



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing

FROM: Elizabeth H. Tyler, FAICP

DATE: April 17, 2014

SUBJECT: A request by Gary Frick for a Major Variance to allow an increase in Floor Area Ratio from 0.30 to 0.47 at 907 West Fairview Avenue in the B-1, Neighborhood Business District (ZBA Case No. 2014-MAJ-01)

Introduction and Background

Gary Frick of Olympic Construction has submitted a petition for a major variance to construct an addition at 907 West Fairview Avenue. The subject property is a commercial lot in the B-1, Neighborhood Business Zoning District. Per Table VI-3 and Section VI-5.B.6 of the Urbana Zoning Ordinance, the maximum allowed floor area ratio in the B-1 district is 0.30. The proposed addition would increase the floor area ratio of the site to 0.47. The property is owned by and home to Olympic Construction's warehouse/contractor shop and office. A Conditional Use Permit was issued in order to allow this use in the B-1 district in 2006 under ZBA Case 2006-C-01. Olympic Construction uses the building to store building materials and equipment, and to prepare materials to be distributed to construction sites. Most of Olympic's work is commercial interior construction and remodeling. The materials include studs, drywall, plywood, and sheet panels. There is also equipment such as tools and containers.

Section XI-3.C.2.b.1 of the Zoning Ordinance permits the Zoning Board of Appeals to approve a floor area ratio variance of up to 5% as a minor variance by a majority vote of its members. Increases of over 5% are considered major variances, for which the Zoning Board of Appeals must recommend approval by a two-thirds majority for the variance to be forwarded to City Council for a final decision. Since this petition is for a Major Variance, the Urbana City Council shall grant or deny approval. At their April 16, 2014 meeting, the Urbana Zoning Board of Appeals voted five ayes to zero nays to forward the proposed major variance to City Council with a recommendation for approval.

Description of the Site

The variance is requested to allow an addition to the building at 907 West Fairview Avenue. This property is a 7,705 square-foot lot with an existing 2,304 square-foot building. The building is used primarily for storage, but also contains some office space. The existing use is considered a contractor shop by the Zoning Ordinance. A Conditional Use Permit issued to allow the use in the B-1,

Neighborhood Business District in 2006. The site is accessed off of Fairview Avenue. There are access easements that provide access to the site through the Family Video parking lot from Fairview Avenue and Lincoln Avenue. The site contains parking along the east wall of the building.

The subject property is located near Lincoln Avenue in a neighborhood business district. The surrounding land uses are residential and business in nature. To the south and west of the site are single-family homes. Northwest of the site are more single-family homes. Northeast of the site is an apartment building and the former nursing home. Directly east of the site along Lincoln Avenue is Family Video and Hanger Prosthetics and Orthotics.

The following is a summary of surrounding zoning and land uses for the subject site. Exhibits A, B, and C further illustrate this information.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Subject Property	B-1, Neighborhood Business	Contractor Shop	Community Business
North	R-2, Single-Family Residential R-5, Medium High Density Multifamily Residential	Single-family Homes Apartments	Community Business
South	R-2, Single-Family Residential	Single-family Homes	Community Business
East	B-1, Neighborhood Business	Retail Businesses	Community Business
West	R-2, Single-Family Residential	Single-family Homes	Residential

Comprehensive Plan

The 2005 Urbana Comprehensive Plan indicates the future land use for the surrounding area as “Community Business”. The plan defines the Regional Business as follows:

Community Business centers are designed to serve the overall community as well as the immediate neighborhood but are less intense than regional commercial centers. Located along principal arterial routes or at major intersections. Community Business centers contain a variety of business and service uses at scales and intensities that make them generally compatible with surrounding neighborhoods. Encourage planned-unit developments to create a variety of uses, and to transition intensities to adjoining neighborhoods. Design facilities to permit pedestrian, bicycle, and transit access as well as automobile traffic.

There is a note on the Future Land Use Map for this area that says “Promote Community Businesses that can serve the University Population and immediate neighborhood”

Discussion

The corner of Fairview and Lincoln has historically been used as a commercial area serving the King Park neighborhood. The 1989 King Park Plan identified the site as suitable for commercial uses, as does the 2005 Urbana Comprehensive Plan. Olympic Construction was granted a Conditional Use Permit to operate a Contractor Shop at 907 Fairview Avenue in 2006. Since then, the business has become more successful and is in need of additional warehouse space. The applicant proposes to construct a 1,296 square-foot addition to the existing 2,304 square-foot building. This addition would contain additional warehouse space for Olympic Construction. The existing building contains warehouse space and a small office.

The applicant has submitted a site plan showing the lot, the existing building, and the proposed addition. The site plan also shows required parking and access easements. The proposed addition would be directly north of the existing building. It would be 36 feet wide and would extend 36 feet north. The addition would be of similar materials to the existing building. The proposed site plan conforms to all development regulations except for floor area ratio. The addition would be set back 19 feet from the front property line, beyond the required 15-foot front yard. There is no required minimum open space ratio in the B-1 district.

The required amount of parking spaces for a Contractor Shop is one space for every 400 square feet of floor area. After the proposed addition, the building would have 3,600 square feet of floor area, requiring nine parking spaces. These spaces can be provided along the eastern edge of the property, adjacent to the Family Video parking lot. There is a 18.3-foot wide access easement directly east of the property that goes through the Family Video parking lot. There is also an 11-foot wide easement that runs east from the southern portion of the site, providing access to Lincoln Avenue.

The proposed addition would result in a floor area ratio of 0.47. Floor area is calculated by dividing the useable building area by the lot area. The maximum floor area ratio in the B-1, Neighborhood Business district is 0.30, therefore the requested variance is 57% beyond what is permitted by right. Because the applicant is asking for more than a 5% variance, this request is regarded as a major variance, which must be approved by a two-thirds majority of the Zoning Board of Appeals in order to be forwarded to City Council for final approval.

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 specified in the ordinance as they pertain to this case, followed by staff analysis for this case:

- 1. Based on evidence presented, determine whether there are special circumstances or special practical difficulties with reference to the parcel concerned, in carrying out the strict application of the ordinance.*
- 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 special circumstances requiring the variance are the location and size of the lot, and the fact that the maximum floor area ratio on the B-1 district is 0.30. This maximum FAR is lower than all other zoning districts except for the AG and R-1 districts. The adjacent R-2, Single Family Residential district permits a higher FAR of 0.40. The existing lot is undersized for a business that requires warehouse space. However, this lot is located in a convenient location for Olympic Construction, as they often work on construction projects for Carle Hospital and the University of Illinois.

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

The variance is not due to a situation created by the petitioner. The lot contained a warehouse building prior to the applicant moving into the site.

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

Granting the variance would not alter the essential character of the neighborhood. The property north of the subject site contains an apartment building with a floor area ratio of approximately 0.8. The proposed addition will bring the front yard setback for the property down to 19 feet, which is similar to the setback of nearby residences. The two mature trees in the parkway in front of the building largely obscure views of the site, and these trees will remain.

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

The proposed addition will not cause a nuisance to adjacent property. The addition will be used for storage of building materials. This is the same use that is currently on the lot.

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

The variance requests represent the minimum area necessary to provide the required warehouse space for Olympic Construction to continue to operate at this location.

Summary of Findings

In determining whether a variance should be granted, findings of fact that are specific to the property or variance in question must be made. The findings of fact are based on the evidence presented above.

1. The petitioner is requesting a major variance to increase the allowed Floor Area Ratio from 0.30 to 0.47 at 907 West Fairview Avenue.
2. The proposed variance would allow for an addition to the existing warehouse/office, as shown in the attached site plan.

3. The subject property is located in the B-1, Neighborhood Business Zoning District.
4. The proposed variance would allow for the business to expand and to remain at this location.
5. Per Table VI-3 of the Urbana Zoning Ordinance, the maximum Floor Area Ratio for the B-1 District is 0.30.
6. The variance is necessary due to the configuration of the existing warehouse building on the lot and the fact that the maximum Floor Area Ratio in the B-1 district is lower than almost all other zoning districts.
7. Granting the requested variance would not have a significant impact on the character of the neighborhood and would not cause a nuisance to adjacent properties. There are existing buildings nearby that have a much higher Floor Area Ratio, and the building setback would become more in harmony with the surrounding properties.
8. The requested variance represents the minimum deviation from the Zoning Ordinance needed to allow the business to expand and remain on this lot.

Options

The Urbana City Council has the following options in Major Variance Case No. ZBA-2014-MAJ-01:

- a. Approve the variance as requested based on applicable findings outlined in this memo;
- a. Approve the variance as requested along with certain terms and conditions. If the Urbana City Council elects to add conditions they should articulate findings accordingly; or
- c. Deny the variance as requested.

Recommendation

At their April 16, 2014 meeting the Zoning Board of Appeals voted five ayes to zero nays to forward the proposed major variance to City Council with a recommendation for APPROVAL. Staff concurs with this recommendation.

Attachments:

Exhibit A: Location and Existing Land Use Map

Exhibit C: Future Land Use Map

Exhibit E: 2006-C-01 Decision Sheet

Exhibit G: April 16, 2014 ZBA Draft Minutes

Cc: Gary Frick, Olympic Construction

Exhibit B: Existing Zoning Map

Exhibit D: Application & Site Plan

Exhibit F: Photos

ORDINANCE NO. 2014-04-039

AN ORDINANCE APPROVING A MAJOR VARIANCE

(To allow an increase in Floor Area Ratio to 0.47 in the City's B-1, Neighborhood Business District, at 907 W. Fairview Ave / ZBA Case No. 2014-MAJ-01)

WHEREAS, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for major variances where there are special circumstances or conditions with a parcel of land or a structure; and

WHEREAS, Gary Frick of Olympic Construction has submitted a petition for a major variance to allow for construction of an addition which would increase the Floor Area Ratio from 0.30 to 0.47 at 907 West Fairview Avenue in the B-1, Neighborhood Business Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in ZBA Case No. 2014-MAJ-01; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on April 16, 2014 and voted 5 ayes and 0 nays to recommend that the Corporate Authorities approve the requested variance; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-4.B of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. The petitioner is requesting a major variance to increase the allowed Floor Area Ratio from 0.30 to 0.47 at 907 West Fairview Avenue.
2. The proposed variance would allow for an addition to the existing warehouse/office, as shown in the attached site plan.
3. The subject property is located in the B-1, Neighborhood Business Zoning District.
4. The proposed variance would allow for the business to expand and to remain at this location.
5. Per Table VI-3 of the Urbana Zoning Ordinance, the maximum Floor Area Ratio for the B-1 District is 0.30.
6. The variance is necessary due to the configuration of the existing warehouse building on the lot and the fact that the maximum Floor Area Ratio in the B-1 district is lower than almost all other zoning districts.
7. Granting the requested variance would not have a significant impact on the character of the neighborhood and would not cause a nuisance to adjacent properties. There are existing buildings nearby that have a much higher Floor Area Ratio, and the building setback would become more in harmony with the surrounding properties.
8. The requested variance represents the minimum deviation from the Zoning Ordinance needed to allow the business to expand and remain on this lot.

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

Section 1. In ZBA Case No. 2014-MAJ-01, the major variance requested by Olympic Construction is hereby approved in the manner proposed in the application.

The major variance described above shall only apply to the property located at 907 West Fairview Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

Lot 4 of Sarah A. Sim's Addition to the City of Urbana, being a subdivision of part of the North Half of the North Half of the North East ¼ of the South East ¼ of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, as per plat recorded in Book "B" at page 284, in Champaign County, Illinois

Parcel No.: 91-21-07-428-007

Section 2. The Urbana City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. 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).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2014

PASSED by the City Council on this _____ day of _____, 2014.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2014.

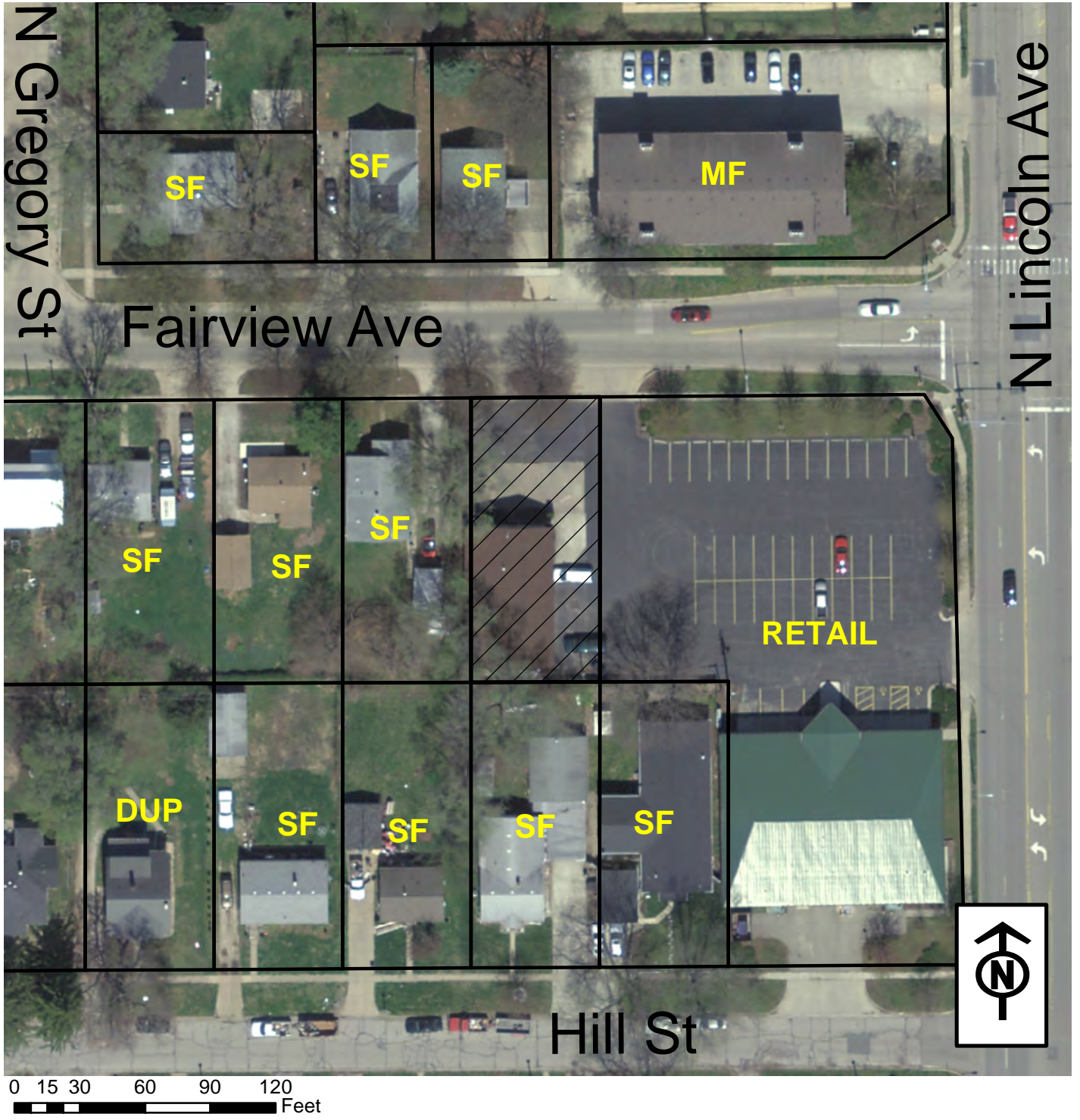
Laurel Lunt Prussing, Mayor

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 _____, 2014, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled AN ORDINANCE APPROVING A MAJOR VARIANCE (To allow an increase in Floor Area Ratio to 0.47 in the City's B-1, Neighborhood Business District, at 907 W. Fairview Ave / ZBA Case No. 2014-MAJ-01), 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 _____, 2014, 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 _____, 2014.

EXHIBIT A: LOCATION & LAND USE MAP

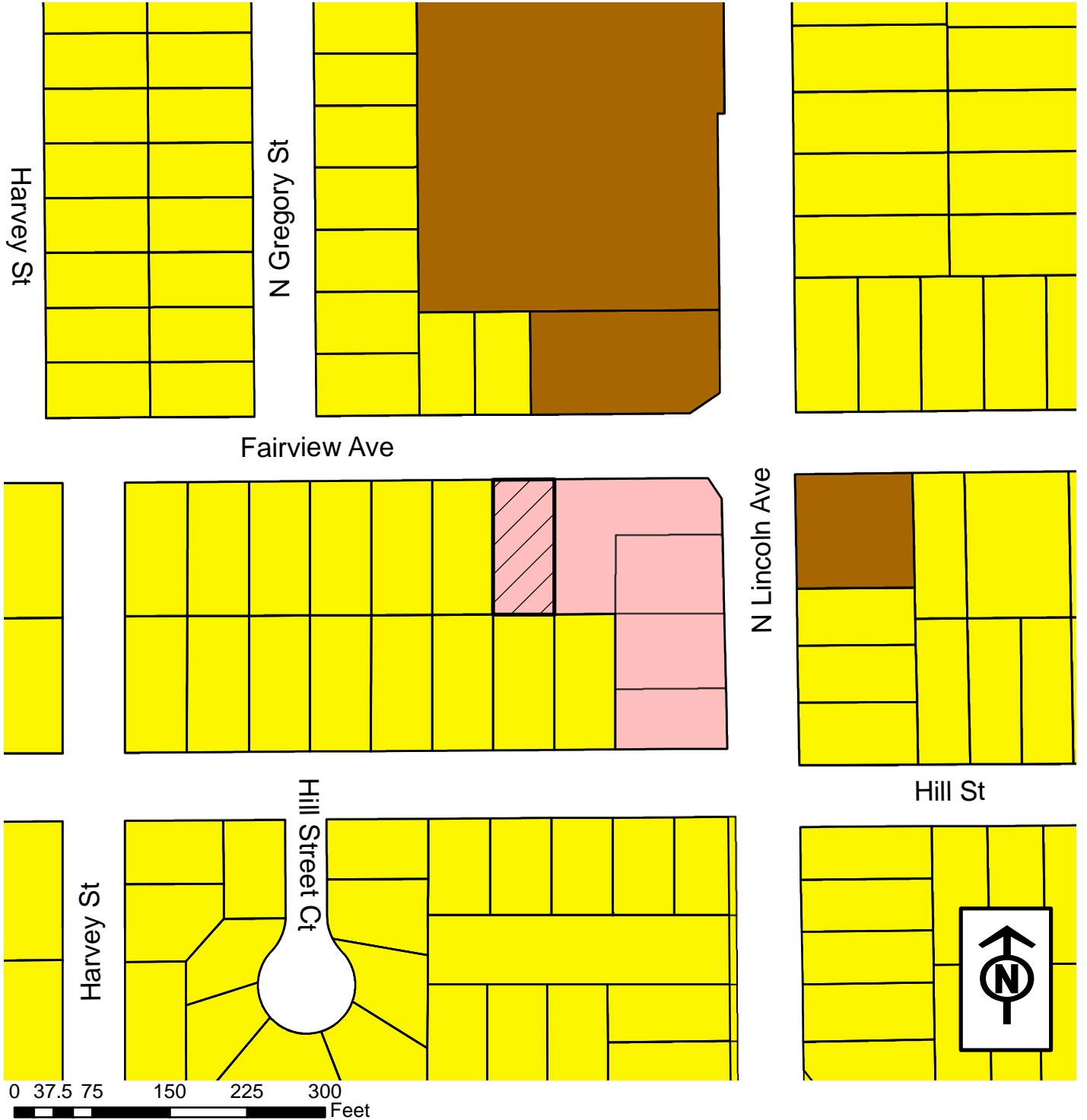


Case: ZBA-2014-MAJ-01
 Subject: Application for Marjor Variance to allow FAR of 0.47 in the B-1 District
 Location: 907 W Fairview
 Petitioner: Gary Frick

 Subject Property

Prepared 03/03/2014 by Community Development Services - jme

EXHIBIT B: ZONING MAP



Case: ZBA-2014-MAJ-01
 Subject: Application for Marjor Variance to allow FAR of 0.47 in the B-1 District
 Location: 907 W Fairview
 Petitioner: Gary Frick

Prepared 03/03/2014 by Community Development Services - jme





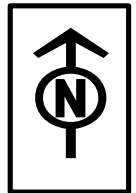
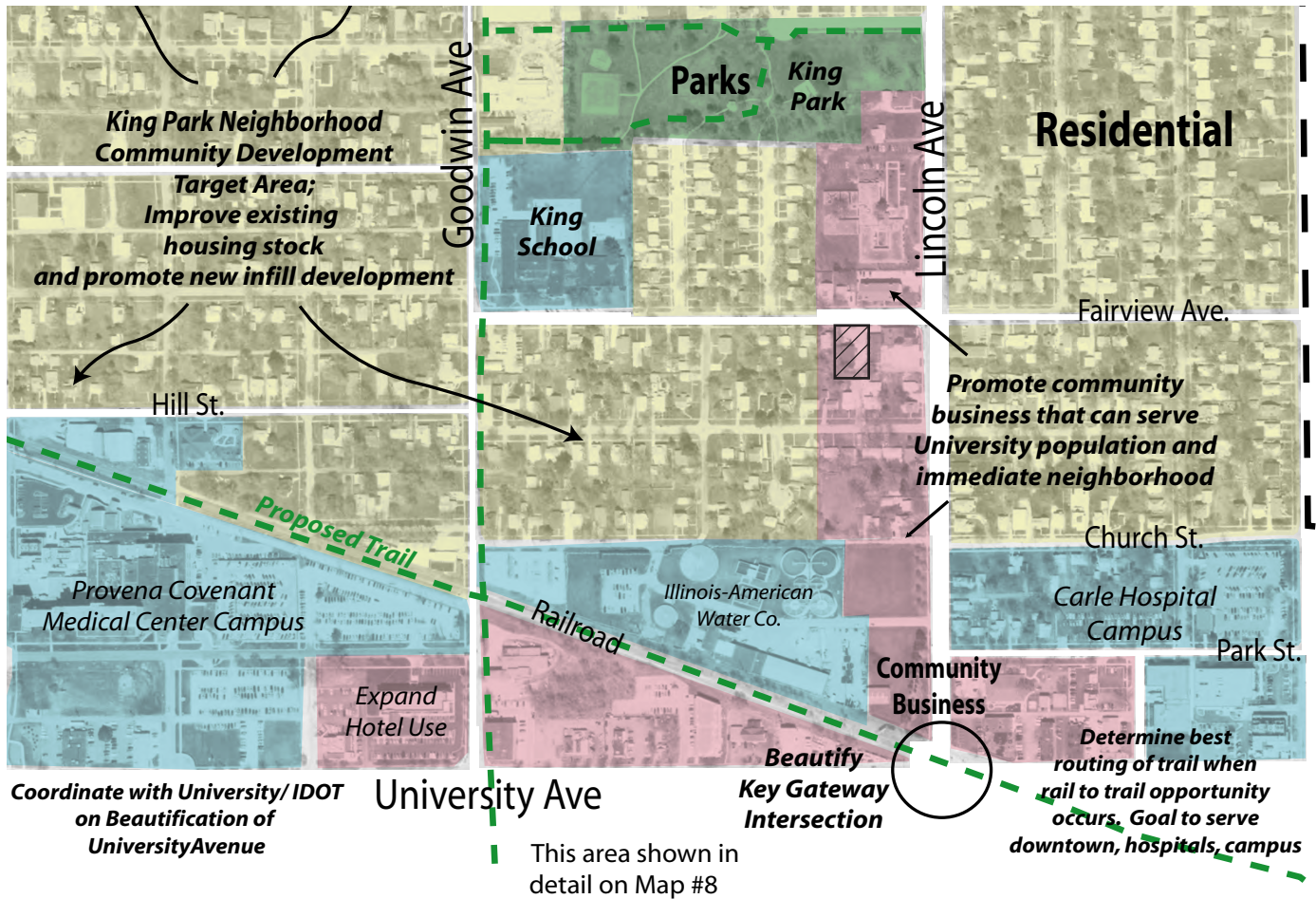
-  Subject Property
-  B1
-  R2
-  R5

EXHIBIT C: FUTURE LAND USE MAP



Case: ZBA-2014-MAJ-01
 Subject: Application for Marjor Variance to allow FAR of 0.47 in the B-1 District
 Location: 907 W Fairview
 Petitioner: Gary Frick

 Subject Property

Prepared 03/03/2014 by Community Development Services - jme



Application for Variance

Zoning Board Of Appeals

APPLICATION FEE – \$175.00 (Major) and \$150.00 (Minor)

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 3/26/14 ZBA Case No. ZBA-2014-MAJ-01
 Fee Paid - Check No. 13163 Amount 175.00 Date 3/26/14

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A VARIATION is requested in conformity with the powers vested in the Zoning Board of Appeals to permit *(Insert Use/Construction Proposed and the Type and Extent of Variation Requested)* Expand existing Bldg. on the property described below, and in conformity with the plans described on this variance request. INCREASE F.A.R. TO 0.47
IN B-1

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Gary Frick Phone: 217 202-3015
 Address (street/city/state/zip code): 907 Fairview Urbana
 Email Address: Gary.Frick@Olympic-Construction.net
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owner

2. OWNER INFORMATION

Name of Owner(s): Gary Frick Phone: 217 202-3015
 Address (street/city/state/zip code): 1511 C.R. 2200 E St. Joseph IL
 Email Address:

Is this property owned by a Land Trust? Yes No
 If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: 907 Fairview
 PIN # of Location: 91-21-07-428-007
 Lot Size: 59 x 130

Current Zoning Designation:

Current Land Use (*vacant, residence, grocery, factory, etc*): Warehouse

Proposed Land Use: Warehouse

Legal Description: _____

4. CONSULTANT INFORMATION

Name of Architect(s): Phone:

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

Email Address:

Name of Engineers(s): Phone:

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

Email Address:

Name of Surveyor(s): Phone:

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

Email Address:

Name of Professional Site Planner(s): Phone:

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

Email Address:

Name of Attorney(s): Phone:

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

Email Address:

5. REASONS FOR VARIATION

Identify and explain any special circumstances or practical difficulties in carrying out the strict application of the Zoning Ordinance with respect to the subject parcel.

This addition will allow our business
to function more efficiently

Explain how the variance is necessary due to special conditions relating to the land or structure involved which are not generally applicable to other property in the same district.

Explain how the variance is not the result of a situation or condition that was knowingly or deliberately created by you (the Petitioner).

Explain why the variance will not alter the essential character of the neighborhood.

Existing set back requirements will be maintained.

5' Side

15' Front

Explain why the variance will not cause a nuisance to adjacent property.

Desired addition will bring our building to a line equal to the front of adjacent homes.

Does the variance represent the minimum deviation necessary from the requirements of the Zoning Ordinance? Explain.

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.

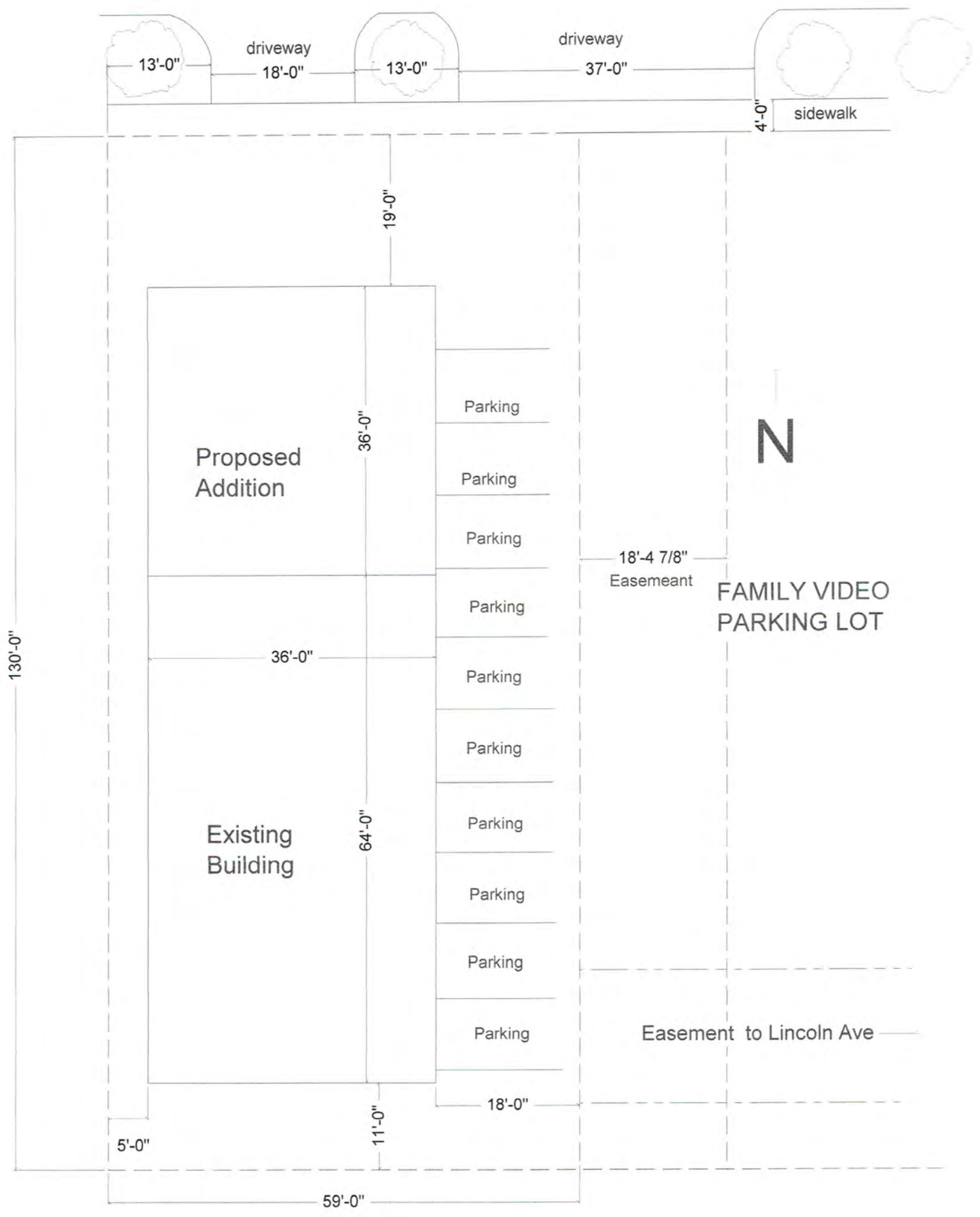
Mary Frick

Applicant's Signature

3-26-2014

Date

FAIRVIEW AVE



13'-0"

driveway

18'-0"

13'-0"

driveway

37'-0"

4'-0"

sidewalk

130'-0"

Proposed Addition

36'-0"

Parking

Parking

Parking

Parking

Parking

Parking

Existing Building

64'-0"

Parking

Parking

Parking

Parking

18'-0"

18'-4 7/8"
Easement

FAMILY VIDEO
PARKING LOT

N

Easement to Lincoln Ave

5'-0"

11'-0"

59'-0"

2



* 2 0 0 6 R 1 0 9 6 1 2 *

2006R10961

RECORDED ON
05/04/2006 10:25:54AM
CHAMPAIGN COUNTY
RECORDER
BARBARA A. FRASCA
REC FEE: 25.00
RHSPS Fee:
REV FEE:
PAGES 2
PLAT ACT: 0
PLAT PAGE:

**CITY OF URBANA
ZONING BOARD OF APPEALS**

DECISION SHEET

**REQUEST FOR CONDITIONAL USE PERMIT
IN CASE #ZBA-06-C-01**

At a called meeting of the Urbana Zoning Board of Appeals, a public hearing was held on Wednesday, April 19, 2006 at the City of Urbana Council Chambers, 400 S. Vine Street, Urbana, Illinois, at which time and place the Board considered the following request in Case No. ZBA 06-C-01 for a conditional use request pursuant to Section VII-2 of the Urbana Zoning Ordinance.

Request to establish a "Contractor Shop and/or Showroom", in the B-1, Neighborhood Business Zoning District.

The subject property affected by this case is described more particularly as follows:

Common Street Address: 907 W. Fairview
Owner of Record: Olympic Construction / Gary Frick
Permanent Parcel No: 91-21-07-428-007

Legal Description:

Lot 4 of Sim's Addition, as per plat recorded in the office of the Recorder of Champaign County, Illinois

After careful review of staff's findings in this case, and upon considering all the evidence and testimony presented at the public hearing, the following decision was made by the Urbana Zoning Board of Appeals: By a roll call vote of **five ayes, zero nays, and zero abstentions**, the Urbana Zoning Board of Appeals voted to **APPROVE** the requested minor variance based on the following 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.

The **CONDITIONS** of approval for the use are as follows:

- 1. That any outdoor fabrication, building, or construction related to the petitioner's business shall be prohibited.
- 2. That power tools shall not be used except between 8 a.m. and 5 p.m.

I do hereby affirm, that to the best of my knowledge, the forgoing is a true and accurate record of Case No. ZBA-06-C-01

PAUL ARMSTRONG 4/28/06
 Paul Armstrong, Co-Chairperson Date

The complete and official record of this case is on file at the City of Urbana Department of Community Development Services located at 400 S. Vine Street, Urbana, Illinois.

DOCUMENT TO BE FILED AT THE CHAMPAIGN COUNTY RECORDER'S OFFICE

APPROVED FOR RECORDING BY:

James Gitz 4/24/06
 James Gitz, Corporation Counsel Date

Ⓟ Please return original decision sheet to the attention of Matt Wempe at City of Urbana Community Development Services, 400 S. Vine Street, Urbana, IL 61801. Phone: 217-384-2440, Fax: 217-384-2367

Prepared by:

Matt Wempe
 Matt Wempe, Planner II
 Community Development Services Planning Division
 400 S. Vine Street Urbana, IL 61801

EXHIBIT F: SITE PHOTOS



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

DATE: April 16, 2014

DRAFT

TIME: 7:30 p.m.

PLACE: Urbana City Building
City Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT	Joanne Chester, Stacy Harwood, Ashlee McLaughlin, Nancy Uchtmann, Harvey Welch
MEMBERS EXCUSED	Paul Armstrong, Charles Warmbrunn
STAFF PRESENT	Jeff Engstrom, Planner II; Teri Andel, Planning Secretary
OTHERS PRESENT	Gary Frick

NEW PUBLIC HEARINGS

Case No. ZBA-2014-MAJ-01: A request by Gary Frick for a Major Variance to allow an increase in the Floor Area Ratio (FAR) from 0.30 to 0.47 at 907 West Fairview Avenue in the B-1, Neighborhood Business District.

Acting Chair Welch opened this public hearing. Jeff Engstrom, Planner II, presented this case to the Zoning Board of Appeals. He began by explaining the purpose of the major variance request, which is to allow an increase in the FAR so the petitioner can expand the existing building. The addition would be 36' wide and would extend 36' north from the existing structure. He described the subject property and surrounding area by noting the current zoning, existing land use and future land use designation of each. He talked about the proposed expansion, specifically with regards to parking, existing easements to the site and setback requirements. He reviewed the variance criteria according to Section XI-3 of the Urbana Zoning Ordinance that pertains to the case. He read the options of the Zoning Board of Appeals and presented staff's recommendation.

Acting Chair Welch asked if the Zoning Board of Appeals had any questions for City staff.

Ms. Chester inquired as to whether the new addition facing Fairview Avenue would have a block front or a metal-skin front. Mr. Engstrom stated that the petitioner was present and would best be able to answer that question.

Ms. Harwood asked if the variance is granted and the petitioner sells the lot after completing the new addition, what concerns would there be in terms of the type of use that could utilize a larger building in the B-1 Zoning District. Mr. Engstrom replied that with this type of building there probably will not be any obnoxious types of uses. It is not conducive to a high traffic or retail use. However, if the variance is approved, it could potentially be a concern in the future.

Ms. Harwood questioned whether it could be turned into a restaurant. Mr. Engstrom answered by saying that it would be easier to tear down the existing building and rebuild than it would be to convert the existing building into a restaurant. If the existing building is torn down, the variance would no longer exist.

Ms. Harwood commented that the FAR requirement is low in the B-1 Zoning District. She wondered why it had not been changed. Mr. Engstrom explained that the FAR requirement has been low since the Urbana Zoning Ordinance was first established. The general allowed uses in the B-1 Zoning District could be things like cafes and stores, which would be higher traffic uses. These uses also have higher parking requirements. By keeping the FAR low, it helps to ensure that nearby residences would not be impacted with high traffic uses or large obnoxious uses. In this case, although the subject property is located in the B-1 Zoning District, it is located along the Lincoln Avenue corridor and could maybe even be rezoned to B-2, Neighborhood Business-Arterial Zoning District, especially since the back of the building faces the residential neighborhood and it is a quiet use.

Ms. Uchtmann asked if City staff had received any objections from the neighbors. Mr. Engstrom said that he received one phone call from a neighbor who lives around the corner on Gregory. The caller inquired about the case, but he did not object to the variance request and is actually in favor of more business in the area.

With no further questions for City staff, Acting Chair Welch opened the hearing up for public input.

Gary Frick, petitioner, stated that his business has been located on the subject property for 8 years. Someday he plans to retire and his sons will take over the business. They do not plan on moving the business elsewhere because it is an ideal location for their type of business and the customers they serve. The expansion would allow them to free up some much needed shop space that is currently being used as storage space.

Ms. Uchtmann asked if he planned to landscape the north side of the proposed new addition. Mr. Frick replied absolutely. The front of the new addition may have a couple of windows, but there would not be any doors. All the doors will be located on the east side. He believed that landscaping dresses up a property.

Mr. Welch inquired as to what type of construction the petitioner does. Mr. Frick stated that they are a small general contracting firm, and their specialty is interior commercial remodels. Ninety-five percent of their work is for Carle and the University of Illinois.

Mr. Welch asked what types of materials are stored in the existing building. Mr. Frick replied metal studs, some dry-wall, sheet panels, plywood, wood studs, insulation, and a lot of tool type storage such as garbage carts that are used on work sites. They do not plan to store more

material, but move the existing material to the proposed new addition to free up work/shop space that is needed. They do not expect high volumes of deliveries. Once in a while they get a semi-truck delivery, but they have access off Lincoln Avenue through an easement right to their overhead door. Ms. Chester noted that the existing building was originally constructed to store garbage trucks.

Mr. Frick felt that he has been a good neighbor. He has not heard any complaints about his business in the neighborhood, which tells that they have done their due diligence in keeping their property clean and well maintained. He thanked the Zoning Board of Appeals for their time and City staff for their help.

With no further public input, Acting Chair Welch opened the hearing up for Zoning Board of Appeals discussion and/or motion(s).

Ms. Harwood moved that the Zoning Board of Appeals forward Case No. ZBA-2014-MAJ-01 to the Urbana City Council with a recommendation for approval. Ms. Uchtmann seconded the motion. Roll call on the motion was taken and was as follows:

Ms. Chester	-	Yes	Ms. Harwood	-	Yes
Ms. McLaughlin	-	Yes	Ms. Uchtmann	-	Yes
Mr. Welch	-	Yes			

The motion was passed by a vote of 5 ayes to 0 nays.

Mr. Engstrom stated that the case would be forwarded to the City Council on Monday, April 21, 2014.