



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

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

**TO:** The Urbana Plan Commission

**FROM:** Jeff Engstrom, AICP, Planner I

**DATE:** May 15, 2009

**SUBJECT:** Plan Case No. 2107-SU-09: Request by Church of the Living God for a Special Use Permit to establish a Church at 1701 N. Carver Dr in the R-3 Zoning District

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### **Introduction**

The Church of the Living God has submitted a request to allow a church at 1701 N. Carver Drive. The property is zoned R-3, Single- and Two-Family Residential. According to Table V-1, Table of Uses in the Urbana Zoning Ordinances, churches are allowed in the R-3 district only with a Special Use Permit. The Urbana City Council originally approved a Special Use Permit (SUP) to allow the Church of the Living God to locate a church on this site in May 2002. The Church did not develop the site within one year, and the SUP expired. In October 2005, the Church again applied for an SUP, which was approved as Ordinance No. 2005-10-146 (Exhibit F). This Special Use Permit expired one year later, as the site was not developed. The church has now submitted a new application with a revised site plan for the property.

The site is located on the western edge of the City, and is accessed from two Champaign streets: Carver Drive and Dorie Miller Drive. The site is also accessible from the north via Federal Drive in Urbana. The 11.3 acre site is currently vacant. The Church of the Living God is currently located in Champaign on Fourth Street, about six blocks away from the subject property. Their existing facility does not provide the desired amount of space for worship services, and they wish to expand the services the Church offers at the new location.

The main church building will be located in the middle of the west half of the site, 100 feet from the west property line. A youth development center/fellowship hall will be located 50 feet from the south property line, between Carver and Dorie Miller Drives. Access to the site is provided through a private access drive off of Federal Drive. As with the two previously approved site plans, vehicle access to the site will be prohibited from Carver Drive and Dorie Miller Drive. The parking lot would be comprised of 282 spaces with an additional eight accessible spaces, meeting the required 238 parking spaces. A drop-off drive is located in front of the main entrance on the eastern side of the building. The site will be developed in two phases, though this special use permit will approve both phases.

Phase I of the project will consist of a 32,000 square foot main church building and parking lot. The building will hold approximately 1,100 seats, plus office space. The site plans show a storm water retention pond north of the parking lot. Construction of Phase I is expected to take 18 months.

Phase II will begin following Phase I, and consists of a 20,000 square foot youth development center / fellowship hall. In previous applications, the youth center and fellowship hall were separate buildings. They have now been combined into one building. Construction of Phase II is also expected to take 18 months.

In addition to the church complex, the church owns 25 acres immediately west of the site (located in the City of Champaign), and intends to develop this area for residential uses. The petitioner has indicated that they will develop this acreage in harmony with the main church site in Urbana. There may be some connection between the church and its residential development, to be determined at a later date. Following approval, any change to the site plan (see Exhibit D) will require an amendment to the Special Use Permit. On May 19, 2009, the Church will meet with area residents, as well as planning staff from Urbana and Champaign regarding this development.

## **Background**

### **Description of the Site and Surrounding Properties**

The site is located at the northern end of Dorie Miller Drive and Carver Drive in Urbana, just north of the boundary with the City of Champaign. It is zoned R-3, Single- and Two-Family Residential, and is currently vacant. The 2005 Urbana Comprehensive Plan designates this site as institutional, in anticipation that the church would someday develop the property.

The surrounding neighborhood is predominantly residential to the south and southwest. (See Exhibit A.) Pilgrim Baptist Church is located along the southern half of the west property line. Single-family residences line the southern property line, at the terminus of both Carver Drive and Dorie Miller Drive. Vacant land lies between the site and development to the east, while uses to the north are primarily industrial and oriented towards Cardinal Court. The church has purchased approximately 25 acres immediately west of the site, and intends to develop this area for residential uses.

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

<b>Direction</b>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>
Site	R-3, Single- and Two-Family Residential	Vacant	Institutional
North	IN, Industrial	Industrial Park	Light Industrial/Office
East	R-4, Medium Density Multiple Family Residential	Commercial	Multi-Family Residential

South	City of Champaign SF-1, Single-Family Residential	Residential	City of Champaign Low Density Residential
West	City of Champaign SF-1, Single-Family Residential	Vacant	City of Champaign Low Density Residential

**Development Regulations**

The site plan conforms to parking and development regulations of the Urbana Zoning Ordinance, including set backs, floor-area ratio, and open space. A detailed landscape plan has not yet been submitted.

*Site Access*

The site will have vehicular access via Federal Drive; vehicular access via Carver Drive and Dorie Miller Drive will be prohibited in order to protect the residential areas that those streets serve. The access drive must be in line with Federal drive. There may be a future road connection to the west, when the Church develops that land for residential use. In 2005, the Special Use Permit approval was conditioned on providing pedestrian access to the site from Carver Drive and Dorie Miller Drive. The proposed site plan has been updated to include those connections.

*Parking & Landscaping*

According to Table VIII-6 of the Urbana Zoning Ordinance, a church or temple must provide one parking space for every five seats in the principal assembly area. The main church building will have 1,190 seats, which requires 238 parking spaces and seven handicapped accessible parking spaces. The site plan indicates that 282 parking spaces and eight handicapped accessible parking spaces will be provided. The amount of parking is in excess of the minimum requirement, however, the required amount may no longer be adequate. As churches become larger and expand to locations further from parishioners, more members drive their vehicles to services. Bicycle parking will also be provided, just south of the church entrance.

Per Section VIII-3.F.3, one shade tree is required for every nine parking spaces, which means 27 trees are required for this project. The site plan shows 32 trees will be planted in and around the parking lot. Additionally, parking lots must be screened from adjacent residential properties. The site plan has been updated to show compliance with this requirement.

*Drainage*

The site plan shows a retention pond along the northern side of the property. A detailed drainage plan will have to be approved by the City Engineer prior to development of the site.

*Setbacks, FAR, & OSR*

Both buildings and the parking lot exceed the minimum setbacks specified on Table VI-1 for the R-3, Single- and Two-Family Residential Zoning District. The floor-area ratio for the site is well below the maximum of 0.40 required in the R-3 district. Open space requirements will also be exceeded.

## **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's existing facility does not provide the desired amount of space for worship services. They intend to provide an expanded variety of services to the community, including a large assembly area, offices and community space. The new buildings would provide adequate space to do so within walking distance of existing and planned residential areas.

- 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.*

As with the previously approved Special Use Permits, vehicular access via Carver Drive and Dorie Miller Drive will be prohibited, and the church's current site plan shows access via Federal Drive. Although less convenient for the church, this will minimize the negative impact of traffic on nearby residential properties and respond to resident concern expressed at previous public hearings. Drainage will be accommodated in the proposed storm water retention pond. New trees, combined with existing plantings, will help to beautify the property. The parking lot will be screened and set back about 200 feet north of adjacent properties, negating major impacts on nearby residences.

- 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 development would meet all development regulations for the R-3 district. As submitted, the church has taken measures to minimize the impact on nearby residences. Landscaping will separate the church site and vehicular access is provided via Federal Drive. One North (formerly Melrose Apartments) has not yet developed the portion of their property adjacent to the church. Industrial uses to the north of the site have a wide buffer from the site and are oriented towards Cardinal Court.

### **Summary of Findings**

1. The Church of the Living God is requesting a Special Use Permit to allow the construction of a church at 1701 North Carver Drive in the R-3, Single and Two-Family Residential District.
2. The proposed use is conducive to the public convenience at this location. It would allow the church to provide expanded space for parishioners, and to provide recreation and youth

development services for the community.

3. The proposed church facility would be designed, located, and operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located. Drainage and access considerations have been addressed, and should not unduly impact surrounding properties. Access will be prohibited from Carver Drive and Dorie Miller Drive.
4. The proposed church facility conforms to the applicable regulations and standards of, and preserves the essential character of, the 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 R-3, Single- and Two-Family Residential Zoning District.
6. The proposed church facility is consistent with the Institutional designation, as identified in Future Land Use Map #3 in the 2005 Urbana Comprehensive Plan.

## **Options**

The Plan Commission has the following options for recommendations to the City Council. In Plan Case 2107-SU-09, the Plan Commission may:

1. Recommend approval of the special use permit without any additional conditions.
2. Recommend approval of the special use permit with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance
3. Recommend denial of the special use permit.

## **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 forward Plan Case No. 2107-SU-09 to the Urbana City Council with a recommendation for APPROVAL with the following CONDITIONS:

1. That the layout of the facility shall closely resemble the submitted Site Development Plan attached as Exhibit D. Any significant deviation from the approved Site Development Plan will require an amendment to the Special Use Permit, including further review by the Urbana Plan Commission and approval by the Urbana City Council.
2. That an engineered drainage plan, including proper conveyance and detention of Stormwater from the site shall be prepared and constructed consistent with the requirements of the Urbana

Subdivision and Land Development Code and shall be subject to the review and approval of the Urbana Zoning Administrator and Urbana City Engineer.

3. That Federal Drive shall serve as the exclusive vehicular access to/from the site to minimize impacts upon the adjacent residential neighborhood, until such time as vehicular access from the west is developed. Vehicular access via Carver Drive and Dorie Miller Drive shall be prohibited.
4. That a landscape plan shall be prepared and constructed to provide screening to adjacent residential properties to the east and south, subject to the review and approval of the Urbana Zoning Administrator in consultation with the Urbana City Arborist.

Attachments: Exhibit A: Location and Existing Land Use Map  
Exhibit B: Existing Zoning Map  
Exhibit C: Future Land Use Map  
Exhibit D: 2009 Proposed Site Plan  
Exhibit E: Application for a Special Use Permit  
Exhibit F: Ordinance 2005-10-146 Approving a Special Use Permit

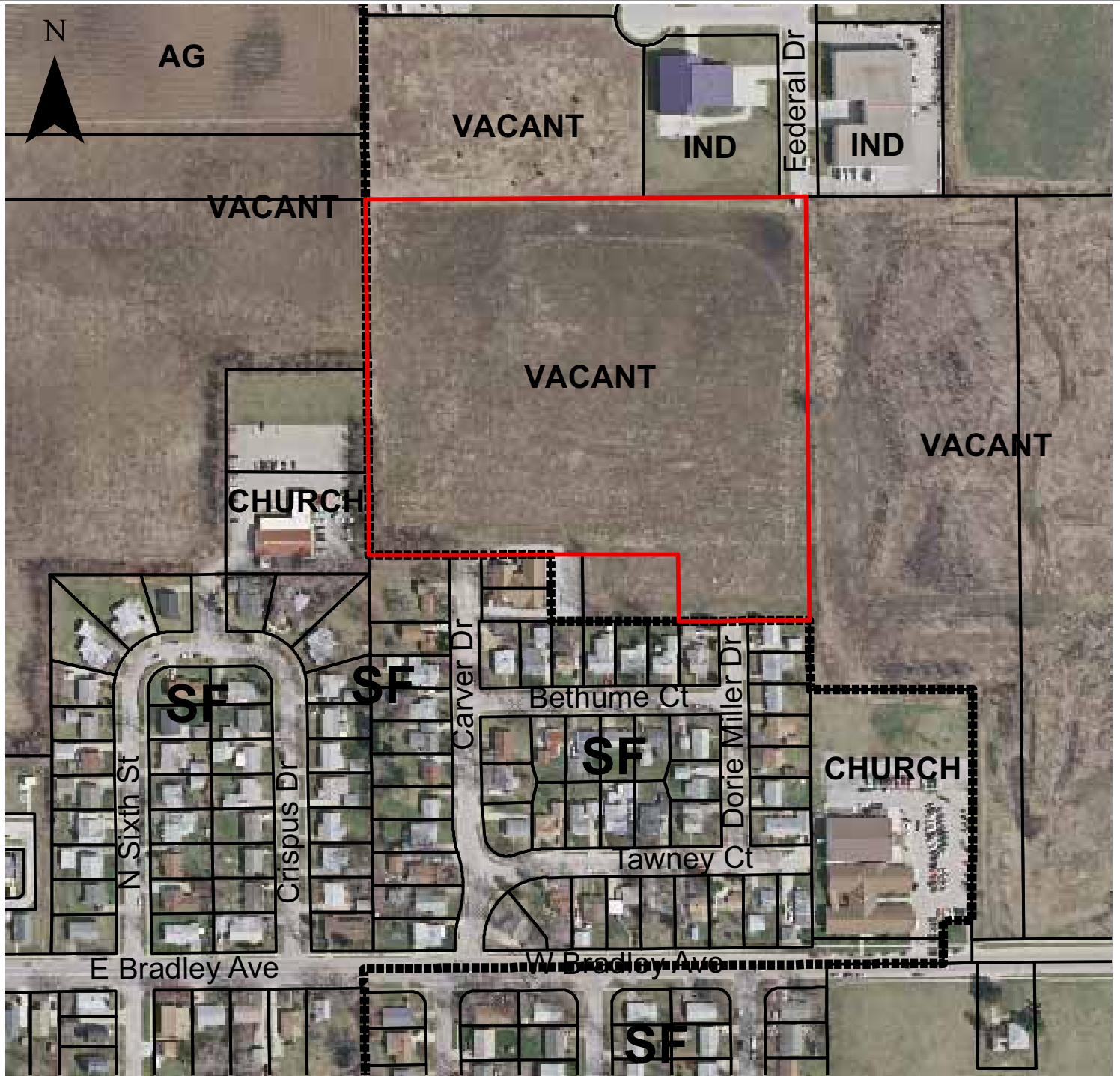
CC:

David Spence  
70 Glenbrook Lane  
Fisher, IL 61843

Bishop Lloyd E. Gwin  
Church of the Living God  
1109 North Fourth Street  
Champaign, IL 61820

John Dabrowski  
Foth & Van Dyke  
1610 Broadmoor Drive  
Champaign, IL 61821

# EXHIBIT A: Location & Existing Land Use Map



**Plan Case:** 2107-SU-09

**Subject:** Special Use Permit to Allow a Church or Temple in the R-3 Zoning District

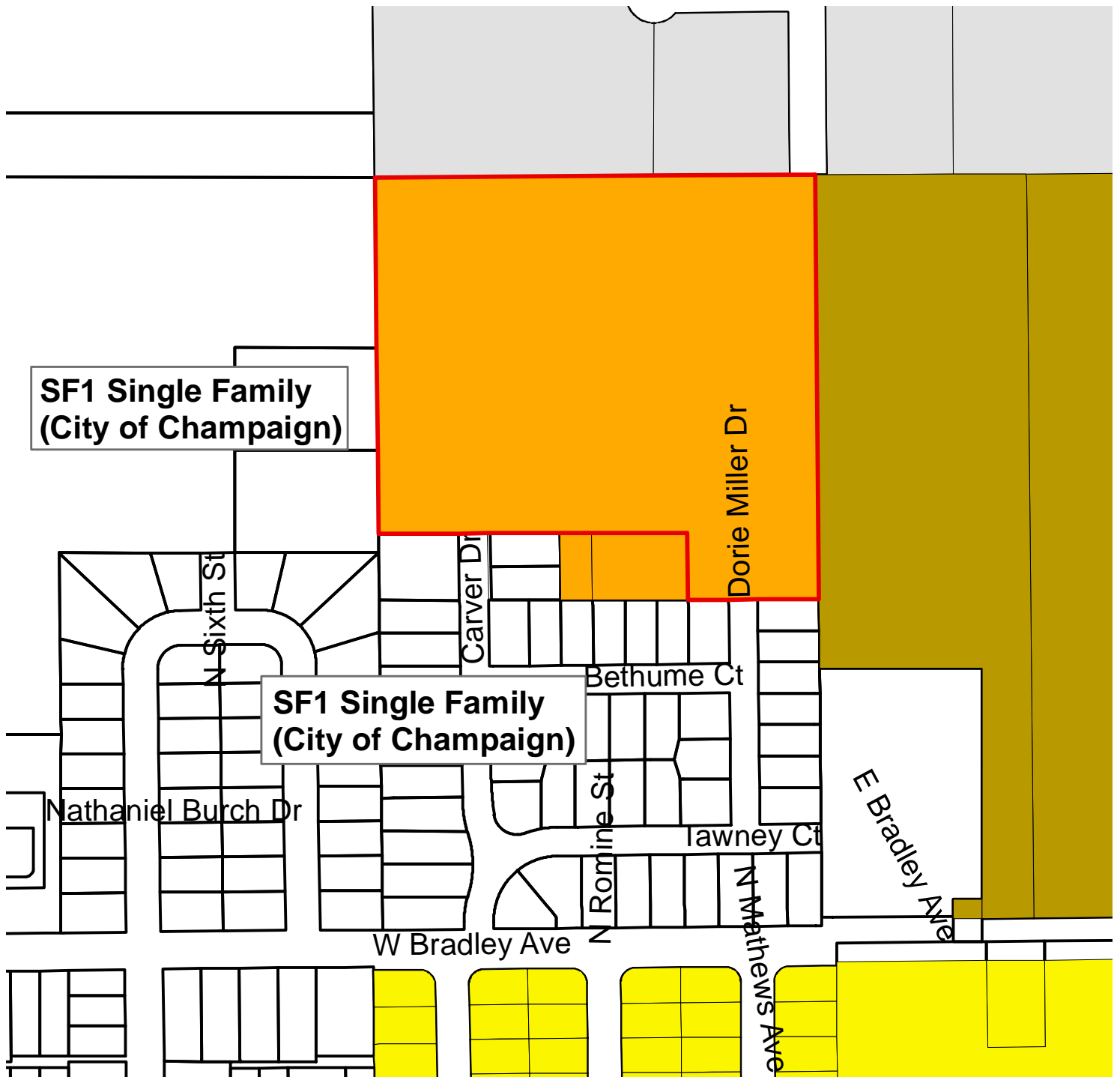
**Location:** 1701 N Carver Drive, Urbana

**Petitioner:** Church of the Living God

 Subject Property

 Urbana

# EXHIBIT B: Existing Zoning Map



**Plan Case:** 2107-SU-09

**Subject:** Special Use Permit to Allow a Church or Temple in the R-3 Zoning District

**Location:** 1701 N Carver Drive, Urbana





**Petitioner:** Church of the Living God

Prepared 4/20/2009 by Community Development Services - jme



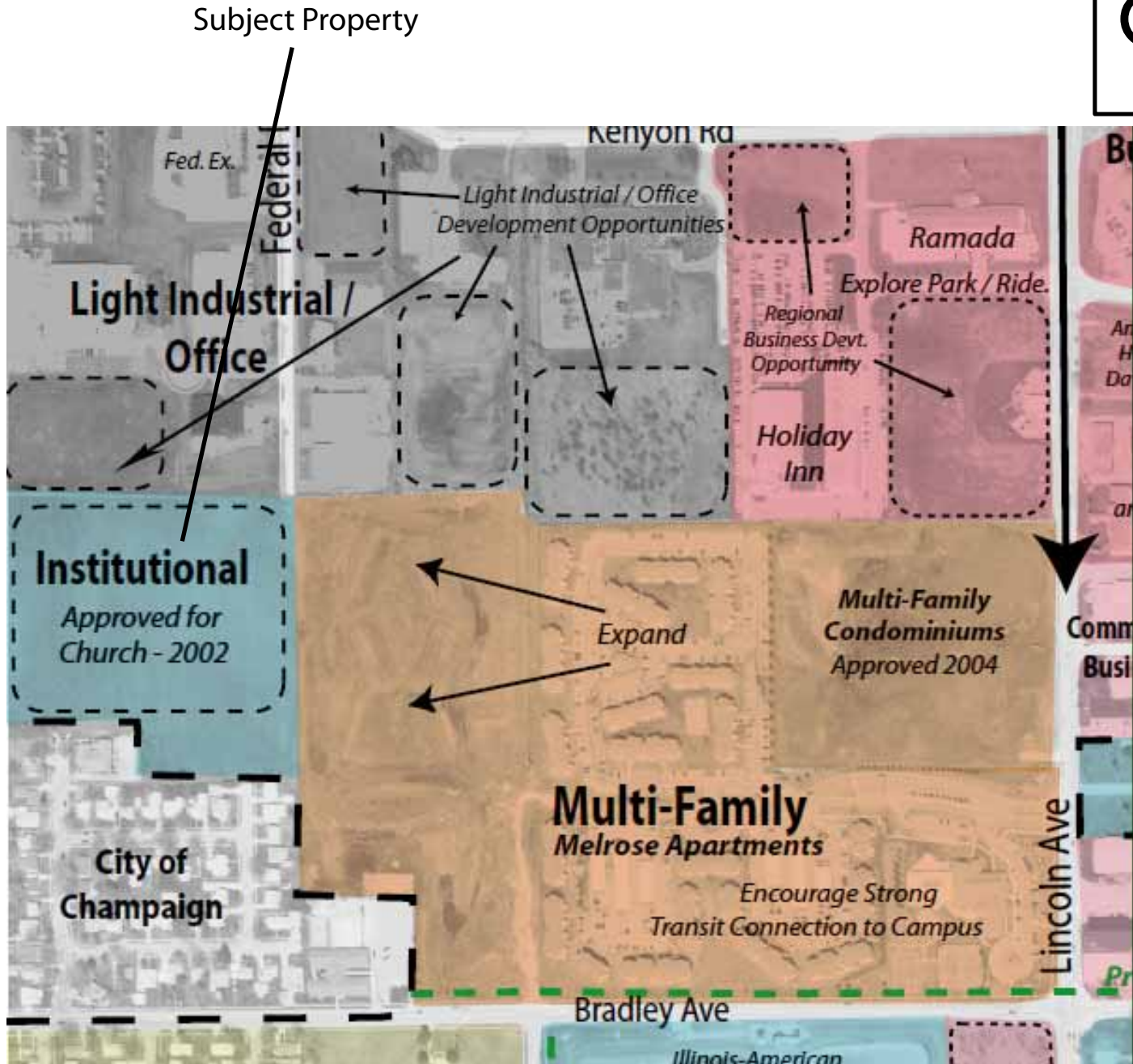
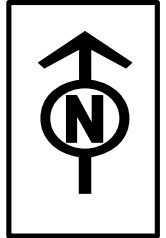
Subject Property

### Legend

-  IN
-  R2
-  R3
-  R4



# EXHIBIT C: Future Land Use Map

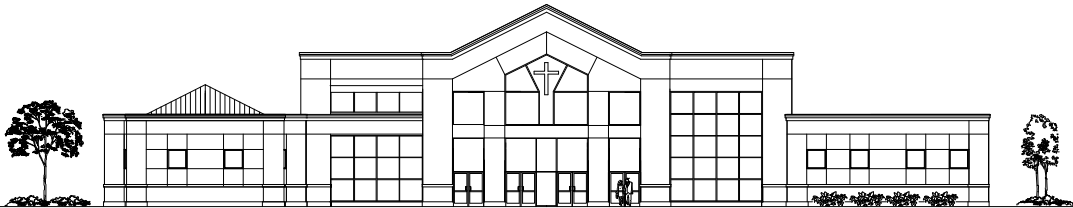
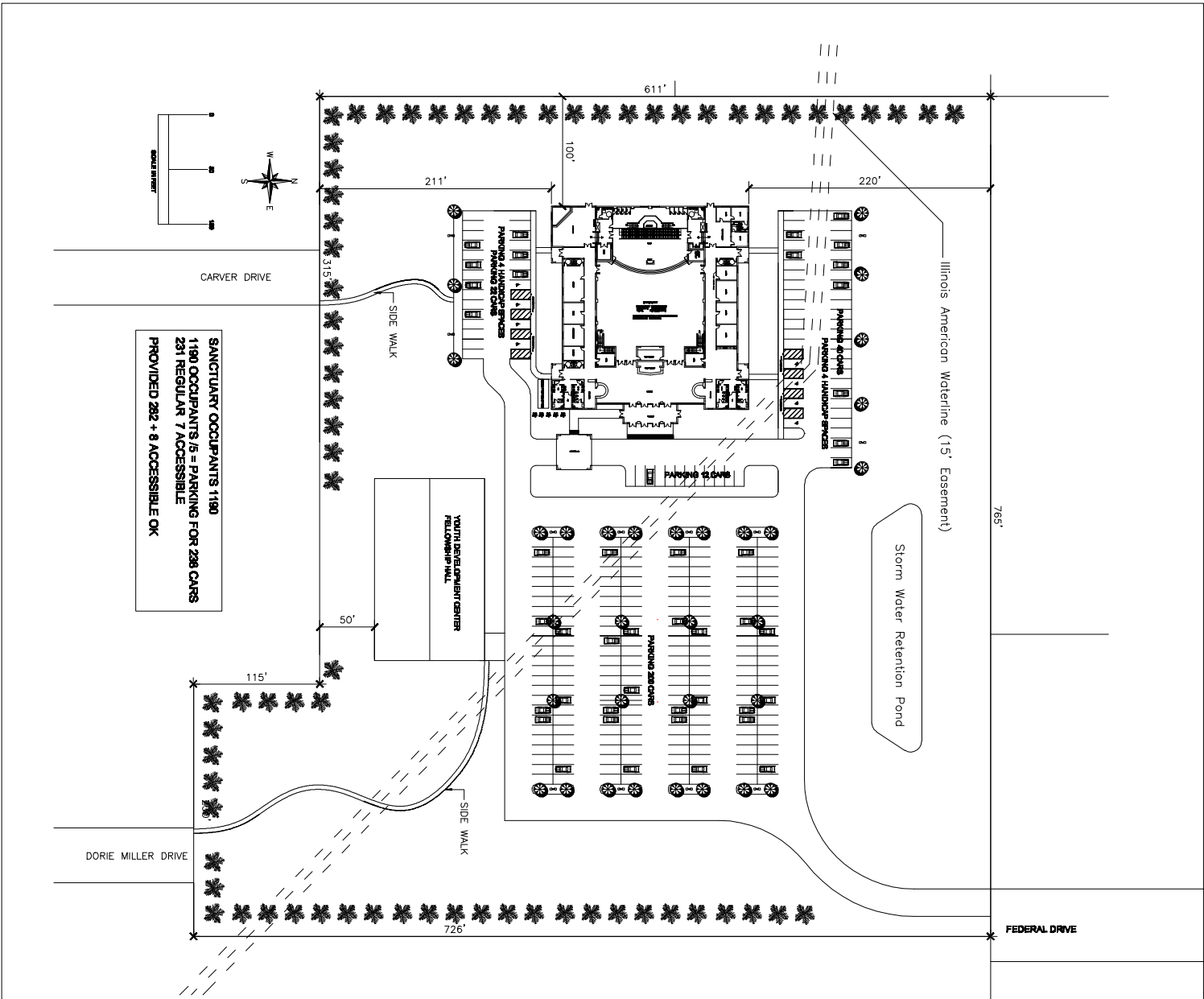


**Plan Case:** 2107-SU-09

**Subject:** Special Use Permit to Allow a Church or Temple in the R-3 Zoning District

**Location:** 1701 N Carver Drive, Urbana

**Petitioner:** Church of the Living God



EAST ELEVATION

**CHURCH OF THE LIVING GOD**  
**SITE DEVELOPMENT PLAN**  
 REVISED MAY 14, 2009

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

**(To Allow the Establishment of a "Church or Temple" in the R-3, Single- and Two-Family Residential Zoning District - Plan Case No. 1956-SU-05)**

WHEREAS, the subject property is located at the end of Federal Drive and identified as 1701 North Carver Drive; and

WHEREAS, the subject property is zoned R-3, Single- and Two-Family Residential according to the Official Zoning Map for the City of Urbana; and

WHEREAS, Church of the Living God has requested a Special Use Permit to establish a church in the R-3, Single- and Two-Family Residential Zoning District; and

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

WHEREAS, Church of the Living God has petitioned the Urbana Plan Commission in Case No. 1956-SU-05 to consider a request to establish a church in the R-3 Zoning District; and

WHEREAS, all applicable development regulations will be met, including those involving setbacks, signage, parking, drainage, and vehicular access considerations; and

WHEREAS, the conditions placed on the approval in Section 1 herein should minimize the impact of the proposed development on surrounding properties; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on September 22, 2005 concerning the petition filed by the petitioner in Plan Case No. 1956-SU-05; and

WHEREAS, on September 22, 2005, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a

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recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions 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 R-3, Single- and Two-Family Residential Zoning Districts with the following conditions upon approval:

1. That the layout of the facility shall closely resemble the submitted Site Development Plan attached as Exhibit G. Any significant deviation from this Site Development Plan will require an amendment to the Special Use Permit, including further review by the Urbana Plan Commission and approval by the Urbana City Council.
2. That an engineered drainage plan, including proper conveyance and detention of Stormwater from the site shall be prepared and constructed consistent with the requirements of the Urbana Subdivision and Land Development Code and shall be subject to the review and approval of the Urbana Zoning Administrator and Urbana City Engineer.
3. That Federal Drive shall serve as the exclusive vehicular access to/from the site to minimize impacts upon the adjacent residential neighborhood, until such time as vehicular access from the west is developed. Vehicular access via Carver Drive and Dorie Miller Drive shall be prohibited.

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4. That there shall be no lighting provided for the softball field except for security purposes. Any lighting that is installed must be approved by the Zoning Administrator.
5. That a paved pedestrian connectivity plan, including a paved link to existing sidewalks on Carver Drive and Dorie Miller Drive, shall be prepared and constructed, subject to the review and approval of the Urbana Zoning Administrator and Urbana City Engineer.
6. That a landscape plan shall be prepared and constructed, subject to the review and approval of the Urbana Zoning Administrator in consultation with the Urbana City Arborist.

**LEGAL DESCRIPTION:**

Beginning at the Northwest corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, thence West 190 feet to the West line of the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section 6, Township 19 North, Range 9 East of the Third Principal Meridian, thence North along said line 611 feet, thence East 765 feet to the East line of Carver Park Subdivision extended North thence South along said extended line 726 feet to the Northeast corner of Lot 16 of said subdivision, thence West 450 feet to the Southeast corner of Lot 48 of said Subdivision, thence North along East line of said Lot 48, 115, thence West 125 feet along North Line of Lot 48; to the place of beginning situated in Champaign County, Illinois, EXCEPTING there from the following described tract:

Begging at the Northeast corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, a Subdivision; thence Easterly parallel with the North line of Lot 21 of said Subdivision, 55 feet; thence Shoutherly parallel with the East line of the said Lot 48, 115 feet to the common North Corner of Lots 20 and 21 of said Subdivision; thence westerly along the North line of Lot 21 of said Subdivision, 55 feet to the common corner of Lots 21 and 48 of said Subdivision; thence Northerly along the East line of said Lot 48, 115 feet to the point of beginning, containing 6.325 square feet (0.145 acres) more or less, all situated in the City of Urbana, Champaign County, Illinois, and having its Westerly and Southerly boundaries contiguous to the limits of the City of Champaign, Illinois.

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ALSO EXCEPTING:

Beginning 55 feet East of the Northeast corner of Lot 48 of Carver Park Addition to the City of Champaign, Illinois, as a point of beginning; thence Easterly parallel with the North line of Lots 20, 19, and 18 of said Subdivision, 165 feet; thence Southerly parallel to the East line of the aforesaid Lot 48, 115 feet to the Northeast corner of Lot 18 of said subdivision; thence Westerly along the North line of Lots 18, 19 and 20 of said subdivision; thence Northerly parallel to the East line of Lot 48 of said subdivision, 115 feet to the point of beginning, situated in Champaign County, Illinois containing 11.33 acres.

PIN No. 91-21-06-451-005

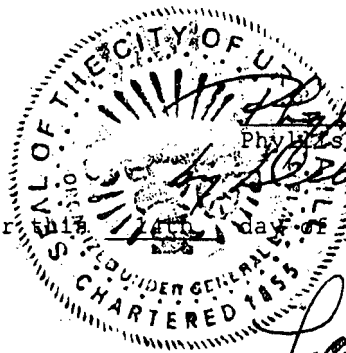
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes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

PASSED by the City Council this 3rd day of October, 2005.

AYES: Barnes, Bowersox, Chynoweth, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS: Lewis\*



Phillip D. Clark  
Phillip D. Clark, City Clerk

Robert  
Deputy Clerk

APPROVED by the Mayor this 14th day of October, 2005.

Laurel Prussing  
Laurel Prussing, Mayor

\*Abstained due to conflict of interest