



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: Matt Wempe, Planner II

DATE: April 14, 2006

SUBJECT: ZBA 06-C-01, Request by Olympic Construction for a Conditional Use Permit to establish a “Contractor Shop and/or Showroom”, in the B-1, Neighborhood Business Zoning District.

Introduction

Olympic Construction has submitted a request to allow a contractor shop/showroom at 907 W. Fairview. The petitioner is a general contractor, with a focus on fabrication, while subcontracting plumbing, electrical and other work. The property is currently developed as a single building with a combination of office and work space, and was previously owned by an engineering firm. The petitioner has indicated that he intends to relocate his main offices to the building, and have a small workshop that can be utilized for minor on-site work. In addition, the petitioner has stated that he intends to install building improvements, including consistent siding materials (there are several types currently on the building), adding an awning for the main door, and general improvements to the interior of the building. According to Table V-1 of the Urbana Zoning Ordinance, a contractor shop/showroom is permitted in the B-1, Neighborhood Business District pursuant to the approval of a Conditional Use Permit.

Background

The corner of Fairview and Lincoln has historically been used as a commercial area serving the King Park neighborhood. The 1982 Urbana Comprehensive Plan identified both the zoning and future land use for the site as commercial. The 1989 King Park Plan also identified the site as suitable for commercial uses, as does the 2005 Urbana Comprehensive Plan. Currently, the property is developed as a single building, with parking on both the north and east sides of the building. Approximately ten parking spaces are currently provided on the site. A cross-access easement with the adjacent Family Video property allows traffic to access the property from Lincoln Avenue. Access to the site is also provided via Fairview Avenue, with two curb cuts, one which is shared with the Family Video property. On the east side of the building, a large garage door provides access to the workshop area of the building.

In December 2005, a Special Use Permit was requested to allow liquor sales as part of a grocery store at the property. The City Council denied the request on the grounds that the use could be detrimental to the surrounding neighborhood based on extensive public input.

Development Regulations

The proposed workshop and offices will be located in an existing building owned by the petitioner. The petitioner has indicated that they will install building improvements, such as consistent siding materials, awnings and other interior improvements. The building will not be expanded beyond the current 2,350 square feet.

Parking is already provided for on the site, and there are access drives located on Lincoln and Fairview Avenues. According to Table VIII-6 of the Zoning Ordinance, the requirement for a contractor shop/showroom is one space per 400 square feet, for a total of six required parking spaces. There are ten parking spaces available at the property. Per Table VIII-1, one handicapped parking space is required. Because there are less than 20 parking spaces, there are no requirements for parking lot landscaping.

The recently revised B -1 District regulations prohibit the proposed use from having a freestanding sign (according to Table IX-1), and a wall sign may only comprise 10 percent of the wall area, or no greater than 150 square feet.

Surrounding Properties

Immediately west, south and north of the site are residential properties in the King Park neighborhood. Also north of the site is the Care Centre of Urbana, a Medicare, Medicaid, and VA, 99-bed skilled-care facility. The facility provides long- and short-term nursing care; physical, occupational and speech therapy; respite care and rehabilitation. The 2005 Urbana Comprehensive Plan recommends that this neighborhood business hub expand to the north along Lincoln Avenue to south of King Park.

The following chart, along with the attached exhibits, offers a more detailed summary of the surrounding zoning and land uses.

Direction	Zoning	Existing Land Use	Future Land Use
Site	B-1, Neighborhood Business	Vacant	Community Business
North	R-5, Medium High Density Multiple Family Residential	Residential	Community Business
East	B-1, Neighborhood Business	Family Video (vacant)	Community Business
South	R-2, Single-Family Residential	Residential	Community Business
West	R-2, Single-Family Residential	Residential	Residential

Discussion

Requirements for a Conditional Use Permit

According to Section VII-2 of the Urbana Zoning Ordinance, an application for a Conditional Use Permit shall demonstrate the following:

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

The petitioner has stated that the majority of his business is conducted off-site. The workshop would be used for occasional tasks that cannot be completed off-site or require additional tools and work. The business offices should not have an impact on the surrounding neighborhood because the site is already utilized and well-suited for such a use.

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 petitioner has stated that the majority of his business is done on-location, and that he only uses the workshop for projects that require additional tools and work. The large garage door can be used to access the workshop, and since it faces towards Lincoln Avenue, use of this access should not be detrimental to the neighboring residences. The proposed office use should be easily accommodated, as the site has previously been utilized in this manner. All development regulations for the B-1 District are met for the property.

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-3.*

The property already meets all development regulations for the B-1 District. The intent of the B-1 District is to provide centers that are designed to serve the overall community and the immediate neighborhood. The petitioner has indicated that his largest customer is Carle Hospital, and this property will allow him to more efficiently serve them. The petitioner has indicated that the majority of his business is conducted off-site, and that on-site work will be minimized as much as possible. The building is already designed to minimize the impact on surrounding residential properties. Additionally, the petitioner has stated that the large garage door will only be used for moving materials into the shop, and that the interior of the building will be upgraded with noise-dampening materials. As a condition of approval, no outdoor work would be permitted.

Summary of Findings

1. The proposal includes the use of the building for both a workshop and professional offices.
2. The petitioner has stated that he intends to install building improvements, including consistent siding materials, adding an awning for the main door, and general improvements to the interior of the building.

3. The proposal would be conducive to the public convenience at this location based upon improvements to the building, and the minimal work done at the property.
4. The proposal would not pose a detriment to the B-1, Neighborhood Business Zoning District in which it is proposed to be located.
5. The development will meet all the applicable requirements of the Urbana Zoning Ordinance. The required amount of parking is already provided.
6. The proposed development is generally consistent with the 2005 Urbana Comprehensive Plan.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-06-C-01:

1. Grant the requested conditional use without any special conditions; or
2. Deny the requested conditional use; or
3. Grant the requested conditional use along with any additional conditions and requirements as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.

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 Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA 06-C-01 for the reasons articulated above, and with the following condition:

1. That any outdoor fabrication, building, or construction related to the petitioner's business shall be prohibited.

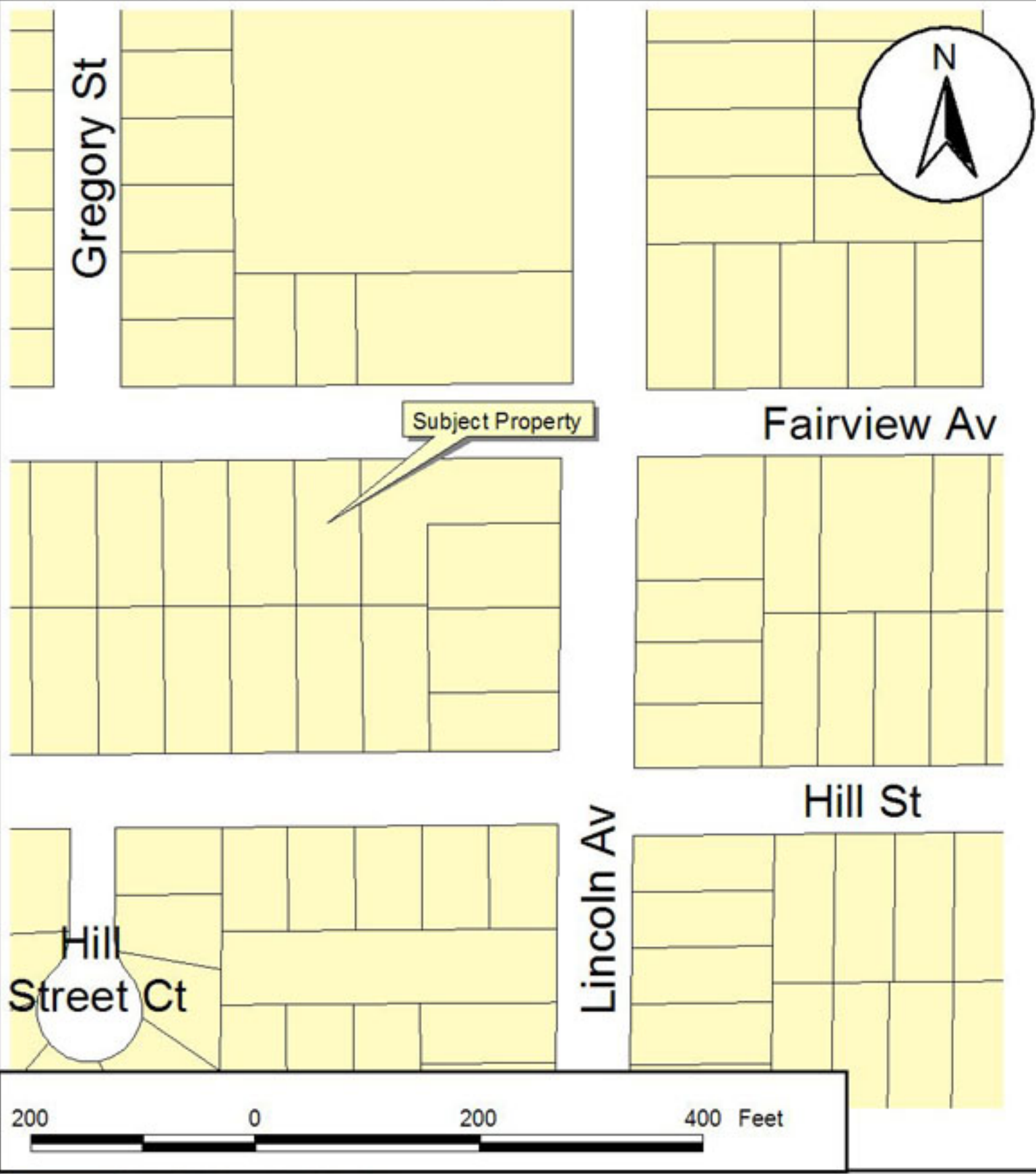
Prepared by:

Matt Wempe
Planner II

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Existing Land Use Map
Exhibit D: Future Land Use Map
Exhibit E: Aerial Map

Cc: Gary Frick
Olympic Construction

Exhibit A: Location Map

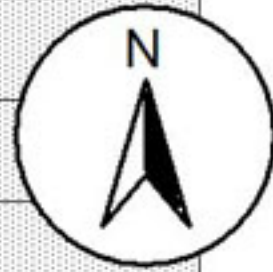


ZBA Case: ZBA-06-C-01
Petitioner: Olympic Construction
Location: 907 E. Fairview
Zoning: B-1, Neighborhood Business
Description: Allow a contractor shop or showroom in the B-1, Neighborhood Business Zoning District

Exhibit B: Zoning Map

Gregory St

R-5



R-2

Fairview Av

Subject Property

R-2

B-1

R-5

Hill St

Hill Street Ct

Lincoln Av

R-2

200 0 200 400 Feet



ZBA Case: ZBA-06-C-01
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R2 - Single Family
 R5 - Medium High Density MFR
 B1 - Neighborhood Business

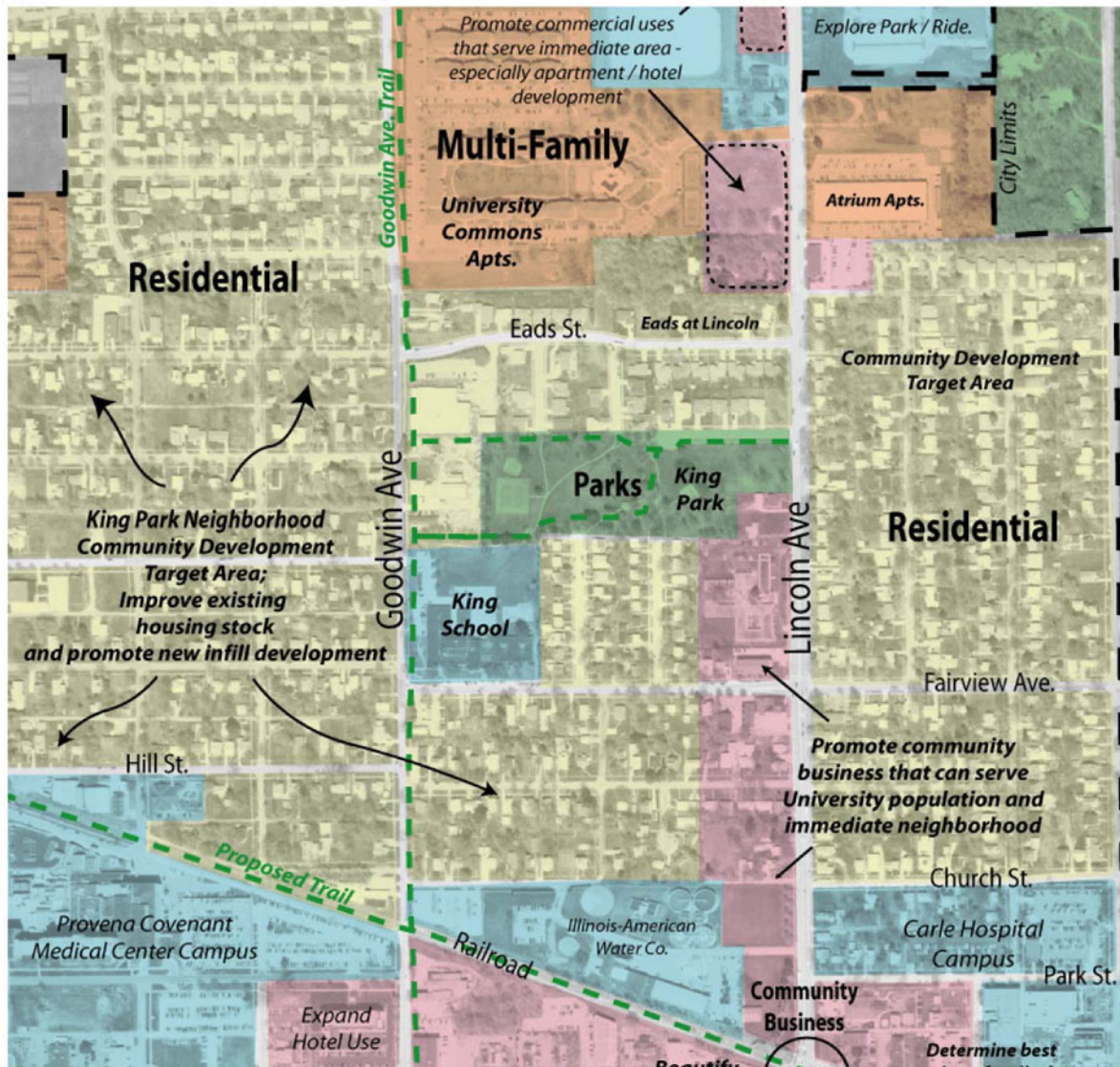
Exhibit C: Existing Land Use Map



ZBA Case: ZBA-06-C-01
 Petitioner: Olympic Construction
 Location: 907 E. Fairview
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SF - Single Family
 MF - Multi Family

Exhibit D: Future Land Use Map



ZBA Case: ZBA-06-C-01
 Petitioner: Olympic Construction
 Location: 907 E. Fairview
 Zoning: B-1, Neighborhood Business
 Description: Allow a contractor shop or showroom in the B-1, Neighborhood Business Zoning District
 Prepared 03/30/2006 by Community Development Services - mhw

Exhibit E: Aerial Map



ZBA Case: ZBA-06-C-01
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