



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, PhD, FAICP, Director

DATE: January 5, 2012

SUBJECT: Request by Urbana Lighthouse Church of the Nazarene for a Special Use Permit to establish a Church at 1808 S Philo Road in the B-3 Zoning District (Plan Case No. 2163-SU-11)

Introduction

Reverend Wayne Clevenger has submitted a request on behalf of the Urbana Lighthouse Church of the Nazarene to allow a church in an existing building at 1808 S. Philo Road. The property is zoned B-3, General Business. According to Table V-1, Table of Uses in the Urbana Zoning Ordinance, a Special Use Permit is required for churches in the B-3 district.

The Plan Commission will review the Special Use Permit application, hold a public hearing, and make a recommendation to the Urbana City Council at their January 5, 2012 meeting. As this memorandum precedes the Plan Commission meeting, staff will provide a verbal update on this case, including the Plan Commission recommendation, at the January 9, 2012 City Council meeting.

Background

Description of the Site and Surrounding Properties

The subject site is approximately 4.9 acres and located on the east side of Philo Road, just north of Colorado Avenue. The site is irregularly-shaped, with two “flags” extending out to both Philo Road and Colorado Avenue. The site has two access drives on Philo Road and two on Colorado Avenue. The site contains a one-story building with accessory parking in front of the building. The building is setback from both Philo Road and Colorado Avenue with Heartland Bank and CVS Pharmacy located along the street frontage. (See Exhibit A.) The building is 43,000 square feet and is divided into two units. Urbana Secure Self Storage, a storage warehouse facility, is in the 33,000-square-foot south unit. The Urbana Lighthouse Church of the Nazarene is proposing to locate in the 10,000-square-foot north unit, which is currently vacant. The site is zoned B-3, General Business. The 2005 Comprehensive Plan designates this

site as community business and identifies it as being within a potential redevelopment area. (See Exhibit C for further information.)

The site is located within the Philo Road Business District and is surrounded predominantly by commercial uses to the south and west including Heartland Bank, CVS Pharmacy, Walgreens, and Circle K convenience store. The Pointe at U of I apartments are located directly to the north. To the east is an undeveloped lot zoned B-3, General Business. Further east is a multi-family residential complex. To the south is the CVS Pharmacy and another commercial building. Adjacent to the subject site but across Colorado Avenue is an agricultural field.

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

Direction	Zoning	Existing Land Use	Future Land Use
Site	B-3, General Business District	Warehouse Storage/ Vacant	Community Business
North	B-3, General Business District	Commercial (west) Residential (east)	Community Business
East	B-3, General Business District	Undeveloped	Community Business
South	B-3, General Business District	Commercial/ Agriculture	Community Business
West	B-3, General Business District	Commercial	Community Business

History

The Philo Road Business District served as a regional retail center from the 1960s through the 1980s and was anchored by several supermarkets and drugstores including IGA, Walgreens, Kmart, Kroger, and Jewel Foods. The subject property was a Jewel Food Store and was then remodeled as a Jewel-Osco in 1982. These retailers benefited from Philo Road being designated Illinois Route 130, which brought traffic into the district from outlying communities. In 1991, the Illinois Department of Transportation relocated Route 130 east to High Cross Road. Following traffic rerouting, the Philo Road Business District changed from serving a regional market to a neighborhood or community-serving market. Concurrently, the national retail trend moved toward “big box” retail stores with building footprints much larger than those on Philo Road. Consequently, some larger retail buildings in the district have either been replaced or repurposed. Jewel-Osco relocated elsewhere in the district in the 1990s, leaving 1808 S Philo Road unoccupied.

In 2000, a portion of the building was remodeled to allow Leal School and then the Urbana Middle School to meet there while the school buildings underwent rehabilitation. In 2004, the Urbana City Council approved a Special Use Permit (Ordinance No. 2004-02-011) for a “mini-warehouse storage facility” in the south unit of this building. Schools and churches are both assembly uses and have similar needs and requirements in terms of parking, building safety, and fire codes. As the building was used as a school, it is well-suited to meet the needs of a church.

Development Regulations

Parking

According to Table VIII-7 of the Zoning Ordinance, a church or temple must provide a minimum of one parking space for every five seats in the principal assembly area. The petitioner anticipates a congregation of 50-60 people. If there were 60 seats in the principal assembly area, twelve parking spaces would be required. Having been used as a 43,000 square foot supermarket, this building has more than sufficient parking available to share between the current warehouse storage facility and the proposed church.

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 church intends to hold church services and ministries with anticipated attendance of 50-60 people. According to the application, the church will allow the congregation to meet as a body to worship and make a positive impact on the community. According to the applicant, "We are a community driven body, and our hope is to participate in making a difference in aiding in the betterment of the Urbana community." The building has sufficient parking available, as well as sufficient access from both Philo Road and Colorado Avenue.

- 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 church would locate in an existing building, with sufficient parking and access to accommodate its anticipated congregation. According to the applicant, the storage facility in the south unit of the building is closed on Sundays, which is the principal meeting day for the church. The proposed use would not likely generate a significant amount of vehicular traffic, noise, waste, or negative environmental effects on or near the site. In addition, there are already several churches located on Philo Road.

Although there are two residential properties nearby, neither would be negatively impacted by the proposed church. The Pointe at U of I Apartments is adjacent to the subject site to the north, but is accessed from Florida Avenue. Stone Ridge Square apartments are to the east of the subject lot, but are separated by an undeveloped lot.

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 proposed use would locate in an existing building which meets the regulations and standards of the B-3 district. The anticipated amount of traffic from such a use would not greatly impact the surrounding properties as it is located in a commercial district on an arterial street.

Summary of Findings

1. The Urbana Lighthouse Church of the Nazarene is requesting a Special Use Permit to establish a Church at 1808 S Philo Road in the B-3, General Business Zoning District.
2. The proposed use is conducive to the public convenience at this location. It would allow the church to meet as a body to worship and serve the community.
3. The proposed church would locate in an existing building, with sufficient parking and access to accommodate its anticipated congregation, and would not be unreasonably injurious or detrimental to the district in which it shall be located. As the building already exists, the proposal should not unduly impact surrounding properties.
4. The proposed church would locate in an existing building which meets the regulations and standards of, and preserves the essential character of the B-3 district in which it shall be located.
5. The proposed church facility is generally compatible with the existing land use pattern of the subject site and surrounding area. A church is an appropriate use, as allowed by Special Use Permit in the B-3, General Business Zoning District.
6. The proposed church is generally consistent with the Community Business designation, as identified in Future Land Use Map #13 in the 2005 Urbana Comprehensive Plan.

Options

The Urbana City Council has the following options regarding Plan Case 2163-SU-11:

1. Approve the Special Use Permit request;
2. Approve with additional specified conditions; or
3. Deny the Special Use Permit request.

Recommendation

Based on the analysis and findings presented herein, the Urbana Plan Commission and staff recommend that the City Council approve the proposed Special Use Permit **with the following condition**:

1. That the church shall meet all applicable City of Urbana regulations.

Prepared by:

Rebecca Bird, Planner II

Attachments: Draft Ordinance
 Exhibit A: Location and Existing Land Use Map
 Exhibit B: Existing Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: Photos
 Exhibit E: Application for a Special Use Permit

CC: Wayne Clevenger, 1609 Lincolnwood, Urbana, IL

ORDINANCE NO. 2012-01-003

An Ordinance Approving A Special Use Permit

(To Allow the Establishment of a Church in the B-3, General Business Zoning District - Plan Case No. 2163-SU-11 / 1808 South Philo Road - Urbana Lighthouse Church of the Nazarene)

WHEREAS, Urbana Lighthouse Church of the Nazarene has petitioned the City for a Special Use Permit to establish a church at 1808 South Philo Road in the B-3, General Business Zoning District Zoning District; and

WHEREAS, the Urbana Zoning Ordinance identifies a *church, temple, or mosque* within the B-3 Zoning District as being permitted with the granting of a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location because it would allow the church to meet as a body to worship and serve the community; and

WHEREAS, the proposed church would locate in an existing building, with sufficient parking and access to accommodate its anticipated congregation, and would not be unreasonably injurious or detrimental to the district in which it shall be located; and

WHEREAS, because the building already exists, the proposed church should not unduly impact surrounding properties; and

WHEREAS, the proposed church would locate in an existing building which meets the regulations and standards of, and preserves the essential character of the B-3 district in which it shall be located; and

WHEREAS, the proposed church facility is generally compatible with the existing land use pattern of the subject site and surrounding area; and

WHEREAS, the proposed church is generally consistent with the Community Business designation, as identified in Future Land Use Map #13 in the 2005 Urbana Comprehensive Plan; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 5, 2011 concerning the petition filed by the petitioner in Plan Case No. 2163-SU-11; and

WHEREAS, on January 5, 2011, the Urbana Plan Commission voted ___ ayes and ___ nays to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the condition specified in Section 1 herein; and

WHEREAS, approval of the Special Use Permit, with the condition set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the Special Use Permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a church in the B-3, General Business Zoning District with the following condition:

1. That the church shall meet all applicable City of Urbana regulations.

LEGAL DESCRIPTION:

Lot 103 of the Replat of Lot 1 and Part of Lot 2 of Becky's Subdivision, Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana, Illinois.

PIN No: 92-21-21-201-018

LOCATED AT: 1808 South Philo Road, Urbana, Illinois

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laurel Lunt Prussing, Mayor

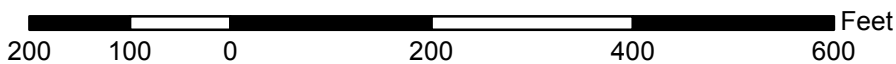
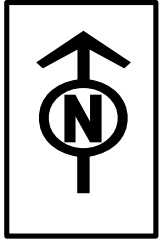
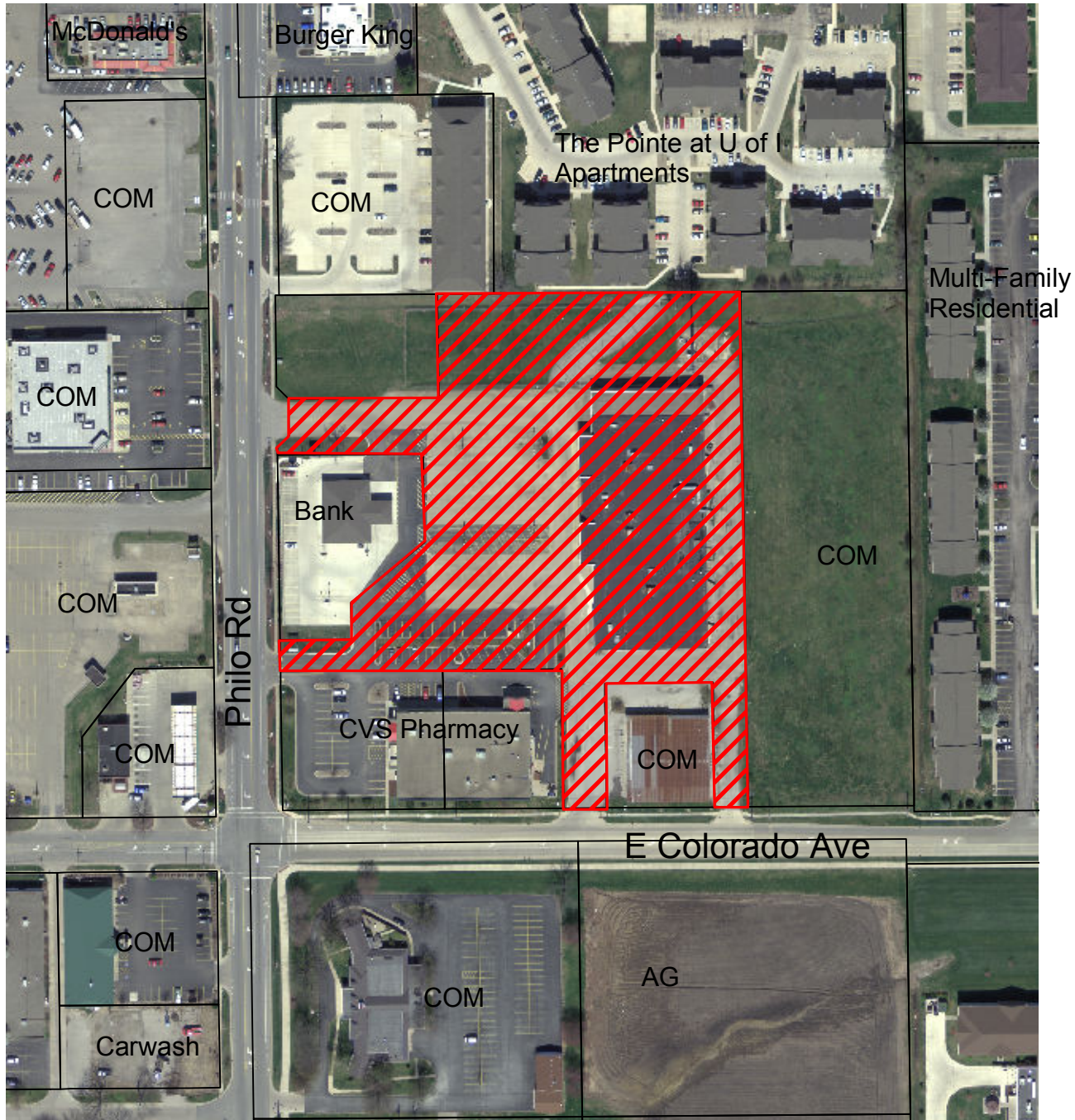
CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

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

I certify that on the ___ day of _____, 2012, the City Council of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving A Special Use Permit (To Allow the Establishment of a Church in the B-3, General Business Zoning District - Plan Case No. 2163-SU-11 / 1808 South Philo Road - Urbana Lighthouse Church of the Nazarene)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2012, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2012.

Exhibit A: Location & Land Use Map

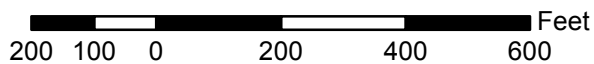
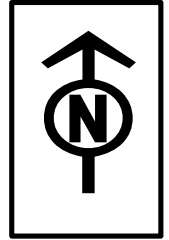
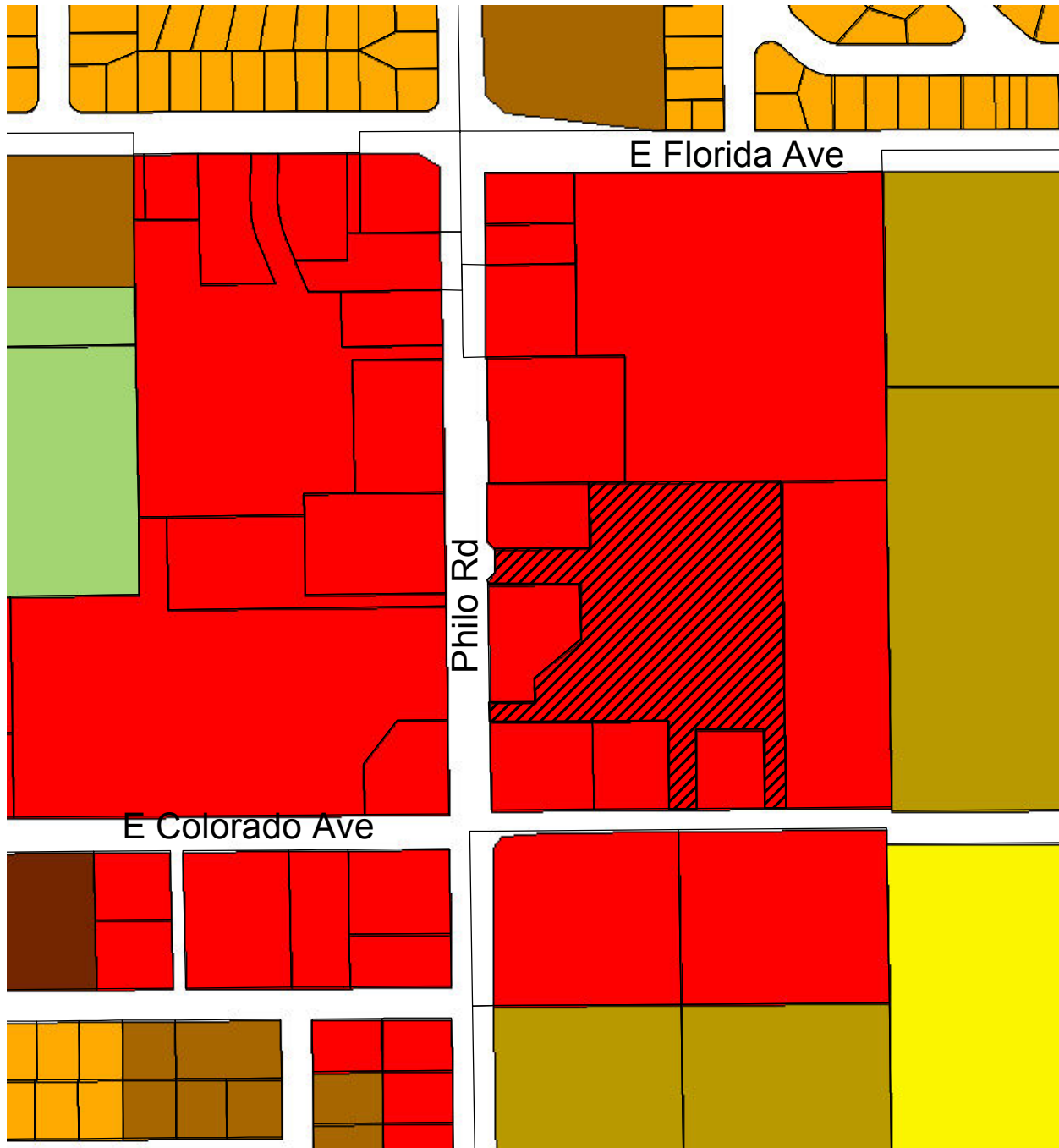


Case: 2163-SU-11
Subject: Special Use Permit to allow a church in an existing B-3 building
Location: 1808 S Philo Road, Urbana
Petitioner: Wayne Clevenger

 Subject Property








Prepared 12/14/2011 by Community Development Services - rlb

Exhibit B: Zoning Map



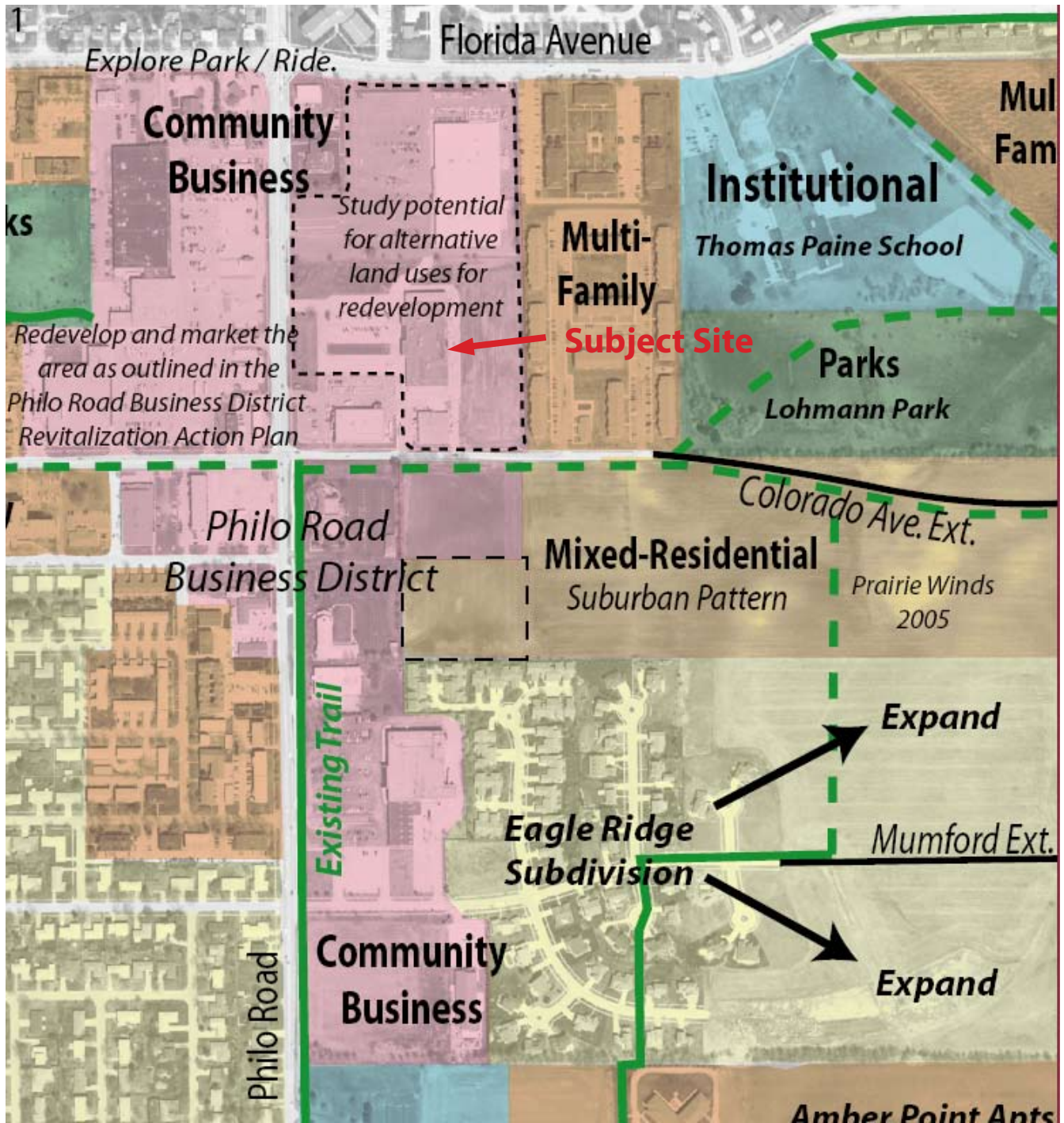
Case: 2163-SU-11
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 Petitioner: Wayne Clevenger

 Subject Property

- | | |
|---|--|
|  B3 |  R3 |
|  CRE |  R4 |
|  R2 |  R5 |
| |  R6 |

Prepared 12/14/2011 by Community Development Services - rlb

Exhibit C: Future Land Use Map #13



Case: 2163-SU-11
 Subject: Special Use Permit to allow a church in an existing B-3 building
 Location: 1808 S Philo Road, Urbana
 Petitioner: Wayne Clevenger

Prepared 12/14/2011 by Community Development Services - rlb

Exhibit D: Site Photos

- 1. Front Façade, facing Philo Road. Proposed church will go in vacant suite to left of storage.



- 2. View from across Philo Road. Subject building is behind Heartland Bank.





Application for Special Use Permit

Plan Commission

APPLICATION FEE - \$175.00

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 11-23-2011 Plan Case No. 2163-SU-11
 Fee Paid - Check No. 1067 Amount \$175.00 Date 11-23-2011

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section _____ of the Urbana Zoning Ordinance to allow *(Insert proposed use)* FOR CHURCH USE on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **REV. WAYNE CLEVINGER** Phone: **217-714-6173**
 Address (street/city/state/zip code): **1609 LINCOLNWOOD**
 Email Address: **PASTOR@URLIGHTHOUSENAZ.ORG**

2. PROPERTY INFORMATION

Location of Subject Site: **1808 S PHILO RD, URBANA**
 PIN # of Location:
 Lot Size: _____
 Current Zoning Designation: **B-3**
 Current Land Use (vacant, residence, grocery, factory, etc): **VACANT COMMERCIAL BLDG**
 Proposed Land Use: **church use**
 Legal Description: _____

3. CONSULTANT INFORMATION

Name of Architect(s): N/A Phone:

Address *(street/city/state/zip code)*:

Email Address:

Name of Engineers(s): N/A Phone:

Address *(street/city/state/zip code)*:

Email Address:

Name of Surveyor(s): N/A Phone:

Address *(street/city/state/zip code)*:

Email Address:

Name of Professional Site Planner(s): N/A Phone:

Address *(street/city/state/zip code)*:

Email Address:

Name of Attorney(s): N/A Phone:

Address *(street/city/state/zip code)*:

Email Address:

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

See attached explanation for this section

Explain how 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 or detrimental to the public welfare.

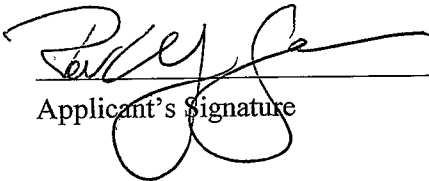
Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

11-23-11
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

November 23, 2011

Dear Urbana City Planning Commission:

This attachment to our application for special use permit for the property at 1808 S Philo Rd. is our proposed use of the facility in answer to question four of the application. Our main usage would be to hold church services and ministries in said building property. We are a community friendly people, and would be of little to no disruption to those around us as our main day of meeting is on Sundays. Directly next to us is a warehouse business of which is closed on Sunday. The owner of this business has also revealed to me an enthusiasm towards the potential of having us as neighbors. The parking area of the facility is more than adequate for the fifty to sixty people we have looking to join us. The facility is well lit for evenings and includes a floor plan that is conducive to our needs with no real need for change. We literally can simply add the chairs and tables and get started. The property had entrances and exits from several directions allowing for little to know traffic issues to main thoroughfares.

Our hope for this facility it to allow us as a body to meet in worship, while contributing to making a positive impact in the lives of our community. We are a community driven body, and our hope is to participate in making a difference in aiding in the betterment of the Urbana community. As a former Paramedic stationed at Urbana fire station one and working side by side with our various entities of the city, it is my passion not only as Pastor, but as a member of the Urbana community to see our city thrive.

Thank you for considering this permit. We look forward to serving and working with the Community of Urbana.

Respectfully,

A handwritten signature in black ink, appearing to read "Wayne Clevenger", with a long horizontal flourish extending to the right.

Rev. Wayne Clevenger