



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** The Urbana Plan Commission

**FROM:** Lisa Karcher, Planner II

**DATE:** August 15, 2008

**SUBJECT:** Plan Case No. 2084-SU-08: A request by Faith Community Church for a Special Use Permit to allow for the construction of an accessory building on an existing church property located at 2111 North Willow Road in the R-1, Single-Family Residential Zoning District.

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### **Introduction and Background**

Faith Community Church is requesting a Special Use Permit to allow for the construction of an accessory building on the existing church property located at 2111 North Willow Road. The church property consists of three parcels totaling approximately 8.78 acres. The property is located southwest of the intersection of North Willow Road and East Kenyon Road. There is an existing church facility and associated parking lot currently on the property.

In July of 2008, the Faith Community Church property was annexed into the City of Urbana because a connection to the public sewer was needed to construct the proposed accessory building. The property was zoned R-1, Single Family Residence in Champaign County; and therefore was automatically zoned as R-1, Single Family Residential when it was annexed into the City. Under the Champaign County R-1 Zoning District, churches are permitted by right. Under the R-1 Zoning District of the City of Urbana, churches are allowed only as a special use. The existing church use is considered to be legally nonconforming under the City of Urbana Zoning Ordinance and therefore does not require a Special Use Permit to continue to operate. A special use permit is however required to allow for the construction of an accessory building on the site.

It is the Plan Commissions' responsibility to make a recommendation to City Council for or against a request for a Special Use Permit. Pursuant to Section VII-4, the Plan Commission may also recommend such additional conditions as are deemed appropriate or necessary for the public health, safety and welfare, and to carry out the purpose of the Zoning Ordinance.

### **Adjacent Land Uses and Zoning Designations**

Kenyon Road and Interstate 74 are to the north of the subject property. The properties north of I-74 lie within the corporation limits of the City of Urbana and are occupied and zoned for commercial and industrial uses. The properties to the immediate east, west and south, which are outside of the City Limits, are residential in nature and are zoned by Champaign County as R-1, Single Family Residence.

Following is a summary of zoning and land uses for the subject site and surrounding property:

<b>Location</b>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Comprehensive Plan Future Land Use</b>
Site	R-1, Single Family Residential (City)	Church	Residential
North	B-3, General Business IN – Industrial (City)	APL, Thermal Solutions, Reynolds Towing	Regional Business
South	R-1, Single Family Residence (County)	Single-Family Dwellings	Residential
East	R-1, Single Family Residence (County)	Single-Family Dwellings	Residential
West	R-1, Single Family Residence (County)	Single-Family Dwellings	Residential

**Comprehensive Plan**

The 2005 City of Urbana Comprehensive Plan designates the future land use for the subject property and surrounding property as “Residential”. The plan defines Residential as:

*“Residential areas contain primarily single-family residential housing but may also include a variety of compatible land uses such as duplexes, town homes, civic uses, institutional uses, and parks where zoning is appropriate. Residential areas can have different physical patterns of development.”*

The requested Special Use Permit is for an accessory building to the existing Faith Community Church. The “Residential” future land use designation indicates that institutional uses may be included in residential areas and are compatible uses. Therefore, the proposed accessory building may be considered to be compatible with the Comprehensive Plan designation for the site.

**Discussion**

The petitioner is proposing to construct an approximately 5,000 square foot accessory building. The building will be located southwest of the existing church within a portion of the site that is currently used for parking. The accessory building will be a family activity center that will be used for events such as weddings, funerals, and other church activities such as Sunday school classes.

The subject property was developed as a church facility in 1974, and has continued as such since then. The subject property was annexed to the City of Urbana in July of this year. Annexation to the City was required because a connection to the public sewer was needed to construct the proposed accessory building. Upon annexation, the subject property was zoned R-1, Single Family Residential. Churches are only allowed by a Special Use Permit in the R-1 Zoning District. Since the property was developed under the regulations and jurisdiction of Champaign County, it is considered legally nonconforming now that the property is within the corporation limits of the City.

The petitioner has submitted a site plan that is attached as Exhibit E. It is important to note that the site plan is not completely representative of what the petitioner is proposing. The plan illustrates one access point from Willow Road and a parking lot that does not extend to the southerly boundary of the subject property. If you refer to the aerial that is attached in Exhibit A, you will see that there is currently two access points from Willow Road and that the parking area extends further south of what is shown on the submitted site plan. It is the petitioner's intention to keep the access points and configuration of the parking surface as it currently exists. Staff has requested that the petitioner submit a revised site plan to accurately reflect what is proposed.

Additional parking as well as screening will be required as part of the proposal. The proposed accessory building is to be constructed in the existing parking area and therefore will eliminate existing parking spaces. The petitioner will be required to provide additional parking spaces to compensate for the spaces that will be eliminated by the construction of the accessory building. No new parking is required other than that which is to replace what is lost as a result of the construction of the accessory building. In addition, screening, per Section VIII-3.F will need to be provided along the southerly portion of the parking area since there are adjacent residential uses. Both the parking and the screening will be required as a condition of the Special Use Permit.

#### **Requirements for a Special Use Permit**

According to Section VII-4 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 accessory building for the Faith Community Church is conducive to the public convenience at the location of the subject property. The church has occupied the subject property since it was first developed in 1974. The current use of the site as a church is consistent with the Comprehensive Plan land use designation as "Residential" for the subject property. Per the Comprehensive Plan definition for the "Residential" land use category, churches are compatible uses to single-family homes, with which the surrounding property is developed.

- 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 or detrimental to the public welfare.*

The proposed use will not be injurious to the public welfare. The church use is compatible with the surrounding single-family uses. The petitioner has indicated that the events that are proposed to be held in the new accessory building are currently held in the existing church facility. A new building is proposed because there is no kitchen or adequate open area in the existing church for events such as wedding receptions and funeral dinners. In addition, screening will be installed to minimize the impact of the parking lot on the adjacent residential uses.

- 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.*

As part of the development, screening will be required along the southerly boundary of the parking area to provide for a screen between the parking lot and the adjoining residential uses. In addition, additional parking will be provided to compensate for the parking that is eliminated by the construction of the accessory building.

### **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.

The Plan Commission shall make a recommendation to the City Council for or against the proposed special use. As part of the Special Use Permit, The Plan Commission may 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 the Zoning Ordinance, including but not limited to the following:

1. Regulating the location, extent, and intensity of such use;
2. Requiring adherence to an approved site plan;
3. Requiring landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulating a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulating vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Requiring conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Impose any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

### **Summary of Findings**

1. The petitioner is proposing to construct an accessory building on the subject property currently occupied by the Faith Community Church. The accessory building will be used for events such as wedding receptions and funeral dinners which are currently held in the existing church facility.
2. The subject property is zoned R-1, Single Family Residential. A church use is only permitted by a Special Use Permit in the R-1 Zoning District; therefore, a Special Use Permit is required for the construction of the proposed accessory building.
3. The proposed accessory building is conducive to the public convenience at the proposed site. The subject property has been used as a church facility since it was first developed in 1974. In addition, per the 2005 Comprehensive Plan, institutional uses are compatible with residential uses with which the subject property is surrounded.
4. The proposed accessory building is generally compatible with surrounding uses and should not be injurious or detrimental to the public welfare. The associated parking will be adequately screened with landscaping materials to minimize the impact on surrounding properties.

## Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 2084-SU-08:

1. Recommend approval of the Special Use Permit request, as presented herein; or
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; or
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. 2084-SU-08 to the City Council, with the following conditions:

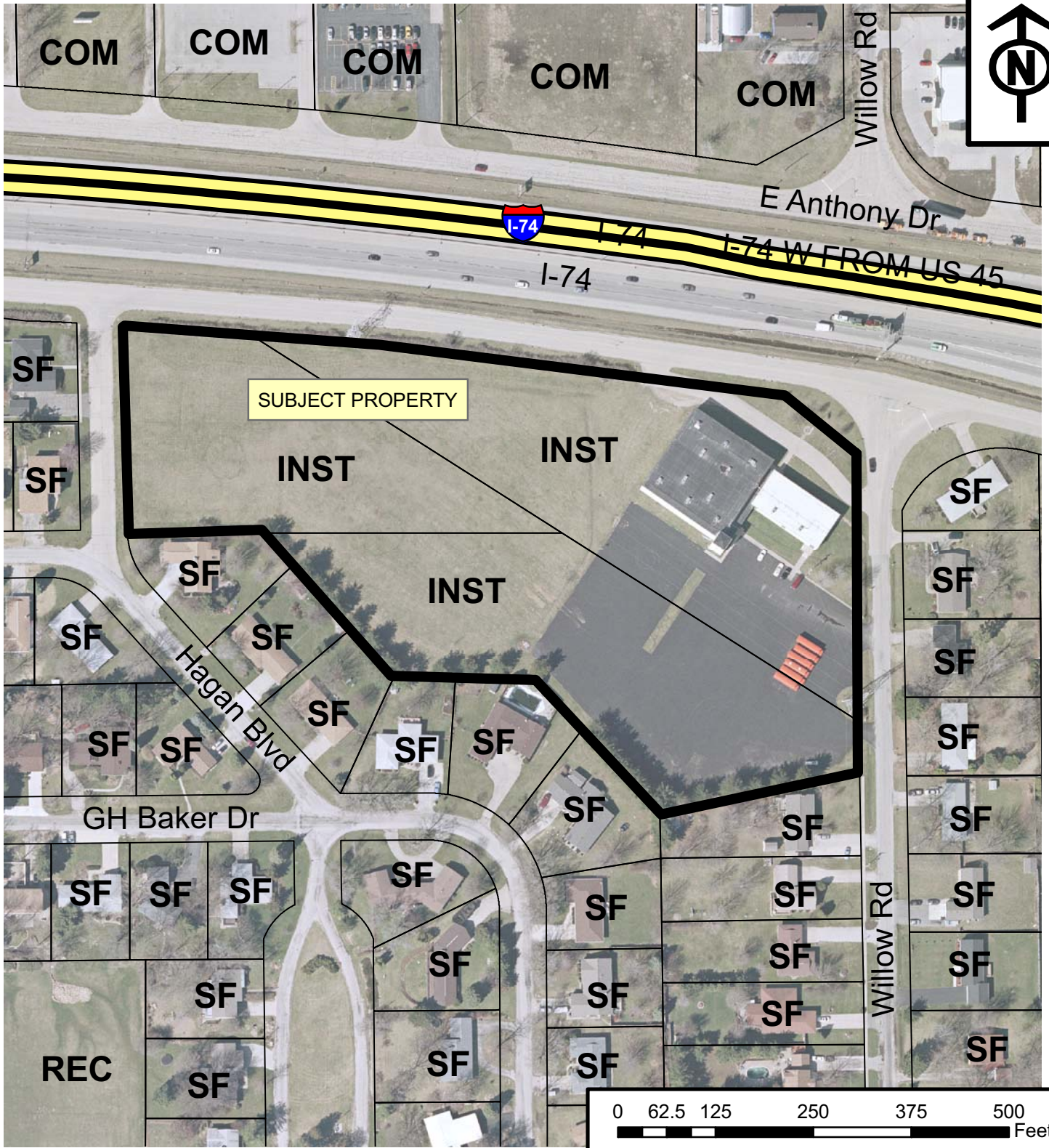
1. Revise the site plan to accurately reflect the proposal.
2. The proposed development shall be constructed in general conformance to the revised site plan.
3. Screening shall be provided along the southerly boundary of the proposed parking lot to screen the parking from adjacent residential properties. The screening shall be reviewed and approved by the Zoning Administrator and the City Arborist.
4. Additional parking shall be provided that is equal to the amount of parking that is eliminated by the construction of the proposed accessory building.

Attachments: Exhibit A: Location and Existing Land Use Map  
Exhibit B: Existing Zoning Map  
Exhibit C: Future Land Use Map  
Exhibit D: (NO EXHIBIT)  
Exhibit E: Site Plan  
Exhibit F: Special Use Permit Application

cc: Attn.: Marsh Jones  
Faith Community Church  
2111 Willow Road  
P.O. Box 321  
Urbana, IL 61803

Joseph Coble & Associates  
2412 N. High Cross road  
Urbana, IL 61802

# Exhibit A: Location and Existing Land Use Map

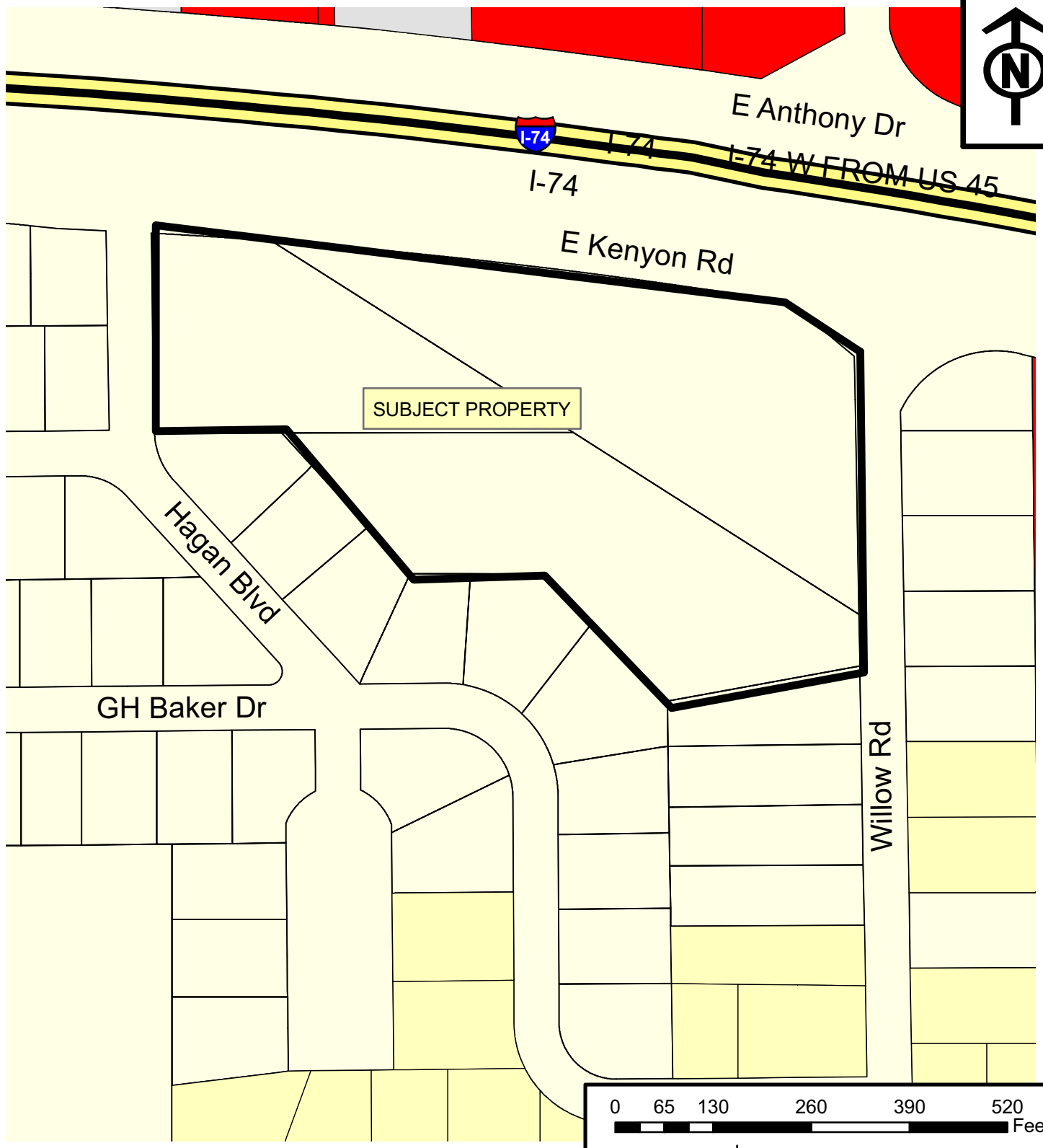


Plan Case: 2084-SU-08  
 Description: Faith Community Church Special Use Permit  
 Location: 2105 N. Willow Rd  
 Description: Request to allow for the construction of an accessory building on an existing church property located at 2105 N. Willow Road in the R-1, Single-Family Residential District.

Prepared 08/08 by Community Development Services - jme

**SF** Single-Family  
**COM** Commercial  
**INST** Institutional  
**REC** Recreational

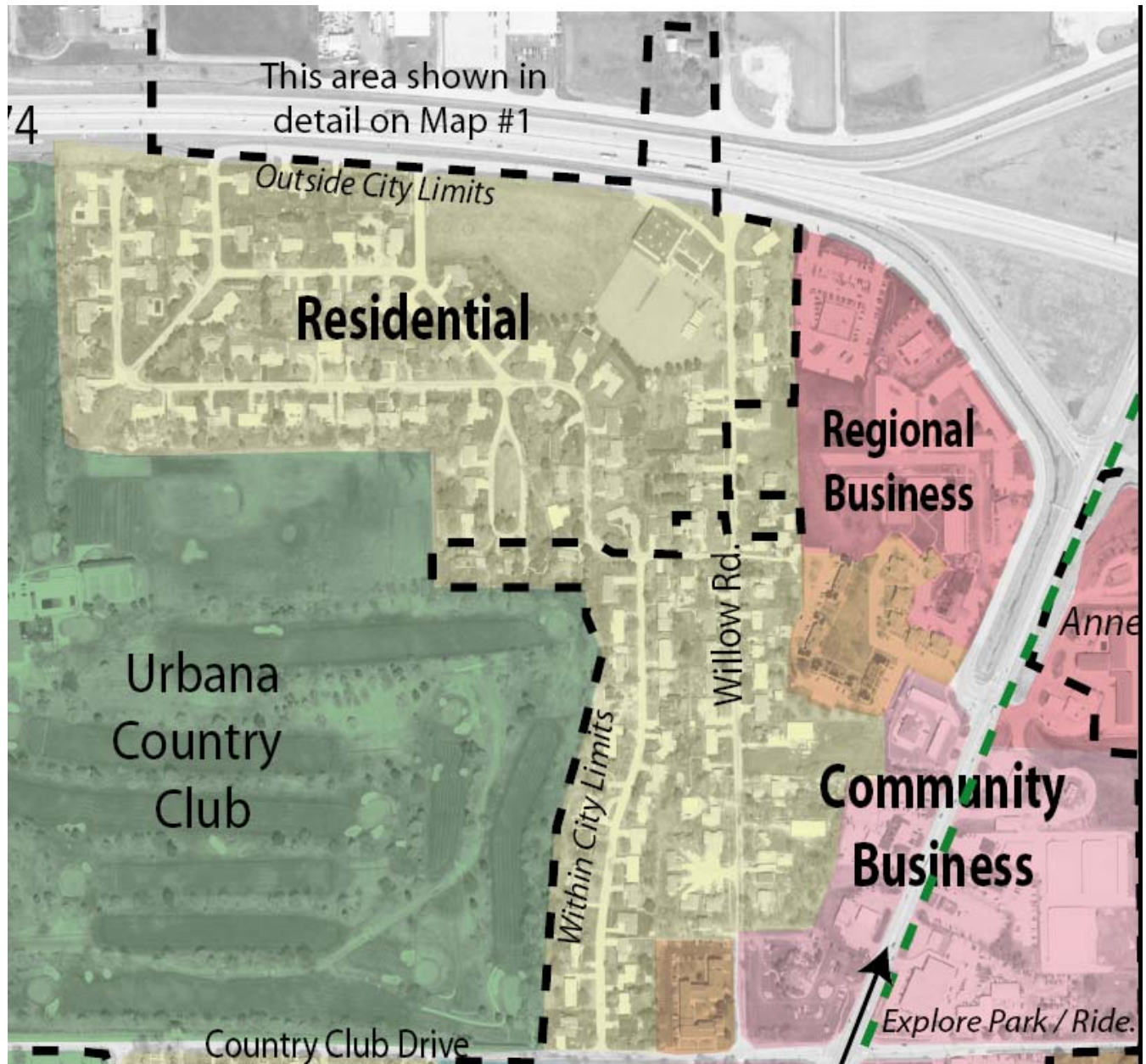
# Exhibit B: Existing Zoning Map



Plan Case: 2084-SU-08  
Description: Faith Community Church Special Use Permit  
Location: 2105 N. Willow Rd  
Description: Request to allow for the construction of an accessory building on an existing church property located at 2105 N. Willow Road in the R-1, Single-Family Residential District.  
*Prepared 08/08 by Community Development Services - jme*

-  Parcel Not in City
-  R1
-  B3

# Exhibit C: Future Land Use Map



Plan Case: 2084-SU-08

Description: Faith Community Church Special Use Permit

Location: 2105 N. Willow Rd

Description: Request to allow for the construction of an accessory building on an existing church property located at 2105 N. Willow Road in the R-1, Single-Family Residential District.

Prepared 08/08 by Community Development Services - jme



# FAITH COMMUNITY CHURCH

## ADJUNCT BUILDING

JOSEPH F. COSLE - ARCHITECT

2412 N. HIGHWAY 82, URBANA, ILLINOIS

KEY TO SYMBOLS

---	CONCRETE
---	BRICK
---	GLASS
---	WOOD
---	ASPHALT
---	GRAVEL
---	PAVEMENT
---	ROOF
---	FOUNDATION
---	EXISTING
---	NEW

SHEET SCHEDULE

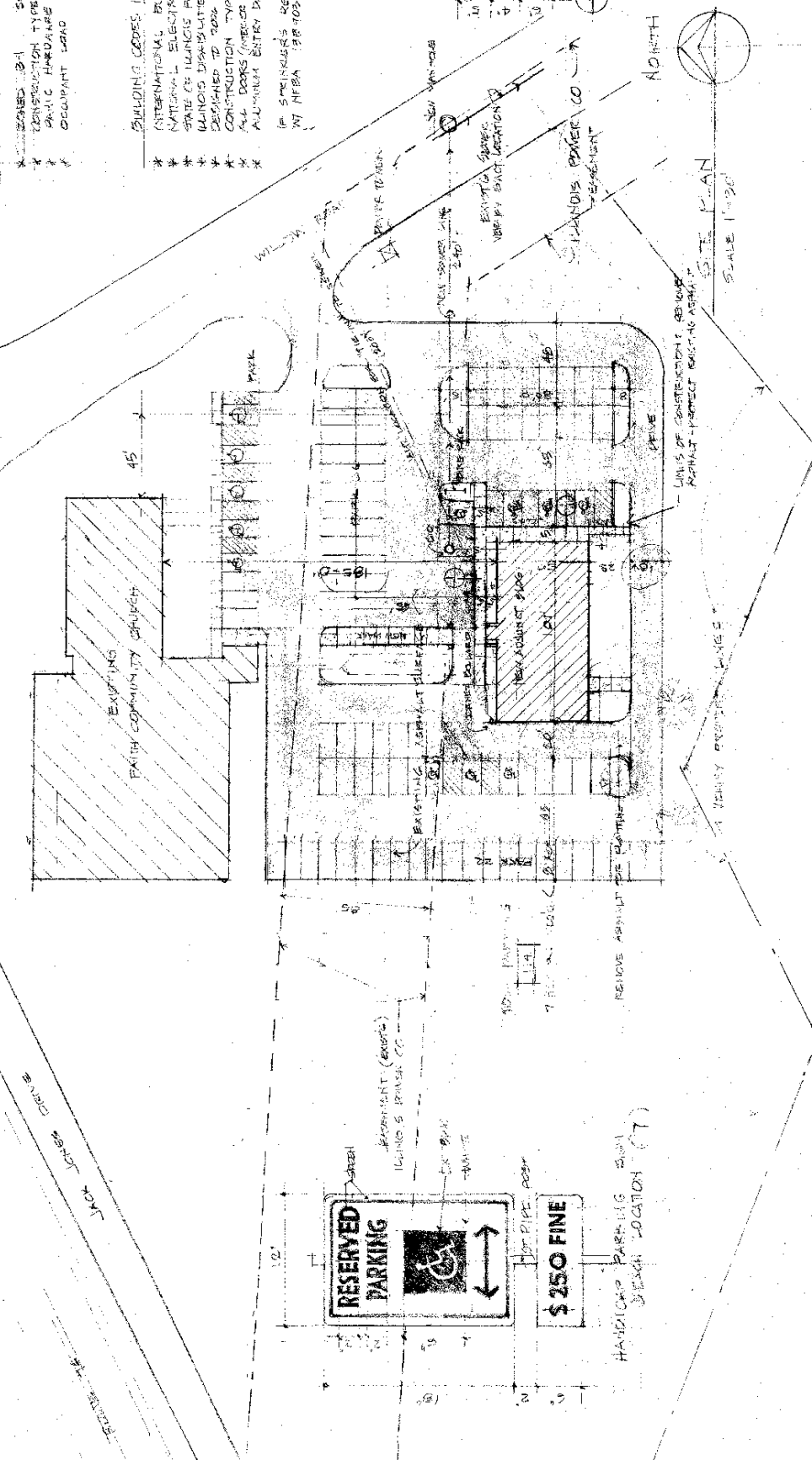
NO.	TITLE
1	SITE PLAN
2	FOUNDATION PLAN - WALL SECTIONS
3	FLOOR PLAN - ELEVATIONS
4	LARGE SCALE - DOORS & WINDOW SCHEDULE
5	PLUMBING PLAN
6	ELECTRICAL PLAN & SCHEDULE
7	SPECIFICATIONS (SEE CONDITIONS)
8	TRUSS PLAN & DETAILS

- \* SCHEDULE 3-1 SPECIAL USE
- \* CONSTRUCTION TYPE 1-10
- \* PAINT HARDWARE AND REPAIRS (SEE SH-4)
- \* OCCUPANT LOAD

**BUILDING CODES IN USE**

- \* INTERNATIONAL BUILDING CODE 2000
- \* NATIONAL ELECTRICAL CODE 2002
- \* STATE OF ILLINOIS PLUMBING CODE 1918
- \* ILLINOIS DISABILITY ACT
- \* DESIGNATED TO 2000 ENERGY CONSERVATION
- \* CONSTRUCTION TYPE 5-B
- \* ALL DOORS (INTERIOR & EXTERIOR) 48" X 80" X 1 3/4"
- \* ALUMINUM ENTRY DOORS - BLONTECH

IF STEINHAUER'S REFER TO IN ACCORDANCE WITH NEBA 198 102

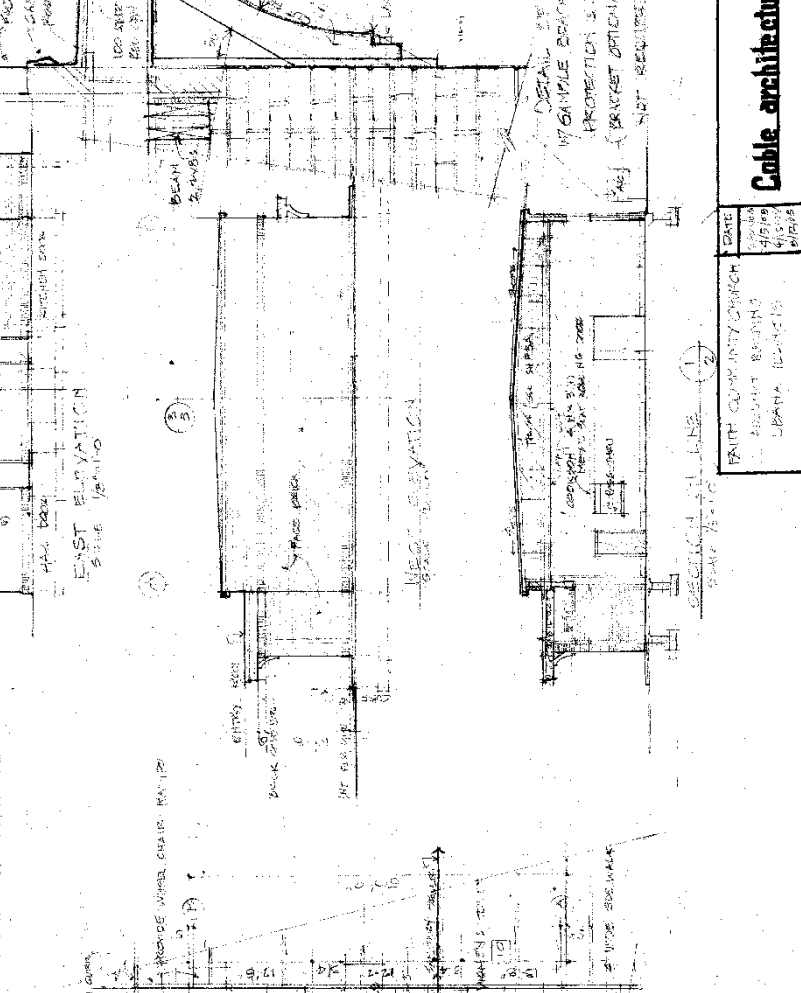
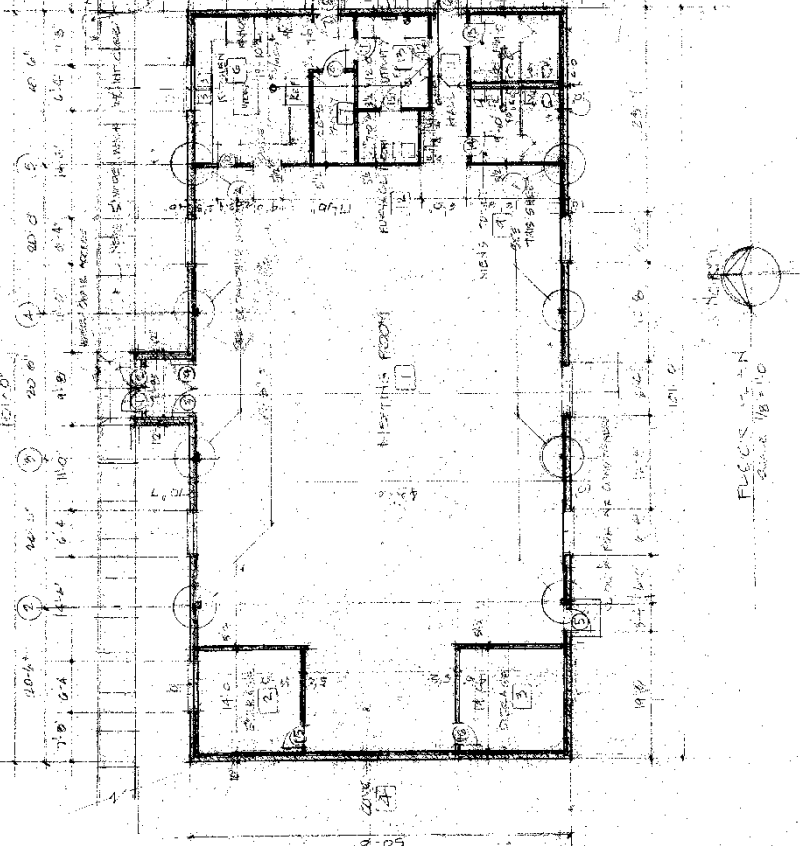
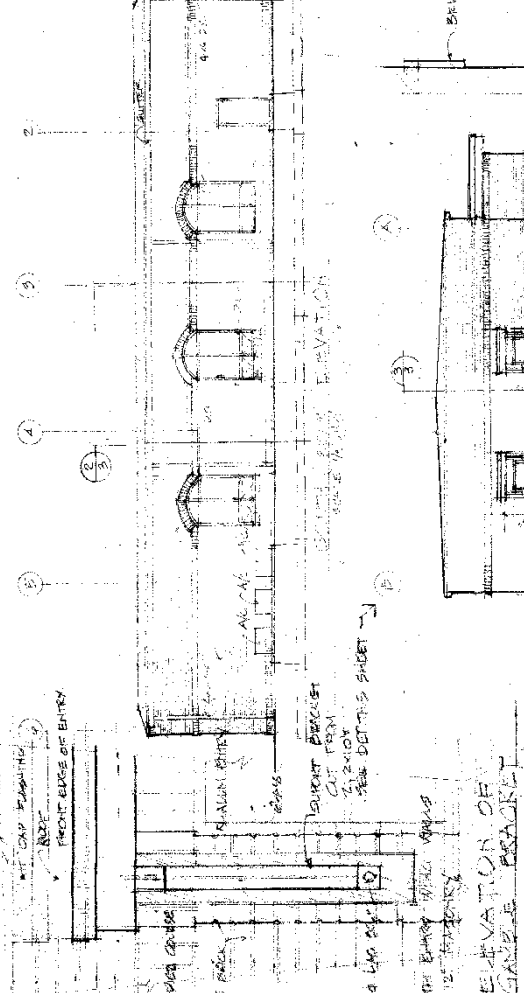
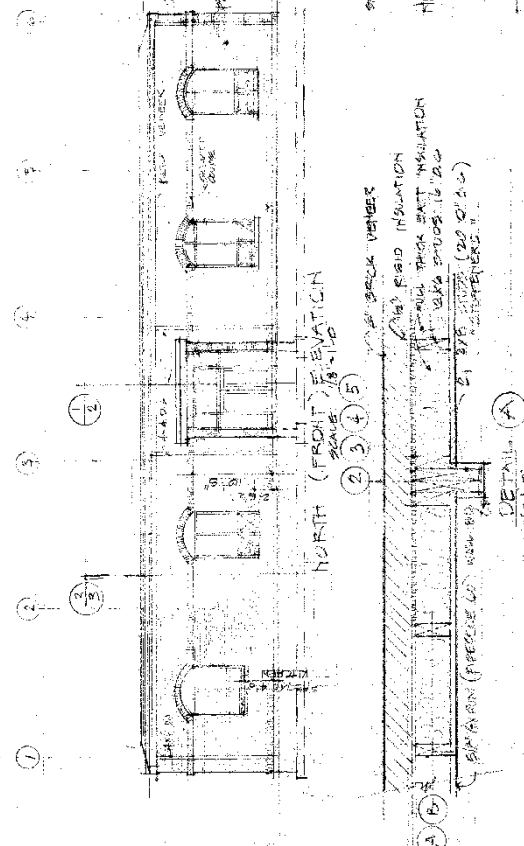


RESERVED PARKING

Hot Pipe Area

\$ 250 FINE

HANDICAP PARKING SIGN DESIGN LOCATION (7)



DATE: 4/18/99  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: 1/8\"/>

DEC 29 2008  
JUL 29 2008



# Application for Special Use Permit

# Plan Commission

### APPLICATION FEE - \$150.00

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 07-29-2008 Plan Case No. 2084-SU-08  
Fee Paid - Check No. 3284 Amount \$150.00 Date 07-29-2008

### 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 V-1 of the Urbana Zoning Ordinance to allow (insert proposed use) TABLE

USE OF PROPERTY FOR A CHURCH/RELIGIOUS ORGANIZATION.  
on the property described below.

1. Location of Subject Site 2111 WILLOW ROAD, URBANA, IL 61801
2. PIN # of Location 30-21-05-427-02/30-21-05-427-004/30-21-05-427-017
3. Name of Applicant/Petitioner(s) MARSH JONES Phone 217493-1748  
Address PO BOX 321, URBANA IL 61803-0321  
(street/city) (state) (zip)
- Property interest of Applicant(s) OWNER/PASTOR  
(owner, contract buyer, etc)
4. Name of Owner(s) FAITH COMMUNITY CHURCH Phone 344 5540  
Address 2111 WILLOW ROAD/PO BOX 321 URBANA IL 61803  
(street/city) (state) (zip)

**If there are additional owners, please attach extra pages to the application.**

5. Name of Professional Site Planner(s) \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(street/city) (state) (zip)

6. Name of Architect(s) JOSEPH COBLE + ASSOC. Phone 217 328 2252

Address 2412 N. High Cross Rd. URBANA IL 61802  
(street/city) (state) (zip)

7. Name of Engineers(s) \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(street/city) (state) (zip)

8. Name of Surveyor(s) \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_  
(street/city) (state) (zip)

**If there are additional consultants, please attach extra pages to application.**

**DESCRIPTION, USE, AND ZONING OF PROPERTY: Attach an additional sheet if necessary**

Legal Description SEE ATTACHED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Lot Size \_\_\_\_\_ feet x \_\_\_\_\_ feet = 8.78 ~~square feet~~ **ACRES**

Zoning Designation R-1

Proposed Use of Property CHURCH

**REASONS FOR REQUEST FOR APPLICATION FOR SPECIAL USE PERMIT**

*NOTE: The following information must be provided in order to process the application. If additional space is needed, attach extra pages to application.*

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

The location will not hinder or impede local activities or traffic. It is established well off the road with easy access. The church grounds provide areas for community activities.

2. 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.

The proposed use as a family activity center has no negative impact on public welfare.

3. 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.

The proposed use as a family activity center preserves + is consistent with the residential area where it will be located.

WHEREFORE, petitioner prays that this petition be heard by the Urbana Plan Commission and the Application for Special Use Permit be granted.

Respectfully submitted this 29<sup>th</sup> day of July, 2008

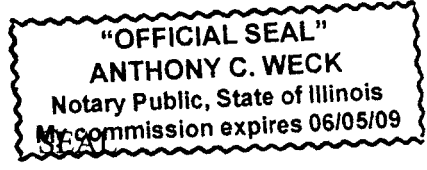
Marsh W. Jones  
Signature of Applicant

STATE OF ILLINOIS }  
  }  
CHAMPAIGN COUNTY }

I, Anthony C. Weck being first duly sworn on oath, deposes and says, that Marsh W. Jones is the same person named in and who subscribed the above and foregoing petition, that he has read the same and knows the contents thereof, and that the matters and things therein set forth are true in substance and in fact as therein set forth.

Subscribed and sworn to before me this 29<sup>th</sup> day of July, 2008.

Anthony C. Weck  
Notary Public



Signature of Applicant \_\_\_\_\_  
Petitioner's Attorney (if applicable) \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

**SPECIAL USE PERMIT  
Faith Community Church  
Tract / Property Description  
Marsh Jones 493-1748**

**LOT 427-002, 4.00 acres**

**A part of the Southeast Quarter of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, Urbana, Illinois, more particularly described as follows: Commencing at the Southeast Corner of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence N 000 37 00" W, along the East line of the Southeast Quarter of said Section 5, 2091.66 feet for a true place of beginning; thence S 89° 23' 00" W, 3000 feet; thence N 55° 54' 57" W, 936.59 feet, to the Southerly right-of-way line of F. A. Route 39 (Interstate 74); thence Southeasterly along a horizontal curve concave to the Southwest having a radius of 11,704.3 feet, 692.70 feet, said curve having a chord of 692.59 feet and a chord bearing of S 82° 44' 29" E, said curve being the Southerly right-of-way line of F. A. Route 39; thence S 450 35' 00" E, 122.10 feet, along the Southerly right-of-way line of F. A. Route 39; thence S 00° 37' 00" W, 2.41 feet; thence N 89° 23' 00" E, 27.60 feet to the East line of the Southeast Quarter of said Section 5; thence S 000 37' 00" E, along the East line of the Southeast Quarter of said Section 5, 354.65 feet more or less, to the place of beginning all as shown on the accompanying plat of survey, said tract containing 4.00 acres, more or less, all situated in Champaign County, Illinois.**

**LOT 427-004, 1.98 acres**

**Beginning at a point 60 feet S 89° 57' 28" E of the Southeast corner of lot 62 of TIMBER HILLS SUBDIVISION NO. 2 situated in the Southeast Quarter of Section 5, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois; thence N 000 42' 28" W, 262.09 feet to a point on the Southerly right-of-way line of FA Route 39; thence Southeasterly along a curve to the right, having a radius of 11704.3 feet for a distance of 162.42 feet, said arch having a chord 162.42 feet, whose direction is S 84° 50' 04" E thence S 55 54' 57" E, 442.24 feet; thence N 89° 57' 28" W 524.79 feet to the place of beginning, said tract containing 1.98 acres, more or less, and said tract being subject to a right-of-way easement to Illinois Power Company along the Northerly side thereof as shown on the attached Plat of Survey.**

**LOT 427-017, 2.80 acres**

**Beginning at the Northeast corner of Lot 69 in Timber Hills Third Subdivision Champaign County, Illinois; thence South 89 degrees 56 minutes 38 seconds East, 355.87 feet; thence South 55 degrees 54 minutes 57 seconds East, 494.37 feet; thence South 89 degrees 23 minutes 00 seconds East, 30.00 feet to the East line of the Southeast Quarter of said Section 5; thence South 00 degrees 37 minutes 00 seconds West along the East line of said Section 5, 30.00 feet; thence South 80 degrees 37 minutes 30 seconds West, 287.63 feet to an iron pipe located on the Easterly line of Lot 74 in Timber Hills Third Subdivision, said point being 60.00 feet North of the Southeast corner thereof; thence North 43 degrees 44 minutes 44 seconds West along the Easterly lines of Lots 73 and 74 in Timber Hills Third Subdivision, 232.95 feet; thence South 89 degrees 51 minutes 42 seconds West along the Northerly line of Lots 72 and 73 in Timber Hills Third Subdivision, 80.00 feet; thence North 42 degrees 20 minutes 13 seconds West along the Easterly lines of Lots 69, 70 and 71 in Timber Hills Third Subdivisions, 252.60 feet to the place of beginning, said tract containing 2.80 acres, more or less, and situated in Champaign County, Illinois.**