



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**  
*Planning Division*

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

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

**FROM:** Elizabeth H. Tyler, AICP, Director

**DATE:** May 16, 2002

**SUBJECT:** Case No. 1819-SU-02, Request by Church of the Living God for a Special Use Permit to establish a Church Use on an 11.33-acre parcel located at northern termini of Dorie Miller Drive and Carver Drive in the R-3, Single-and Two-Family Residential Zoning District in Urbana.

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**Introduction**

The Church of the Living God is requesting a Special Use Permit to construct a church facility on an 11.33-acre parcel located north of Dorie Miller Drive and Carver Drive, south and west of Federal Drive in Urbana. The Church is currently located at 1109 North Fourth Street in Champaign. A Church/Temple is permitted as a Special Use in the R-3 Zoning District.

The construction is planned in two phases between 2002-2006. Phase One will involve the construction of a 44,200 square foot two-story multipurpose building, which will include the auditorium (the primary worship center for the church), church offices, classrooms, and related spaces. The petitioner anticipates completing this phase within 18 months. Unless alternative off-site provisions are made, a detention basin would be constructed to the west of the multipurpose building as part of Phase One. Access to the site would be exclusively from Federal Drive to the north to minimized impacts upon the residential neighborhood to the south.

Phase Two will involve the construction of three ancillary buildings for the church. These include a 15,000 square foot youth development center, an 18,000 square foot recreation center, and a 6,750 square foot equipment building. A baseball/softball field is proposed for the southwest portion of the property, as shown on the Site Development Plan attached to the May 6, 2002 staff memorandum. Phase Two is expected to be completed in approximately 24 months.

## **Background**

### **Description of the Site and Surrounding Properties**

The site is located at the northern termini of Dorie Miller Drive and Carver Drive in Urbana, just north of the boundary with the City of Champaign limits. It is zoned R-3, Single and Two-Family Residential and is currently in agricultural use. The Comprehensive Plan designation for the site is Commercial, although the site has historically remained in agricultural use.

The surrounding neighborhood is predominantly residential to the south and southwest. The Francis Nelson Health Center lies south of the property at the terminus of Carver Drive. Vacant land lies between the subject property and the Melrose Apartments to the east, while uses to the north are primarily industrial.

### **Development Regulations**

The proposed facility would meet the applicable zoning regulations, including setbacks, floor area ratio, open space ratio, parking, and height. All buildings are proposed to be set back at least 25 feet from the nearest property line. No parking would directly abut residential properties, and the facility would be adequately screened through tree plantings. The church anticipates that all parking needs will be provided on-site.

The proposed development will not interfere with an Illinois American Water easement that crosses through the proposed parking lot. Drainage is proposed to be handled through an on-site detention basin, unless off-site provisions can be made. The petitioner has expressed interest in utilizing the City's drainage pipe, which runs east of the subject property near Goodwin Avenue extended, however, City Engineering staff indicates the pipe was not planned to service the subject property and cannot sustain the increased capacity the church would generate. Should the church desire to not detain runoff on site and direct it to the off-site regional basin, accommodations will need to be arranged to ensure capacity.

On May 9, 2002, the Plan Commission voted 6 to 0 to recommend approval of the request for a Special Use Permit to City Council for the establishment of the church use with the conditions outlined in the staff memorandum. At the public hearing, commissioners heard from nearby residents regarding the importance of limiting vehicular access to Federal Drive only, and addressed drainage concerns. For more information regarding this case, please refer to the May 6, 2002 staff memorandum to the Plan Commission and to the minutes of the May 9, 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 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. The church has indicated the desire to expand their existing facility in Champaign on a new site in the same general neighborhood, and to provide recreation and youth development services for the community. The subject property would provide adequate space for the church to accomplish these goals.

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 Church should not be injurious or detrimental to the district. With a seating capacity of 1,064 persons, one of the issues to consider is the potential impact the large amount of traffic will have on the bordering area, which is largely residential. Carver Drive and Dorie Miller Drive, located within the City of Champaign, both dead-end at the southern property line of the subject parcel. If access to the church site is provided via these local streets, the considerable volume of traffic entering and exiting the site on Sunday mornings and possibly at other times could impact both the local streets and the surrounding properties. In order to alleviate potential disruptions on this neighborhood, vehicular access to the site will only be provided via Federal Drive to the north. This will be somewhat less convenient for many of the parishioners and visitors of the church, but as the application indicates, the Church is proposing a site layout designed to minimize the potential disruption to the quality of life for the surrounding properties.

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.*

The subject parcel is zoned R-3, Single- and Two-Family Residential. Article IV of the Zoning Ordinance defines the intent of Residential Zoning Districts as follows:

- A. *The Residential districts generally are intended to provide desirable settings for residential development within the several density ranges described in Urbana's Comprehensive Plan, and for various types of dwelling units, with appropriate regulations regarding physical development. As appropriate, the districts also allow other uses compatible with residential areas, either as permitted or as conditional or special uses. The basic urban services and utilities, including adequate access and utilities, are necessary for these districts.*

Furthermore, the R-3 District is defined as follows:

1. *The R-3 Single- and Two-Family Residential District is intended to provide areas for low density residential development, including single-family attached and detached dwellings and two-family dwellings.*

While the nearby residential areas are not subject to the Urbana Zoning Ordinance, consideration of the surrounding area is appropriate regardless of jurisdiction. In this case, the church is considered to be compatible with the surrounding area so long as the service requirements are met. Given that access and drainage concerns have been addressed, and utilities are intended to be fully provided on the site, the proposed use conforms to the applicable regulations and standards of, and can be considered to preserve the essential character of, the district in which it shall be located. To ensure that all concerns will be addressed in the future, staff has recommended that substantial compliance with the submitted Site Development Plan be a condition of the requested Special Use Permit.

## **Summary of Findings**

1. The proposed use is conducive to the public convenience at this location. It would allow the church to provide more space for parishioners, and to provide recreation and youth development services for the community.
2. The proposed church facility would not pose a detriment to the district in which it is proposed to be located. Drainage and access considerations have been addressed, and should not create problems for surrounding properties.
3. The proposed church facility meets all applicable standards and regulations of the district in which it is located. A church is an appropriate use in Residential zoning districts.
4. The proposed church facility is consistent with the intent of the zoning designations of the subject site and the surrounding area.
5. The proposed church facility is generally compatible with the existing land use pattern of the subject site and the surrounding area

## **Options**

The City Council has the following options regarding Plan Case No. 1819-SU-02:

1. Approve the request for a special use permit without any additional conditions.
2. Approve the request for a special use permit with any 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 with the following **CONDITIONS**:

1. That the layout of the facility shall closely resemble the submitted Site Development Plan, attached as Page 3 of Exhibit "A" of the draft Ordinance. Any significant deviation from this Site Development Plan will require an amendment to the Special Use Permit, including further review by the Plan Commission and approval by City Council.
2. That an engineered drainage plan, including proper conveyance and detention of stormwater from the site shall be prepared and constructed consistent with the requirements of the Urbana Subdivision and Land Development Code and subject to the review and approval of the City Engineer.
3. There shall be no vehicular access to the site from Carver Drive or Dorie Miller Drive. Detailed access and parking plans shall be prepared and constructed consistent with the requirements of the Urbana Zoning Ordinance and Subdivision and Land Development Code and shall be subject to the review and approval of the Zoning Administrator and City Engineer.
4. That three additional handicapped parking spaces be provided to satisfy ADA regulations indicated in the Zoning Ordinance.
5. The Church shall work with the adjacent community to be sure that the residents of the subdivision are happy with the green space buffering between the Carver Park Subdivision and the Church property.

Prepared by:

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Rob Kowalski, Planning Manager

Attachments: Draft Ordinance to Approve Special Use Permit  
Exhibit "A" Site Development Plan  
Minutes of the May 9, 2002 Plan Commission meeting

c: Henry Butler, Robert Lewis, Bruce Knight

**ORDINANCE NO.2002-05-052**

An Ordinance Approving A Special Use Permit  
(Request to establish a church in the R-3, Single and Two-Family  
Residential Zoning District - Plan Case No. 1819-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, the Church of the Living God has petitioned the Urbana Plan Commission in Case No. 1819-SU-02 to consider a request for a special use permit to allow a Church Use on an 11.33-acre parcel located at northern termini of Dorie Miller Drive and Carver Drive; and

WHEREAS, all applicable development regulations are intended to be met by the petitioner, including those involving setbacks, drainage, and vehicular access considerations; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed development on surrounding properties; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on May 9, 2002 concerning the

petition filed by the petitioner in Plan Case No. 1819-SU-02;  
and

WHEREAS, on May 9, 2002, the Urbana Plan Commission voted 6  
eyes 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, the approval of the Special Use Permit, with the  
condition set forth below, is consistent with the requirements  
of Section VII-6 of the Urbana Zoning Ordinance, Special Use  
Permit Procedures, and with the general intent of that Section  
of the 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 allow the establishment of a Church Use on the subject 11.33-acre parcel with the following conditions upon approval:

1. That the layout of the facility shall closely resemble the submitted Site Development Plan, attached as Page 3 of Exhibit A of this ordinance. Any significant deviation from this Site Development Plan will require an amendment to the Special Use Permit, including further review by the Plan Commission and approval by City Council.
2. That an engineered drainage plan, including proper conveyance and detention of stormwater from the site shall be prepared and constructed consistent with the requirements of the Urbana Subdivision and Land Development Code and subject to the review and approval of the City Engineer.
3. There shall be no vehicular access to the site from Carver Drive or Dorie Miller Drive. Detailed access and parking plans shall be prepared and constructed consistent with the requirements of the Urbana Zoning Ordinance and Subdivision and Land Development Code and shall be subject to the



review and approval of the Zoning Administrator and City Engineer.

4. That three additional handicapped parking spaces be provided to satisfy ADA regulations indicated in the Zoning Ordinance.
5. The Church shall work with the adjacent community to be sure that the residents of the subdivision are happy with the green space buffering between the Carver Park Subdivision and the Church property.

LEGAL DESCRIPTION:

Beginning at the Northwest corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, thence West 190 feet to the West line of the Southeast Quarter (SE ¼) of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, thence North along said line 611 feet, thence East 765 feet to the East line of Carver Park Subdivision extended North thence South along said line 726 feet to the Northeast corner of Lot 16 of said subdivision, thence West 450 feet to the Southeast corner of Lot 48 of said Subdivision, thence North along East line of said Lot 48; 115 feet, thence West 125 feet along North line of Lot 48; to the place of beginning situated

in Champaign County, Illinois, EXCEPTING therefrom the following described tract:

Beginning at the Northeast corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, a Subdivision; thence Easterly parallel with the North line of Lot 21 of said Subdivision, 55.00 feet; thence Southerly parallel with the East line of the said Lot 48, 115.00 feet to the common North Corner of Lots 20 and 21 of said Subdivision; thence westerly along the North line of Lot 21 of said Subdivision, 55.00 feet to the common corner of Lots 21 and 48 of said Subdivision; thence Northerly along the East line of said Lot 48, 115.00 feet to the point of beginning, containing 6.325 square feet (0.145 acres) more or less, all situated in the City of Urbana, Champaign County, Illinois, and having its Westerly and Southerly boundaries contiguous to the limits of the City of Champaign, Illinois.

Consisting of a total of 11.33 acres more or less, all situated in the City of Urbana, Champaign County, Illinois.

PERMANENT PARCEL #: 91-21-06-451-005

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 \_\_\_\_\_, 2000, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled "AN ORDINANCE APPROVING A SPECIAL USE PERMIT (Request to establish a church in the R-3, Single and Two-Family Residential Zoning District - Plan Case No. 1819-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.