



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Michaela Bell, Senior Planner

DATE: December 11, 2003

SUBJECT: Case No. 1873-SU-03, Request for a Special Use Permit to allow off-site accessory parking to located at 715 West Michigan in Urbana's R-7, University Residential Zoning District.

Introduction

The petitioner has requested a Conditional Use Permit to allow an owner-occupied bed and breakfast use in her home at 714 West Michigan Avenue. The Zoning Board of Appeals will hear the Conditional Use Permit case ZBA-03-C-06, on Wednesday, December 17, 2003. At the August 20, 2003 ZBA meeting, several neighbors – including the owner of 712 West Michigan Avenue - mentioned concerns about the adequacy of off-street parking and the poor functionality of the existing shared access and contiguous driveways of 714 and 712 West Michigan. In response to these concerns, the petitioner is now proposing that the required off-street parking associated with the proposed Bed and Breakfast be located off-site in a parking lot at 715 West Michigan Avenue. The conditional use permit to operate an accessory bed and breakfast use at 714 W. Michigan is recommended to be contingent upon the granting of a Special Use Permit to provide off-site parking.

Because 714 West Michigan is in the R-2, Single Family Residential Zoning District, and 715 West Michigan is zoned R-7, University Residential, the petitioners must apply for a Special Use Permit to provide required bed and breakfast parking off-site on a lot with a different zoning designation. Section V-3 of the Zoning Ordinance allows accessory parking to be located off-site up to 600 feet from the site. The Zoning Ordinance further states that the accessory parking is permitted by right if the principal use is permitted by right. If the use is not permitted by right in the district, accessory parking may be permitted with the granting of a special use permit. Since an owner-occupied bed and breakfast is not permitted by right in the R-7 zone, the special use permit is required to provide the off-site accessory parking. The Staff recommendation to the Zoning Board of Appeals was that all bed and breakfast parking be located off-site at 715 W. Michigan Avenue. Both the Conditional Use Permit and the Special Use Permit are being considered concurrently.

Background

Description of the Site and Surrounding Properties

The subject property is within a one-block distance from the University of Illinois. The neighborhood is a diverse mix of university, institutional and student residential uses transitioning eastward into a single-family residential area. 715 W. Michigan is owned by the Lincoln Green Foundation and is currently used as a student residence for men. The house was formerly the Alpha Xi Delta Sorority House/Opus Dei House. The current use of the property is similar to a boarding house or rooming house use. The property is a double lot with a very large lawn area. The entire lot is 38,500 sq. ft. in area. The parking lot for the residence is accessed off of Busey Avenue and is located at the southwest end of the property.

The following chart identifies the Comprehensive Plan designation, current zoning, and current land use of the site and surrounding properties.

Survey of Comprehensive Plan Designation, Zoning, and Land Use

	Comprehensive Plan	Zoning	Land Use
Site	Single-Family Residential	R-7, University Residential	Institutional/Boarding House (Lincoln Green Residence)
North	Single-Family Residential	R-2, Single-Family Residential	Single-Family (Proposed accessory B&B)
South	Single-Family Residential	R-2, Single-Family Residential	Single-Family
East	Single-Family Residential	R-2, Single-Family Residential	Single-Family
West	Single-Family Residential	R-7, University Residential	Institutional/Multifamily

(Please refer to the attached Future Land Use, Zoning, and Existing Land Use maps for further information.)

The Proposal

In the application for a conditional use (Case ZBA-03-C-06), the petitioners have requested to rent up to four rooms for the purposes of the bed and breakfast. Under the “owner-occupied bed and breakfast” use in the Zoning Ordinance, the owners must live in the home, meaning that the principal use must remain single-family. Although the petitioner is proposing to rent out four rooms during a given night, City Staff has recommended a condition that the bed and breakfast be limited to three rooms. Staff has studied the current proposal, inspected the subject residence, and has determined that in order to keep the principal use as a single-family use, the bed and breakfast should be no more than three rooms.

Within the conditional use case ZBA-03-C-06, the petitioners have submitted a parking plan so that all vehicles associated with the owner-occupied bed and breakfast use can be parked entirely off-site at the Lincoln Green Residence located at 715 W. Michigan. Please note that the parking of the family

vehicles for the single-family use will continue on the property. The off-site parking for the Bed and Breakfast accessory use would be located directly across the street from the petitioners' property. Because 714 West Michigan is in the R-2 Zoning District and 715 West Michigan is zoned R-7, University Residential, the petitioners must apply for a Special Use Permit to provide required parking off-site on a lot with a different zoning designation. Section V-3 of the Zoning Ordinance allows for accessory parking to be located off-site up to 600 feet from the site.

The parking requirements of the Zoning Ordinance stipulate that two off-street parking spaces need to be provided for the single-family use and that one space for every two "residents" would be required for an owner-occupied bed and breakfast. The two parking spaces for the single-family residence shall remain at 714 West Michigan. The petitioners submitted a parking plan that would allow up to four vehicles associated with the owner-occupied bed and breakfast use to be parked entirely off-site at the Lincoln Green Residence located at 715 W. Michigan; located directly across the street from the petitioners' property. In review of the proposed off-site parking plan, Staff has determined that the lot located at 715 West Michigan would accommodate parking for both the uses - the Lincoln Green Residence and the potential bed and breakfast. In addition, the proposal is a positive example of shared parking agreements between parties where existing underutilized parking lots can be appropriately shared so not to encourage construction of more paved parking areas in Urbana's residential neighborhoods.

Parking is of a concern in the neighborhood. Several Urbana residents testified at the August 20, 2003 Zoning Board meeting that the 700 block of Michigan Avenue and several other adjacent blocks are many times found to be filled with on-street parking permit holders. Due to the new proposal and the petitioner's efforts to mitigate impacts of their proposed bed and breakfast accessory use, Staff is in support of the off-site parking proposal, as it should greatly alleviate many of the concerns of the neighboring properties. The proposed off-site parking plan minimizes the direct impacts of vehicles parked at the subject property.

According to the Lincoln Green Foundation, they currently house nine men within their building, with a capacity of sixteen. According to the nature of the principal use, a boarding house parking requirement as per the Zoning Ordinance is one space for every two residents. In total, the Lincoln Green would be required to have 8 parking spaces. The Bed and Breakfast would need to provide three or four parking spaces; In review of the Conditional Use case, Staff has determined that one space for each room would most closely meet the actual demand. The parking lot can easily accommodate for the eight required spaces for Lincoln Green and the three or four spaces that would be required for the Bed and Breakfast use. The petitioners have provided a contract agreement between their family and Lincoln Green Foundation to allow the use of the 715 West Michigan lot. Staff supports the proposed off-site parking proposal as the parking lot has enough area to accommodate the required parking spaces for both uses while providing safe circulation in the parking lot.

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 off-site parking for the bed and breakfast use at 714 W. Michigan Avenue would be conducive to the public convenience to have parking located at 715 W. Michigan Avenue. The parking spaces at 715 W. Michigan are conveniently located across the street from the bed and breakfast. The proposal offers convenience to Bed and Breakfast guests, they would not have to travel a great distance to reach the 714 W. Michigan Avenue property. The off-site parking should not be a detriment to the overall traffic conditions in the neighborhood.

- 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 bed and breakfast off-site parking proposal is designed so not to cause significant visual or physical impacts to the surrounding area and community. Considerations of the immediate neighborhood concerns about parking at the site of the bed and breakfast have resulted in the off-site location. The off-site parking lot is adequately screened and located in such a manner as not to be injurious or detrimental to the district.

- 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 off-site parking proposal at 715 W. Michigan should provide appropriate parking and sufficient access to the single-family home / bed and breakfast use at 714 West Michigan. The parking proposal meets the off-street parking requirements of the Zoning Ordinance. The off-site parking of up to four vehicles additional vehicles in the parking lot should not alter the essential character of the district in which it is located.

Consideration

The Plan Commission shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the special use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

In addition, the Plan Commission shall make a recommendation to the City Council for or against the proposed special use, and may also recommend such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of this Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Any other conditions deemed necessary to affect the purposes of this Ordinance.

Summary of Findings

1. The proposed off-site parking lot at 715 West Michigan will accommodate for parking for both the uses - the Lincoln Green Residence and the proposed bed and breakfast. The parking plan should alleviate the vehicle and parking intensity on the subject property thus reducing negative impacts to neighboring properties.
2. The off-street parking proposal is a positive example of shared parking agreements between parties where existing underutilized parking lots can be appropriately shared so not to encourage construction of more paved parking areas in Urbana's residential neighborhoods.
3. The proposed off-site parking vehicles would be conducive to the public convenience at this location. The use should be compatible with surrounding uses and should not be injurious or detrimental to the neighborhood or surrounding uses.
4. The proposed parking plan will avoid impacts with adjacent neighbors due to a geometrically constrained contiguous shared-drive situation between 712 and 714 W. Michigan Avenue.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 1873-SU-03:

1. Recommend approval of the Special Use Permit request as presented on the attached application without any additional conditions.

2. Recommend approval of the Special Use Permit request, as presented on the attached application, 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. Recommend denial of the request for a Special Use Permit. If the Plan Commission elects to do so, the Commission should articulate findings supporting its denial.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **approval** of the proposed special use in Plan Case No. 1873-SU-03 as presented to the Urbana City Council, for the reasons articulated above **with the following conditions**:

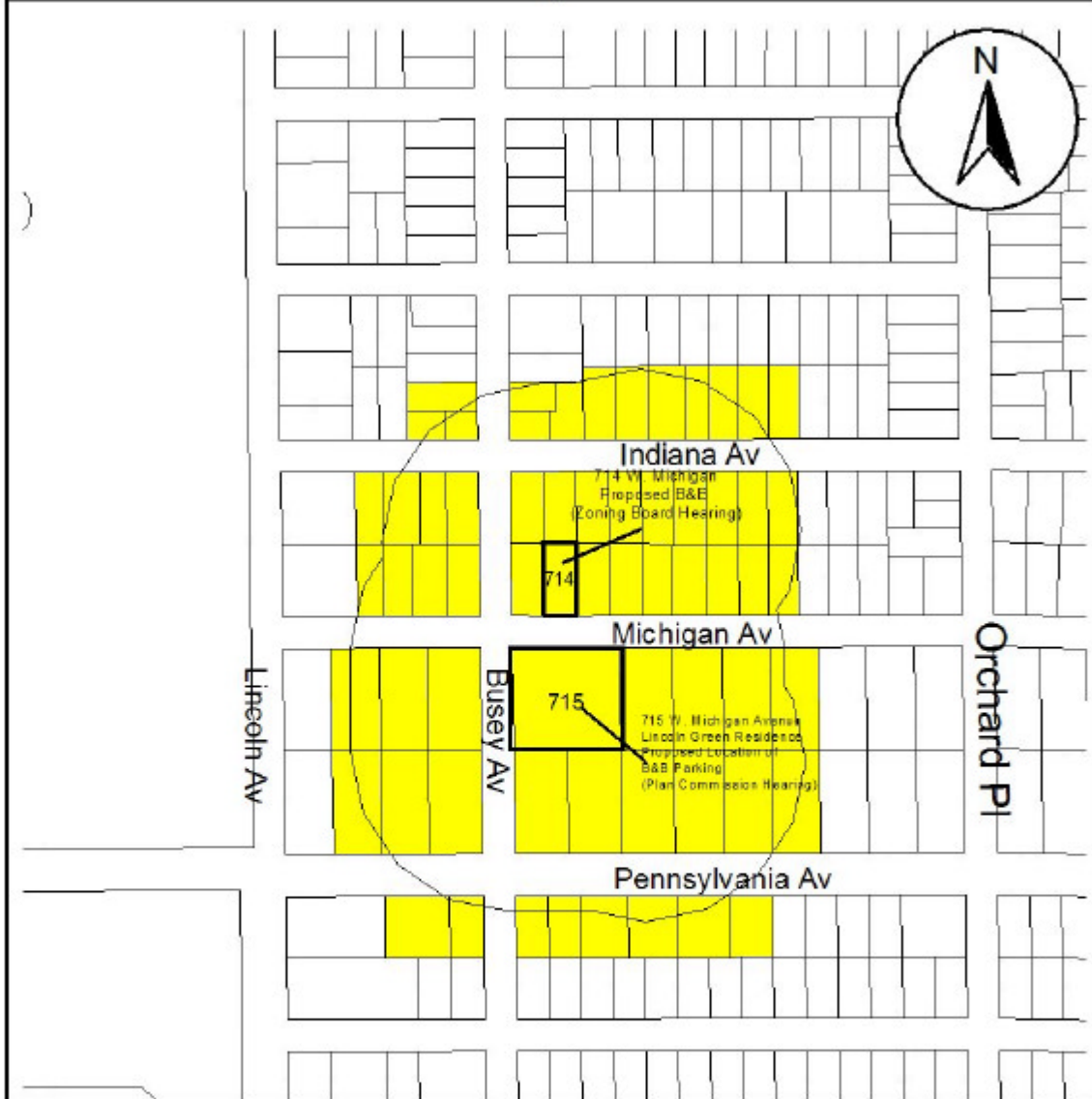
1. The petitioner shall provide one off-site parking space for each bed and breakfast room allowed under the Conditional Use Permit in case ZBA-03-C-06, not to exceed four spaces. Off-site parking spaces should be provided in accordance with Article VIII, Parking and Access, of the Urbana Zoning Ordinance.
2. The Special Use Permit will expire in the event that the 714 West Michigan bed and breakfast guests cannot use the off-site parking lot located at 715 West Michigan. The owners of both 714 West Michigan and 715 West Michigan must continue to have an off-site parking contract for parking no less than three vehicles for bed and breakfast guests.

Attachments: *** Denotes exhibits not in digital format.**

Exhibit A:	Location Map
Exhibit B:	Area Zoning Map
Exhibit C:	Current Land Use Map
Exhibit D:	Future Land Use Map
Exhibit E:	Aerial Photo
Exhibit F:	Photo Exhibit of Subject Sites (714 & 715 W. Michigan)
*Exhibit G:	Petition for & Special Use and Conditional Use Permit (Including Parking Plan)
*Exhibit H:	Business Philosophy
*Exhibit I:	Off-Site Parking Contract
*Exhibit J:	EMAIL, Jan Stolz, 108 Florida (opposition)
*Exhibit K:	EMAIL, Huseyin Sehitoglu, 805 West Michigan Avenue (opposition)
*Exhibit L:	EMAIL, Deb Newell, 704 West Michigan Avenue (opposition)
*Exhibit M:	EMAIL, Mark Clark, 715 W. Washington (opposition)
*Exhibit N:	Letter, Matthew and Amy Ando, 712 West Michigan Avenue (opposition)
*Exhibit O:	Letter, Charlie Smyth, 805 South Coler (support)
*Exhibit P:	Letter, Jane B. Downs, 708 West Pennsylvania Avenue (support)
*Exhibit Q:	Letter, Frank Y. Gladney, 709 West Michigan Avenue (opposition)
*Exhibit R:	Letter, Patrick Roberge, 705 W. Michigan Avenue (opposition)
*Exhibit S:	Letter, Betty and Henry Voigtlander, 802 W. Pennsylvania (support)
*Exhibit T:	Letter, Terry Mittenthal, 605 Oregon Avenue (support)
Exhibit W:	Property Notice and List

c: Gustavo & Gloria Caetano-Anolles, 714 W. Michigan Avenue, Urbana, Illinois 61801
Amy & Matthew Ando, 712 W. Michigan Avenue, Urbana, IL 61801
Mike Seelinger, Lincoln Green, 715 W. Michigan, Urbana, IL 61801

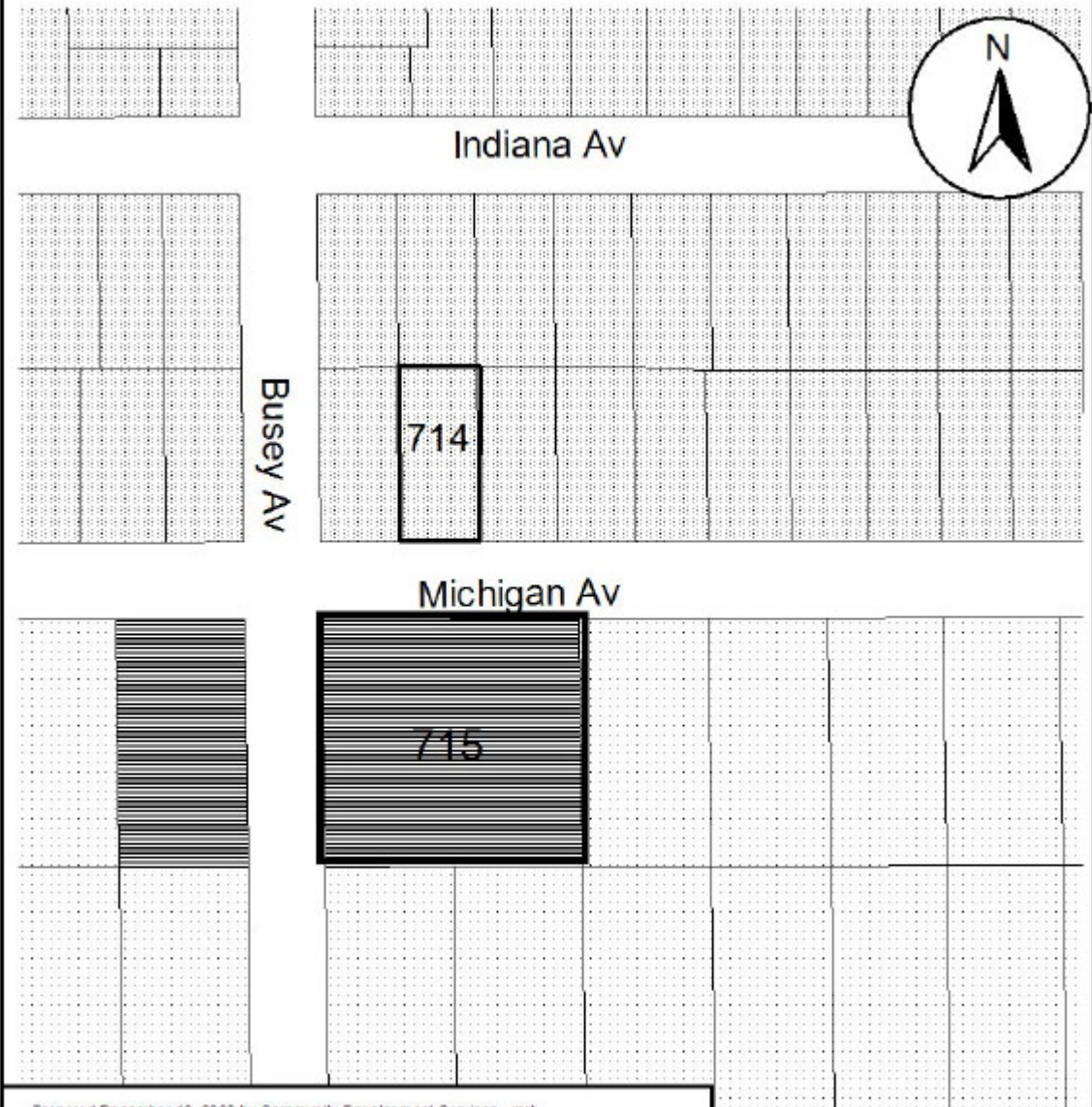
Exhibit "A": Location Map



ZBA 03-C-06
Petitioner: Gloria Caetano-Anolles
Conditional Use Permit Request
714 West Michigan Street
R-2, Single-Family Residential

1873-SU-03
Petitioner: Gloria Caetano-Anolles
715 West Michigan Street
R-7, University Residential
Off-site parking to be located
in a Separate Zoning Districts

Exhibit "B": Zoning Map



Prepared December 10, 2003 by Community Development Services - mrb
 0  500 Feet


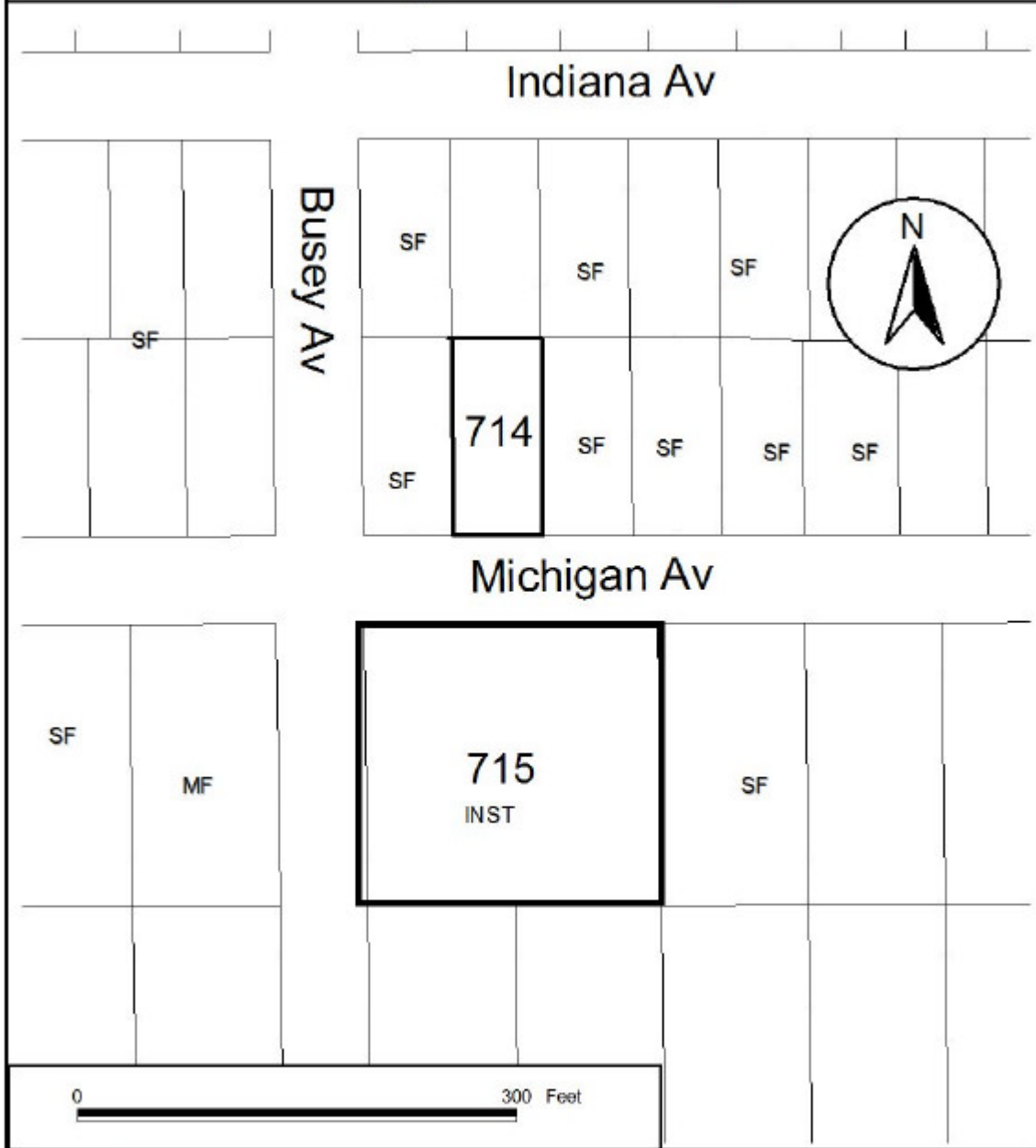
	ZBA-03-C-6 Petitioner: Gloria Caetano-Anolles Conditional Use Permit Request to establish a Bed and Breakfast 714 West Michigan Street R-2, Single-Family Residential	1873-SU-03 Petitioner: Gloria Caetano-Anolles 715 West Michigan Street R-7, University Residential Off-site parking to be located in a Separate Zoning Districts	[Dotted Pattern] R1 - Single Family Residential [Dotted Pattern] R2 - Single Family Residential [Horizontal Line Pattern] R3 - Single and Two Family [Horizontal Line Pattern] R7 - University Residential
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Exhibit "C": Existing Land Use Map



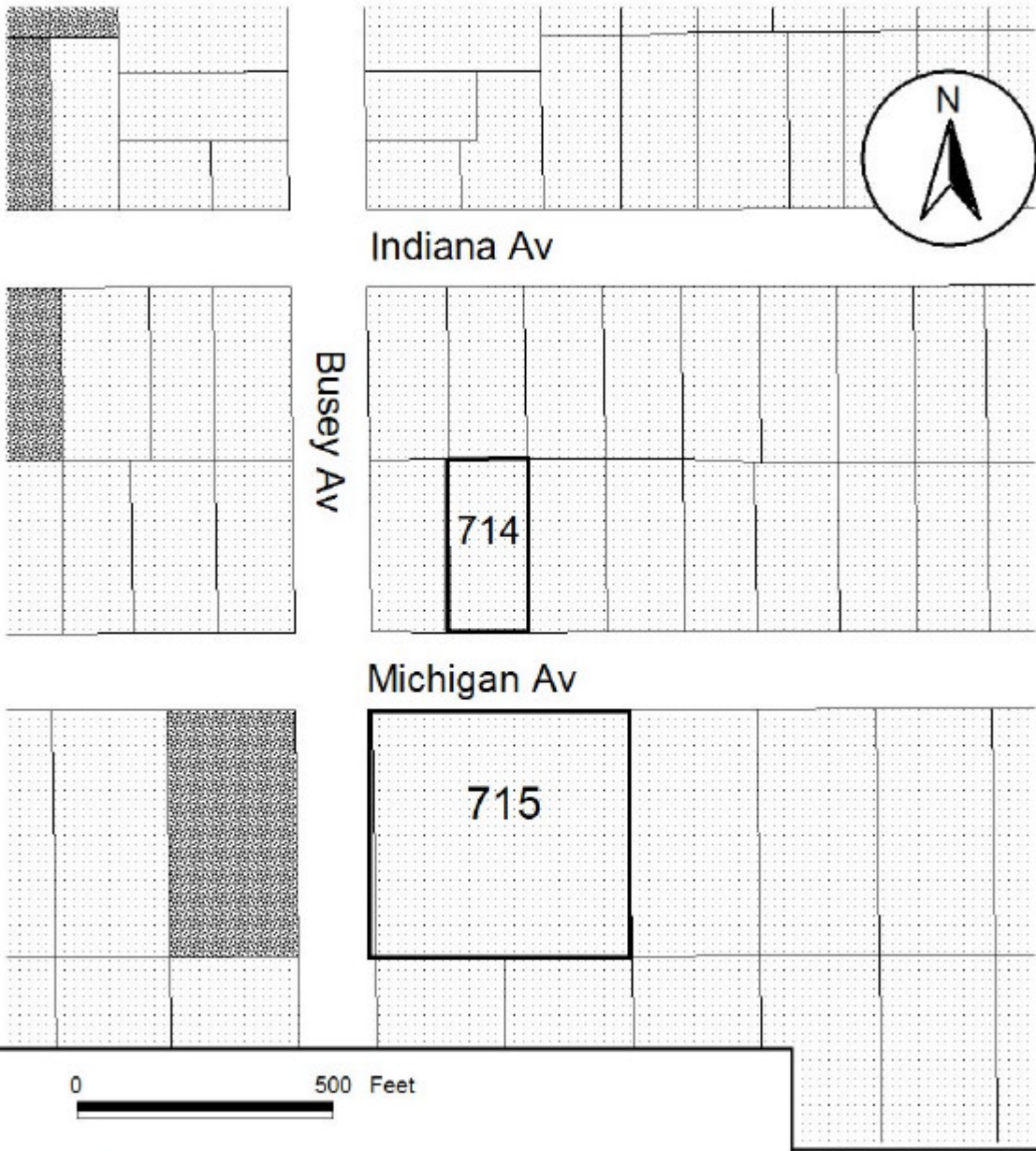
ZBA 03-C-06
 Petitioner: Gloria Caetano-Anolles
 Conditional Use Permit Request
 714 West Michigan Street
 R-2, Single-Family Residential

1873-SU-03
 Petitioner: Gloria Caetano-Anolles
 715 West Michigan Street
 R-7, University Residential
 Off-site parking to be located
 in a Separate Zoning Districts

SF - Single Family Residential
 MF - Multi-Family Residential
 INST - Institutional



Prepared September 4, 2003 by Community Development Services - nds

Exhibit "D": Future Land Use Map



Petitioner: Gloria Caetano-Anolles
 Conditional Use Permit Request
 to establish a Bed and Breakfast
 714 West Michigan Street
 R-2, Single-Family Residential

1873-SU-03
 Petitioner: Gloria Caetano-Anolles
 715 West Michigan Street
 R-7, University Residential
 Off-site parking to be located
 in a Separate Zoning Districts

-  MF - Multiple Family Residential
-  Single Family Residential

Prepared September 4, 2003 by Community Development Services - nds

Exhibit "E": Aerial



Prepared Dec. 8, 2003 by Community Development Services - nds



Petitioner: Gloria Caetano-Anolles
Conditional Use Permit Request
to establish a Bed and Breakfast
714 West Michigan Street
R-2, Single-Family Residential

1873-SU-03
Petitioner: Gloria Caetano-Anolles
715 West Michigan Street
R-7, University Residential
Off-site parking to be located
in a Separate Zoning Districts



Facing north towards subject property.



East side of property.

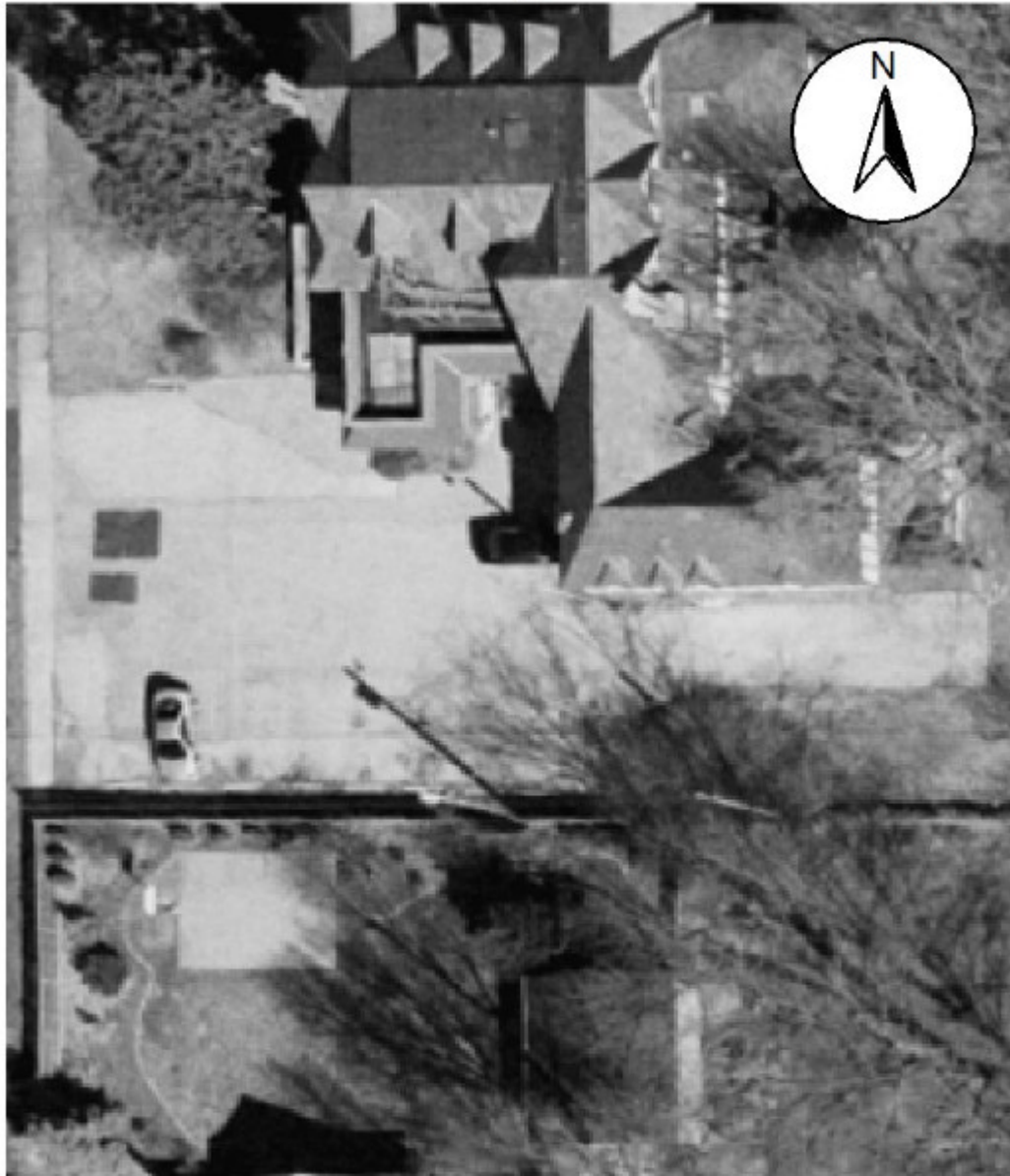


Facing west side of the subject property.
(Gravel drive not on property)



East side of property, contiguous driveway with Shared Access.

Photo Exhibit : Aerial of Parking Area at 715 W. Michigan



Prepared Dec. 8, 2003 by Community Development Services - mrb



Petitioner: Gloria Caetano-Anolles
Conditional Use Permit Request
to establish a Bed and Breakfast
714 West Michigan Street
R-2, Single-Family Residential

1873-SU-03
Petitioner: Gloria Caetano-Anolles
715 West Michigan Street
R-7, University Residential
Off-site parking to be located
in a Separate Zoning Districts

EXHIBIT F

ZBA 03-C-06 & 1873-SU-03

714 & 715 W. Michigan Ave.

Petitioner: Gloria Caetano-Anolles

Request to allow an accessory bed and breakfast use

R-2, Single-Family Residential with off-site parking at 715 W, Michigan



Facing east towards the proposed off-site parking area
(715 W. Michigan)



Facing east towards the Parking proposed off-site parking area.



Facing the south side of the Lincoln Green property.
(715 W. Michigan)



Facing south east towards the parking lot.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division
400 S. Vine
P.O. Box 946
Urbana, IL 61801
(217) 384-2439

November 24, 2003

Notice of Two Separate Public Hearings

1. NOTICE OF PUBLIC HEARING (Zoning Board of Appeals) IN REGARD TO A PROPOSED CONDITIONAL USE PERMIT

NOTICE IS HEREBY GIVEN to all interested persons that a public hearing will be held by the Zoning Board of Appeals of the City of Urbana, Illinois, on **Wednesday, December 17, 2003 at 7:30 P.M.** in the Urbana City Council Chambers, 400 S. Vine Street, Urbana, Illinois, at which time and place the Board will consider a request filed by Gloria Caetano-Anolles for a conditional use permit to allow an owner occupied bed-and-breakfast use within her residence at 714 West Michigan Avenue in Urbana, Illinois, in Urbana's R-2, Single Family Zoning District. Pursuant to the Urbana Zoning Ordinance, the Zoning Board of Appeals must approve the request for the conditional use permit to allow an owner-occupied bed and breakfast use in this district.

Attached are the reasons for the request as submitted in the petitioner's application.

In addition to this hearing of a Conditional Use permit, the petitioner must also request a Special Use Permit to allow the required parking spaces related to the bed-and-breakfast use be located off-site in a designated parking area at 715 W. Michigan Avenue. (Please see No. 2 below for details of the Urbana Plan Commission Public Hearing)

Please note: ZBA 03-C-2 was heard in August 2003 and a motion to approve the conditional use failed. ZBA 03-C-4 was withdrawn from the Zoning Board of Appeals and was never acted upon. This case, ZBA 03-C-6, is a considered a new case.

2. NOTICE OF PUBLIC HEARING (Urbana Plan Commission) IN REGARD TO A PROPOSED SPECIAL USE PERMIT

A public hearing will be held by the Urbana Plan Commission on **Thursday, December 18, 2003 at 7:30 P.M.** in the Urbana City Council Chambers, at which time and place the Commission will consider a request by Gloria Caetano-Anolles for a Special Use Permit to provide four off-site parking spaces for an owner-occupied bed & breakfast use to be located at 715 W. Michigan Avenue. 714 W. Michigan Avenue is zoned R-2, Single-Family Residential, 715 W. Michigan Avenue is zoned R-7, University Residential. The Urbana Zoning Ordinance permits off-site parking located in separate zoning districts with the granting of a Special Use

Permit from the Urbana Plan Commission and Urbana City Council.

This Special Use Permit hearing Before the Plan Commission is in addition to the required hearing on a request for a Conditional Use Permit before the Zoning Board of Appeals, as previous noted at No. 1 above.

Attached are the petitioner's reasons for the request for the Special Use Permit.

3. GENERAL INFORMATION

You have been sent this notice because you are a nearby property owner. Enclosed you will find a location map indicating how the proposed owner-occupied bed and breakfast is proposed to be used including a map illustrating the location of the parking proposal.

The Zoning Board of Appeals will consider the owner occupied bed-and-breakfast use at the December 17, 2003 hearing. The Urbana Plan Commission will consider the parking site plan and proposal at the December 18, 2003 public hearing.

Both the Zoning Board of Appeals and the Urbana Plan Commission welcome your comments at the public hearings, or in writing if received prior to the hearing.

Persons with disabilities needing services or accommodations for these hearings 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) 384-2311.

Sincerely,

Michaela Bell
Senior Planner