side yard at 1003 W Main Street.
2. The property is zoned B-3U, General Business -University District.
3. The property is located in the north campus area and within walking distance of the University of Illinois’ engineering campus. The Urbana Comprehensive Plan identifies the future land use as “Campus Mixed-Use”.

4. Table VIII-2 of the Urbana Zoning Ordinance requires a minimum parking module width of 58 feet 6 inches when installing 90 degree parking, Table VI-3 requires a minimum five-foot side yard setback for building walls, and Section VIII-4.F of the Urbana Zoning Ordinance prohibits parking in required yards in B-3U zoning districts.
5. The proposed variance from Table VI-3 of the Urbana Zoning Ordinance, to allow a wall to encroach 3 feet 6 inches into a required 5-foot side yard setback, is necessary to comply with the parking lot width requirements of Table VIII-2 of the Urbana Zoning Ordinance, as well as an International Building Code requirement to construct a fire-rated wall to separate parking underneath a building and adjoining buildings.
6. The proposed variance from Section VIII-4.F of the Urbana Zoning Ordinance is to allow an accessory parking lot to encroach up to 3 feet 6 inches into a side yard setback, as required by Table VI-3 of the Urbana Zoning Ordinance.
7. The lot width of 66 feet 4½ inches is a practical difficulty in carrying out the strict application of the zoning ordinance because the parking and setback standards mandate a minimum of 68 feet 8 inches for minimum compliance.
8. The proposed variances are necessary due to special circumstances of the property being the lot width in relation to the minimum development requirements for zoning and building codes. Purchase of additional land from neighboring properties was not possible because they are fully constructed to minimum setbacks.
9. The need for the proposed variances was not created by the petitioner, given the existing lot width verses minimum zoning standards.
10. The proposed variances will not alter the character of the neighborhood, nor cause a nuisance to adjacent properties. The property adjoining the encroachment is also owned by the applicant and used as an apartment building of similar height, scale, and setbacks. The proposed 9-foot tall masonry wall will screen the parking encroachment from the street and neighboring property to the west. Although a ground floor fire wall will encroach into the required 5-foot side yard, the second and third storey side wall will comply with the setback requirement.
11. The proposed variances represent the minimum possible from Zoning Ordinance requirements. Although a ground floor fire wall will encroach into the required 5-foot side yard, the second and third storey side wall will comply with the setback requirement. The proposed 18 inch masonry wall setback from the west property line would leave no more than a half an inch to spare for the remainder of the project to comply with other zoning and building code requirements.

Options

The Urbana City Council has the following options in this case:

- a. Approve the variance requests based on the findings outlined in this memo; or

- b. Approve the variance requests along with certain terms and conditions. If the Urbana City Council approves with conditions or findings other than those articulated herein, they should articulate findings accordingly; or
- c. Deny the variance requests. If the City Council elects to do so, the Council should articulate findings supporting its denial.

Recommendation

At their March 28, 2012 meeting, the Urbana Zoning Board of Appeals, by a vote of 4-ayes and 0-nays, recommend that the City Council **APPROVE** Case Nos. ZBA-2012-MAJ-02 and ZBA 2012-MAJ-03 with the following condition.

- 1. That construction conform to the attached site plan.

City staff likewise recommends approval.

Prepared by:

Robert Myers, AICP
Planning Manager

Attachments: Draft ordinance
 Exhibit A: Location & Existing Land Use Map
 Exhibit B: Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: Petition for Variance with Site Plan

cc: Howard Wakeland
 Advantage Properties
 406 N Lincoln Ave., Suite 2
 Urbana, IL 61801

Judy Checker
205 N Gregory St
Urbana, IL 61801

ORDINANCE NO. 2012-04-036

AN ORDINANCE APPROVING MAJOR VARIANCES

(Encroachment of a building wall and accessory parking into a required side yard in the City's B-3U, General Business - University District, at 1003 W. Main Street / ZBA Case Nos. 2012-MAJ-02 and 2012-MAJ-03)

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 major variances where there are special circumstances or conditions with a parcel of land or a structure; and

WHEREAS, Advantage Properties has submitted a petition for two major variances to allow a building wall and accessory parking to encroach up to 3 feet 6 inches into a required 5 foot side yard setback at 1003 W. Main Street B3-U, General Business - University Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in ZBA Case Nos. 2012-MAJ-02 and 2012-MAJ-03; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on March 28, 2012 and voted 4 ayes and 0 nays to recommend that the Corporate Authorities approve the requested variances; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-4.B of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. Advantage Properties is applying for variances to allow a 9-foot tall, fire-rated masonry wall and accessory parking lot to encroach up to 3 feet 6 inches into a required minimum 5-foot side yard at 1003 W Main Street.
2. The property is zoned B-3U, General Business -University District.
3. The property is located in the north campus area and within walking distance of the University of Illinois' engineering campus. The Urbana Comprehensive Plan identifies the future land use as "Campus Mixed-Use".
4. Table VIII-2 of the Urbana Zoning Ordinance requires a minimum parking module width of 58 feet 6 inches when installing 90 degree parking, Table VI-3 requires a minimum five-foot side yard setback for building walls, and Section VIII-4.F of the Urbana Zoning Ordinance prohibits parking in required yards in B-3U zoning districts.
5. The proposed variance from Table VI-3 of the Urbana Zoning Ordinance, to allow a wall to encroach 3 feet 6 inches into a required 5-foot side yard setback, is necessary to comply with the parking lot width requirements of Table VIII-2 of the Urbana Zoning Ordinance, as well as an International Building Code requirement to construct a fire-rated wall to separate parking underneath a building and adjoining buildings.
6. The proposed variance from Section VIII-4.F of the Urbana Zoning Ordinance is to allow an accessory parking lot to encroach up to 3 feet 6 inches into a side yard setback, as required by Table VI-3 of the Urbana Zoning Ordinance.
7. The lot width of 66 feet 4½ inches is a practical difficulty in carrying out the strict application of the zoning ordinance because the parking and setback standards mandate a minimum of 68 feet 8 inches for minimum compliance.
8. The proposed variances are necessary due to special circumstances of the property being the lot width in relation to the minimum development requirements for zoning and building codes. Purchase of additional land

from neighboring properties was not possible because they are fully constructed to minimum setbacks.

9. The need for the proposed variances was not created by the petitioner, given the existing lot width verses minimum zoning standards.
10. The proposed variances will not alter the character of the neighborhood, nor cause a nuisance to adjacent properties. The property adjoining the encroachment is also owned by the applicant and used as an apartment building of similar height, scale, and setbacks. The proposed 9-foot tall masonry wall will screen the parking encroachment from the street and neighboring property to the west. Although a ground floor fire wall will encroach into the required 5-foot side yard, the second and third storey side wall will comply with the setback requirement.
11. The proposed variances represent the minimum possible from Zoning Ordinance requirements. Although a ground floor fire wall will encroach into the required 5-foot side yard, the second and third storey side wall will comply with the setback requirement. The proposed 18 inch masonry wall setback from the west property line would leave no more than a half an inch to spare for the remainder of the project to comply with other zoning and building code requirements.

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

Section 1. In ZBA Case Nos. 2012-MAJ-02 and 2012-MAJ-03, the two major variances requested by Advantage Properties are hereby approved in the manner proposed in the application and subject to the following conditions:

1. That construction closely conform to the attached site plan.

The major variances described above shall only apply to the property located at 1003 W. Main Street, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

Lot 2 in Block 48 in the Seminary Addition to Urbana, being a part of the Southeast Quarter of the Southeast Quarter of Section 7 in Township 19 North, Range 9 East of the 3rd P.M. in Champaign County, Illinois.

Parcel Identification Number: 91-21-07-482-006

Section 2. The Urbana 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).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the ____ day of _____, 2012

PASSED by the City Council on this ____ day of _____, 2012.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2012.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

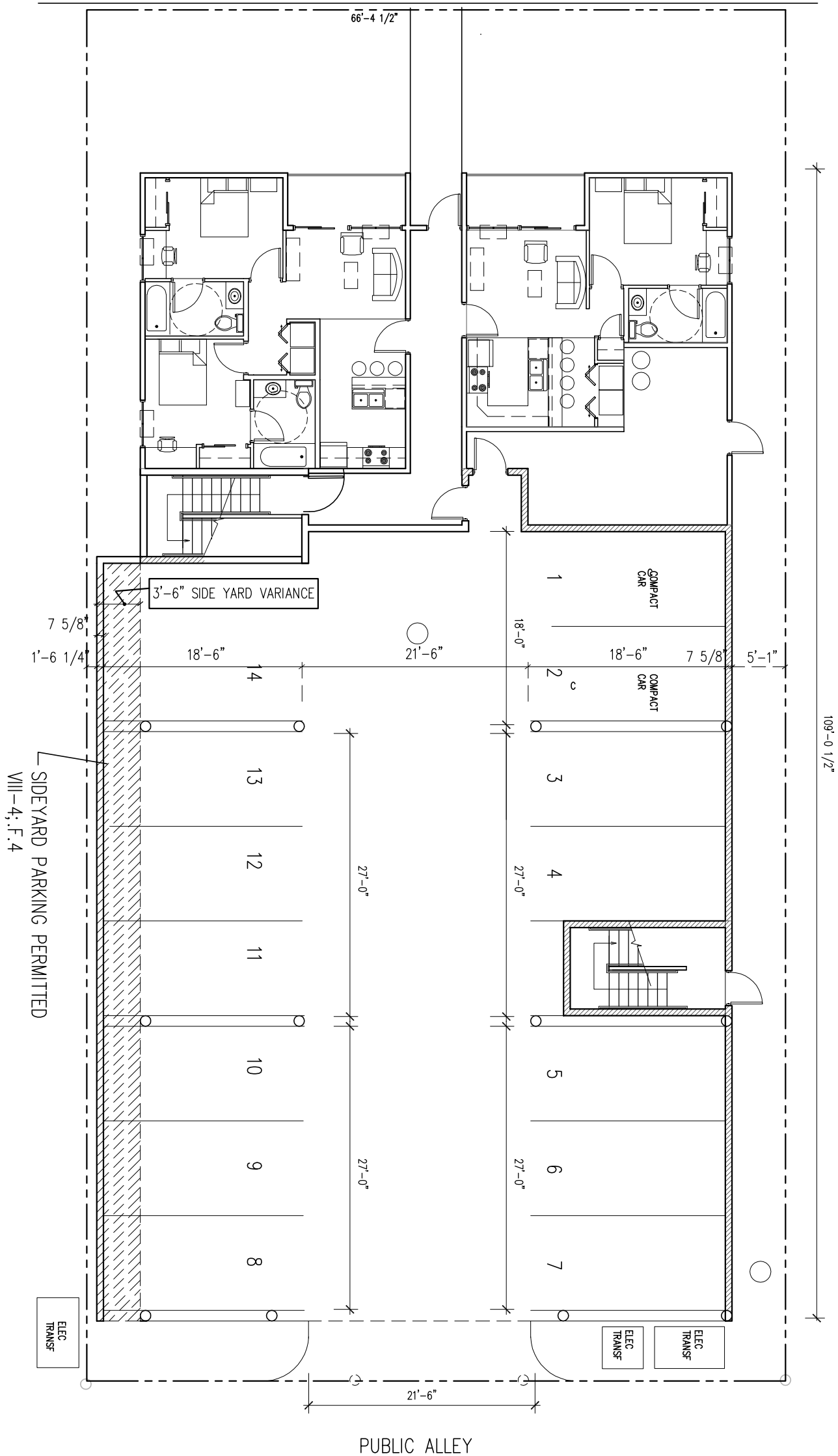
I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, 2012, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled AN ORDINANCE APPROVING MAJOR VARIANCES (Encroachment of a building wall and accessory parking into a required side yard in the City's B-3U, General Business - University District, at 1003 W. Main Street / ZBA Case Nos. 2012-MAJ-02 and 2012-MAJ-03) 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 _____, 2012, 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 _____, 2012.

WEST MAIN STREET

EXISTING CONC SIDEWALK

FIRST FLOOR PLAN - SHOWING PARKING & SIDEYARD USAGE
SCALE 3/16" = 1'-0"



PUBLIC ALLEY

WAKELAND APARTMENTS
NEW CONSTRUCTION
1003 W MAIN STREET
URBANA, IL

MSA
PROFESSIONAL SERVICES
TRANSPORTATION • MUNICIPAL DEVELOPMENT • ENVIRONMENTAL
201 W. Springfield Ave. Champaign, IL 61820
217-353-6976 Fax: 217-356-0570
Web Address: www.msa-ps.com
O IFA PROFESSIONAL SERVICES

Architectural Services

These drawings and specifications are the property and copyright of MSA Professional Services, Inc. and no other work shall be done or any other work shall be done without the written agreement with the Architect.

No.	Date:	Revisions:
1	2.10.12	CITY REVIEW COMMENTS
2	2.17.12	CITY REVIEW COMMENTS
3	2.24.12	ZONING VARIANCE SUBMISSION

Drawn:	
Reviewed:	
Date:	01.30.12
Proj. No.:	13892000
Sheet:	PK.1.1



Application for Variance

Zoning Board Of Appeals

APPLICATION FEE – \$175.00 (Major) and \$125.00 (Minor)

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 02-22-2012 ZBA Case No. ZBA-2012-MAJ-02
Fee Paid - Check No. 1137 Amount \$175.00 Date 02-22-2012

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 *(Insert Use/Construction Proposed and the Type and Extent of Variation Requested)* 3 1/2 FOOT EXTENSION ALONG PARKING AREA ON WEST SIDE on the property described below, and in conformity with the plans described on this variance request.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): ADVANTAGE PROPERTIES Phone: 217-344-0394
Address (street/city/state/zip code): HOWARD WAKELAND
406 N. LINCOLN - SUITE #2
Email Address: ADVANTAGE PROPERTIES.COM
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): OWNER

2. OWNER INFORMATION

Name of Owner(s): HOWARD WAKELAND Phone: 217-367-8606
Address (street/city/state/zip code): 1811 A AMBER, URBANA, IL 61802
Email Address: HOWARD@ADVPROPERTIES.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: 1003 W MAIN, URBANA.
PIN # of Location: 91-21-07-482-006
Lot Size: 66x132

Current Zoning Designation:

Current Land Use (vacant, residence, grocery, factory, etc): VACANT

Proposed Land Use: 14 UNIT APARTMENT BLDG

Legal Description: SEE PIN NUMBER

4. CONSULTANT INFORMATION

Name of Architect(s): RUSSELL DANKERT

Phone: 217-359-4283

Address (street/city/state/zip code): 201 W SPRINGFIELD,

CHAMPAIGN, IL, 61820

Email Address: WWW.MSA.PS.COM

Name of Engineers(s): WAKELAND CONSTRUCTION

Phone: 217-344-0394

Address (street/city/state/zip code): 406 N LINCOLN

Email Address: WWW.ADVPROPERTIES.COM

Name of Surveyor(s): REX BRADFIELD

Phone: 217-384-7799

Address (street/city/state/zip code): 2101 POND, URBANA

Email Address:

Name of Professional Site Planner(s): _____

Phone:

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

Email Address:

Name of Attorney(s): JENNY PARK

Phone: 217-552-1800

Address (street/city/state/zip code): MEYER CAPEL

Email Address: WWW.CAPELMEYER.COM

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.

WE ARE BUILDING A 14 UNIT APT BLDG & NEED 14 PARKING SPACES AS REQUIRED BY CODE THE 3 1/2 FOOT EXTENSION ALONG THE WEST SIDE OF PARKING LOT WOULD ALLOW US TO DO SO

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 BLDG IS 56'-3" WIDE 59'-6" IS NEEDED TO ACCOMMODATE 14 CAR PARKING LOTS

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

IT HAS BEEN COMMON PRACTICE TO BUILD 59-6" PARKING
LOTS IN THIS B3U ZONED AREA WITHOUT DISADVANTAGING LOTS
LOCATED ADJACENT

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

WE OWN THE PROPERTY NEXT DOOR, WITH A FENCE NEAR THE
LOT LINE APPROX 5' HIGH IT WILL BE NEARLY HIDDEN FROM
ADJACENT PROPERTY

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

DRAINAGE IS DESIGNED TO TAKE WATER FROM NEXT DOOR & PLACING
IT INTO STORM WATER DRAINS ON THIS LOT. IT WILL IMPROVE
NEXT LOT DRAINAGE - NO NUISANCE WILL BE CAUSED

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

YES. THIS IS A SIDE YARD TOWARD THE REAR END OF
THE LOT. IT WILL NOT CHANGE APPEARANCE OF FRONT
OF THE LOT

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

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.

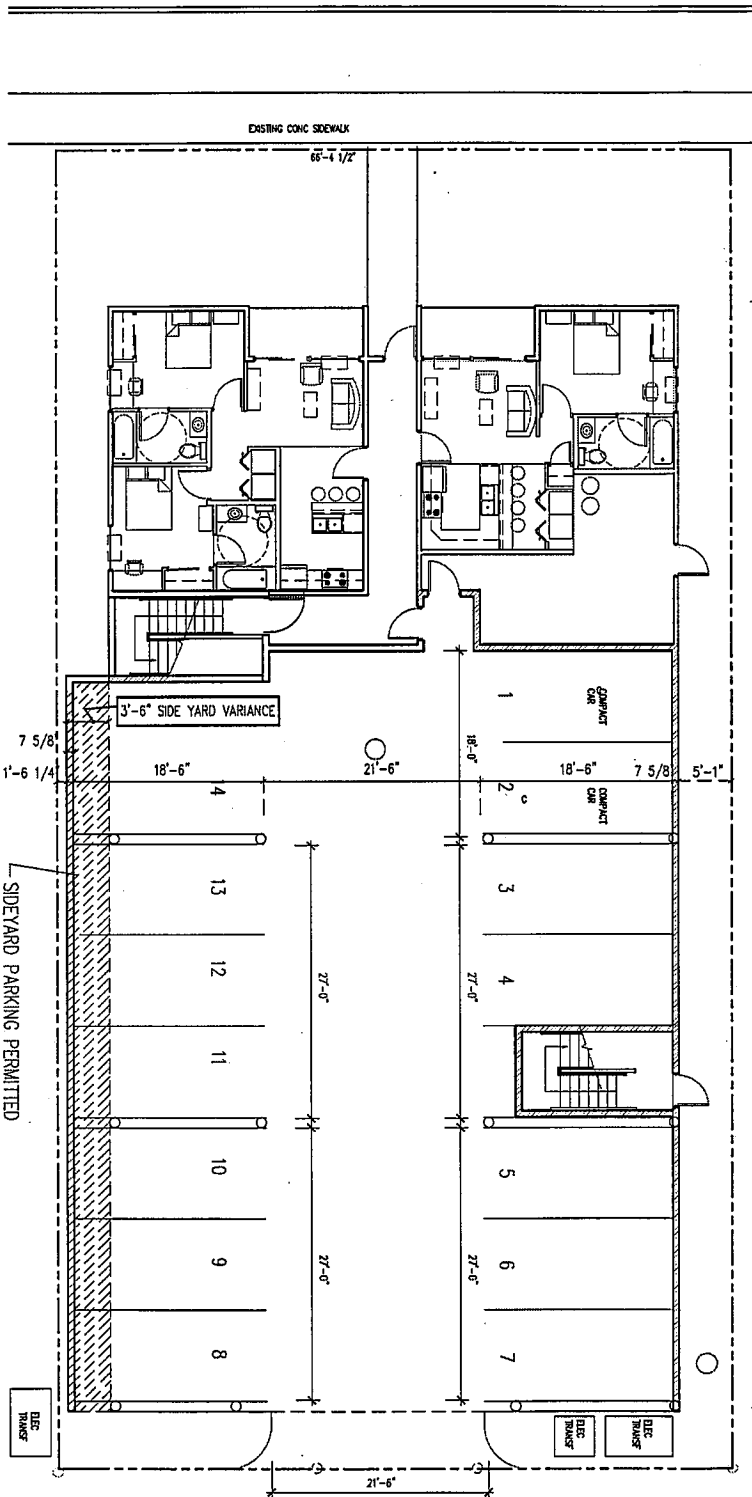
CERTIFICATION BY THE APPLICANT

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.

Howard W. Skelton
Applicant's Signature

2/21/12
Date

WEST MAIN STREET



FIRST FLOOR PLAN - SHOWING PARKING & SIDEYARD USAGE
SCALE 3/16" = 1'-0"

SIDEYARD PARKING PERMITTED
VIII-4, F.4

PUBLIC ALLEY

Drawn:	Revised:
Date:	Date:
Proj. No.:	Sheet:
PK.1.1	

No.	Date	Revision:
1	2/16/12	CITY REVIEW COMMENTS
2	2/17/12	CITY REVIEW COMMENTS
3	2/21/12	ZONING VARIANCE SUBMISSION

These drawings and specifications are prepared by MSA Professional Services, Inc. and are to be used only for the project and site identified on the title block. Any other use without the written consent of MSA Professional Services, Inc. is prohibited.

WAKELAND APARTMENTS
NEW CONSTRUCTION
 1000 W MAIN STREET
 URBANA, IL

MSA
PROFESSIONAL SERVICES

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Architectural Services

ADVANTAGE PROPERETIES . C-U, LLC

406 N. LINCOLN

Phone 217-344-0394

URBANA, IL. 61801

Fax 217-337-0804

TO: Paul Armstrong,
Chairman of the Urbana Zoning Appeals Board
2022 Burlison, Urbana, 61801

2/17/12

From: Howard Wakeland

Re: Variance of 3 1/2 foot along west side of the parking lot at 1003 W. Main a property located in the B3U zoned area in West Urbana

We - Advantage Properties - are building a new apartment building at 1003 W Main in Urbana. In the early planning a parking lot was shown on blueprints extending beyond the allowable building line by code.

As builders we placed our guidance on the Building Inspectors and believed they were in charge of granting permission for such an approval. In January the extent of the parking lot was removed from blueprints that followed. It was well into February that we were informed that this issue needed to be approved by the Urbana Zoning Appeals Board.

We are now seeking a variance of 3 1/2 foot on the west side of the parking lot as originally designed. (See blueprints provided). This came to our attention as we were finalizing the first floor parking area.

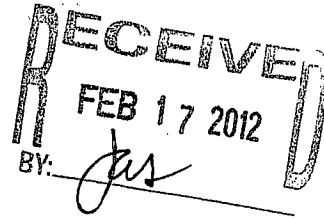
Please note that this specific area borders a property which we presently own. We will be surprised if any one objects to our request as it does not affect anyone else. We will construct any wall or separation the Building Inspectors may require. Copies of earlier blueprints are attached which we were following and making changes needed as we proceeded. You will note the parking extension was first shown on the east side of the building. The Architects changed it to the west side to relieve any neighborhood concern.

Our usual campus construction schedule starts in September which we followed. Then we rent the apartments scheduling them to be finished by August for fall rentals. We need to keep on schedule.

We are hopeful for a favorable decision on the part of the Zoning Appeals Board in it's next meeting on March 23, 2012. If allowed we will be able to stay on schedule in 2012.

Cc: Robert Myers, Community Planning

February 17, 2012



John Schneider
Steve Cochrane
City of Urbana
400 S. Vine
Urbana, IL 61801

Dear Mr. Schneider and Steve Cochrane,

Thank you for meeting with me this morning regarding the construction project located at 1003 W. Main, Urbana. As we discussed, there is a possibility of locating all 14 parking spaces at the building site with the acquisition of a variance. Should this variance not be attainable, as an alternate plan, we pledge that we will commit the property at 207 N. Gregory, Urbana, to the project to be used as additional parking if necessary. We would greatly appreciate any assistance that you or the City of Urbana could provide in helping us acquire the needed variance.

Once again, thank you very much for working with us on this endeavor.

Sincerely,

Craig Wakeland

RECEIVED JAN 20 2012

To: Steve Cochran
City of Urbana Building Inspector

1/17/12

From: Howard Wakeland

Re: Parking spaces required for 1003 W Main, Urbana

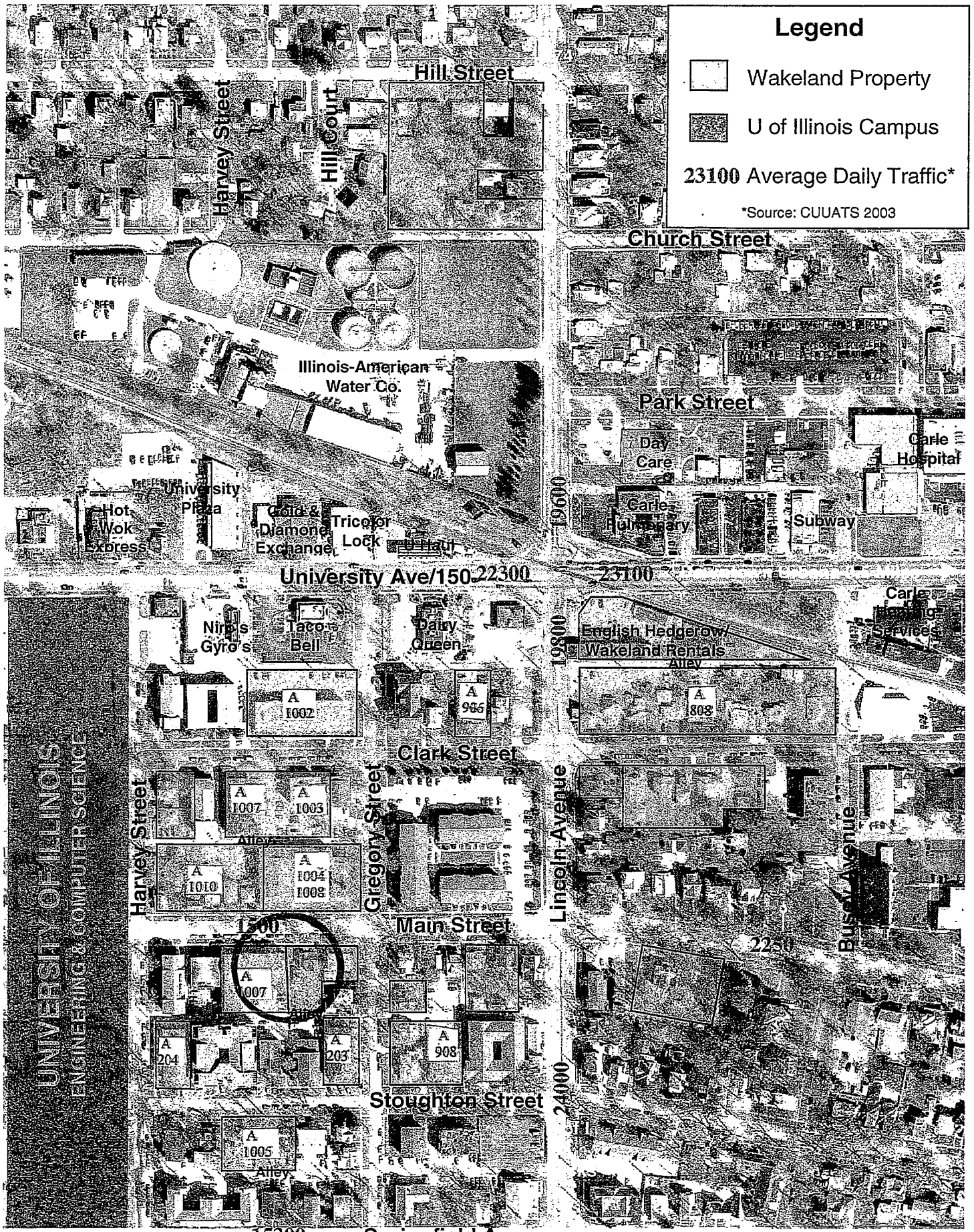
Enclosed are two maps both showing the area of the city in which 1003 W Main is located.

We will use 905 W Main for any overflow spaces we need for the occupants of 1003 W Main. We can accommodate up to 8 to 10 spaces there if needed. We have other locations which we could use but prefer to use 905.

My calculations for distance to the additional lot are –

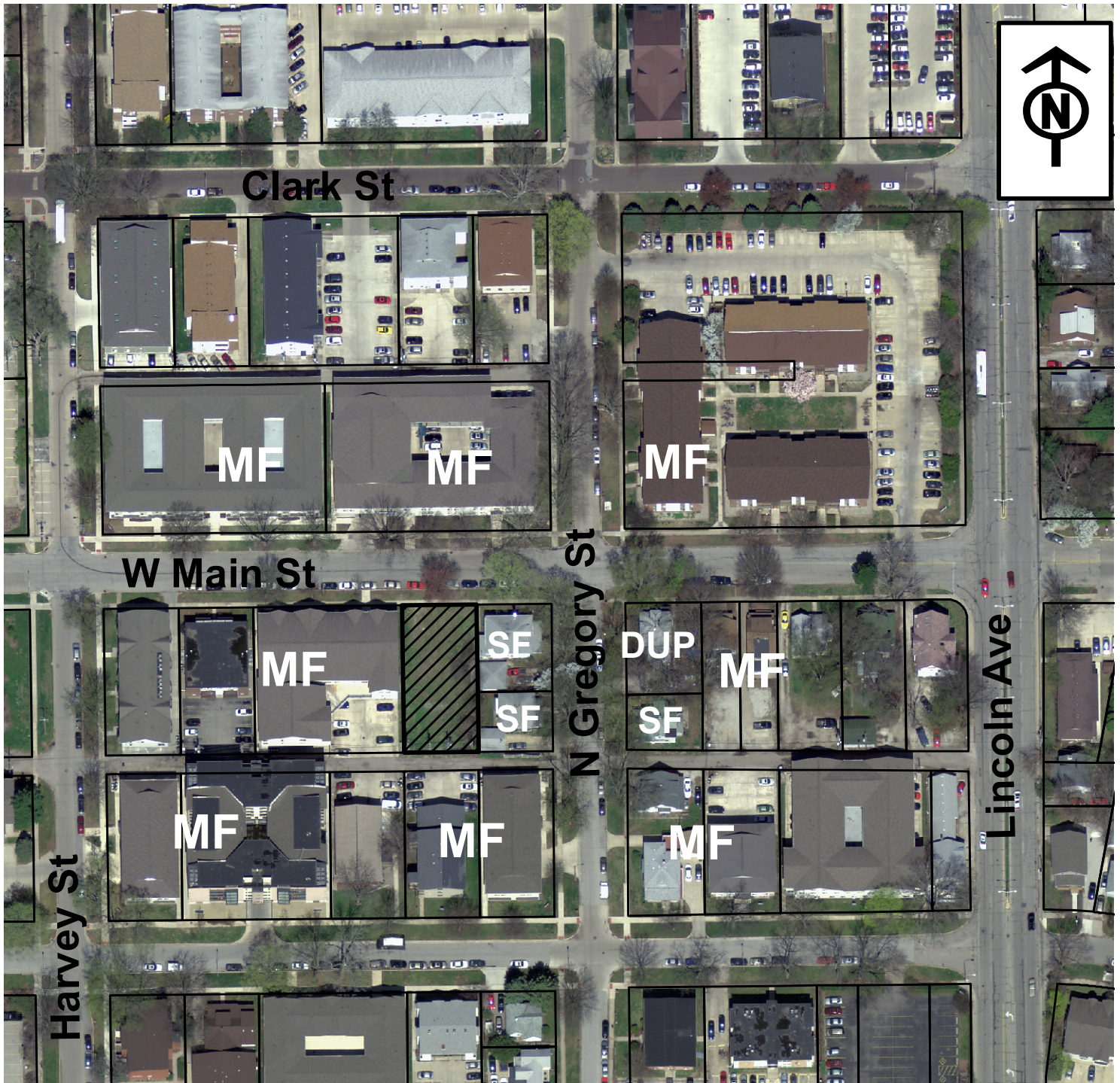
Width of 205/207 N Gregory lots	66 ft
Width of 807 W Main	66 ft
Width of 809 W Main	66 ft
Width of N Gregory Street	66 ft
Total distance	264 ft

I believe this should meet any additional space we may need



Wakeland Properties
 Lincoln and University Avenue/U of Illinois East Engineering Campus

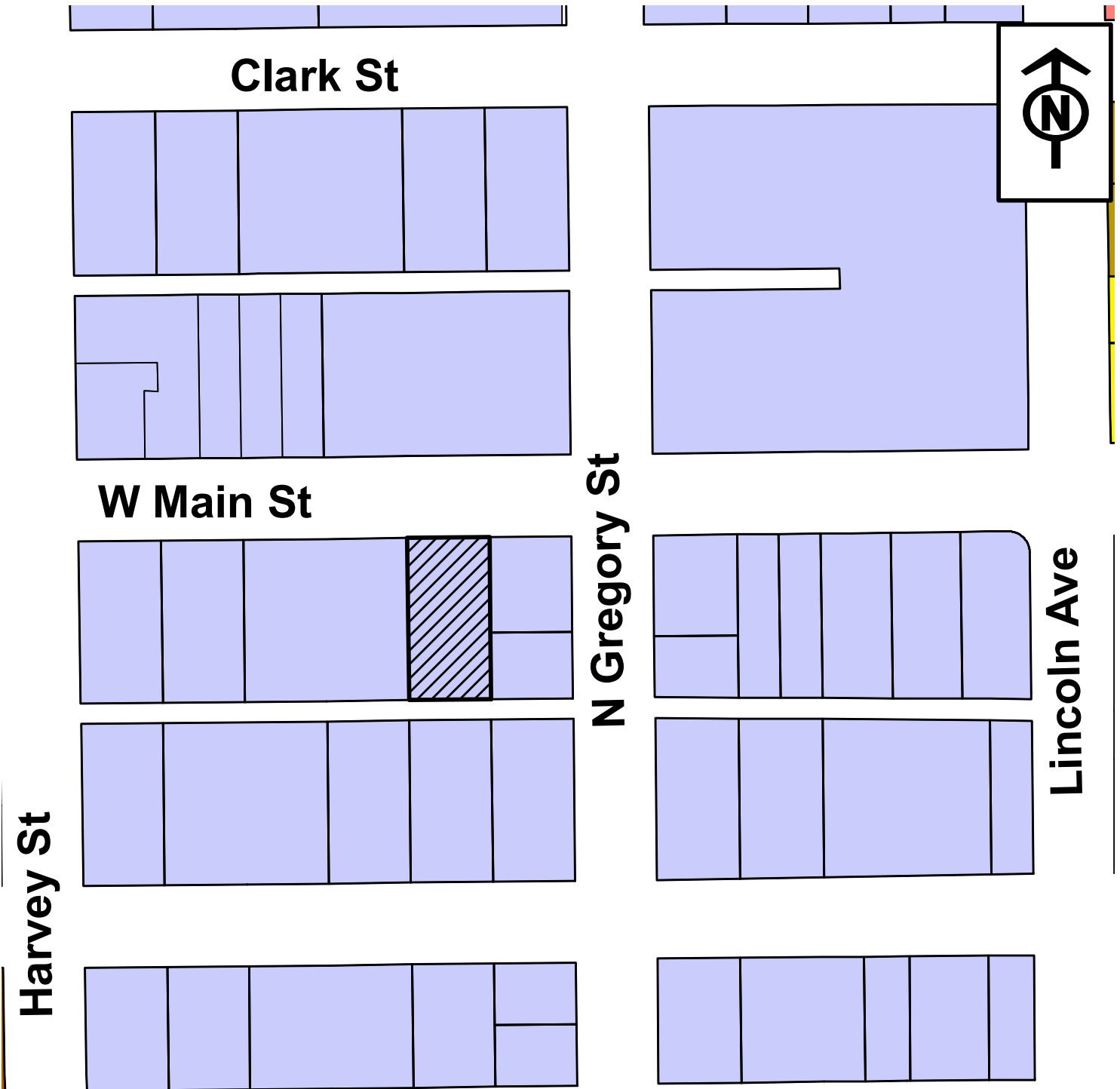
EXHIBIT A: Location & Existing Land Use Map



Case: ZBA-2012-MAJ-02 & 03
Subject: Request for Major Variance
for Parking & Wall in Required Yard
Location: 1003 W Main St, Urbana
Petitioner: Advantage Properties

 Subject Property

EXHIBIT B: Zoning Map



Case: ZBA-2012-MAJ-02 & 03
 Subject: Request for Major Variance
 for Parking & Wall in Required Yard
 Location: 1003 W Main St, Urbana
 Petitioner: Advantage Properties



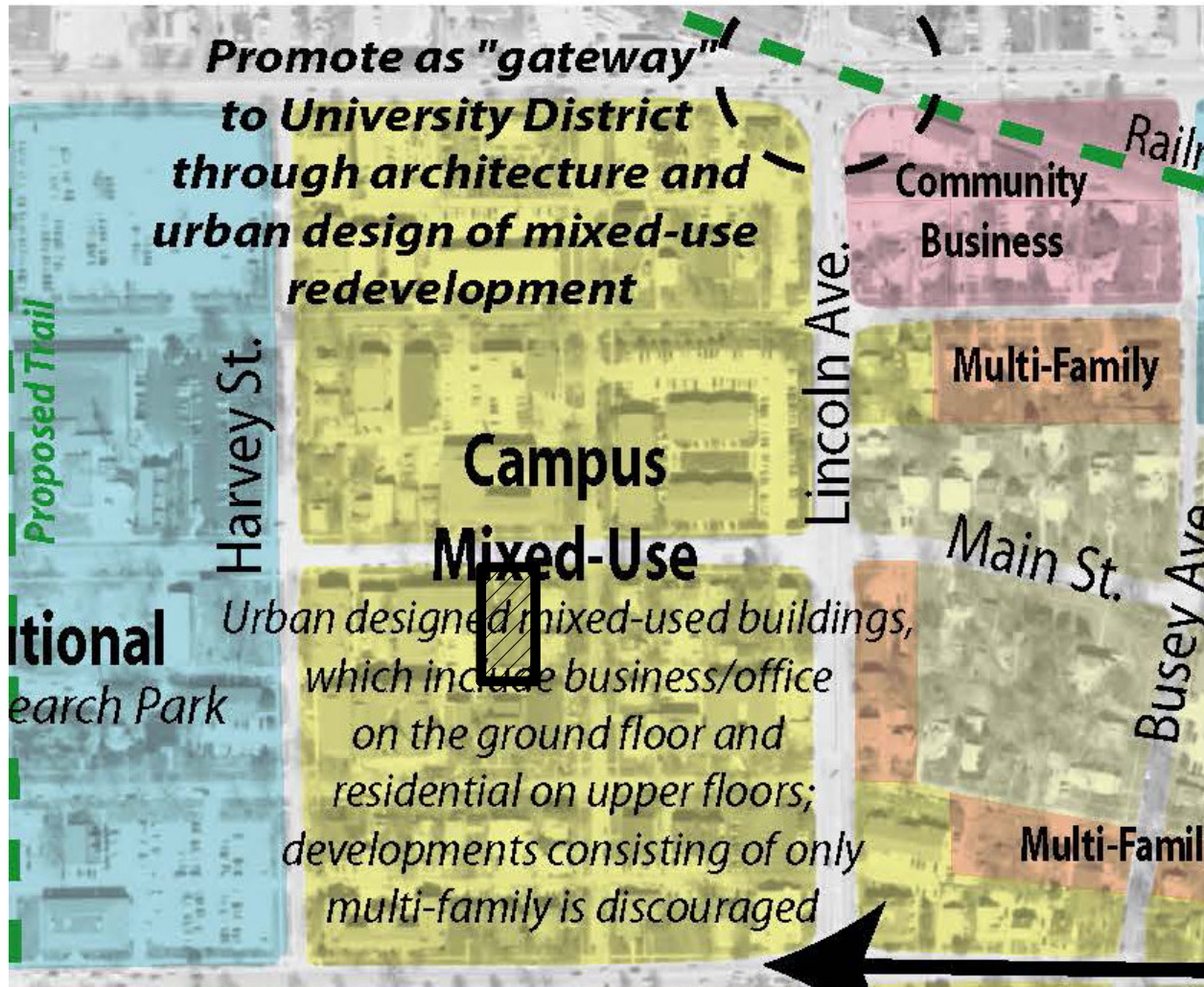
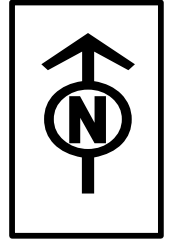
 Subject Property
 B3U

Exhibit C: Future Land Use Map



Case: ZBA-2012-MAJ-02 & 03
Subject: Request for Major Variance for Parking & Wall in Required Yard
Location: 1003 W Main St, Urbana
Petitioner: Advantage Properties

 Subject Property