

**MINUTES OF A REGULAR MEETING  
URBANA ZONING BOARD OF APPEALS**

**DATE:** October 20, 2004  
**TIME:** 7:30 p.m.  
**PLACE:** Urbana City Building  
400 S. Vine Street  
Urbana, IL 61801

**APPROVED**

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**MEMBERS PRESENT:** Paul Armstrong, Joe Schoonover, Nancy Uchtmann, Charles Warmbrunn

**MEMBERS ABSENT** Herb Corten, Anna Merritt, Harvey Welch

**STAFF PRESENT:** Rob Kowalski, Planning Manager; Paul Lindahl, Planner; Teri Anandel, Secretary

**OTHERS PRESENT:** Amy Ando, Sarah McEvoy, Jonathon Freund, H. James Miller, Sarah Projansky, Jennifer Swindlehurst, Susan Taylor

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

The meeting was called to order at 7:29 p.m. The roll call was taken, and a quorum was declared present.

**Mr. Warmbrunn moved that Paul Armstrong serve as Acting Chair in the absence of Chair Anna Merritt. Mr. Schoonover seconded the motion. The motion was passed by unanimous voice vote.**

**Acting Chair Armstrong welcomed Nancy Uchtmann to serve as the newest member of the Zoning Board of Appeals.**

**2. CHANGES TO THE AGENDA**

Rob Kowalski, Planning Manager, stated that the first case, ZBA-04-MAJ-13, under New Public Hearings had been cancelled upon the request of the petitioner.

### 3. APPROVAL OF MINUTES

Mr. Warmbrunn moved to approve the minutes from the September 15, 2004 meeting as presented. Mr. Schoonover seconded the motion. The minutes were approved as presented by unanimous voice vote.

### 4. WRITTEN COMMUNICATIONS

There were none.

### 5. CONTINUED PUBLIC HEARINGS

There were none.

**Note: Acting Chair Armstrong swore in members of the audience who wanted to speak during the public hearings.**

### 6. NEW PUBLIC HEARINGS

**ZBA-04-MAJ-13: A request filed by Aldi, Inc. for a major variance to allow a 45% increase in the maximum allowable area of a freestanding sign in the B-1, Neighborhood Business Zoning District.**

This case was cancelled upon the request of the petitioner.

**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 West Michigan Avenue in the R-2, Single Family and R-3, Single and Two-Family Residential Zoning Districts.**

Paul Lindahl, Planner, presented this case to the Zoning Board of Appeals. He began by saying that the petition was filed by the Twin City Bible Church for a 22.5% increase in the maximum permitted Floor Area Ratio (FAR) to construct a new church annex that cover portions of both lots at 806 and 808 West Michigan Avenue. He gave a description of the proposed site and of surrounding properties noting their zoning and land uses. He talked about the related Special Use Permit case that the Plan Commission would be considering on Thursday, November 4, 2004. He reviewed the variance criteria that pertained to the major variance request from Section XI-3 of the Urbana Zoning Ordinance. He read the options of the Zoning Board of Appeals and stated staff's recommendation, which was as follows:

*Based on the findings outlined in the written staff report, staff recommended that the Urbana Zoning Board of Appeals recommend approval of the proposed variance, as requested to the Urbana City Council.*

Sarah McEvoy, of 805 West Michigan Avenue, understood that the two houses at 806 and 808 West Michigan Avenue were not meeting the needs of the Twin City Bible Church, so they

understood the need for the church to rebuild. They were grateful to the church for inviting neighbors to see the architectural plans and for being asked for feedback on the proposed structure. The neighbors were grateful to see that changes were made to make the structure look less institutional and more homelike.

Ideally, she would want two structures instead of one large structure to preserve the feel of the neighborhood. Additional square footage as realized in a single large structure would significantly change the neighborhood. It was her understanding from the architect, that the City of Urbana encouraged the church to build one structure rather than the church's original plan to build two structures in place of the two existing homes. She inquired as to whom at the City encouraged this. Mr. Kowalski replied that it would be a better question for the church to answer.

Ms. McEvoy went on to say that the heavy traffic during Sunday services was to be expected. However, her family was concerned with the larger structure would increase the traffic and safety issues on her block. As it was now, it was difficult for her family to back out of their driveway onto Michigan Avenue. Early morning bible study attendees have parked in their driveway at 6:00 am and 7:00 am. Some church members have even approached her family and asked if they could rent her driveway. She was glad to discover that the church was planning to use the driveway on the east side as an exit only to come out onto Michigan Avenue. Her family would like to see alternative entrances to the church off of Lincoln Avenue and Indiana Avenue to reduce the traffic flow on Michigan Avenue.

Her family was also concerned that any new signage would deter from the neighborhood feel.

James Miller, architect & member of the Twin City Bible Church, mentioned that the church looked at the idea of having two buildings, but in studying it over, they discovered that they would be compromising what the church really needed to meet their needs. By putting the space together in one building, they would be able to economize, which would allow more flexibility to do what the church needed. They had strived to make the proposed building residential in character.

It would be a large residence; however, there were other large residences in the neighborhood already. So, they felt that they would be taking two of the rattiest houses in the neighborhood and replacing them with a nice, brick structure, which would be very residential in character.

Mr. Warmbrunn questioned how someone would enter the parking lot? Mr. Miller answered by saying that people would enter the parking lot off of Lincoln Avenue and exit onto Michigan Avenue.

Mr. Warmbrunn asked if they would be increasing their number of parking spaces or if they would be losing parking spaces? Mr. Miller stated that the church would actually be losing a couple of parking spaces. However, the number of handicap parking spaces would match the number of people in the church who need a handicap parking space to park. All other people would be handled on the University of Illinois campus. There was also some parking allowed on

the street, which was irritating to the neighbors. They are trying to get most of the people to park on campus.

Amy Ando, of 712 West Michigan Avenue, mentioned that she lived down the street from the church. She remarked that the Twin City Bible Church served as a model to others about how to go about this type of process in a communicating kind of way rather than an adversarial way. However, she was there to oppose the variance request.

She was there in opposition because it was a big variance request. Elements of the Zoning Ordinance have important jobs. As a City and as a community, we need to think pretty hard about cases where people are asking for permission to exceed the rules set forth to govern development.

In this particular case, it had taken her a while to figure out why the petitioner needed a large variance. So, why do we have FAR requirements? And why or why not it might be a bad thing to exceed them? One of the reasons was to control density. This meant to control the number of people living in an area. FAR also controls the appearance of an area.

How was the FAR space calculated? Mr. Kowalski explained that it was the floor area divided by the lot area. Ms. Ando replied that it did not have anything to do with parking spaces. She noted that you could not park anywhere on Michigan Avenue on Sunday mornings. She found it was funny to insist that the church have 14 parking spaces on the proposed lot, because it was so hopelessly inadequate for the number of people who go to the church.

Another issue that Ms. Ando raised was when we cover up the lots, it changed where the rainwater runs off. It made it more difficult for the City trees to grow. Therefore, she was inclined to prefer either two, small buildings or perhaps shrinking the size of the proposed footprint, so that it did not cover the footprint of the two existing houses, but to compensate for the lost open space in between. They could have more landscaping and make the building less massive in size.

Sarah Projansky, of 803 West Michigan Avenue, thanked the church for being so neighborly. She pointed out the submitted plans were different from the plans that the church had shown the neighbors. Therefore, it showed that the church had responded to the neighbors' suggestions.

She felt that more changes could be made to maintain a residential feel. The petitioner claimed that the height of the proposed structure would be less than the existing homes, and it would look like a modern single-family home. She believed that both of these claims were true and make the proposed structure look less like it belongs in the neighborhood.

She believed that the basement being halfway in the ground was part of the issue. If the church would build up instead of out, then it would possibly be better. There were many taller homes in the neighborhood. The link between the church and the proposed structure would be quite institutional. Although it made sense for the church to have some sort of connection between the buildings, she believed that there was a way that this could be hidden from the street or transformed in a way that felt more residential and less institutional.

Mr. Miller re-approached the Zoning Board of Appeals to explain that the proposed building would not cover the length of the footprints of the two existing houses. They had pulled the footprint back on the east side by about 9 feet.

As far as building up higher, the goal, which drove the whole plan, was to have the two floors of the proposed annex be at the same level as the floors of the existing church to give it a feel of being part of the church. Building up higher would create more problems with accessibility. This was by far the most comfortable plan.

He mentioned that the church was still working on the plans. So, there may be comments that the neighbors had said that could influence further changes. The church would do the best they could to try to meet the neighbors' concerns. Parking was a concern that the church was working hard by trying to soften the problem of cars being parked down the street.

Ms. Uchtmann asked if the architect had considered changing the direction of the proposed building so that the shorter side was facing the front? Mr. Miller replied that they had tried everything. The problem with this concept was that they were trying to hide the parking. One of the worst things that they could do to the neighborhood would be to have a parking lot that would interrupt the rhythm of the houses.

Mr. Schoonover inquired if the church was still in the process of talking to the residents? Mr. Miller replied yes. The pastor had received notes and letters in the last week, and they were trying to be responsive to them. However, they were at the point where they would like to respond in terms of fine-tuning instead of making major changes in the concept. Fine-tuning would be in terms of finishing the plans for the main entrance, the window treatment, and the roof treatment.

Mr. Kowalski responded to some questions that had been asked. In regards to the traffic flow, staff had met with the church to talk about their traffic flow plan. The City Engineer, Bill Gray, had reviewed the plan and felt that the proposed layout would be the best option for the safest traffic flow from Lincoln Avenue to Michigan Avenue. One of the issues of having a two-way traffic flow from Michigan Avenue was having a wide enough access drive. The church was not really able to do that in order to allow a two-way drive. So, the one-way out onto Michigan Avenue really worked best for the site.

He went on to say that Ms. Ando was correct in that the main purpose of FAR was to help regulate the bulk and size of a building on a lot. In many cases in developments, developments were not able to achieve their FAR requirements because of parking needs and other kinds of site demands. In this case, as staff worked with the church and looked at the designs, in one of the considerations was the existing square footage of the two houses that were on the two lots, and the FAR of the proposed annex was close to matching the existing FAR of the two houses on the two lots. Then, why do they need approval for a major variance? Technically, if someone clears a lot and start development from scratch, then that person would need to meet all the requirements of the Zoning Ordinance. So, it was very possible that in this case, the two existing houses may not have met the current standards for FAR in the first place. This happened quite a bit in the older neighborhoods, where there were large homes on relatively smaller lots. In many cases, these homes were legally non-conforming for

setback or FAR. It was not uncommon for the staff to get variance requests from homeowners in an older neighborhood, who live in large homes on smaller lots, to refinish an attic space and add living space.

Another quirk of FAR was what went into the calculation was living space or usable space, including basements. While the basement counts in the FAR, an argument could be made that since it was in the basement, it would help reduce the overall bulk and massing of the building that one would see from the street.

Mr. Kowalski talked about the overall design of a building. The City did not regulate design at this location for architectural details or standards. The design of the building was something that church had proposed and was planning on doing. If the church were in the M.O.R., Mixed-Office Residential Zoning District, then they would be looking at the design of the proposed annex. Then again, if this was in the MOR Zoning District, he believed that the proposed design was more of what the City would be looking for.

Mr. Warmbrunn questioned if the rain and drainage issue had been taken care of? Mr. Lindahl responded by saying that the rain and drainage issue had been addressed by the City Engineer. Public Works Department looked at the parking lot and its design. The church would install a couple of drains in the back of the property. Mr. Kowalski added that when construction plans were submitted, the standard process was that the City’s Building Safety Division would review the plans for building code issues with the building. The plans also get reviewed by the City’s Engineering staff to make sure that stormwater would not drain from one lot to another lot. It needed to drain to the proper storm drains and out into the proper storm sewers.

Ms. Uchtmann inquired how long the building was in front? Mr. Miller replied that it was 73 feet long, which was not unusual for a residence in the suburbs.

Mr. Warmbrunn moved that based on the findings outlined in the staff report that the Zoning Board of Appeals recommend approval to the Urbana City Council. Mr. Schoonover seconded the motion. Roll call was as follows:

Mr. Schoonover	-	Yes	Ms. Uchtmann	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Armstrong	-	Yes

The motion was passed by unanimous vote.

**7. OLD BUSINESS**

There was none.

**8. NEW BUSINESS**

There was none.

**9. AUDIENCE PARTICIPATION**

There was none.

## **10. STAFF REPORT**

**Mr. Kowalski reported on the following:**

**Special Use Permit request** for the Twin City Bible Church was postponed to November 4, 2004 due to the lack of a quorum for the Plan Commission. After being heard by the Plan Commission, the case would go before the City Council on November 15, 2004. The petitioner and City staff agreed that the Zoning Board of Appeal's recommendation could wait and go to the same November 15, 2004 City Council meeting.

## **11. STUDY SESSION**

There was none.

## **12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 8:15 p.m.

**Respectfully submitted,**

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**Rob Kowalski, Planning Manager  
Urbana Zoning Board of Appeals**