



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Paul Lindahl, Planner

DATE: October 14, 2004

SUBJECT: Case No. 1910-SU-04, Request for a Special Use Permit to establish a Church in the R-2, Single Family and R-3, Single and Two-Family Residential zoning districts at 806 and 808 W. Michigan Avenue.

Introduction

Twin City Bible Church is located on the last block of west Michigan Avenue before it dead-ends at Lincoln Avenue. The church owns the last 3 lots on the north side of Michigan: 810, 808, and 806. The main church building is at 810 W. Michigan, on the northeast corner of Lincoln and Michigan. The church proposes to construct a new annex building at 808 and 806 W. Michigan.

Two older houses currently occupy the lots. The church has owned the two existing houses and used them for church purposes since the early or mid 1970's. The house at 808 W. Michigan has been used as a parsonage and has had a mix of activities in it including residential, educational, and meeting purposes. The house at 806 W. Michigan has been used for church offices. The church will demolish the old houses to make way for the new annex structure.

The lot at 808 W. Michigan Ave., adjacent to the main church building, is zoned R-3, Single and Two-Family Residential. The lot at 806 W. Michigan Ave and is zoned R-2, Single Family Residential.

In the 1991 Downtown to Campus Plan these two properties were down zoned. The change for 808 W. Michigan went from R-5, Medium High Density Multiple Family to R-3, Single and Two Family Residential. The change for 806 W. Michigan went from R-4, Medium Density Multiple Family Residential to R-2, Single and Two Family Residential.

In each case the use as a *Church or Temple* would have been permitted under the old 1991 zoning designation. By demolishing the existing houses the petitioners will lose any claim of legally existing non-conformity.

The Urbana Zoning Ordinance Table of Uses V-1 states that a *Church or Temple* is permitted in the R-2 or R-3 zoning district only as a Special Use. For the petitioners to construct a new annex and establish a new *Church or Temple* use on the lots requires them to go through the special use permit process. Upon a

recommendation of approval or denial by the Plan Commission the proposal is forwarded to the Urbana City Council for final action.

Background

Description of the Site and Surrounding Properties

The lots are located in the last block of Michigan Avenue before the intersection at Lincoln Avenue in an area that has a mix of uses such as fraternity and sororities, apartment buildings, rooming houses, and single-family homes. The zoning designations in the area include R-1 Single family residential, R-2, Single Family Residential and, R-7 University Residential. The church owned 808 W. Michigan lot is the only R-3, Single and Two-Family Residential zoned lot on the block. Across Michigan Avenue to the south are large single-family homes. The land to the west across Lincoln Avenue is owned by the University of Illinois and is zoned CRE, Conservation – Recreation – Education.

The following is a summary of surrounding zoning and land uses for the subject site:

Zoning and Land Use Table*

Location	Subject Property	Zoning	Existing Land Use	Future Land Use
Subject Property	808 Mich.	R-3 , Single Family Residential	Church use	Low Density Residential
	806 Mich.	R-2 , Single and Two-Family Residential		Low Density Residential
North of	808 Mich.	R-7, University Residential	Church use	University Residential
	806 Mich.	R-2, Single Family Residential	Single-Family Residential	Low Density Residential
South of	Both	R-1, Single Family Residential	Single-Family Residential	Low Density Residential
East of	808 Mich.	R-2, Single Family Residential	Church use	Low Density Residential
	806 Mich.	R-2, Single Family Residential	Single-Family Residential	
West of	808 Mich.	R-7, University Residential	Church use	University Residential
	806 Mich.	R-3, Single Family Residential		Low Density Residential

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

Related Case

Urbana Zoning Board of Appeals case 04-MAJ-14: a request for a Major Variance by Twin City Bible Church is scheduled for a hearing Wednesday October 20, 2004.

The church board feels that a higher maximum FAR will allow for a more functional layout in the new annex facility without a reduction in the amount of space from that provided by the old houses.

The ZBA case is a request to allow a 22.5% increase in the maximum permitted Floor Area Ratio (FAR) from .40 to .49 for the new church annex.

A request for an increase of greater than 5% in maximum FAR constitutes a Major Variance. Upon a recommendation of approval by the Zoning Board of Appeals the variance request is forwarded to the Urbana City Council for final action.

The Proposal

The existing houses have served the church in many ways. The church now proposes replacing them with a single building that meets all the needs for office space, educational space, nursery during church services, storage etc. For the new building to meet those needs as well as include space for code required stairwells, elevator, washrooms, and be of high quality construction is an expensive project.

The church activities have been hampered by the inflexible and obsolete design of the existing houses. Over the years maintenance and renovations have been performed as necessary. At this point it is no longer practical for the church to maintain the deteriorating structures in the face of the costs involved and the fact that they do not meet functional necessity.

The new annex will be attached to the existing church by a two-story connecting link. The lower story will connect the basement of the main church to the lower level of the annex. The main floor of the annex will connect to the main level of the existing church. The lower level will be sunken one-half story underground so the overall height of the structure will be less than the existing houses. The result of the design will be an annex with the massing of a large single family home.

The layout and design of the new annex will be a visual improvement to the neighborhood over the look of the two older houses. It will be an all brick structure with architectural detailing that will be complimentary to the residential nature of the neighborhood.

Essentially the use of the new annex will be the same as that of the existing houses, minus the resident staff. There will not be any increase in intensity of use from current activities. A special use permit would enable the church to continue to utilize the lots in the manner they have for the past 25 years. The difference will be that the new annex will provide an improved facility that is not deteriorating and still fits the neighborhood.

Parking & Access

Parking on the site will be nearly identical to the existing parking layout behind the two existing houses on the rear of the lots. In the existing configuration there is a driveway between the two houses. In the new configuration the access drive will be moved to the east end of the combined property.

According to the Urbana Zoning Ordinance Table VIII-6, Parking Requirements by Use, a *Church* use requires one parking space for every 5 seats in the principal assembly area; *Office* uses require one space for every 300 square foot of floor area. For educational uses one space is required for every 30 seats or 5 seats in an auditorium. The new lot configuration will provide 14 spaces including 2 handicapped spaces. The old configuration provided the same number but had to reserve two spaces for the use of staff residing in the parsonage house at 808 W. Michigan. Because there will no longer be a need for residentially reserved parking, the number provided on the site will be adequate for the uses in the proposed annex.

The main church itself does not provide on-site parking for its congregation. For Sunday services the church members usually park on nearby streets or in University of Illinois owned lots to the west across Lincoln Avenue. Some specific parking spaces are reserved 24 hours a day 7 days a week for University faculty and staff. Unreserved parking in the University lots is available free of charge on a first come first served basis after 5 pm weeknights and all day on Saturday and Sunday unless there are special events. As long as the University retains this policy in the nearby parking lots there is adequate parking available for the church services.

Access to the property can occur from Lincoln Avenue via an alley mostly on church property and shared with the sorority on Lincoln Avenue. Vehicles will enter the annex lot via that alley and exit via the one-way driveway at the east end of the property onto Michigan Avenue. The access and circulation plan in the lot should be adequate for the limited needs of the new annex facility.

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 church annex would be conducive to the public convenience at this location because it would be available for Church members who are residents of the various university affiliated residences, apartments and single-family homes in the general area.

- 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 should not generate a significant amount of vehicular traffic, noise, waste or negative environmental effects on or near the site. 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 *Church or Temple* is permitted as a Special Use in the R-2, Single Family and R-3, Single and Two-Family Residential Zoning Districts. The proposed facility is designed to meet applicable regulations and standards of the Urbana Zoning Ordinance and Building Safety Division. The new annex is designed to have the lower story half underground and so the massing is intended to emulate that of a modern single family home. The new design will preserve the character of the district.

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 church annex is conducive to the public convenience at this location. It would allow the church to reorganize its office space and to provide education and youth development services for the nearby community.
2. The proposed use should not pose a detriment to the district in which it is proposed to be located. Parking and access considerations have been addressed, and should not create problems for surrounding properties
3. The proposed use is consistent with the zoning designations of the subject site and the surrounding

area. 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 generally compatible with the existing land use pattern of the subject site and the surrounding area

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 1910-SU-04:

1. Recommend approval of the Special Use Permit request, without any additional conditions.
2. Recommend approval of the Special Use Permit request, 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.

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 permit in Plan Case No. 1910-SU-04 to the City Council as presented for the reasons articulated above with the **following conditions**:

- 1. The Special Use approval is contingent upon the ability of the petitioner to obtain a Major Variance approval from the Urbana Zoning Board of Appeals and City Council for an increase in maximum allowable Floor Area Ratio to accommodate the plan as designed.**
- 2. The project shall conform to all other City of Urbana Engineering, Building Safety, and Zoning Ordinance regulations.**
- 3. The design and site layout of the Church annex shall be in general conformance to the plan submitted with this memo and identified as Exhibit "F".**

Attachments:	Exhibit A:	Location Map
	Exhibit B:	Zoning Map
	Exhibit C:	Existing Land Use Map
	Exhibit D:	Future Land Use Map
	Exhibit E:	Aerial Photo
	Exhibit F:	Site Plan
	Exhibit G:	Architects rendering of proposed structure
	Exhibit H:	Special Use Application

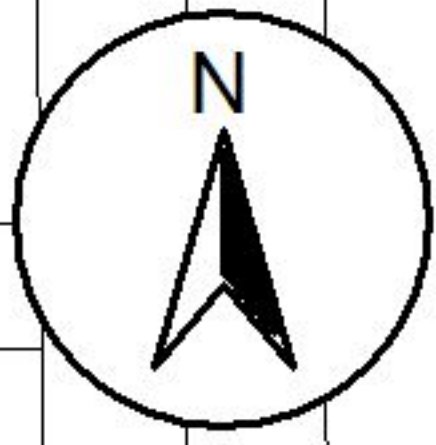
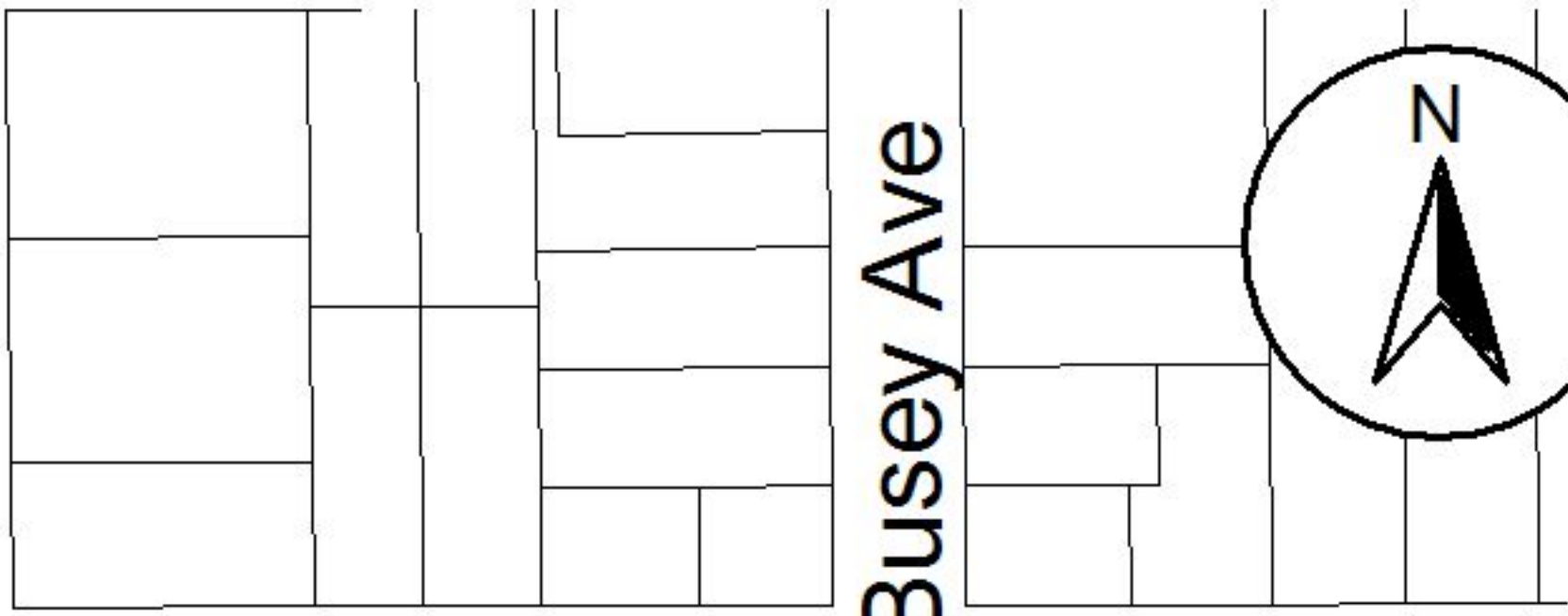
Exhibit I: Public Notice & Label List
Exhibit J: R-2 and R-3 Zoning District Summaries
Exhibit K: ZBA case # 04-MAJ-14, Major Variance case memo

Cc:

Twin City Bible Church, Petitioner, 806 W. Michigan, Urbana, IL 61801

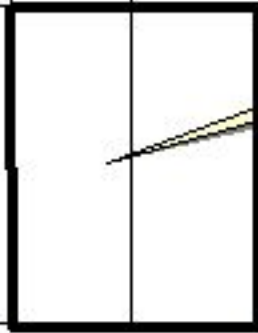
ABRIS Ltd. Architects, Attn: James Miller, 123 W. Main Street, Urbana, IL 61801

Exhibit "A": Location Map



Indiana Ave

Subject Property



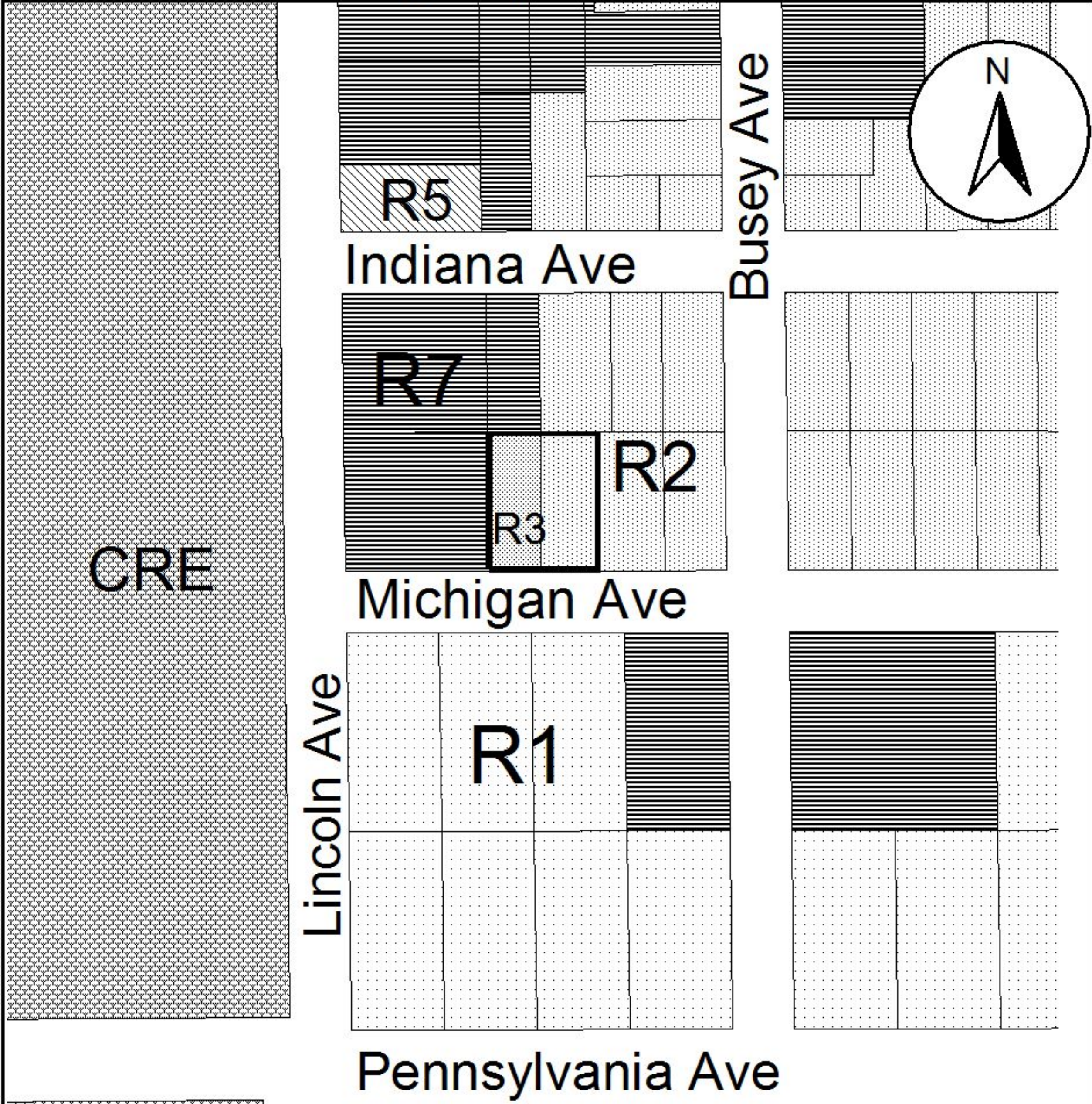
Michigan Ave

Lincoln Ave



Case No 1910-SU-04
Special Use Permit to establish a Church in the R-2 and R-3 Zoning Districts
ZBA Case: ZBA-04-MAJ-14
Allow increase in FAR from .40 to .50 to allow for a 6,800 sq. ft. addition
Petitioner: Twin City Bible Church 808 W. Michigan
R-2 Single Family Residential District and
R-3 Single and Two-Family Residential District
Prepared 10/08/04 by Community Development Services - rkg

Exhibit "B": Zoning Map



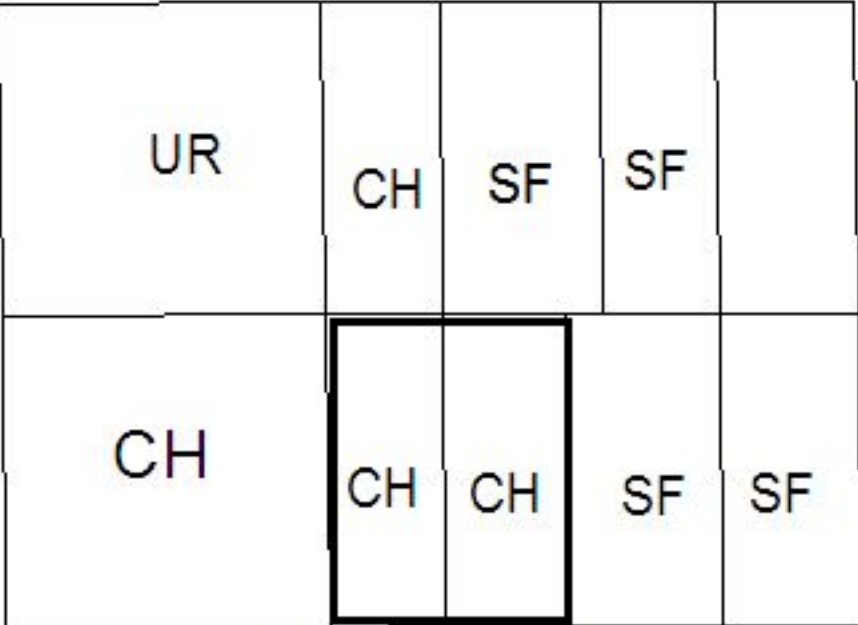
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- CRE - Conservation-Recreation-Education
- R1 - Single Family
- R2 - Single Family
- R3 - Single- and Two-Family
- R5 - Medium High Density Multiple-Family
- R7 - University Residential

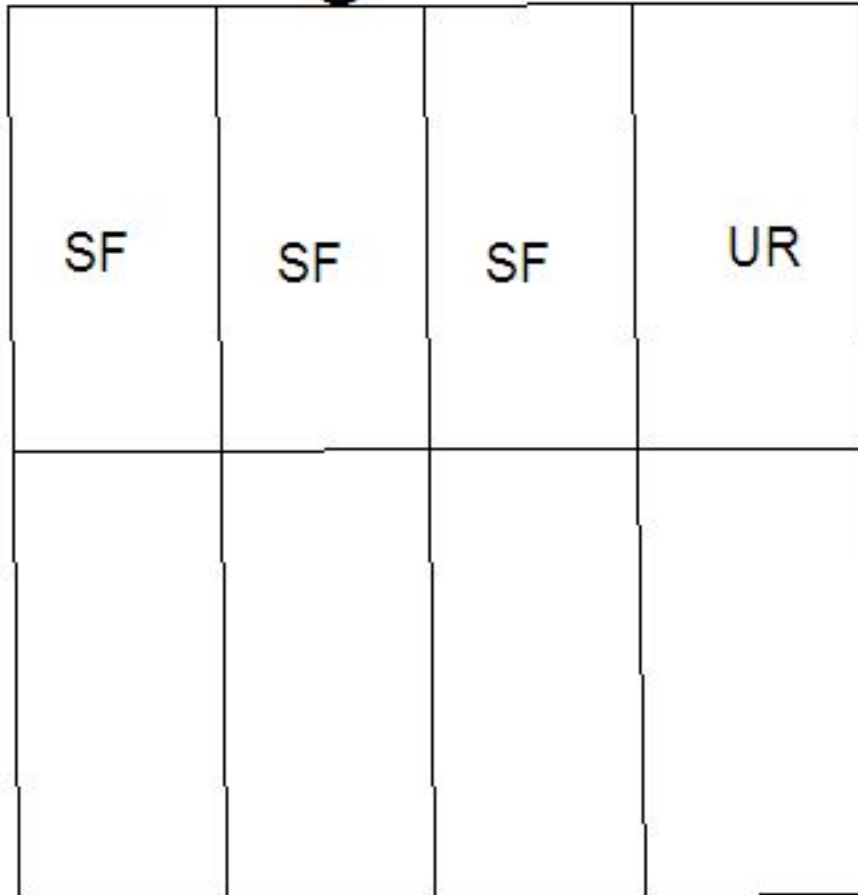
Exhibit "C": Existing Land Use Map

INST

Indiana Ave

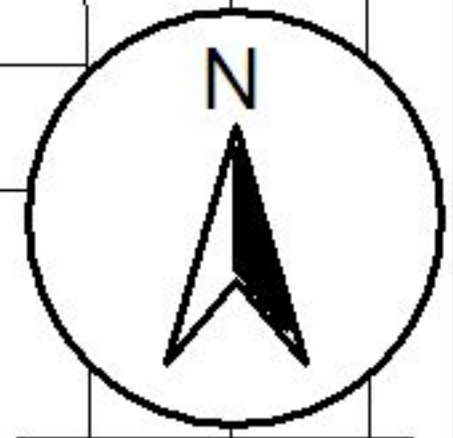
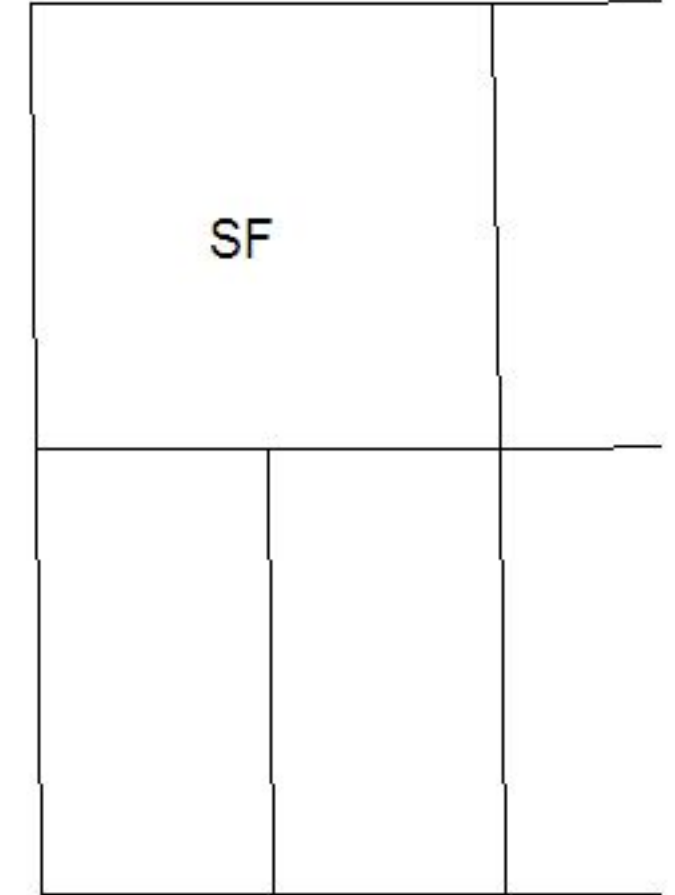
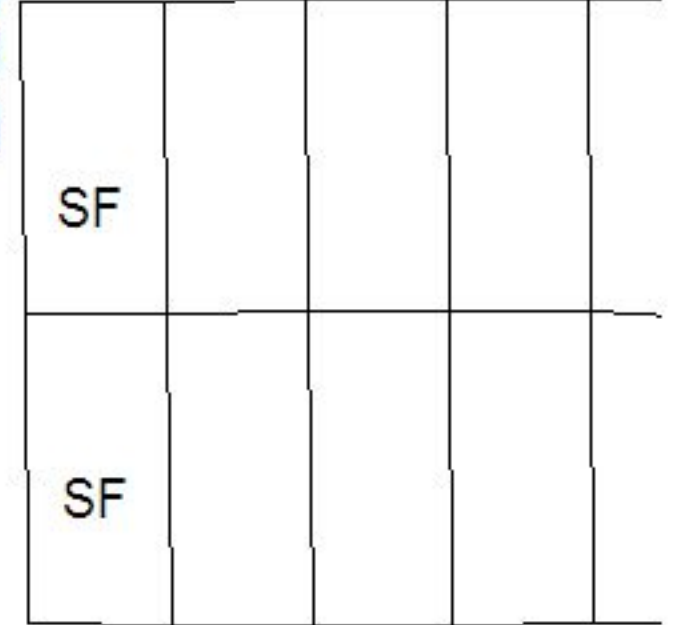


Michigan Ave

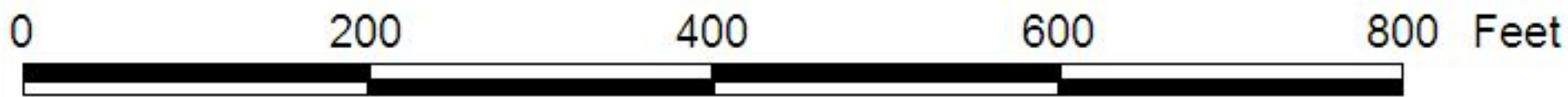


Pennsylvania Ave

Busey Ave



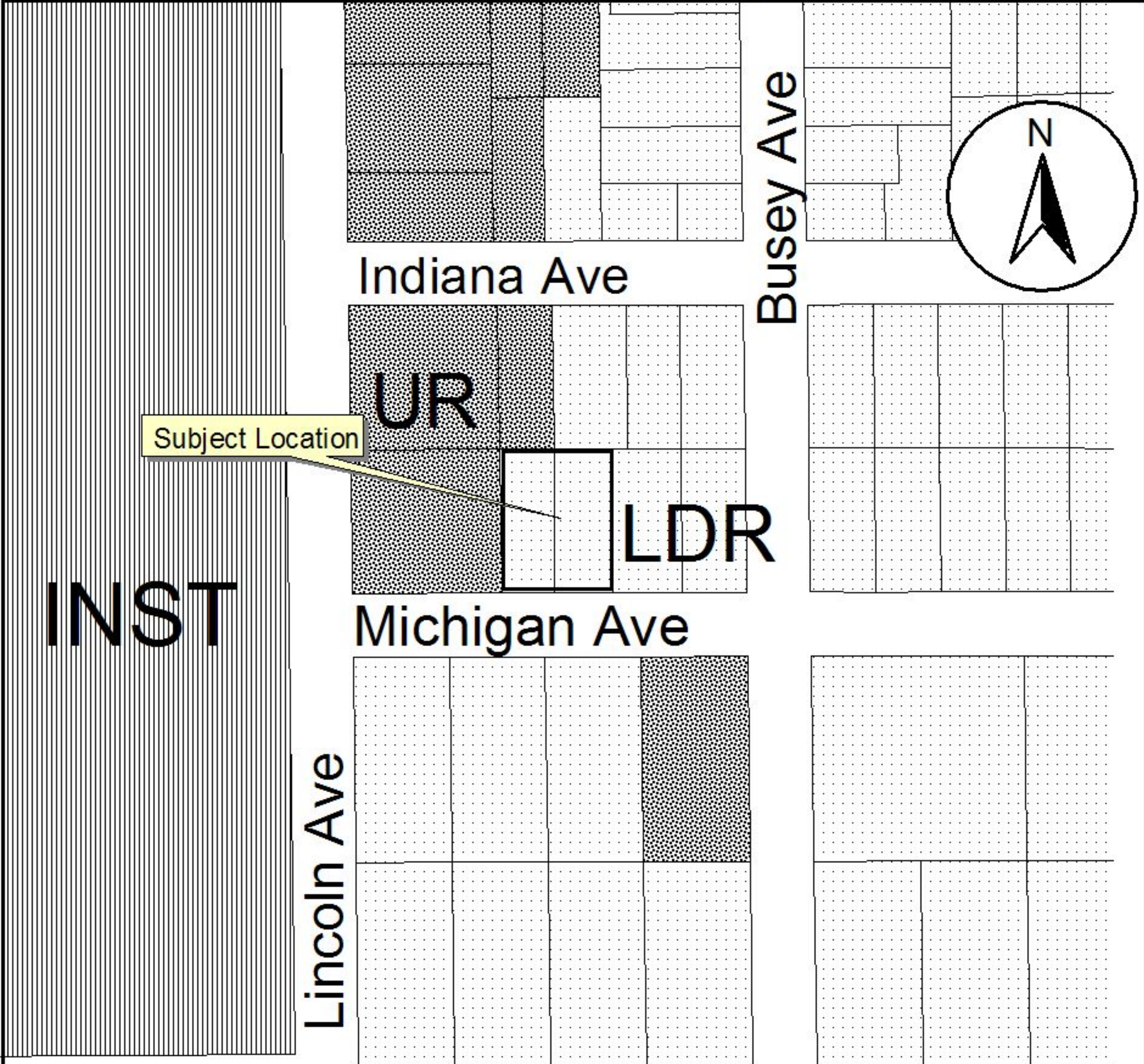
Lincoln Ave



Case No 1910-SU-04
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 R-3 Single and Two-Family Residential District
 Prepared 10/08/04 by Community Development Services - rkg

SF - Single Family
 CH - Church
 UR - University Residential
 INST - Institutional

Exhibit "D": Future Land Use Map



Subject Location

INST

Indiana Ave

UR

LDR

Michigan Ave

Lincoln Ave

Busey Ave

Pennsylvania Ave

0 100 200 300 400 500 600 Feet



Case No 1910-SU-04
 Special Use Permit to establish Church in the R-2 and R-3 Zoning Districts
 ZBA Case: ZBA-04-MAJ-14
 Allow increase in FAR from .40 to .50 to allow for a 6,800 sq. ft. addition
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 R-3 Single and Two-Family Residential District
 Prepared 10/08/04 by Community Development Services - rkg

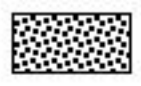

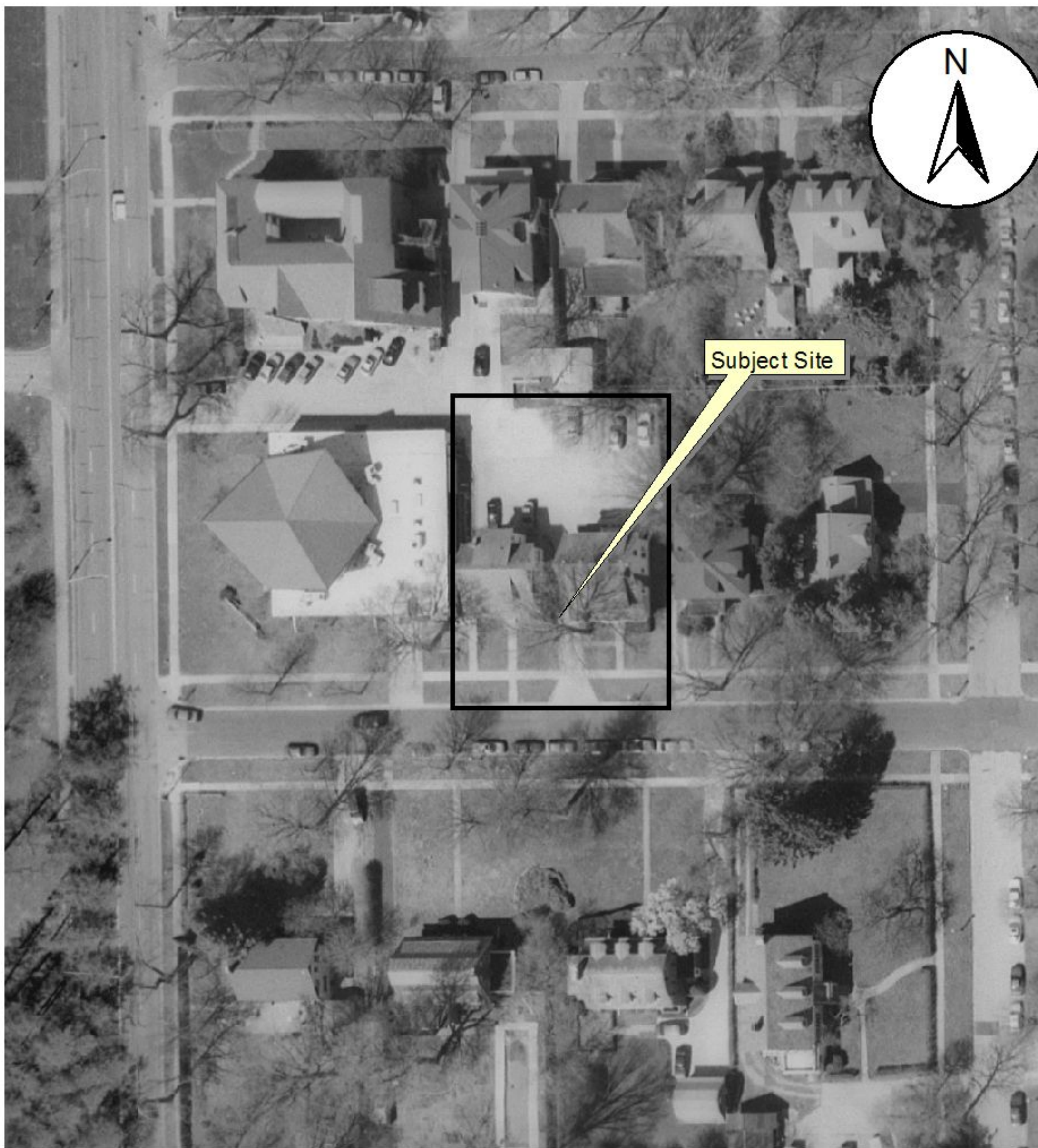
-  Low Density Residential
-  University Residential
-  INST-UTIL

Exhibit "E" : Aerial Photo



Case No 1910-SU-04
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R-3 Single and Two-Family Residential District
Prepared 10/08/04 by Community Development Services - rkg



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division
400 S. Vine
Urbana, IL 61801
(217) 384-2440

October 6, 2004

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

To Whom It May Concern:

Your property is within 250 feet of a parcel that is being considered for a special use permit by the Urbana Plan Commission. A public hearing will be held by the Urbana Plan Commission on **Thursday, October 21, 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 **Plan Case # 1910-SU-04** is a request by Twin City Bible Church for the granting of a Special Use Permit to allow the establishment of a *Church or Temple* at 806 and 808 W. Michigan Avenue. The subject properties are located in Urbana's R-2 Single Family Residential and R-3 Single and Two-Family Residential Zoning Districts. Pursuant to the Urbana Zoning Ordinance, the Plan Commission must recommend approval of the major variance and forward it to City Council.

You have been sent this notice because you are a nearby property owner. The Urbana Plan Commission will consider the proposal and its impact to the district at the public hearing. The Plan Commission will forward a recommendation to the Urbana City Council for their final consideration. The Urbana Plan Commission welcomes your comments at the public hearing, or in writing if received prior to the hearing. If you have any specific questions about the request, please do not hesitate to contact me.

Sincerely,

Paul Lindahl
Planner

Enclosure: Map

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.

Cc: Twin City Bible Church, Petitioner
806 W. Michigan
Urbana, IL 61801

ABRIS LTD Architects
Attn: James Miller
123 W. Main Street
Urbana, IL 61801

93-21-17-303-002
CURRENT OCCUPANT
1106 S LINCOLN AV
URBANA, IL 61801

93-21-17-303-002
HAYS<& ASSOCIATES PC
401 E SPRINGFIELD AV
CHAMPAIGN, IL 61820

93-21-17-303-003
BENEDICT APTS
* BARR REAL EST
P O BOX 1160
CHAMPAIGN, IL 61820

93-21-17-303-003
CURRENT OCCUPANT
1108 S LINCOLN AV
URBANA, IL 61801

93-21-17-303-003
CURRENT OCCUPANT
1108 S BUSEY
URBANA, IL 61801

93-21-17-303-008
OMO-OSAGIE<GABRIEL
509 S FOURTH
CHAMPAIGN, IL 61820

93-21-17-303-009
IRWIN<MICHAEL E & BONNIE
1107 S BUSEY
URBANA, IL 61801

93-21-17-303-010
VLACH<STANLEY J & EVA J
1201 N ARROWHEAD CIR
URBANA, IL 61801

93-21-17-303-011
STILLINGER<NINA B TRUSTEE
806 W INDIANA
URBANA, IL 61801

93-21-17-303-012
HAMMERSTRAND<KRISTINE J
804 W INDIANA AV
URBANA, IL 61801

93-21-17-303-013
DEROCCO<DANIEL
403 W WASHINGTON ST
URBANA, IL 61801

93-21-17-304-001
CURRENT OCCUPANT
1204 S LINCOLN AV
URBANA, IL 61801

93-21-17-304-002
TWIN<CITY BIBLE CH
% TRUSTEES
806 W MICHIGAN
URBANA, IL 61801

93-21-17-304-003
TEMPERLEY<NICHOLAS M
805 W INDIANA
URBANA, IL 61801

93-21-17-304-004
DENZIN<EVELYN K
803 W INDIANA
URBANA, IL 61801

93-21-17-304-005
WAGMAN<MORTON & MARIAN
801 INDIANA
URBANA, IL 61801

93-21-17-304-009
HILL<W G & ELAINE R.
804 W MICHIGAN
URBANA, IL 61801

93-21-17-304-010
SUTTON<ROBERT M
1207 S BUSEY
URBANA, IL 61801

93-21-17-307-004
GUERRA<MICHELE
716 W INDIANA AVE
URBANA, IL 61801

93-21-17-307-015
BALLARD<PAUL R
714 W INDIANA
URBANA, IL 61801

93-21-17-307-016
DEVRIES<ARTHUR L
712 W INDIANA
URBANA, IL 61801

93-21-17-308-001
MERRITT<ANNA J TRUSTEE
715 W INDIANA
URBANA, IL 61801

93-21-17-308-002
HAR-PELED<SARIEL
713 W INDIANA AV
URBANA, IL 61801

93-21-17-308-003
BATZLI<GEORGE O
711 W INDIANA
URBANA, IL 61801

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FRIEDMAN<STANLEY
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URBANA, IL 61801

93-21-17-308-018
CAETANO<ANOLLES GUSTAVO
714 W MICHIGAN AVE
URBANA, IL 61801

93-21-17-308-019
ANDO<MATTHEW & AMY
712 W MICHIGAN
URBANA, IL 61801

93-21-17-351-001
FREUND<JONATHAN & AMY
811 W MICHIGAN AV
URBANA, IL 61801

93-21-17-351-002
SEHITOGLU/MCEVOY<
REVOCABLE DECLARAT
805 W MICHIGAN
URBANA, IL 61801

93-21-17-351-003
ONO<KENT A
803 W MICHIGAN
URBANA, IL 61801

93-21-17-351-004
CURRENT OCCUPANT
1301 S BUSEY AV
URBANA, IL 61801

93-21-17-351-005
SCHWENK<DAVID M. AND
HAYES PHYLLIS
812 W PENNSYLVANIA
URBANA, IL 61801

93-21-17-351-006
MILLER<PEGGY JO
806 W PENNSYLVANIA
URBANA, IL 61801

93-21-17-351-007
MILLER<MICHELE H TRUSTEE
804 W PENNSYLVANIA
URBANA, IL 61801

93-21-17-351-008
VOIGTLANDER<HENRY P
802 W PENNSYLVANIA
URBANA, IL 61801

93-21-17-355-001
ASSOC.<EDUCATIONAL DEVELO
715 W MICHIGAN
URBANA, IL 61801

93-21-17-355-009
SILVAS<ANNE H/VALOCCHI A
710 W PENNSYLVANIA
URBANA, IL 61801

93-21-17-355-010
WEECH<TERRY L & EUNICE
708 W PENNSYLVANIA
URBANA, IL 61801

93-21-18-401-001
UNIVERSITY OF ILLINOIS
% EARL PALMBERG
258 ADMIN BLDG
URBANA, IL 61801

93-21-18-401-001
CURRENT OCCUPANT
1201 W GREGORY DR
URBANA, IL 61801



R-2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The R-2 Single-Family Residential District is intended to provide areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings."

Following is a list of the Permitted Uses, Special Uses and Conditional Uses in the R-2 District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Board of Zoning Appeals.

PERMITTED USES:

Public and Quasi-Public Facilities -

Public Elementary, Junior High School or Senior High School

Public Park

Residential Uses -

Single Family Dwelling
Single Family Dwelling (Extended Group Occupancy)

Community Living Facility, Category I

Resource Production and Agricultural Uses -

Agriculture, Cropping

Business Uses -

Country Club or Golf Course

SPECIAL USES:

Public and Quasi-Public Facilities -

Church or Temple
Electrical Substation

Institution of an Educational, Philanthropic or Eleemosynary Nature
Public Library, Museum or Gallery

Residential Uses -

Residential Planned Unit Development

CONDITIONAL USES:

Public and Quasi-Public Facilities -

Municipal or Government Building

Telephone Exchange

Residential Uses -

Bed and Breakfast, Owner Occupied
Community Living Facility, Category II
Two-Unit Dwelling Common-Lot-Line

Duplex Dwelling (Extended Group Occupancy)
Duplex Dwelling

R-2 Zoning District Summary cont.

Conditional Uses cont.

Resource Production and Agricultural Uses –

Artificial Lake of one (1) or more acres

Business Uses -

Lodge or Private Club.

Private Kindergarten or Day Care Facility

DEVELOPMENT REGULATIONS IN THE R-2 DISTRICT

ZONE	MIN LOT SIZE	MIN OR AVERAGE WIDTH	MAX HEIGHT	MAX FAR	MIN OSR	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD
R-2	6,000¹	60²	35'	0.40	0.40	15'³	5'	10'

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

¹ In the R-2 District, any lot platted after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than nine thousand (9,000) square feet. A lot platted on or before December 21, 1970 on which there is proposed to be erected or established a duplex, shall contain an area of not less than six thousand (6,000) square feet.

² In the R-2 District, any lot platted after December 21, 1970, on which there is proposed to be erected or established a duplex shall have an average width of not less than eighty (80) feet. A lot platted on or before December 21, 1970 on which there is proposed to be erected or established a duplex shall have an average width of not less than sixty (60) feet.

³ In the R-2 District, the required front yard shall be the average depth of the existing buildings in the block, or 15 feet, whichever is greater as required in Section VI-5-D(1).

For more information on zoning in the City of Urbana call or visit:

City of Urbana
Community Development Services Department
400 South Vine Street
Urbana, IL 61801
(217) 384-2440
(217) 384-2367 fax
www.city.urbana.il.us

Revised 4/12/02



R-3 SINGLE- AND TWO-FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"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."

Following is a list of the Permitted Uses, Special Uses and Conditional Uses in the R-3 District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Board of Zoning Appeals.

PERMITTED USES:

Public and Quasi-Public Facilities -

Public Elementary, Junior High School or Senior High School

Public Park

Residential Uses -

Community Living Facility, Category I

Community Living Facility, Category II

Duplex Dwelling

Duplex Dwelling (Extended Group Occupancy)

Single Family Dwelling (Extended Group Occupancy)

Single Family Dwelling

Two-unit Common-Lot-Line Dwelling

Resource Production and Agricultural Uses –

Agriculture, Cropping

Business Uses –

Country Club or Golf Course

SPECIAL USES:

Public and Quasi-Public Facilities -

Church or Temple

Electrical Substation

Institution of an Educational, Philanthropic or Eleemosynary Nature

Police or Fire Station

Public Library, Museum or Gallery

Residential Uses –

Residential Planned Unit Development

CONDITIONAL USES:

Public and Quasi-Public Facilities -

Municipal or Government Building

Telephone Exchange

Residential Uses –

Bed and Breakfast, Owner Occupied

R-3 Zoning District Summary cont .

Conditional Uses cont.

Resource Production and Agricultural Uses –

Artificial Lake of one (1) or more acres

Business Uses -

Lodge or Private Club.

Private Kindergarten or Day Care Facility

DEVELOPMENT REGULATIONS IN THE R-3 DISTRICT

ZONE	MIN LOT SIZE	MIN OR AVERAGE WIDTH	MAX HEIGHT	MAX FAR	MIN OSR	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD
R-3	6,000 ¹	60' ²	35'	0.40	0.40	15' ³	5'	10'

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DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Zoning Board of Appeals

FROM: Paul Lindahl, Planner

DATE: October 14, 2004

SUBJECT: ZBA-04-MAJ-14: a request for a major variance by Twin City Bible Church to allow 22.5% increase in the maximum permitted Floor Area Ratio (FAR) to construct a new church annex at 806 and 808 W. Michigan Avenue in the R-2, Single Family and R-3, Single and Two-Family Residential Zoning Districts.

Introduction

Twin City Bible Church is located on the last block of west Michigan Avenue before it dead-ends at Lincoln Avenue. The church owns the last 3 lots on the north side of Michigan: 810, 808, and 806. The main church building is at 810 W. Michigan, on the northeast corner of Lincoln and Michigan. The church proposes to construct a new annex building at 808 and 806 W. Michigan. The lots are currently occupied by two older houses, which the church owns and uses for office space, educational gatherings, storage, and an apartment for the church custodial staff. The church will demolish the old houses to make way for the new annex structure.

The lot at 808 W. Michigan Ave, adjacent to the main church building, is zoned R-3, Single and Two-Family Residential. The lot at 806 W. Michigan Ave and is zoned R-2, Single Family Residential.

The Urbana Zoning Ordinance Table VI-1 Development Regulations by District states that both the R-2 and R-3 zoning districts have the same maximum permissible Floor Area Ratio (FAR) of .40.

Twin City Bible Church is requesting a major variance to allow a 22.5% increase in maximum permitted FAR from .40 to .49.

A request for an increase of greater than 5% in maximum FAR constitutes a Major Variance. Upon a recommendation of approval by the Zoning Board of Appeals, the petition is forwarded to the Urbana City Council for final action.

Background

Description of the Site

The lots are located in the last block of Michigan Avenue before the intersection at Lincoln Avenue in an area that has a mix of uses such as fraternity and sororities, apartment buildings, rooming houses, and single-family homes. The zoning designations in the area include R-1 Single family residential, R-2, Single Family Residential and, R-7 University Residential. The church owned 808 W. Michigan lot is the only R-3, Single and Two-Family Residential zoned lot on the block. Across Michigan Avenue to the south are large single-family homes. The land to the west across Lincoln Avenue is owned by the University of Illinois and is zoned CRE, Conservation – Recreation – Education.

The following is a summary of surrounding zoning and land uses for the subject site:

Zoning and Land Use Table*

Location	Subject Property	Zoning	Existing Land Use	Future Land Use
Subject Property	808 Mich.	R-3 , Single Family Residential	Church use	Low Density Residential
	806 Mich.	R-2 , Single and Two-Family Residential		Low Density Residential
North of	808 Mich.	R-7, University Residential	Church use	University Residential
	806 Mich.	R-2, Single Family Residential	Single-Family Residential	Low Density Residential
South of	Both	R-1, Single Family Residential	Single-Family Residential	Low Density Residential
East of	808 Mich.	R-2, Single Family Residential	Church use	Low Density Residential
	806 Mich.	R-2, Single Family Residential	Single-Family Residential	
West of	808 Mich.	R-7, University Residential	Church use	University Residential
	806 Mich.	R-3, Single Family Residential		Low Density Residential

* Please refer to the attached Zoning and Land Use maps for more information.

Related Case

Urbana Plan Commission case 1910-SU-04: a request for a Special Use Permit by Twin City Bible Church is scheduled for a hearing Thursday, October 21, 2004.

The church has owned the two existing houses and used them for church purposes since the early or mid 1970’s. The house at 808 W. Michigan has been used as a parsonage and has had a mix of activities in it

including residential, educational, and meeting purposes. The house at 806 W. Michigan has been used for church offices.

The Urbana Zoning Ordinance Table of Uses V-1 states that a *Church or Temple* is permitted in the R-2, Single Family and R-3, Single and Two-Family Residential zoning districts only as a Special Use.

By demolishing the existing houses the church will lose any claim of legally existing non-conformity. To establish a new *Church or Temple* use in a new annex on the lots zoned R-2 and R-3 requires a special use permit.

Upon a recommendation of approval or denial by the Plan Commission a Special Use Permit request is forwarded to the Urbana City Council for final action.

Discussion

The subject site covers two lots totaling 13,596 square feet. The new annex will be 44 feet deep and 73 feet wide and will have 6,624 square feet of floor area on two levels. The design as proposed calculates to an FAR of .487 or a 22.5% increase in the maximum.

The church board feels that the higher maximum FAR of .49 will allow for a more functional layout in the new facility without a reduction in the amount of space from that provided by the old houses. It will also help ensure that the utility and flexibility of the new facility is not compromised from the outset. They hope to ensure that the costs involved in the project will not result in a facility that is inadequate.

The existing houses have served the church in many ways. The church now proposes replacing them with a single building that meets all the needs for office space, educational space, nursery during church services, storage etc. For the new building to meet those needs as well as include space for code required stairwells, elevator, washrooms, and be of high quality construction is an expensive project.

The church activities have been hampered by the inflexible and obsolete design of the existing houses. Over the years maintenance and renovations have been performed as necessary. At this point it is no longer practical for the church to maintain the deteriorating structures in the face of the costs involved and the fact that they do not meet functional necessity.

The new annex will be attached to the existing church by a two-story connecting link. The lower story will connect the basement of the main church to the lower level of the annex. The main floor of the annex will connect to the main level of the existing church. The lower level will be sunken one-half story underground so the overall height of the structure will be less than the existing houses. The result of the design will be an annex with the massing of a large single family home.

The layout and design of the new annex will be a visual improvement to the neighborhood over the look of the two older houses. It will be an all brick structure with architectural detailing that will be complimentary to the residential nature of the neighborhood.

The new Open Space Ratio (OSR) of .50 (as calculated by staff) will remain above the allowable minimum for the R-2 and R-3 zoning district of .40. All applicable zoning and building safety code requirements will be met.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make 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 special circumstance of the property is that the existing obsolete houses provide limited utility for the church's growing needs. Replacing the houses with a single new structure that accommodates the churches needs without a reduction in space from that provided in the houses is difficult under the existing FAR requirements.

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 proposed variance is not a privilege because the design and condition of the old houses are no longer suitable to the churches needs. Other district structures do not have the same circumstances of age, deterioration, ownership or location.

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

The need for the variance has not yet been created. The petitioners are aware of the requirements of the Zoning Ordinance and have applied for a variance.

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

The FAR of the proposed church annex will not alter the character of the neighborhood because it is designed to have the lower story half underground and so the massing is intended to emulate that of a modern single family home.

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

The proposed addition should not cause a nuisance to adjacent properties. All setbacks and open space requirements will be maintained.

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

The petitioner is only requesting the amount of variance needed to accommodate the proposal as designed.

Options

The Zoning Board of Appeals has the following options in this case:

- a. The Urbana Zoning Board of Appeals may recommend approval of the variance as requested to the Urbana City Council based on the findings outlined in this memo; or
- b. The Urbana Zoning Board of Appeals may recommend approval of the variance to the Urbana City Council along with certain terms and conditions. If the Urbana Zoning Board of Appeals elects to recommend conditions or recommend approval of the variance on findings other than those articulated herein, they should articulate its findings accordingly; or
- c. The Urbana Zoning Board of Appeals may deny the variance. If the Zoning Board of Appeals elects to do so, the Board should articulate findings supporting its denial.

Staff Recommendation

Based on the findings outlined herein, staff recommends that the Urbana Zoning Board of Appeals recommend **APPROVAL** of the proposed variance, as requested to the Urbana City Council.

Attachments:	Exhibit A:	Location Map
	Exhibit B:	Zoning Map
	Exhibit C:	Existing Land Use Map
	Exhibit D:	Future Land Use Map
	Exhibit E:	Aerial Photo
	Exhibit F:	Site Plan
	Exhibit G:	Architects rendering of proposed structure
	Exhibit H:	Variance Application
	Exhibit I:	Public Notice & Label List
	Exhibit J:	R-2 and R-3 Zoning District Summaries
	Exhibit K:	Plan Commission Case # 1910-SU-04, Special Use memo

Cc:

Twin City Bible Church, Petitioner, 806 W. Michigan, Urbana, IL 61801

ABRIS Ltd. Architects, Attn: James Miller, 123 W. Main Street, Urbana, IL 61801