



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: January 27, 2004

SUBJECT: Case No. 1879-SU-04, Request for a Special Use Permit to establish a Warehouse, Self-Storage Facility at 1808 S. Philo Road in the B-3, General Business Zoning District.

Introduction

J & B Ventures, LLC is requesting a Special Use Permit to establish a climate-controlled self-storage warehouse facility at 1808 S. Philo Road in southeast Urbana. The proposal includes plans for a retail packaging retail/storage facility office to be located in the front of the building. The subject property was the site of the former Jewel/Osco uses. The property is zoned B-3, General Business. A *Warehouse, Self-Storage Facility* is permitted by Special Use in the B-3 Zoning District.

On January 22, 2004, the Plan Commission voted 7 to 0 to recommend approval of the request with the three conditions. At the public hearing there was no public testimony about this case other than the owner who spoke about the proposed use. For more information regarding this case, please refer to the January 14, 2004 staff memorandum to the Plan Commission and to the minutes of the January 22, 2004 Plan Commission meeting.

Background

Description of the Site and Surrounding Properties

The site is approximately a 6-acre parcel located in the east side of Philo Road. The site contains a building of 43,150 square feet in area and has 206 existing parking spaces to serve a potential commercial user. The site is located along south Philo Road between the former Kmart on the north, Piccadilly's on the south, and a vacant lot to the north.

Proposal

J&B Ventures owns the vacant retail facility and proposes to improve the interior to allow a climate-controlled storage facility to be the primary use of the building. The proposal is to operate a retail business in a front area of the building, the retail area will be for a packaging supply center and used for the sales of mailing/storage supplies such as boxes and tape. An employee of the retail area will provide clients access to the individual storage units within the building. Access to the storage facility units will be controlled by the employees in the front and will be available only during general retail business hours. The proposed hours of operation of the retail use and storage access are planned to be Monday through Saturday 7:00 o'clock a.m. until 7:00 o'clock p.m. with limited hours on Sunday.

The proposal is for 214 climate-controlled storage units to be available in various sizes. The units will be constructed with steel partitioned walls with steel mesh ceilings to allow air conditioning to circulate throughout. The entrance to the retail portion of the building will be from a regular doorway on the front of the building. Access to the self-storage units could occur from two entrances, an entrance from the retail area or from a garage door located in the front of the building. The garage-style entrance may be use to allow larger items to be placed more easily into the building to be placed in a unit.

Depending on the success of the storage unit rental business, at a later date the petitioner may wish to add additional storage units throughout the building after assessing which size storage unit is most popularly rented. Access to the self-storage facility units should be convenient. Parking on the property shall accommodate the proposed use.

The Building Safety division identifies a use to determine the appropriate sprinkler system for a building. They consider the proposed use to be similar to a supermarket use type which assumes that there will be a low level of combustible materials in the building at one time. The Building Safety Staff will address the sprinkler system needs of this building during their final building code compliance review.

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 January 22, 2004 the Urbana Plan Commission considered the following:

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

The proposed climate-controlled self-storage facility would be conducive to the public convenience at this location because it would offer personal storage for the various apartments and single-family residences in the general area. The petitioner indicates that climate controlled storage would be provided, which would benefit area businesses wishing to store documents in the facility.

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 use would not likely generate a significant amount of vehicular traffic, noise, waste or negative environmental effects on or near the site. The unloading and loading of property into the building is proposed to be monitored by the manager of the office, with proper signage and instruction, the loading or unloading property should not be injurious to the district or to the public welfare. The proposed use 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 Warehouse, Self-Storage Facility is permitted as a Special Use in the B-3, General Zoning District. The proposed facility is designed to meet applicable regulations and standards of the Urbana Building Safety Division. The proposed use should not create a traffic problem on adjacent streets.

Summary of Findings

At the January 22, 2004 hearing, the Plan Commission adopted the following findings:

1. The proposed facility is conducive to the public convenience because it would offer storage service to residential and business customers in the area.
2. The proposed use should not pose a detriment to the district in which it is proposed to be located.
3. The proposed use is consistent with the zoning designations of the subject site and the surrounding area.
4. The proposed use is compatible with the existing land use pattern of the general area.

Options

The City Council has the following options regarding Plan Case No. 1879-SU-04:

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; or

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. The climate controlled self-storage warehouse use shall be in general conformance to the plan submitted.
2. There shall be no outdoor storage on the subject property.
3. The use shall be contained within the current building footprint, there shall be no expansion of the building for the purposes of self-storage use.

Prepared by:

Michaela Bell, Senior Planner

Attachments: Draft Ordinance to Approve a Special Use Permit
Minutes of the January 22, 2004 Plan Commission meeting
Location Map
Public Notice & Label List
Site Photos

c: John M. Fimian
Bob Venable
Andrew Fell

ORDINANCE NO. 2004-02-011

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Establish a Warehouse, Self-Storage Facility in the B-3, General Business Zoning District / 1808 S. Philo Road - Plan Case No. 1879-SU-04)

WHEREAS, the subject property is zoned B-3, General Business and Warehouse, Self Storage Facility is allowed only as a Special Use in a B-3 zone.

WHEREAS, J & B Ventures, LLC has petitioned the Urbana Plan Commission in Case No. 1879-SU-04 to consider a request for a special use permit to establish a Warehouse, Self-Storage Facility to be located at 1808 S. Philo Road; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 22, 2004 concerning the petition filed in Plan Case No. 1879-SU-04; and

WHEREAS, on January 22, 2004, the Urbana Plan Commission voted 7 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 three conditions as outlined in Section 1 herein; 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 with the conditions outlined below 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 a Self-Storage use at 1808 S. Philo Road with the following conditions:

1. The climate controlled self-storage warehouse use shall be in general conformance to the plan submitted.
2. There shall be no outdoor storage on the subject property.
3. The use shall be contained within the current building foot print, there shall be no expansion of the building for the purposes of self-storage use.

LEGAL DESCRIPTION:

Lot 2 of Becky's subdivision as per plat recorded in Book Y at page 196, in Champaign, County, Illinois

PERMANENT PARCEL #: 93-21-21-201-008

LOCATED AT: 1808 S. Philo Road

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

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

I certify that on the _____ day of _____ 2004, the corporate authorities of the City of Urbana passed and approved Ordinance No.

_____, entitled "AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To establish a Warehouse, Self-Storage Facility in the B-3, General Business Zoning District / 1808 S. Philo Road - Plan Case No. 1879-SU-04)" 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 _____, 2004, 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 _____, 2004.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: January 22, 2004
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Don White

MEMBERS EXCUSED: Laurie Goscha, Marilyn Upah-Bant

STAFF PRESENT: Rob Kowalski, Planning Manager; Michaela Bell, Senior Planner; Paul Lindahl, Planner; Teri Andel, Secretary

OTHERS PRESENT: Sandy Bales, Mark Blager, John Fimian, John Peisker, Susan Taylor

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:30 p.m., the roll call was taken, and a quorum was declared.

6. NEW PUBLIC HEARINGS

Plan Case # 1879-SU-04: Request for a Special Use Permit to establish a Warehouse, Self-Storage Facility at 1808 South Philo Road in the B-3, General Business Zoning District.

Michaela Bell, Senior Planner, presented the case to the Plan Commission. She described the site and the proposal. She reviewed the requirements for a Special Use Permit according to Section VII-6 of the Urbana Zoning Ordinance. She read the options of the Plan Commission and presented staff's recommendation, which was as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Plan Commission recommend approval of the proposed Special Use Permit to the City Council as presented for the reasons articulated with the following conditions:

1. *The climate controlled self-storage warehouse use shall be in general conformance to the plan submitted.*
2. *There shall be no outdoor storage on the subject property.*

Mr. Kangas understood the proposal to be that the petitioner wanted to take the existing building and subdivide it for smaller storage units on the interior. Ms. Bell stated that was correct. They plan to partition the building into units. Mr. Kangas asked that it was not an expansion of the building itself, and the footprint of the building would not change? Ms. Bell stated that was correct.

Mr. Kangas inquired if the Plan Commission and City Council approved the Special Use Permit, would it prohibit by right of the petitioner in the future to expand out? Ms. Bell replied that the Special Use Permit would be for the use of the self-storage units. The petitioner would be able to expand the building into the parking area, depending on how many units the petitioner wanted to expand out. Mr. Pollock added that as long as the other conditions of the Special Use Permit would apply to the expansion, then the expansion would be permitted.

Mr. Kangas asked if there would be any changes in lighting, fencing, security, etc.? Ms. Bell replied that there were not any changes. City staff added a condition that there would not be any outdoor storage.

Mr. Douglas inquired if Lot C was supposed to be used for storage as well? Mr. White responded by saying that Lot C was meant to be used for storage; however, the storage units were never built. Ms. Bell added that in October, 2002 there was a similar request for a Special Use Permit for outdoor mini-warehouse storage buildings directly east of the subject property. Mr. Kangas asked if they were to be the type that people could drive up to like a garage? Ms. Bell stated that was correct.

Mr. Pollock inquired if that Special Use Permit had expired? Could the storage units still be built? Ms. Bell replied that the storage units could still be built on Lot C.

Mr. Alix questioned if it was the same petitioner as in the proposed case? Ms. Bell said yes.

Mr. Pollock asked if the reason why the petitioner needed the proposed Special Use Permit was because a self-storage mini warehouse use was not specified in the Table of Uses as a permitted use in the B-3, General Business Zoning District? Ms. Bell stated that the use was specified as a Special Use Permit in the Table of Uses for the B-3 Zoning District.

Mr. Pollock commented that Ms. Bell had mentioned that there would be limited hours of operation for the proposed mini warehouses. However, it was permitted in the B-3 Zoning District, if the petitioner decided to have it open 24 hours a day, then he could. Ms. Bell said that was correct.

John Fimian, of 151 Woodlake Road in Seymour, approached the Plan Commission to answer any questions that they may have.

Mr. White understood that with the way the proposed warehouses were to be built, it would be very possible to take the dividers out and go with another type of business in the same location if the petitioner wanted to. Mr. Fimian noted that should the economic climate change, then they could go back to having a retail use located in the proposed building. Mr. White remarked that he would like to see a retail operation in the proposed building, but did not know if that would ever happen. Mr. Fimian agreed. He mentioned that they had been actively marketing the building for retail for 14 months. Mr. White asked if they would continue to market it for retail? Mr. Fimian replied that they were still advertising the north section of the building for retail.

Mr. White inquired if it would be a burden if the City put a condition on the approval of the Special Use Permit to not allow any expansion of the current building in terms of size? Mr. Fimian responded by saying that he would not want to limit himself at this point.

Mr. Alix asked what Mr. Fimian's intentions were for Lot C? Mr. Fimian replied that it would be outside storage units. Mr. Alix inquired if Mr. Fimian still intended to build the storage units? Mr. Fimian replied yes, further down the road.

Mr. Alix inquired if it was Mr. Fimian's intention to keep the property intact in terms of the parking and the building rather than subdividing the property and selling off outlets along Philo Road for smaller businesses? Mr. Fimian replied that there are already outlets in the area, but on separate lots. Mr. Alix asked if Mr. Fimian owned the outlets? Mr. Fimian stated that he did own them. Mr. Alix commented that there was concern that this was a prime site for large retail, assuming that someday someone would be interested in it. There was certainly an interest on the part of the community in keeping the building usable for that reason rather than chopping it up into smaller parcels.

Ms. Stake expressed her concern for wanting a commercial use in the proposed building. There are many residents around this area that could shop there. She wondered what kinds of commercial had the petitioner tried to get interested in locating in the proposed building? Mr. Fimian stated that they had contacted 12 or 14 places. They came very close to getting a Big Lots to move in; however, it was around the same time that Kmart closed. Big Lots was a national company, and they had done a marketing analysis for this location. As a result, they could not justify locating on this site.

Ms. Stake stated that at the Comprehensive Plan Steering Committee members, everyone kept talking about needing retail close to residential. This was certainly an area that needed that. She would hate to see it be used just for storage. There was plenty of Industrial area for storage. Mr. Fimian responded by saying that as he had indicated earlier, this area could be converted back to retail if the economy and area changed on that side of Urbana. In the meantime, they would be providing a service to the apartment dwellers and businesses in the area in that they would be providing lockable storage areas, which would be heated and cooled. They would have a sprinkler system and a security system.

Ms. Stake asked if he would still own the building? Mr. Fimian said yes.

Mr. White mentioned that the City staff had suggested that there be no outdoor storage on the subject property. Would that still allow for the storage to be built behind this property that had already been approved for a Special Use Permit? Ms. Bell said yes.

Mr. Alix stated that he was as disappointed as everyone else to not see the area flourishing with commercial development, but he thought that this was a reasonable attempt to get some use out of the space in a way that would provide a service that would certainly be useful to that neighborhood. The notion of using some of the space for storage while preserving some at the front and to the north for a smaller retail might make it easier to market. It seemed appropriate to him. Any commerce there was better than none.

Mr. Hopkins inquired if there was a time limit on Special Use Permits? Mr. Kowalski explained that Special Use Permits have a limit if they were not exercised in a year. After the year was over, the petitioner could request an extension if they need more time.

Mr. White moved that the Plan Commission recommend approval along with the two conditions that were recommended by staff. Mr. Alix seconded the motion.

Mr. Hopkins made a motion to add an amendment by adding a condition that this Special Use Permit applied within the current building envelope. His intent was not to say definitively that this should not be enlarged, but rather that if it was enlarged, the way it could be enlarged was significant enough that the Plan Commission and the City Council should see it again for review. This had to do with the potential of preserving the retail options. Mr. White seconded the motion for the amendment.

Mr. Alix agreed. It would not be posing a burden to the petitioner. In fact, it appeared that the petitioner wanted to preserve the building for retail options. He felt that there was a compelling community interest in continuing to monitor the development on that parcel, given the opportunity it provided for long-term commercial development and potential assemblage with the Kmart property to the north. He would support the amendment.

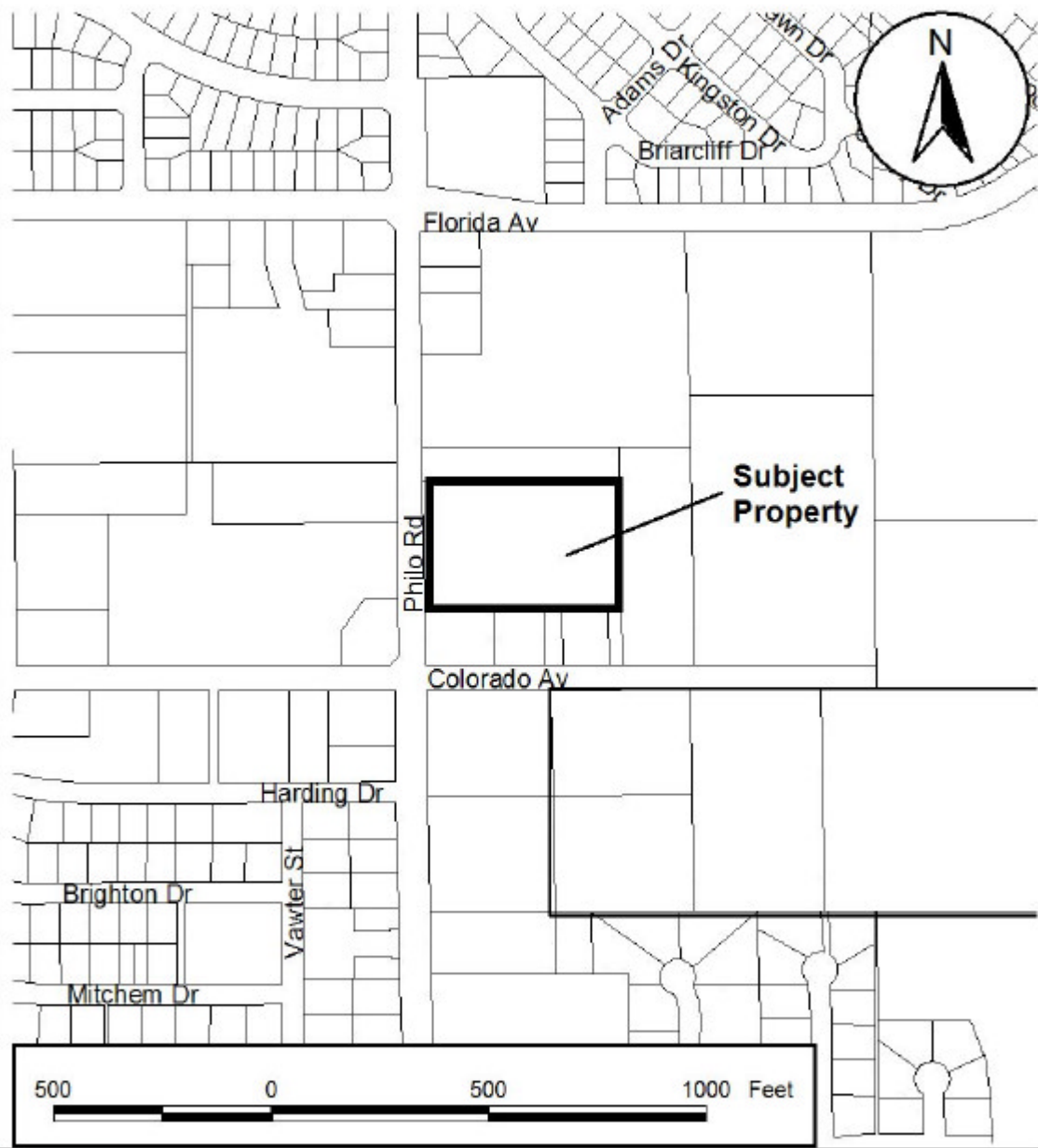
The motion for the amendment passed by unanimous voice vote.

Roll call was taken on the main motion and was as follows:


Mr. Pollock	-	Yes	Mr. Kangas	-	Yes
Mr. Hopkins	-	Yes	Mr. Douglas	-	Yes
Mr. Alix	-	Yes	Mr. White	-	Yes
Ms. Stake	-	Yes			

The motion was passed by unanimous vote.

Exhibit "A": Location Map



Special Use Permit, Plan Case #1879-SU-04,
Establish Warehouse, Self-Storage Facility use
1808 S. Philo Road
Petitioner: J & B Ventures, LLC

 City Boundary

Prepared January 8, 2004 by Community Development Services - pal



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

400 S. Vine

P.O. Box 946

Urbana, IL 61801

(217) 384-2439

January 7, 2004

NOTICE OF PUBLIC HEARING IN REGARD TO A PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN to all interested persons that a public hearing will be held by the Plan Commission of the City of Urbana, Illinois, on **Thursday, January 22, 2004 at 7:30 P.M.** in the Urbana City Council Chambers, 400 S. Vine Street, Urbana, Illinois, at which time and place the Commission will consider a request in **Plan Case 1879-SU-04**.

Plan Case Plan Case 1879-SU-04 is a request for a Special Use Permit to establish a Warehouse, Self-Storage Facility with a retail mailing center office at 1808 Philo Road. The parcel is zoned B-3, General Business. A Warehouse, Self-Storage Facility is only permitted as a special use in the B-3, General Business Zoning District. A Package and Mailing Service facility is permitted by right in the B-3 Zoning District.

Detailed information about the plan case is available at the City of Urbana Community Development Services Department, 400 South Vine Street, Urbana, Illinois 61801. The plan case is subject to change during the public hearing process.

Because you are a nearby property owner, the Zoning Board of Appeals would especially welcome your comments at the hearing, or in writing if received prior to the hearing.

Persons with disabilities needing services or accommodations for this hearing should contact the Community Development Services Department at 384-2444, or the City of Urbana's Americans with Disabilities Act Coordinator at 384-2466, or TTY 384-2360.

If you have any questions concerning this request, please contact my office at (217) 384-2440.

Sincerely,

Michaela Bell
Senior Planner

30-21-21-200-026
VIRGIL J NAUGLE
1900 S PHILO RD
URBANA, IL 61801

30-21-21-200-034
URBANA MASONIC #157
14 BEL AIR COURT
CHAMPAIGN, IL 61820

93-21-21-126-009
BIGFOOT FOOD STORES LLC (#94)
PO BOX 347
COLUMBUS, IN 47202

93-21-21-126-032
CLIVE FOLLMER
% P.O. BOX 3159
1717 PHILO RD
URBANA, IL 61801

93-21-21-126-040
NIEMANN FOODS INC
% P O BOX 847
1501 N 12TH ST
QUINCY, IL 62301

93-21-21-126-041
PHILO PARTNERSHIP
% R L. WALDSCHMIDT
121 N.E. JEFFERSON
PEORIA, IL 61602

93-21-21-176-013
FAMILY VIDEO MOVIE CLUB
1022 E ADAMS ST
SPRINGFIELD, IL 62703

93-21-21-200-006
VIRGIL J NAUGLE
1900 S PHILO RD
URBANA, IL 61802

93-21-21-200-010
SUNNYCREST INVESTMENT LLC
% DAVID BILFELD
1217 W ROSCOE
CHICAGO, IL 60657

93-21-21-200-025
FIRST BERKSHIRE PROPERTIES
% BENDERSON DEVELOPM
570 DELAWARE AVE
BUFFALO, NY 14202

93-21-21-201-003
JAMES BURCH
% P O BOX 3337
2404 N MATTIS AVE
CHAMPAIGN, IL 61826-3337

93-21-21-201-005
JACK B TROXELL JR.
1904 ROBERT DRIVE
CHAMPAIGN, IL 61821

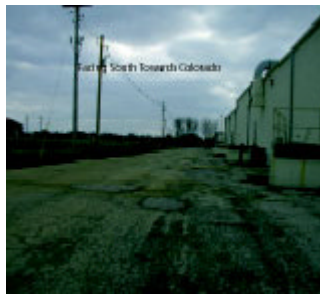
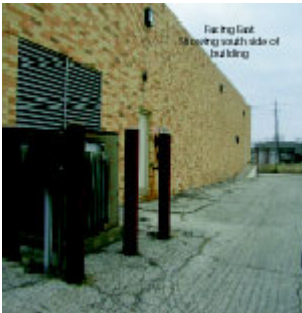
93-21-21-201-007
JAMES BURCH
2404 N MATTIS
CHAMPAIGN, IL 61826

93-21-21-200-041
SUNNYCREST II APARTMENTS
2304 DALE DR
CHAMPAIGN, IL 61821

93-21-21-200-041A
CHL DEVELOPMENT
428 MAINE STREET SUITE 300
QUINCY, IL 62301

93-21-21-200-010
RAY CAMPO
1001 N CUNNINGHAM
URBANA, IL 61802

SITE PHOTOS, 1808 S. PHILO ROAD





Garage Door Entrance
into Self-Storage Unit Area



(Inside Building)
Proposed Area
for Self-Storage Units



Retail Mailing Center Area



Entrance into
Storage Facility Area
From Retail
Mailing Center