
DATE: Wednesday, January 15, 2025
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Roll Call and Declaration of Quorum

B. Changes to the Agenda

C. Approval of Minutes

[Minutes](#) of the September 18, 2024 Regular Meeting

D. Written Communications

E. Continued Public Hearings

F. New Public Hearings

[Case No. ZBA-2024-MAJ-03](#) – A request by Andrew Fell, on behalf of Long Bao Bui, for a Major Variance to allow a porch stair to encroach 10 feet into the required 25-foot front yard at 501 West Washington Street in the R-2 (Single-Family Residential) Zoning District.

[Case No. ZBA-2024-C-01](#) – A request by Jonathan Thompson, on behalf of RSCC, LLC, for a Conditional Use Permit to allow a fast-food restaurant at 809 West Green Street in the B-1 (Neighborhood Business) Zoning District.

G. Old Business

H. New Business

I. Audience Participation

J. Staff Report

K. Study Session

L. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner.

Public Input will be taken in the following ways:

Email Input

In order to be incorporated into the record, emailed public comments must be received prior to 5:00 pm on the day preceding the meeting and sent to the following email address: **Planning@urbanail.gov**. The subject line of the email must include the words "ZONING BOARD OF APPEALS - PUBLIC INPUT" and the meeting date. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Public Hearing

Any person desiring to appear at the public hearing and present testimony may speak during each public hearing at the time they appear on the agenda. This shall not count towards regular Public Input for the meeting. The Public Hearing is an opportunity for comments and questions to be addressed specific to each case. Board or Commission members are permitted to respond and engage during this time and/or the Chairperson may direct the applicant to respond during rebuttal. Comments unrelated to any of the public hearings listed on an agenda should be shared during the Public Input portion of the meeting where Verbal Input guidelines shall apply.

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than one (1) hour, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under “Verbal Input”. Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker’s microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City at least 48 hours in advance using one of the following methods:

Phone: 217.384.2440

Email: [**Planning@urbanail.gov**](mailto:Planning@urbanail.gov)

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at [**https://www.urbanail.gov/executive-department/page/urbana-public-television**](https://www.urbanail.gov/executive-department/page/urbana-public-television).

MINUTES OF A REGULAR MEETING

URBANA ZONING BOARD OF APPEALS

DRAFT

DATE: September 18, 2024

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Ashlee McLaughlin, Adam Rusch, Charles Warmbrunn, Harvey Welch

MEMBERS ABSENT: Joanne Chester, Matt Cho, Nancy Uchtmann

STAFF PRESENT: Marcus Ricci, Planner II; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Brant Muncaster, Bridgett Wakefield

A. CALL TO ORDER and ROLL CALL

Chair Welch called the meeting to order at 7:01 p.m. Roll call was taken and a quorum was declared present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF PREVIOUS MINUTES

Minutes of the June 26, 2024 Regular Meeting

Mr. Warmbrunn noted a correction to the minutes. Harvey Welch’s name should be removed from the names of members in attendance.

Mr. Warmbrunn moved that the Zoning Board of Appeals approve the minutes of the June 26, 2024 regular meeting as amended. Mr. Rusch seconded the motion. The motion was approved by unanimous voice vote.

D. WRITTEN COMMUNICATIONS

- Email from Sarah McEvoy and Huseyin Sehitoglu in opposition of Case No. ZBA-2024-MAJ-01
- Email from Dave Schwenk in general support of Case No. ZBA-2024-MAJ-01

E. CONTINUED PUBLIC HEARINGS

There were none.

NOTE: Chair Welch reviewed the procedure for a public hearing and swore in members of the audience who wished to speak on a case. He reviewed the procedures for a public hearing.

F. NEW PUBLIC HEARINGS

ZBA-2024-MAJ-01 – A request by Brant Muncaster, on behalf of Gary Luth dba Illinois Farmhouse Alumni Association, for a Major Variance to increase the maximum Floor Area Ratio (FAR) from 0.50 to 0.73 at 809 West Pennsylvania Avenue in the R-7 (University Residential) Zoning District.

Chair Welch opened Case No. ZBA-2024-MAJ-01. Marcus Ricci, Planner II, presented the case to the Zoning Board of Appeals by stating facts from the written staff report. He explained the purpose for the proposed major variance and gave a brief history of the proposed site. He noted the land uses and zoning of the subject property and of the surrounding properties. He showed an aerial photo and illustrations of the proposed site. He also showed floor plans and renderings showing the proposed enclosed stair tower. He talked about the effects of increasing the Floor Area Ratio and about lot coverage requirements throughout the lifespan of the existing building. He reviewed the variance criteria from Section XI-3 of the Urbana Zoning Ordinance and the staff findings of how the proposed expansion would relate to each criterion. He reviewed the notification process for this case. He summarized staff findings and read the options of the Zoning Board of Appeals. He presented City staff's recommendation for approval with the following condition: Construction must be in general conformance with the site plan, entitled "Farmhouse Fraternity – 809 West Pennsylvania Avenue – August 1, 2024". He pointed out that representatives of the applicant were present to answer questions.

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

Mr. Warmbrunn asked if the old fire escape is one person at time. Mr. Ricci deferred this question to the applicant.

Mr. Warmbrunn asked about the proposed fire escape. Mr. Ricci deferred this question to the applicant. He said that he knows they will meet the building code.

With there being no further questions for City staff, Chair Welch opened the public hearing for public input. He invited the applicants to speak.

Brant Muncaster approached the Zoning Board of Appeals to speak. He stated that fire escapes are allowed to be narrower than enclosed stairs. So, the existing fire escape is a single passage stair. The proposed new stair would be conforming to the new building code, and it would be wide enough for two people to go down it.

With there being no further input from the audience, Chair Welch closed the public input portion of the hearing and opened it up for discussion and/or motion(s) by the Zoning Board of Appeals.

Mr. Rusch moved that the Zoning Board of Appeals forward Case No. ZBA-2024-MAJ-01 to the City Council with a recommendation for approval with the condition that construction must be in general conformance with the Site Plan that is attached in the written staff report based on the findings of the staff in the report. Ms. McLaughlin seconded the motion.

Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Mr. Rusch	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Welch	-	Yes

The motion was approved by unanimous vote of 4-0.

Mr. Ricci stated that Case No. ZBA-2024-MAJ-01 would be forwarded to Committee of the Whole on October 7, 2024 and tentatively to the City Council on October 14, 2024.

G. OLD BUSINESS

There was none.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Mr. Ricci reported on the following:

- 408 West Main Street – A new duplex was constructed that had been approved for a reduction in the Floor Area Ratio and some setback variances.
- 312 West Illinois Street – City staff received a building permit application to build a duplex, which the use was approved by the Zoning Board of Appeals in a previous case along with setback and FAR variances.

Mr. Warmbrunn asked if there is an update on the court case involving the storage units on the northwest corner of Route 150 (University Avenue) and Route 130 (High Cross Road). Mr. Ricci said that he had not heard anything yet. Staff will check on the status and let the Board know at a future meeting.

Mr. Warmbrunn asked about updating the Board’s bylaws. Mr. Ricci stated that he would ask Kevin Garcia, Principal Planner, what the timeline is for bringing the bylaws to the Board for update and approval. He asked if there was anything specific that Mr. Warmbrunn would like to see changed or added. Mr. Warmbrunn replied that there is an issue with nonattendance of Board members, so he believed a policy should be written about attendance. Also, the Board is supposed to review the bylaws every two years. Mr. Ricci stated that staff would make this an agenda item for the next meeting.

Mr. Warmbrunn asked if a new mayor could clear out the Board and start over with new members. Mr. Ricci said no because members are appointed on the Zoning Board of Appeals for five years. Mr. Rusch asked what each member's term is, and Teri Andel, Planning Administrative Assistant II, stated each member's term expiration. Mr. Ricci said that the Zoning Board of Appeals members could send any suggested changes or additions to either himself or to Ms. Andel via email.

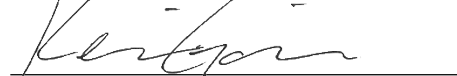
K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Zoning Board of Appeals



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Marcus Ricci, AICP, Planner II
DATE: November 20, 2024
SUBJECT: **ZBA-2024-MAJ-03:** A request by Andrew Fell, on behalf of Long Bao Bui, for a Major Variance to allow a porch stair to encroach 10 feet into the required 25-foot front yard at 501 West Washington Street in the R-2 (Single-Family Residential) Zoning District.

Introduction

On behalf of Long Bao Bui, Andrew Fell requests a major variance to allow a porch stair to encroach 10 feet into the required 25-foot front yard at 501 West Washington Street in the R-2 (Single-Family Residential) Zoning District.

The Urbana Zoning Ordinance requires the Zoning Board of Appeals (“ZBA”) to review the variance application and hold a public hearing. The Board may recommend approval to City Council by a 2/3 majority vote, or approval with conditions to City Council by a 2/3 majority vote, or deny the request. The Board should either accept the specific staff findings or articulate their own specific findings based on the application’s criteria.

Staff recommend the ZBA deny the major variance request.

Background

The two-story house (1,680 ft²) on this 8,406 ft² property was built in 1912. It includes a detached 342 ft² garage. Side and rear porches were added between 1973 and 1988. The applicant purchased the property in 2020 in its current configuration. The 6-foot-deep by 8-foot-wide (48 ft²) front porch is outside the required front yard: its small landing (3-foot-deep by 3-foot-wide; 9 ft²) and stairs come off the southwest corner of the porch – outside the required yard – and then proceed northeast and north to connect to the front sidewalk leading to Washington Street.

The owner wants to replace the porch, landing and stairs with a 9-foot by 25-foot (225 ft²) building addition, outside the required 25-foot front yard. The proposed larger replacement landing – 4.75-foot-deep by 7-foot-wide (35 ft²) – would encroach the allowed five feet into the required front yard. The proposed replacement steps – shifted eight feet to the northeast – would extend an additional five feet north for a total encroachment of ten feet into the required front yard. While new porches and porch stairs are allowed to encroach into a required yard up to five feet, the proposed 10-foot encroachment is 40 percent of the required front yard, and therefore requires a major variance.¹

¹ Urbana Zoning Ordinance, Section VI-5.3 (2024). Yards. “Access to buildings and outdoor living areas when consisting of uncovered stairways, stairway landings, and stoops...of a building constructed prior to November 6, 1950, may encroach up to five feet into a required yard, but not within six inches of a property line.”

Description of Site and Area

The property is located on the south side of West Washington Street.² The following table identifies the current zoning, and existing and future land use of the site and surrounding.³

Direction	Zoning	Existing Land Use	Future Land Use
Site	R-2 (Single-Family Residential)	Single-family residential	Residential
North	R-2 (Single-Family Residential)	Single-family residential	Residential
East	R-2 (Single-Family Residential)	Single-family residential	Residential
South	R-2 (Single-Family Residential)	Single-family residential	Residential
West	R-2 (Single-Family Residential)	Single-family residential	Residential

Table 1. Zoning and Land Use

Discussion

The applicant wants to replace the porch with a building addition that would provide a street-facing front entry, larger landing, and additional living space. The new vestibule would still have a front door facing the street, with a larger landing and wider stairs directly connecting with the existing concrete walk leading to the street, rather than continuing to step down to the west and then turning northeast and then north, as in the current configuration. While it would be possible to build the proposed addition with steps facing west – which would not require a variance – the request would allow a more direct path from the house to the sidewalk.⁴

The applicant states that the proposed work would be in character with the neighborhood because neighboring properties have stairs leading directly to the street: “This is a street of houses with wide and welcoming front yards, that present an open and inviting atmosphere to the street.” They state that “having front stairs that are not on the front of the house seems rude and uninviting.”

Staff reviewed the ten properties on this block face and found almost all have porches; one porch appears to encroach into the 25-foot required front yard. Seven of the other nine homes have porch stairs that lead directly to the street *and* encroach into the required yard (Exhibit E – Photos). Half of the homes have more “foresteps” – a second set of steps at the property line – than the subject property, which then requires fewer steps – and less front yard encroachment – nearer the porch.

The zoning requirements for this property – and all R-2-zoned properties – have changed significantly over the decades. The house was constructed 28 years before zoning was established in the city in 1940, and, until 1986, required yards did not apply to steps, terraces, and fences.⁵ In 1986, the Zoning Ordinance was amended to create required yards, but allowed landings and stairs of pre-1951 buildings to encroach 4.5 feet into a required yard. It also allowed open porches to encroach up to 5 feet if they were at least 5 feet from the property line.⁶

In 2015, the Ordinance was again amended to allow landings and stairs of pre-1951 buildings to encroach *five* feet into a required yard with the added condition of being at least six inches from the property line. It continued the porch allowance to encroach five feet into a required yard. It added

² Exhibit A – Location and Land Use; Exhibit E – Site Photos.

³ Exhibits A, B, and C.

⁴ Exhibit D – Application.

⁵ Urbana Zoning Ordinance, Section 34.66 Yard Exemptions (1970).

⁶ Urbana Zoning Ordinance, Section VI-5. Yards (1986).

another allowance that “When replacing or upgrading an existing porch and/or porch stairs...the replacement porch/stairs may be constructed *in the location of the existing porch/stairs* but no closer than six inches from any property line...The porch stairs may further encroach the minimum amount required to bring the rise/run of the stairs up to current Building Code standards.”⁷

Staff believe that the intent of the latter amendment was to accommodate the need to allow stairs to encroach further into a required yard when the Building Code required more or larger stairs. However, this clause does not apply to the current request because the proposed replacement landing and stairs are not *in the exact location* of the existing landing and stairs: they are approximately eight feet away. Although the presumed intent of the clause is to allow porches and stairs to be constructed within six inches – or zero inches – of a property line, the conditions placed on this allowance are very strict. If there were no requirement that the new stairs be “in the location of the existing porch/stairs”, the proposed stairs would be allowed without a variance, as they would still be 15 feet from the property line.

Variance Criteria

Section XI-3 of the Urbana Zoning Ordinance requires the Zoning Board of Appeals to make findings of fact based on variance criteria. The Zoning Board of Appeals must determine, based on the evidence presented, whether there are special circumstances or special practical difficulties that exist in carrying out the strict application of the ordinance and why, if granted, the variance will serve the public interest, or will not unreasonably hinder and impair the public interest.

The following is a review of the criteria outlined in the ordinance, followed by staff analysis:

1. *There are special circumstances or special practical difficulties with reference to the parcel concerned in carrying out the strict application of the ordinance.*

Neither the applicant nor staff claim any special circumstances or practical difficulties of the parcel that impair carrying out the strict application of the ordinance.

Staff find this this criterion not met. However, staff find that granting the variance would not unreasonably hinder or impair the public interest.

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.*

Neither the applicant nor staff claim that the variance requested is necessary, as the new stairs could be built descending to the west and then turn north towards the street as they currently do, or descend to the west directly to the access drive; this would require significantly reducing the size of the addition. However, the applicant asserts that this would render the new stairs unseen from the street, which would be out of character with all but one of the homes on the block face. Staff agree with this assertion.

Although allowing the proposed stairs to encroach into the required front yard would be in keeping with the character of the neighborhood, it would still be a special privilege because there are no special circumstances, and other homes must comply with the front yard requirement.

Staff find this criterion not met.

⁷ Urbana Zoning Ordinance, Section VI-5. Yards (2015).

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

Because the current configuration provides safe egress, and another configuration to provide additional living space, a wider landing and stairs is possible *without a variance*, staff consider the situation as being created by the petitioner. However, staff do agree that the requested variance would provide a configuration with more living space and a more direct path to the street.

Staff find this criterion not met.

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

The proposed porch stairs would not alter the essential character of the neighborhood, as seven of the other nine properties on the block face have porch stairs that encroach into the required front yard.

Staff find this criterion met.

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

The proposed porch stairs would not create a nuisance at this time or in the future. The applicant states that it may reduce a potential lighting nuisance for the west neighbor because it would eliminate the need to illuminate west-facing stairs leading toward the shared driveway.

Staff find this criterion met.

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

The requested variance represents the minimum deviation from the Zoning Ordinance's requirements to accommodate the request to provide a street-facing front entry, larger landing, and additional living space. The other alternative the applicant considered was having the front entrance on the west face of the addition, which would defeat the goal of having the front entry face the street. It would also reduce the amount of living space produced because the addition would have to be shortened to provide enough space for the new landing, and possibly stairs heading west.

Staff find this criterion met.

Overall, staff found there are no special circumstances of the parcel, in reference to carrying out the strict application of the Zoning Ordinance. Staff found three of the six criteria weigh in favor of granting the variance, and found three criteria weigh against granting it. Staff also find that granting the variance would not unreasonably hinder or impair the public interest.

Public Notice and Input

Staff published a legal ad in The News-Gazette to notify the public of the request and public hearing 15 days prior to the Zoning Board of Appeals meeting. Staff sent letters to 56 neighboring property owners (within 250 feet of the subject property) notifying them of the request, and posted a public hearing sign on the property. Staff received no public input.

Summary of Findings

On behalf of Long Bao Bui, Andrew Fell requests a major variance to allow a porch stair to encroach 10 feet into the required 25-foot front yard at 501 West Washington Street in the R-2 (Single-Family Residential) Zoning District.

1. There are no special circumstances or practical difficulties associated with this parcel that make it difficult to comply with the Zoning Ordinance. Staff find that granting the variance would not unreasonably hinder or impair the public interest.
2. The requested variance would serve as a special privilege because other properties must comply with the minimum front yard requirement, although seven of the nine other properties on the block face do not comply with this requirement.
3. Although another configuration that would not require the requested variance could provide additional living space, a larger landing and wider stairs, the requested variance would create an addition with more living space.
4. The proposed porch stairs would not change the essential character of the neighborhood, as seven of the other nine homes on the block face have street-facing stairs that encroach into the required front yard.
5. The proposed porch stairs would not create a nuisance at this time or in the future, and may reduce a lighting nuisance to the west neighbor.
6. The requested variance is the minimum deviation from requirements of the Zoning Ordinance necessary to accommodate the request for a street-facing front entry, larger landing, and additional living space.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2024-MAJ-04: a major variance to allow a porch stair to encroach 10 feet into the required 25-foot front yard:

1. Forward the case to City Council with a recommendation to **approve** the variance as requested based on the findings outlined in this memo; or
2. Forward the case to City Council with a recommendation to **approve the variance with certain terms and conditions**; or
3. **Deny** the variance request.

If the Urbana Zoning Board of Appeals elects to recommend conditions or recommend approval of the variances on findings other than those articulated herein, they should articulate findings accordingly.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **DENY** the proposed major variance in case ZBA-2024-MAJ-04.

There are no special circumstances that make complying with the ordinance difficult, and variances are not given simply because a petitioner does not want to comply with the Zoning Ordinance.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map

Exhibit D: Variance Application with Site Plan
Exhibit E: Site Photos

cc: Andrew Fell, Applicant
Long Bao Bui, Owner

Exhibit A - Location & Land Use



Case: ZBA-2024-MAJ-03
 Subject: Porch Stairs Major Variance
 Location: 501 West Washington Street
 Applicant: Andrew Fell, Applicant

- /// Subject Property
- Natural Resource-based
- Residential
- Commercial
- Industrial
- Institutional
- Transport

Exhibit B - Zoning

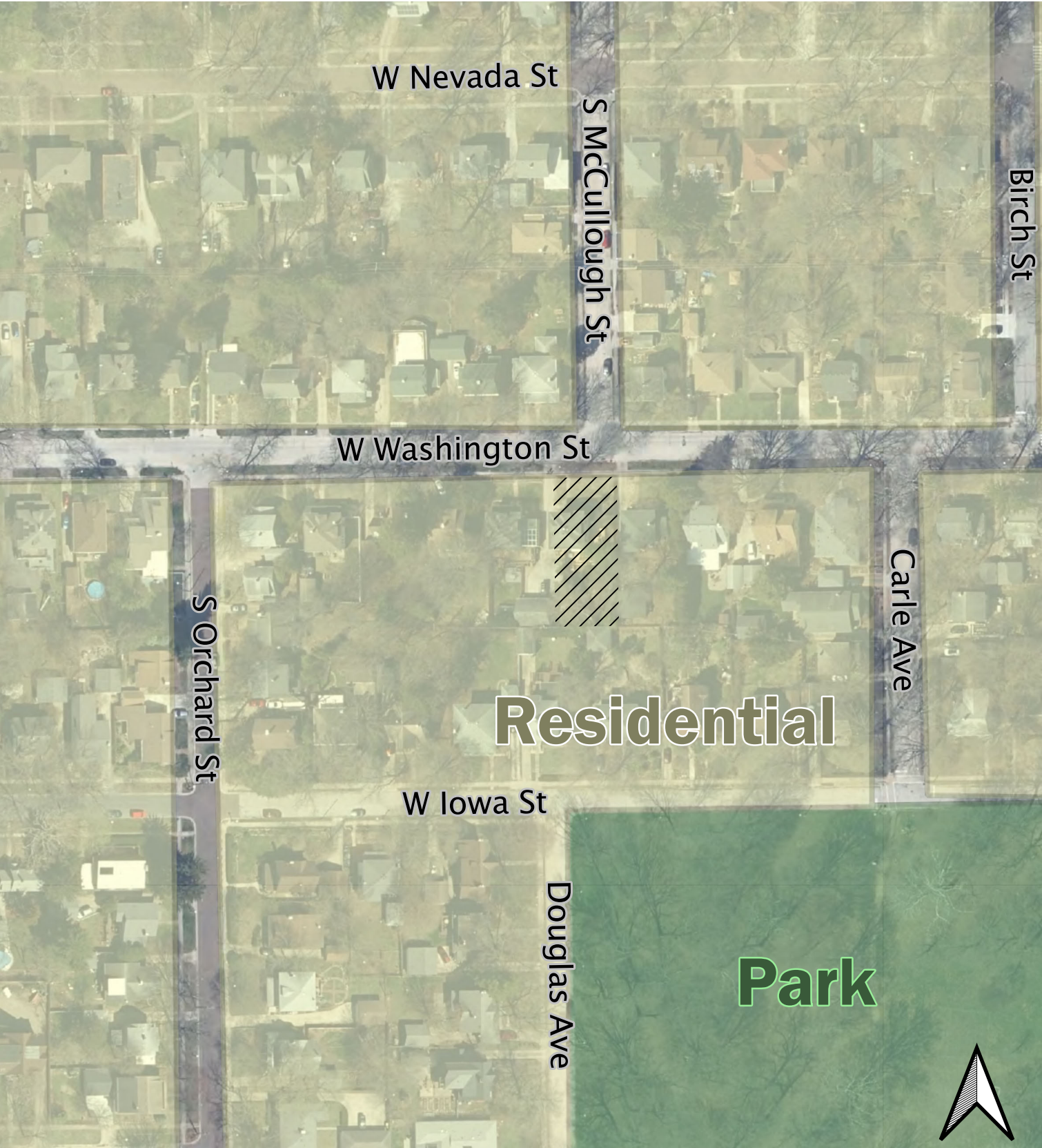


Case: ZBA-2024-MAJ-03
 Subject: Porch Stairs Major Variance
 Location: 501 West Washington Street
 Applicant: Andrew Fell, Applicant

/// Subject Property

- CRE
- R-1
- R-2
- R-7

Exhibit C - Future Land Use



Case: ZBA-2024-MAJ-03
Subject: Porch Stairs Major Variance
Location: 501 West Washington Street
Applicant: Andrew Fell, Applicant

/// Subject Property

Exhibit D - Application



APPLICATION FOR ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. For the current fee, please refer to the most recent version of the City's "Schedule of Fees - Excluding Liquor License Fees", which can be found at <http://www.urbanaininois.us/fees>.

The Applicant is also responsible for paying the cost of legal publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up.

NOTE: Fields marked with an * must be completed.

NOTE: If additional space is needed to complete any field, please mark "See Attached" and attach the response at the end of this application.

PROPERTY INFORMATION

Address/Location of Subject Site* **501 West Washington**

Parcel/PIN # of Subject Site **93-21-17-326-010**

Lot Size **8406 s.f.**

Current Zoning District **Choose an Option from the Drop Down List R-2 (Single-Family Residential)**

Current Land Use (*vacant, residence, grocery, factory, etc*)* **single Family Residence**

Proposed Land Use* **Single Family Residence**

Legal Description

~~XXXXXXXXXX~~ **See Attached** **Lot 5 in Block 2 of Van Doren's Addition to the City of Urbana, Illinois, as per Plat recorded in Plat Book "C" at Page 176, situated in the City of Urbana, Champaign County Illinois.**

APPLICANT INFORMATION

Name of Applicant* **Andrew Fell**

Applicant Business Name **Andrew Fell Architecture and Design**

Applicant Mailing Address

Street # * **515**

Street Name* **North Hickory**

Apartment #, Suite #, Etc. **Suite 101**

City* **Champaign**

State* **IL**

Zip* **61820**

Applicant Email Address* **permits@andrewfell.com**

Applicant Phone* **217-363-2890**

Multiple Applicants* No

Yes

NOTE: Please attach documentation of additional applicants names and contact information.

Property Interest of Applicant(s)* **Architect**

Exhibit D - Application

OWNER INFORMATION*

This property has one owner.

This property has multiple owners

NOTE: Please attach documentation of additional owners names and contact information.

Owner Name* **Bao Bui**

Owner Business Name

Owner Mailing Address

Owner Street #* **501**

Street Name* **West Washington**

Owner Apartment #, Suite #, Etc.

Owner City* **Urbana**

State* **il**

Zip* **61801**

Owner Email Address* **amish_outlaw@gmail.com**

Owner Phone*

CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name

Andrew Fell

Architect Company

Andrew Fell Architecture and Design

Architect Mailing Address

515 North Hickory, Suite 101, Champaign, IL 61820

Architect Email Address

permits@andrewfell.com

Phone **217-363-2890**

Engineer Name

Engineer Company

Engineer Mailing Address

Engineer Email Address

Phone

Surveyor Name

Surveyor Company

Surveyor Mailing Address

Surveyor Email Address

Phone

Attorney Name

Attorney Company

Attorney Mailing Address

Attorney Email Address

Phone

Exhibit D - Application

REQUEST INFORMATION

Permit Type* **Variance - Major** 

Purpose for Request* **Other** 

Describe in Detail the Purpose for Request* **Request a major variance to reduce the required front yard by 10 feet, To allow for stairs to access the new porch to be constructed within the existing front setback. No other building element is requested to encroach. It is noted that "stairs" in this case includes any associated framing, railings, guardrails, etc. , but does not include the landing. The landing is within the allowed encroachment.**

With no Variance, these stairs are required to come up from the westwern side.

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you're planning a business, what will your hours of operation be?*

Existing open entry Porch is being replaced with conditioned space to include a new entry vestibule and a small office area. Outside the new Vestibule are a landing and associated stairs. The landing extends into the frnt yard setback, but ^{new, non-} ~~by~~ ^{within} the allowable amount. The stairs extend further beyond the exceptable limit of the ordinance the Site setbaks, but the steps encroach. This Variance request is to allow for the construction of the actual steps within the fornt setback.

The landing and stair combined extend 9'-6.25" into the front yard setback

Note that the request is for a 10'-0" encroachment to provide some variation in construction.

Appeal, advance to: **Page 6**

Conditional Use Permit, advance to: **Page 7**

Variance, advance to: **Page 8**

Exhibit D - Application

REASONS FOR VARIANCE

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.

See Attached

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.

See Attached

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

See Attached

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

See Attached

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

See Attached

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

See Attached

Exhibit D - Application

NOTE: Contact the Planning Division if you need assistance: planning@urbanaininois.us or 217.384.2440.

ATTACHMENTS

Please include any attachments relevant to your request: supporting documents, site plans, photos, etc.

CERTIFICATION BY THE APPLICANT*

- I certify all the information provided in this application and any attachment(s) 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.
- I acknowledge that by submitting this application, I am granting permission for City staff to post a temporary yard sign announcing the public hearing to be held for my request on the property. I further acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

Applicant's Signature*

Date* 9/23/24

PLEASE RETURN THE APPLICATION ONCE COMPLETED TO:

By emailing an pdf copy to Planning@urbanaininois.us

Or

By mailing a paper copy to:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street
Urbana, IL 61801

Exhibit D - Application

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.

The addition to this residence is in keeping with the character and aesthetics of the overall neighborhood. The addition of a vestibule brings the house more into comparable elements with the others around it which have wide expansive covered porches or enclosed additions on this side of their residence.

All the components of the design fit within the required setbacks (or encroach an appropriate amount) with the exception of the actual steps. The landing is within the allowable encroachment, however the actual steps extend further.

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

While it is absolutely true that the steps to this new entry could be redesigned to fit within the existing Zoning Parameters, it would be a detriment to the design and practical use of the steps. The steps would need to come off the landing and turn to the west to go to grade. This leaves the stairs virtually unseen from the street and the existing concrete walk to the house would make no sense.

Where we have the stairs placed allows the continued use of the existing concrete walk up to the house. We will augment the walk at the point of interface with the steps.

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

This is a condition where the 'Average' setback is in play. Staff has confirmed that the Averages Setback appropriate at this location is 25'. Our particular property is set back further than others on the block face, and is skewed somewhat by the 'average'.

A portion of the Setback issue is the direct result of Re-zoning some areas and having to find an appropriate way to 'normalize' planning requirements in areas where the variables are great (wildly varying existing setbacks). There was no consistent method to resolve this issue in the previous Zoning change, so varying conditions exist.

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

This Variance will keep the house more in the character of the neighborhood.

This is a street of houses with wide and welcoming front yards, that present an open and inviting atmosphere on the street. Having front stairs that are not on the front of the house seems rude and uninviting.

Exhibit D - Application

The reality is that the 'bulk' of the work placed within the setback is miniscule and is composed only of open steps. The existing large setback additionally minimizes the physical and visual impact of the stair extension.

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

The resulting condition will be one that exists on virtually every other property in the neighborhood.

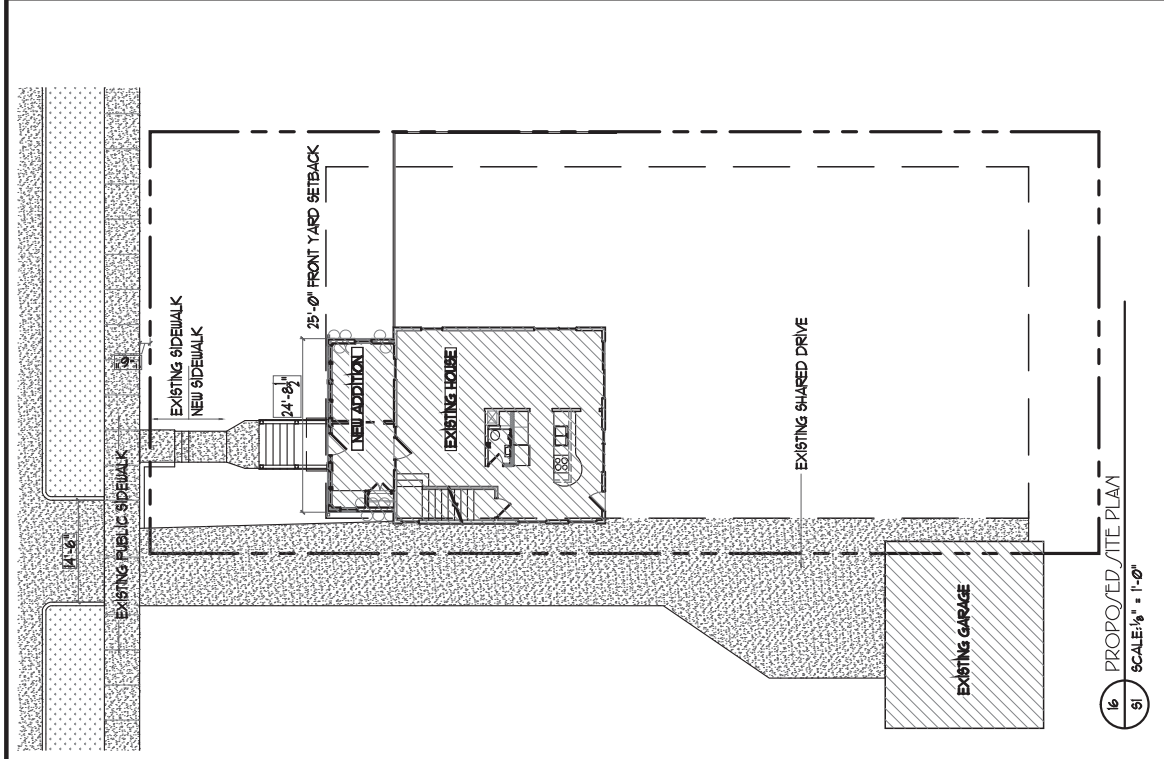
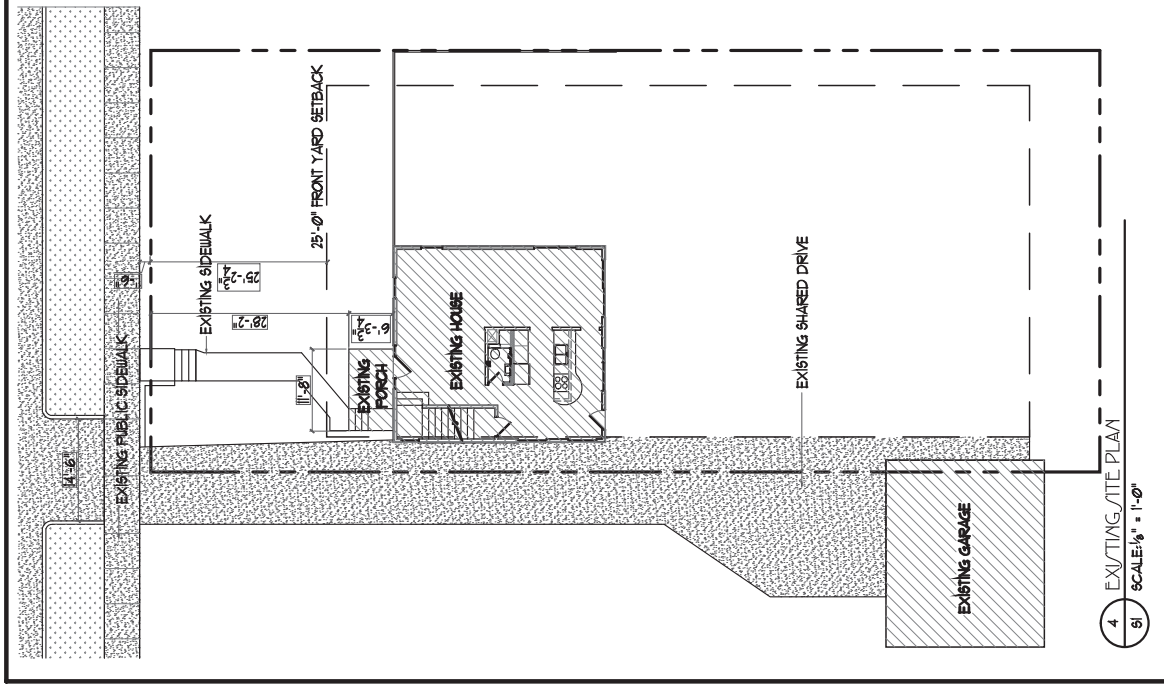
Having a visitor need to walk up to the side of the house (meaning he is also at the side of the neighbor's house) to get to the stairs to reach the front door seems counterproductive, and a large nuisance to the neighbor. Additionally – in order to create this walkway and entrance with any sense of safety and security, some pretty intensive lighting needs to be directed towards the neighbor's house. This is an obnoxious condition for the neighbor to endure.

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

This request represents the minimum deviations necessary to incorporate the steps and no more (except for a few inches of minimal breathing room). Actually, deeper steps would be a better design solution, but would increase the encroachment, so that element was abandoned.

To reiterate, a portion of the request is to be a better neighbor and not introduce lighting directed at other Zoning Lots.

Exhibit D - Application - Site Plan



501 WEST WASHINGTON STREET
 ADDITION
 URBANA, ILLINOIS 61802

PROJECT #

DATE:

REVISIONS:

ARCHITECTURE AND DESIGN
 ANDREW FELL
 CHAIRMAN, ILLINOIS STATE
 BOARD OF ARCHITECTS
 ILLINOIS ARCHITECTS
 ILLINOIS ARCHITECTS
 ILLINOIS ARCHITECTS

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Exhibit D - Application - Site Plan

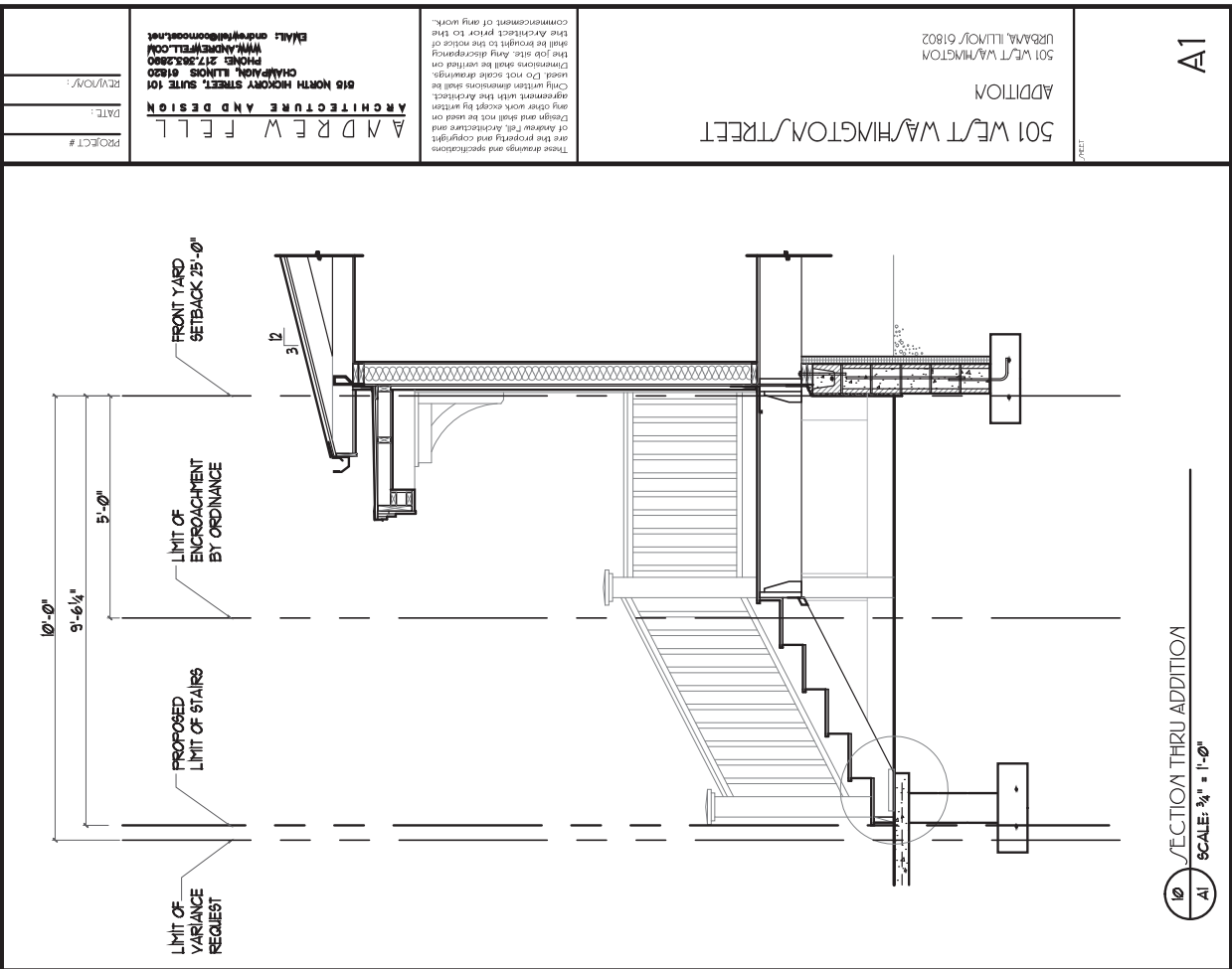
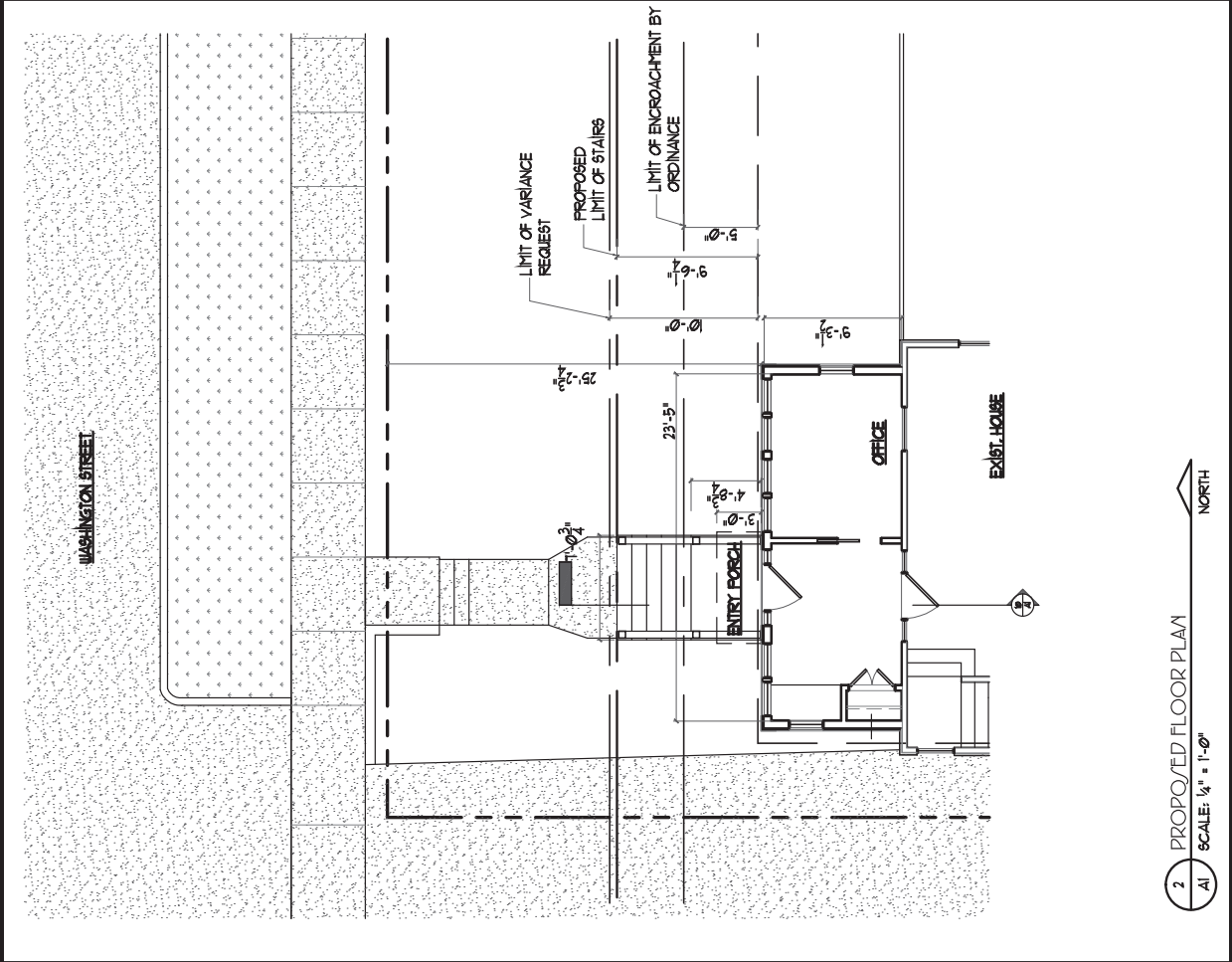


Exhibit D - Application - Renderings



Exhibit D - Application - Renderings



Exhibit E – Site Photos



Figure 1. Subject property, facing south



Figure 2. Subject property, facing east

Exhibit E – Site Photos



Figure 3. 401 W. Washington



Figure 4. 403 W. Washington

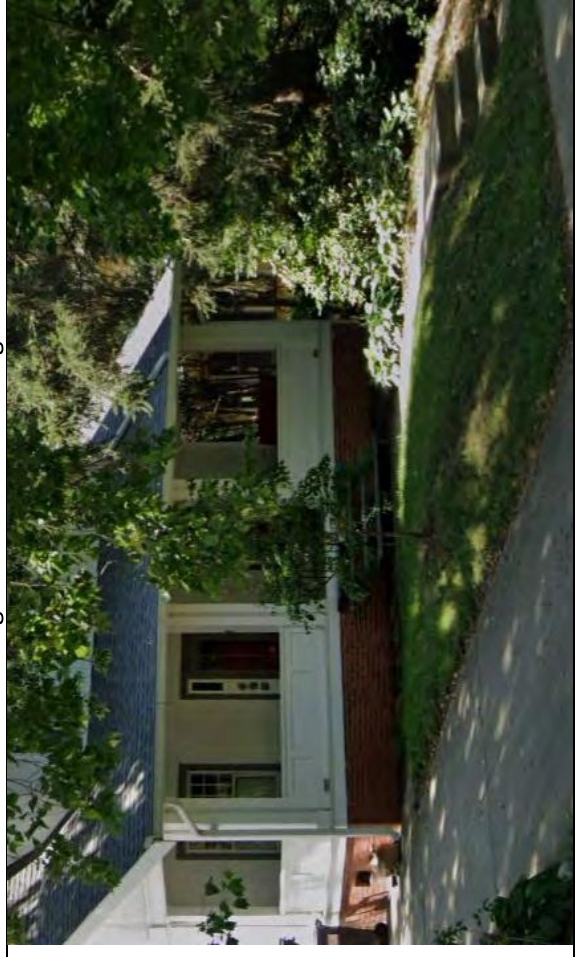


Figure 5. 405 W. Washington

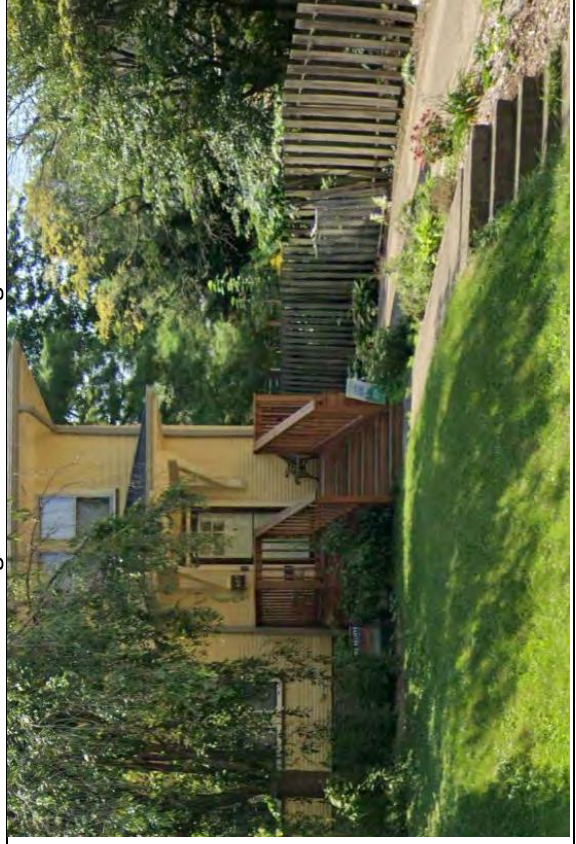


Figure 6. 407 W. Washington

Exhibit E – Site Photos



501 W. Washington (subject property)



503 W. Washington



505 W. Washington



507 W. Washington

Exhibit E – Site Photos



509 W. Washington



511 W. Washington



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Zoning Board of Appeals
FROM: Kevin Garcia, Principal Planner
DATE: January 10, 2025
SUBJECT: **ZBA-2025-C-01:** A request by Jonathon Thompson, on behalf of RSCC, LLC, for a Conditional Use Permit to allow a fast-food restaurant at 809 West Green Street in the B-1 (Neighborhood Business) Zoning District.

Introduction

Jonathan Thompson, on behalf of RSCC, LLC, requests a conditional use permit to allow a “Fast Food Restaurant” at 809 West Green Street. The Zoning Ordinance requires a conditional use permit for fast food restaurants in the B-1, Neighborhood Business, Zoning District.

Restaurant, Fast-food, is defined as:

“Any establishment, whose principal business is the sale, at retail, of ready-to-consume servings of packaged foods and/or beverages, including frozen desserts, for consumption within the building, or at tables on the premises, or for carry-out; or any establishment which includes a drive-in or drive-through service facility or offers curbside service.”

Since the proposed restaurant includes a drive-through, it is considered a fast food restaurant, and fast food restaurants require a conditional use permit in the B-1 district. In addition, drive-throughs require a special use permit in the B-1 district. The applicant has applied for a special use permit, and there will be a public hearing regarding that request at the Plan Commission meeting on Thursday, January 16, 2025.

The site was most recently a gas station and convenience store, but that closed in 2021 and the site has been vacant since then. The property is currently owned by Mac’s Convenience Stores, LLC, which also owns the Circle K directly north of the site, across Green Street, as well as the other Circle K stores in the Champaign-Urbana area. The applicant plans to purchase the property if their requests for conditional and special use permits are approved.

The Zoning Board of Appeals (“ZBA”) must review the conditional use permit application and hold a public hearing. The ZBA may vote to approve, approve with conditions, or deny the application. Staff recommend the ZBA approve the conditional use permit, finding that the conditional use criteria have been met.

Background

Description of Site and Area

The site is approximately 27,000 square feet (0.62 acres); it is located at the southeast corner of Green Street and Lincoln Avenue. It is directly east of the University of Illinois campus, and sits kitty-corner to Hendrick House. For around 30 years, from the early 1990s to 2021, the site held a gas station and convenience store, most recently a Circle K.

Nearby uses include housing (northwest, northeast, east, and southeast), a gas station/convenience store (north), a church (south), and the University of Illinois (west). The table below shows 2005 Comprehensive Plan future land use designations of the site and surrounding land (Exhibits B and C).

Direction	Zoning	Existing Land Use	Future Land Use
Site	B-1, Neighborhood Business	Vacant (former Gas Station/Convenience Store)	Campus Mixed-Use
North	B-1, Neighborhood Business	Gas Station/Convenience Store	Campus Mixed-Use
East	R-5, Medium High Density Multiple-Family Housing	Apartments	Multifamily
South	R-5, Medium High Density Multiple-Family Housing	Church	Campus Mixed-Use
West	R-5, Medium High Density Multiple-Family Housing	Parking / University of Illinois	Institutional

Table 1. Zoning and Land Use

Proposed Use/Activities

The proposed use is for a Dutch Bros coffee shop, which would have walk-up and drive-through service. There will be no interior seating; however, the applicant has stated that there will be exterior seating, and restrooms in the building will be available for customers. According to the application (see Exhibit D), Dutch Bros¹ is the fastest-growing quick-service restaurant in America. They sell coffee and coffee drinks, other soft drinks, and a few snacks.²

Typically, Dutch Bros sites are auto-oriented in their design. In preliminary discussions with the applicant, City staff expressed a desire for a more “pedestrian-oriented” and “urban” site plan, given that the location is both zoned for neighborhood business and is in a neighborhood and location where many people walk, bike, ride scooters, and take transit. The proposed site plan is responsive to staff’s desires, with the building placed near the corner of Lincoln Avenue and Green Street, with direct connections between the building and the sidewalk, with parking at the eastern edge of the site, and with the drive-through to the south of the building. While there is no bike parking shown on the plans (which are preliminary), staff recommend that bike parking for at least six bicycles be provided as a condition of approval.³ Staff also recommend that the Zoning Board of Appeals consider reducing the amount of automobile parking.

¹ See: <https://www.dutchbros.com/>

² See: <https://www.dutchbros.com/menu>

³ Only one bicycle parking space would be required based on the requirements of the Zoning Ordinance.

Discussion

Comprehensive Plan

The 2005 Comprehensive Plan designates this property for “Campus Mixed Use” future land use:

The Campus Mixed-Use classification is intended for limited areas that are close to campus. These areas promote urban-style private development with a mix of uses that commonly include commercial, office and residential. Design Guidelines shall ensure that developments contain a strong urban design that emphasizes a pedestrian scale with buildings close to the street, wide sidewalks, and parking under and behind structures. The design and density of development should capitalize on existing and future transit routes in the area. Large-scale developments containing only single uses are discouraged within this classification.

The proposal aligns to some extent with the future land use description. It provides a commercial use in close proximity to residential uses (i.e., a “horizontal” rather than “vertical” mix). While the proposed building is relatively small with respect to size of the lot, and does not provide the density of development envisioned by the future land use description, its placement on the site and the overall site design are responsive to the desire for pedestrian-scale buildings close to the street. The parking is not behind or under the building, but it is placed to the eastern edge and to the interior of the site, rather than adjacent to the street. The amount of parking proposed is 60 percent higher than required; this could be reduced to the minimum to better match the intent of the Comprehensive Plan and the B-1 district (see “Parking” section below).

Furthermore, given the development regulations of the B-1 district and minimum parking requirements, it would be difficult to build a vertical mixed-use building, or anything else that is very dense, on the site.

Site Plans

The preliminary site plans generally conform to Urbana’s zoning regulations. Any potential discrepancies would be addressed in the final site plans, which would be reviewed by City staff for zoning and building code compliance during the building permit process. Specific aspects of the site plan that are relevant to the conditional use permit request are detailed below.

Access

Currently, the site is designed almost exclusively for access by car. The frontages along Green Street and Lincoln Avenue are, to a large extent, very wide driveways, so there are many potential conflict points between people driving and people walking on the sidewalk, or biking in the bike lane along Green Street, and between people pulling out of the site onto Lincoln Avenue. The proposed site plan would eliminate many of those conflict points by consolidating automobile access to one point along Green Street. This should make it safer to walk, bike, and drive to the site, and past the site, and would entirely eliminate any conflict points along Lincoln Avenue. Furthermore, by placing the building close to the corner of Lincoln Avenue and Green Street, it will make walking and biking to the site more convenient.

Drive-Through

The proposed drive-through has two lanes, which is typical for Dutch Bros locations. Dutch Bros uses two lanes to reduce wait times for customers, with the setup allowing employees to take orders

from both lanes before merging into a single line for order pickup.⁴ This is similar to other fast-food chains, including the 7Brew location at University Avenue and Broadway Avenue in Urbana.

While a two-lane drive-through may appear to be less desirable than a single-lane drive-through when first considered, two lanes will allow more queuing of cars on-site and will reduce the likelihood that cars queue so much that the driveway, sidewalk, bike lanes, or travel lanes along Green Street are blocked. In Urbana, the single-lane drive-throughs at Starbucks (at Schnucks) and Jimmy John's (at Broadway and University Avenues) have consistently had such stacking issues over the years. In this case, a two-lane drive-through is preferable, given the amount of traffic (i.e., people) that pass by the site.

Parking

The proposed site plan includes 16 parking spaces, which is six more than the 10 that are required for a 950-square-foot restaurant.⁵ Most of the parking is along the east side of the lot, and would need to be screened with a fence or landscaping since there are apartments on the lot to the east.⁶

Urbana's parking requirements for restaurants are the same regardless of whether a restaurant is a "sit-down" or "fast-food" restaurant, which has historically resulted in fast-food restaurants being required to provide more parking than they need.⁷ In addition, the proposed fast-food restaurant will not have any indoor seating, so the need for parking would likely be even less than for a fast-food restaurant with indoor seating. Providing 10 parking spaces would likely be adequate; providing 16 spaces, as proposed, does not appear to be justified.

The Zoning Ordinance requires one bike parking space for the site, based on the size of the building. While not shown on the plans, which are preliminary, staff recommend parking for at least six bicycles, given the location and amount of bike traffic in the surrounding area.

Open Space and Landscaping

The site currently has no usable open space. While the B-1 district does not require any open space, the proposed site plan would add some usable open space to the northwest corner of the site, which is the most desirable location for it, being near the intersection of two important streets.

Staff recommend that, as a condition of approval, a landscaping plan be required prior to construction. The Zoning Board of Appeals may suggest elements that the plan should include, at a minimum, some combination of bushes and shrubbery should be provided on the western side of the lot, between the right-of-way and the drive-through.

⁴ See "Site Plan w/Cars" in Exhibit E for how this would work on the site.

⁵ All restaurants require one parking space per 100 ft² of floor area within the building (exterior seating areas are excluded).

⁶ There is currently a fence along that property line that could be retained to provide the required screening.

⁷ More parking spaces tend to be used, and for a longer period of time, at "sit-down" versus "fast-food" restaurants, due to the nature of the businesses.

Requirements for a Conditional Use Permit

According to § VII-2 of the Urbana Zoning Ordinance, an application for a conditional use permit shall demonstrate the following requirements shown in italics.

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

The proposed use is conducive to the public convenience. The site location, at the corner of two prominent streets, and the site design make it easily accessible by people walking, biking, driving, or taking the bus. The placement of the building near the corner of Lincoln Avenue and Green Street and connecting the outdoor seating and walk-up ordering area to the sidewalk along Green Street, will make it especially convenient for people walking or biking to the site. The two-lane drive-through, and the closing of access from Lincoln Avenue, should also minimize *inconvenience* to the public.

Staff find this criterion met.

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 drive-through use is designed so that it will not be unreasonably injurious or detrimental to the public. First, it is a two-lane drive-through, which will minimize the chances that cars will queue in a detrimental way (e.g., by blocking the sidewalk). Second, it has been designed to eliminate automobile access on Lincoln Avenue, which has more traffic (and thus, more potential for public harm) than Green Street. Finally, it has been designed so that automobile access to the drive-through is from the northeastern corner of the site, which is the least-problematic place to put it.

Staff find this criterion met.

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 § VII-3.*

The B-1 district "...is intended to provide commercial areas of limited size...for the convenience of adjacent residential areas, for needs occurring regularly or frequently." For those who drink them, coffee and other caffeinated beverages are frequent needs (daily, sometimes multiple times daily). While a drive-through would certainly serve customers who do not necessarily live adjacent to the site, the site had been designed in such a way that nearby residents who walk or bike to the site will have the most convenient access to it.

In addition, the site is located on a prominent street corner where many people pass by every day who do not live in the immediate area; that should not preclude a use that serves those people in addition to the immediate neighborhood, despite the intent of the district being focused on serving nearby residents.

The accessory use drive-through (and principal use fast-food restaurant) both meet the applicable regulations and standards of the district.

Staff find this criterion met.

Consideration

According to Section XII-2 of the Zoning Ordinance, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and 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.

In addition, the Zoning Board of Appeals may also impose 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 Ordinance, including but not limited to the following:

1. Regulation of the location, extent, and intensity of such uses;
2. Requirement of the screening of such uses by means of fences, walls, or vegetation;
3. Stipulation of required minimum lot sizes;
4. Regulation of vehicular access and volume;
5. Conformance to health, safety, and sanitation requirements, as necessary;
6. Increases to the required yards; and
7. Any other conditions deemed necessary to effect the purposes of this Ordinance (see Section VII-6).

Summary of Findings

1. The proposed use would be conducive to the public convenience, as the site design and placement of the drive-through would make it easily accessible by people walking, biking, driving, or taking the bus.
2. The proposed use would not be injurious or detrimental to the B-1 zoning district, or injurious to the general public, as it will minimize the chances that cars will queue in a detrimental way, will eliminate automobile access on Lincoln Avenue, and has been designed so that automobile access to the drive-through is from the northeastern corner of the site, which is the least-problematic place for access.
3. The proposed use would conform to the regulations and standards of, and preserve the essential character of, the B-1 zoning district.
4. The proposed use is generally consistent with the 2005 Comprehensive Plan and the future land use designation of Campus Mixed-Use.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2025-C-01:

1. **Approve** the conditional use as submitted; or
2. **Approve the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. **Deny** the conditional use as submitted.

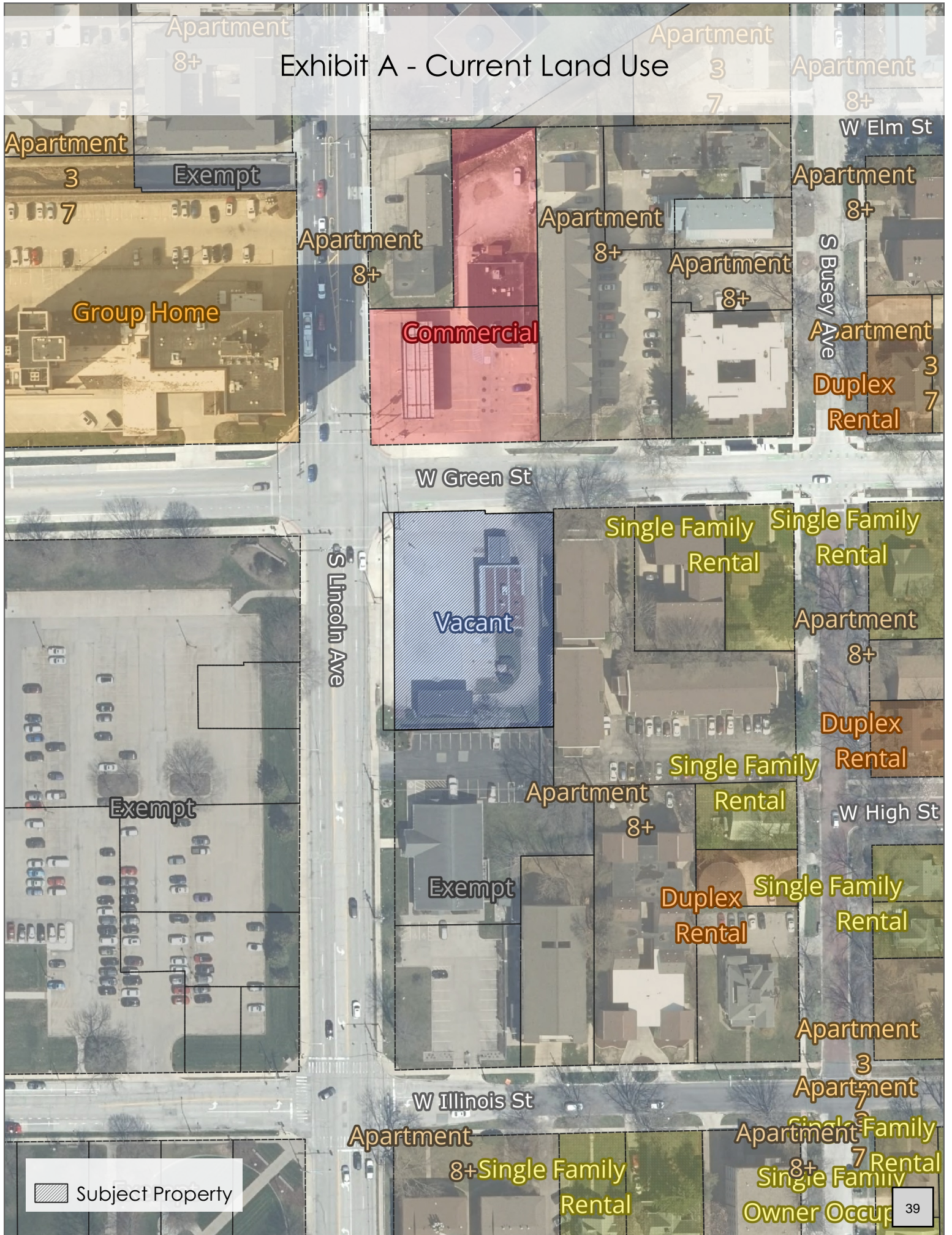
Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA-2025-C-01, with the following conditions:

1. The development shall generally conform to the submitted site plans.
2. The number of automobile parking spaces shall be reduced to 10.
3. At least six bicycle parking spaces be provided.
4. A landscaping plan is required prior to construction. At a minimum, the plan should include some combination of bushes and shrubbery on the western side of the lot, between the right-of-way and the drive-through lanes.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application for Special Use Permit
Exhibit E: Site Plans
Exhibit F: Elevations
Exhibit G: Site Photos

Exhibit A - Current Land Use




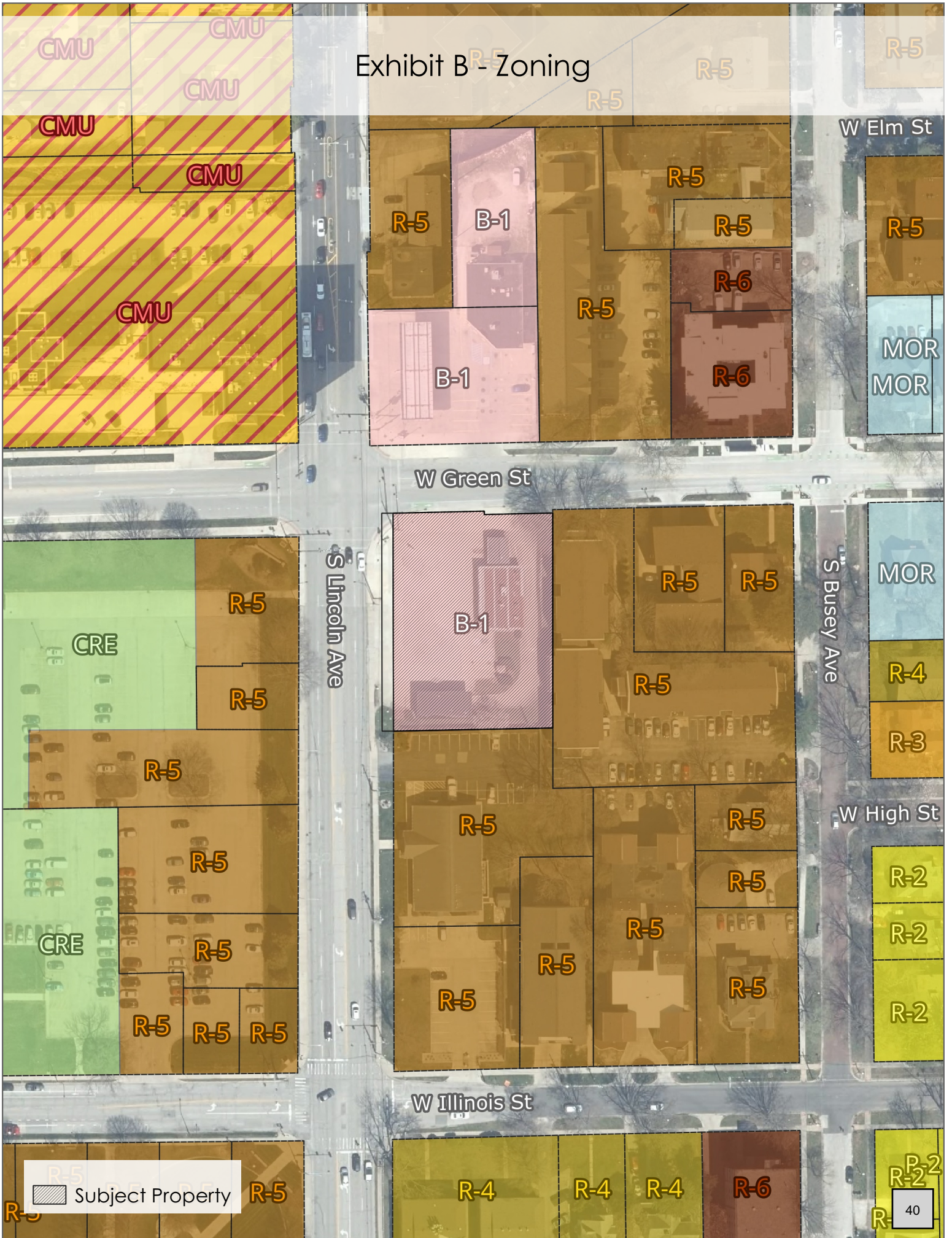
 Subject Property

Exhibit B - Zoning




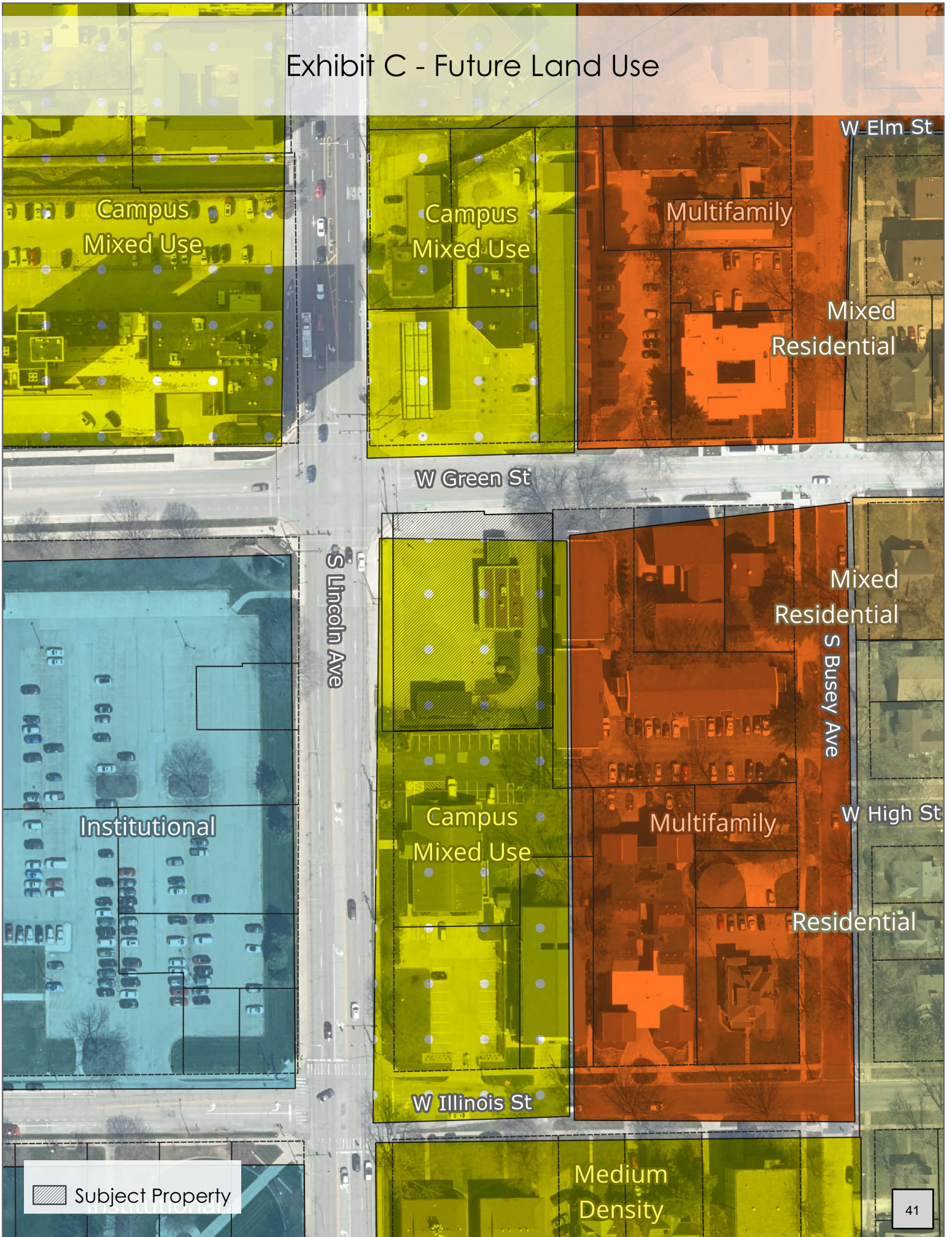

 Subject Property

Exhibit C - Future Land Use



 Subject Property





Navigate to...





VIEW PERMIT

Home / Services / Development Permits / View Permit

 Make a payment

 Request an inspection

 Upload documents

 Leave message

Permit #: CUP24-000005

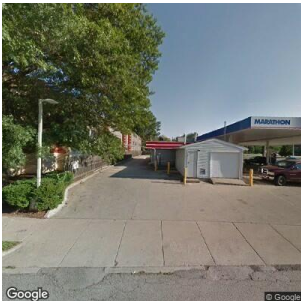
Project #: 24-003720

Status: Online Application Received

Balance Due: \$0.00

Address: 809 West Green Street 

Description: Coffee Shop with drive through



Permit

Reviews

Documents

Inspections

Exhibit D - Application

Permit #:**CUP24-000005**

Permit Type:

Conditional Use Permit

Sub Type:

Conditional Use

Issue Date:

Expiration Date:

The application fee must be paid when submitting the application. For the current fee amount, please refer to the most recent version of the City's 'Schedule of Fees - Excluding Liquor License Fees', which can be found at <https://www.urbanaininois.us/fees> (<https://www.urbanaininois.us/fees>).

The applicant is also responsible for paying the cost of the legal ad publication fees. The News-Gazette will bill the applicant directly. Legal ad publication fees vary from \$75.00 and up.

If you need assistance completing this form, please contact the Planning Department at Planning@urbanaininois.us (<mailto:planning@urbanaininois.us>) or (217) 384-2440.

PROPOSED USE

Describe the proposed use and its activities. In other words, what do you plan to do? Are there existing buildings you will use, change, or demolish? Will you build new buildings? What activities will take place on site, and where? If you are planning a business, what will your hours of operation be?

Current Zoning District:

B-1 - Neighborhood Business

Current Land Use:

Vacant, former operating gas station

Proposed Use:

Coffee shop with a drive-through

PROPERTY LEGAL DESCRIPTION

A legal description is the geographical description of a real estate property for the purpose of identifying the property for legal transactions such as deeds, mortgages and other legal documents. A legal description will refer to the name of the subdivision and the lot number.

If your legal description is long, please type "See Attached Legal Description," in the Legal Description Provided by Applicant field and upload a separate document with legal description.

Legal Description Provided by Applicant:

See File

Legal Description attachment:

809 W. Green St., Urbana Legal Description.pdf

PERMIT INFORMATION

Purpose for Request:

Exhibit D - Application

To allow for a drive through service facility.

Number of Applicants:

1

Applicant Name:

RSCC Group, Inc.

PROPERTY OWNER INFORMATION

If the applicant is not the sole owner, please attach documentation for contact information including **name, email and phone numbers** of every owner.:

CONSULTANT INFORMATION

If you are working with an architect, engineer, surveyor, site planner, or attorney, please fill in their information below.

Architect Name, Email and Phone:

Edin Coralic edin@coralicarchitecture.com 314.578.4953

Engineer Name, Email and Phone:

Ryan Lancour ryan.lancour@rasmith.com 262.317.3259

Surveyor Name, Email and Phone:

RA Smith ryan.lancour@rasmith.com 262.317.3259

Site Planner Name, Email and Phone:

RA Smith ryan.lancour@rasmith.com 262.317.3259

Attorney Name, Email and Phone:

Jonathan Thompson jthompson@rockfordstructures.com 217.649.9222

REASONS FOR CONDITIONAL USE PERMIT

Below are the criteria that the Zoning Board of Appeals will base their decision on. Your answers should be as detailed as possible.

Explain how the proposed use is conducive to the public convenience at the location of the property. In other words, why is this a good location for what you are proposing, for the overall good of the community and for people coming to the property? Is it easy to get to? Does it fill a need that is missing in the neighborhood? Are there other similar or complementary uses nearby?:

Dutch Bros is the fastest growing QSR in the United States. The proposed lot has sat empty for several years. With some 40,000 students at the U of I, this amenity would be welcome. Dutch Bros offers a different product than is typical from other coffee shops focusing on specialty drinks for people on the go. They also invest in sustainability, diversity and inclusion, and philanthropy.

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. In other words, how will the building and site design, and the operation of the proposed use be done so they do not cause a nuisance to the neighborhood and the community in general? Will it operate at hours similar to surrounding uses? Will it generate excessive noise, light, odor, waste, or traffic, and if so, how do you plan to deal with it?:

Exhibit D - Application

We went to an Urban design to fit it specifically into the use as identified in planning. While, the site has a drive-through, it is has an internal loop which should limit traffic congestion. Dutch runs their shops efficiently to minimize the impact of neighboring properties. Hours of operation will be similar to surrounding businesses, will offer no more excessive noise, light, or odor than already exists.

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. In other words, how well will the proposed use fit into the neighborhood? Will buildings be similar in size and scale to others in the area? Does the site layout (e.g. location of buildings and parking areas) fit in with surrounding properties?:

It is complimentary to the neighborhood. An amenity to the students that is desirable. Previous use was a car wash and gas station. We believe it is an upgrade compared to what was previously on the lot. We have worked hard to make sure that the building fits in with a more urban feel as to fit the neighborhood.

ATTACHMENTS

Please include any attachments relevant to your conditional use permit request: supporting documents, site plans, photos, etc.:

Dutch Urbana Site Plan.pdf

IL0301_A1_Prototype-A6.1 BLDG ELEVS-Color-A1.pdf

CERTIFICATION

I am:

1. The property owner.

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.

Agree:

Yes

I acknowledge that my electronic or digital signature on this application has the full legal effect as that of my written signature.

Agree:

Yes

I grant permission for City staff to post a temporary yard sign on the subject property announcing the public hearing to be held for my request.

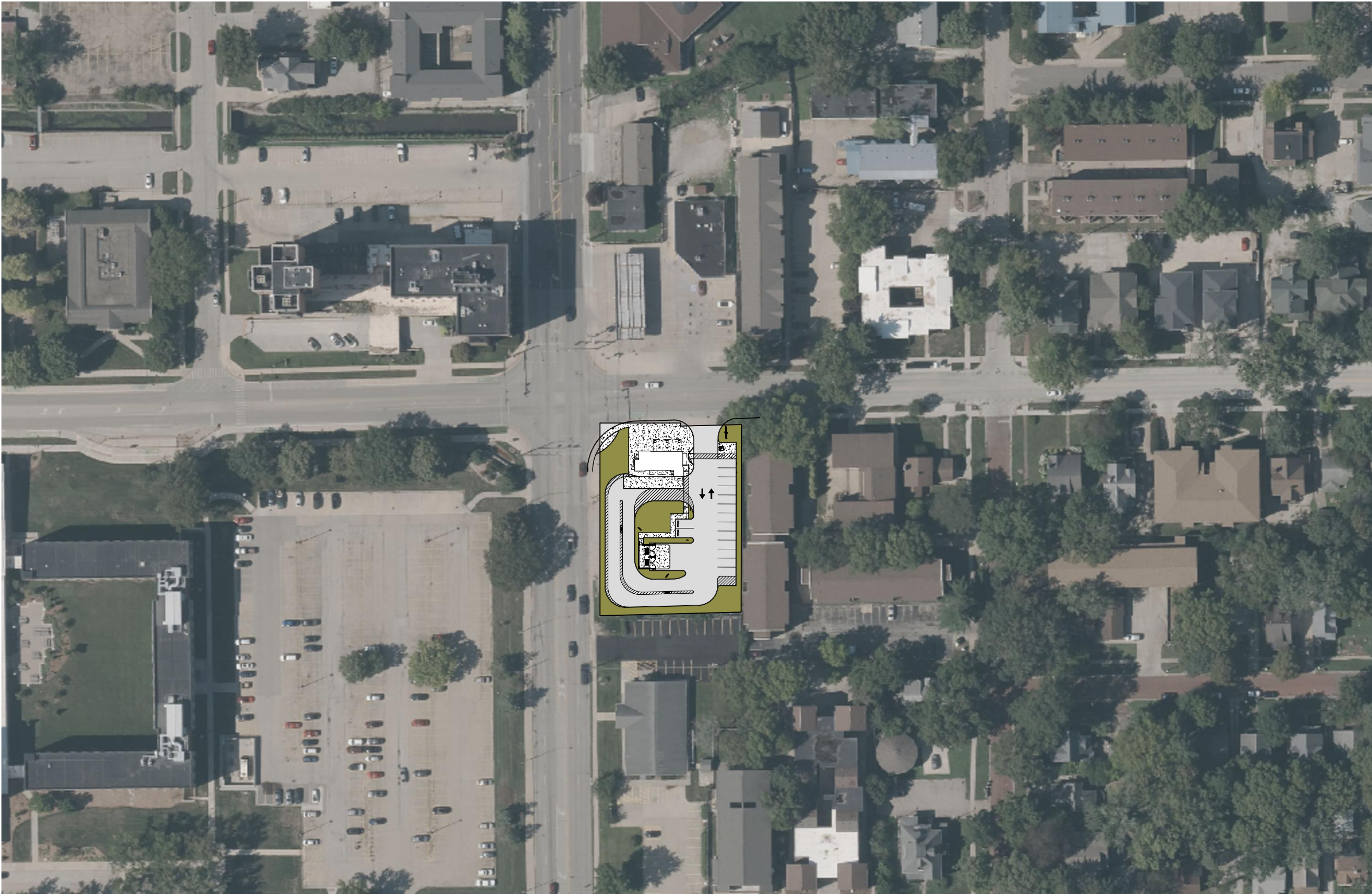
Agree:

Yes

Applicant Signature Upload:

Signer Name:

Jonathan Thompson



SITE INFORMATION

BUILDING SQ. FT.:	950 S.F.
PARKING STALLS:	16 SPACES
PROTECTED QUEUING:	21 CARS
SITE ACREAGE#:	±.61 AC.
SITE SQ. FT.±:	±26,696.92 S.F.

DEVELOPER

COMPANY:	DUTCH BROS COFFEE
NAME:	CODY HERBSTER
PHONE:	312.859.8328

DESIGNER

COMPANY:	CORALIC, LLC
NAME:	EDIN CORALIC
PHONE:	314.578.4953

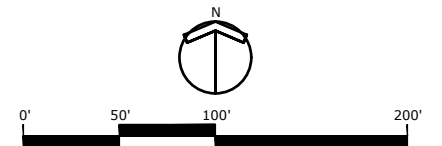
ARCHITECT

COMPANY:	CORALIC, LLC
NAME:	EDIN CORALIC
PHONE:	314.578.4953

DISCLAIMER

SITE PLAN PREPARED WITHOUT BENEFIT OF TITLE OPINION, DEED RESTRICTION, OR SURVEY. SITE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS. BUILDING AND SITE SIGN LOCATION, SQUARE FOOTAGE, AND TYPE SUBJECT TO CHANGE PENDING ALL STATE AND CITY ORDINANCES OR DEED RESTRICTIONS.

Exhibit E - Site Plans



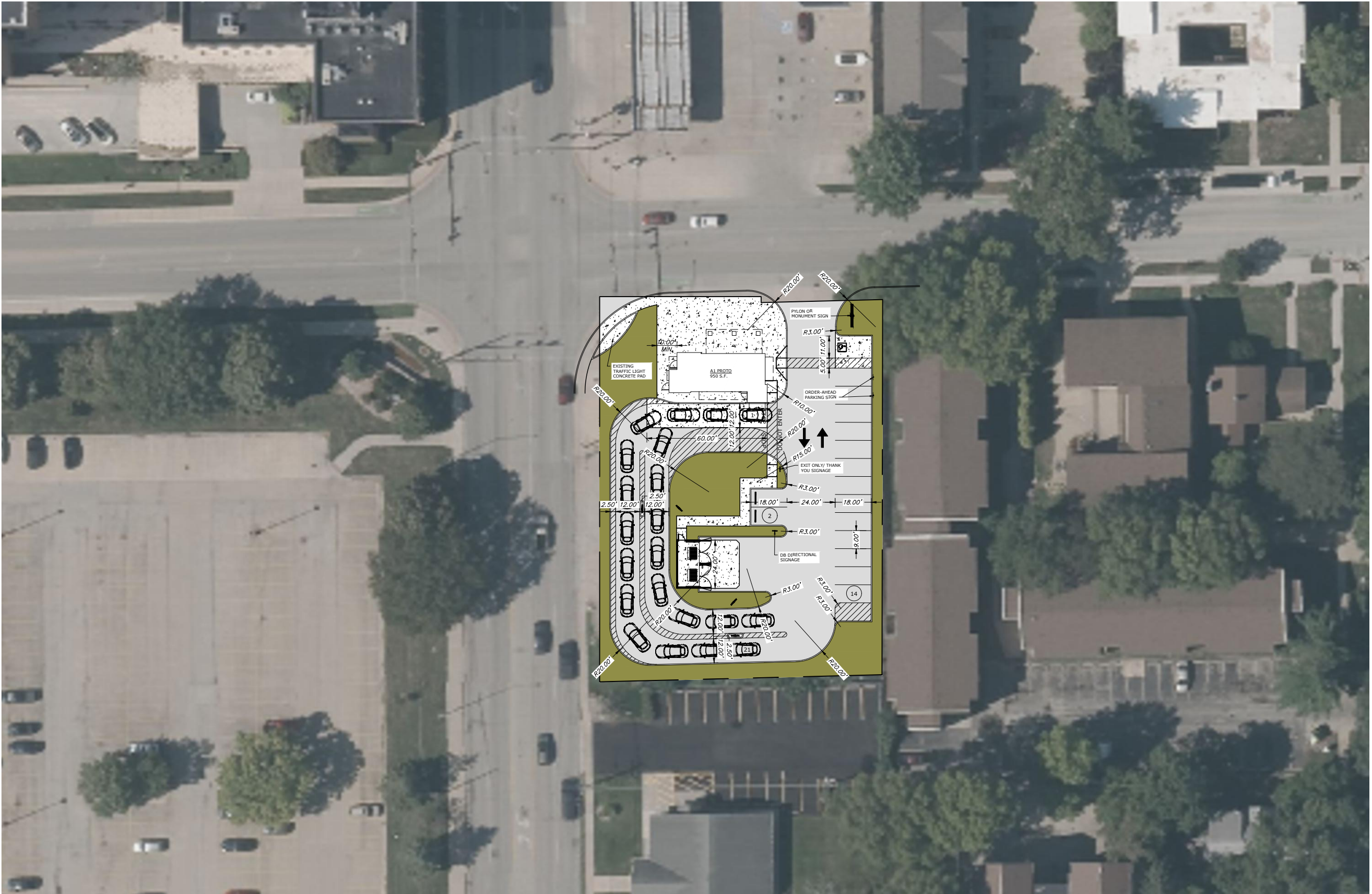
OVERALL SITE PLAN

Dutch Bros. Coffee

IL0301_Urbana (809 W Green St)

12/6/2024





SITE INFORMATION

BUILDING SQ. FT.:	950 S.F.
PARKING STALLS:	16 SPACES
PROTECTED QUEUING:	21 CARS
SITE ACREAGE#:	±.61 AC.
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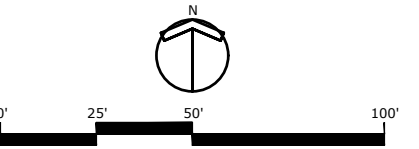
ARCHITECT

COMPANY:	CORALIC, LLC
NAME:	EDIN CORALIC
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Exhibit E - Site Plans



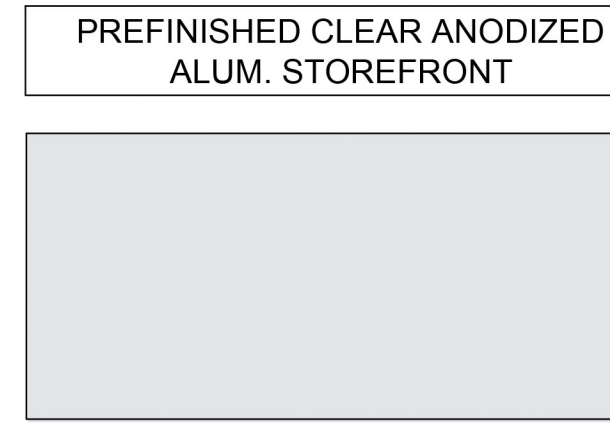
SITE PLAN
W/ CARS

Dutch Bros. Coffee

IL0301_Urbana (809 W Green St)

12/6/2024





EXTERIOR FINISH SCHEDULE - PROTOTYPICAL w/ CANOPY				
ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY)				
1A	EIFS	DRYVIT	OUTSULATION EIF SYSTEM	COLOR: BLDG DB DARK GRAY
1B	EIFS	DRYVIT	OUTSULATION EIF SYSTEM	COLOR: BLDG DB LIGHT GRAY
ZONE 2 (TOWER)				
2	FIBER CEMENT SIDING	NICHHA	ILLUMINATION AWP 1818 W/ MATCHING PANEL CORNERS	COLOR: BLDG DB BLUE
ZONE 3 (BASE)				
3	BRICK VENEER AND SILL	INTERSTATE BRICK	MODULAR 3 5/8"-2 1/4"-7 5/8"	COLOR: MIDNIGHT BLACK - TO MATCH DEVELOPMENT STANDARDS
ZONE 4 (FRAMED CANOPY)				
4	FASCIA	WESTERN STATES METAL ROOFING	T-GROOVE, 10"	3 SIDES; COLOR: BLDG DB DARK GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x6, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	INTERSTATE BRICK	MODULAR 3 5/8"-2 1/4"-7 5/8"	COLOR: MIDNIGHT BLACK - TO MATCH DEVELOPMENT STANDARDS

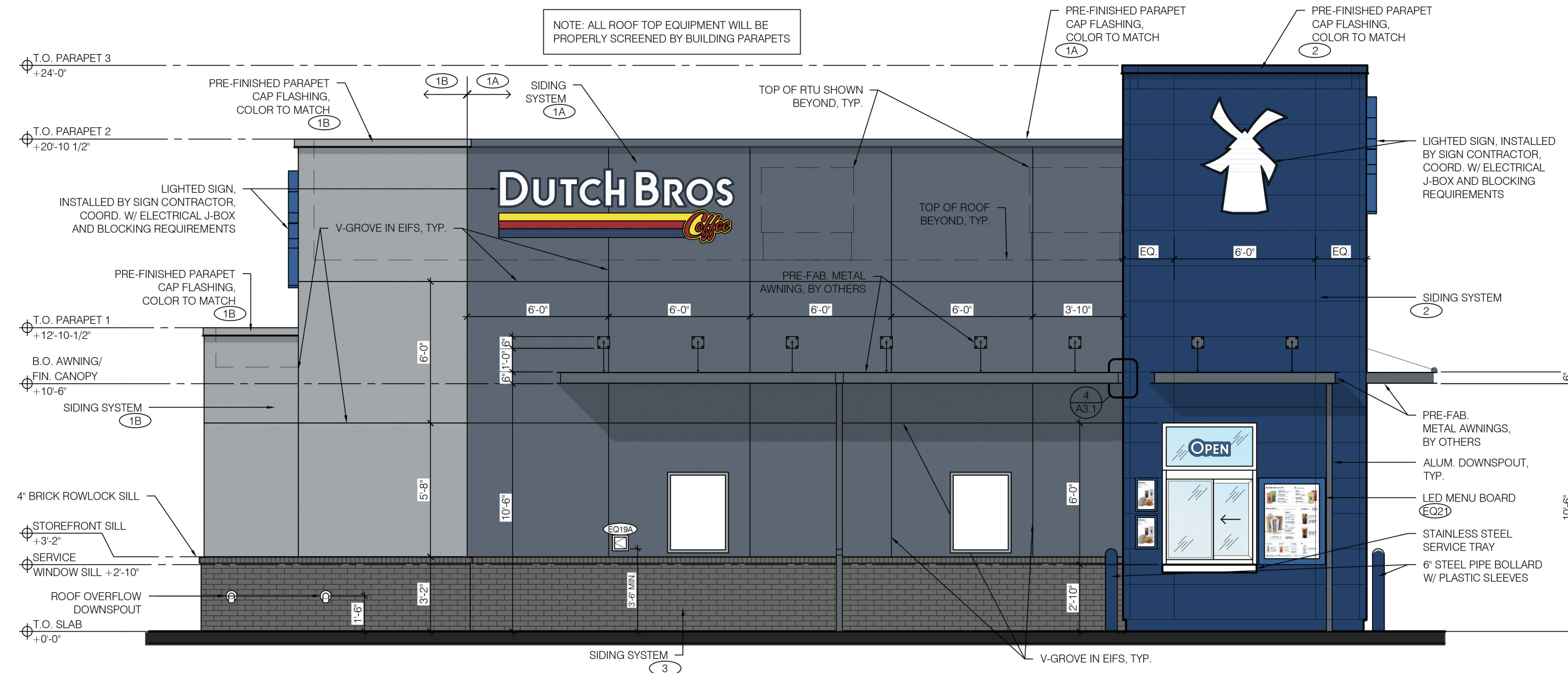
NOTE: GC TO PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY



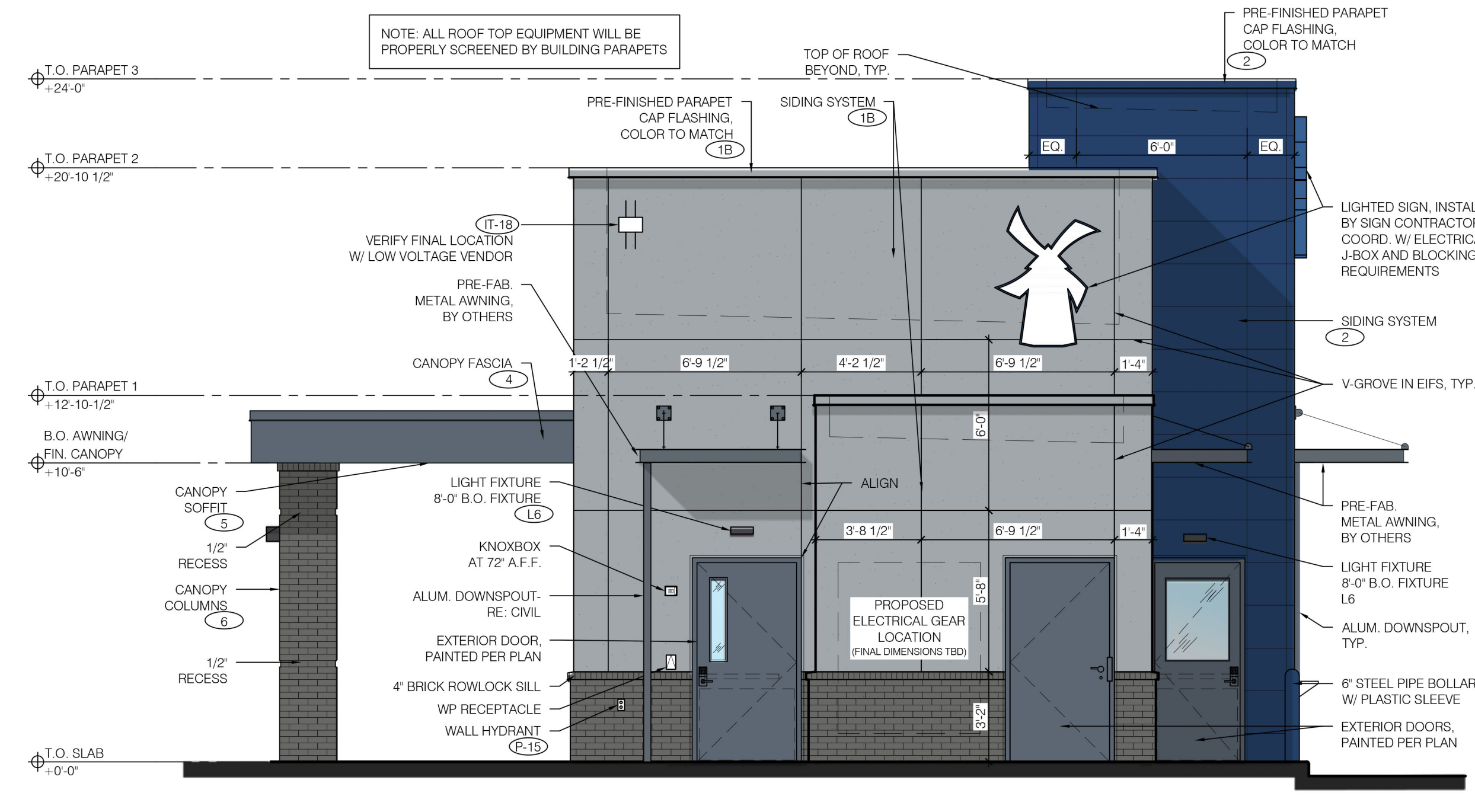
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STRUCTURAL ENGINEER
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COLUMBIA, IL 62236
p. 618.281.8505
jimk@kreherengineering.com

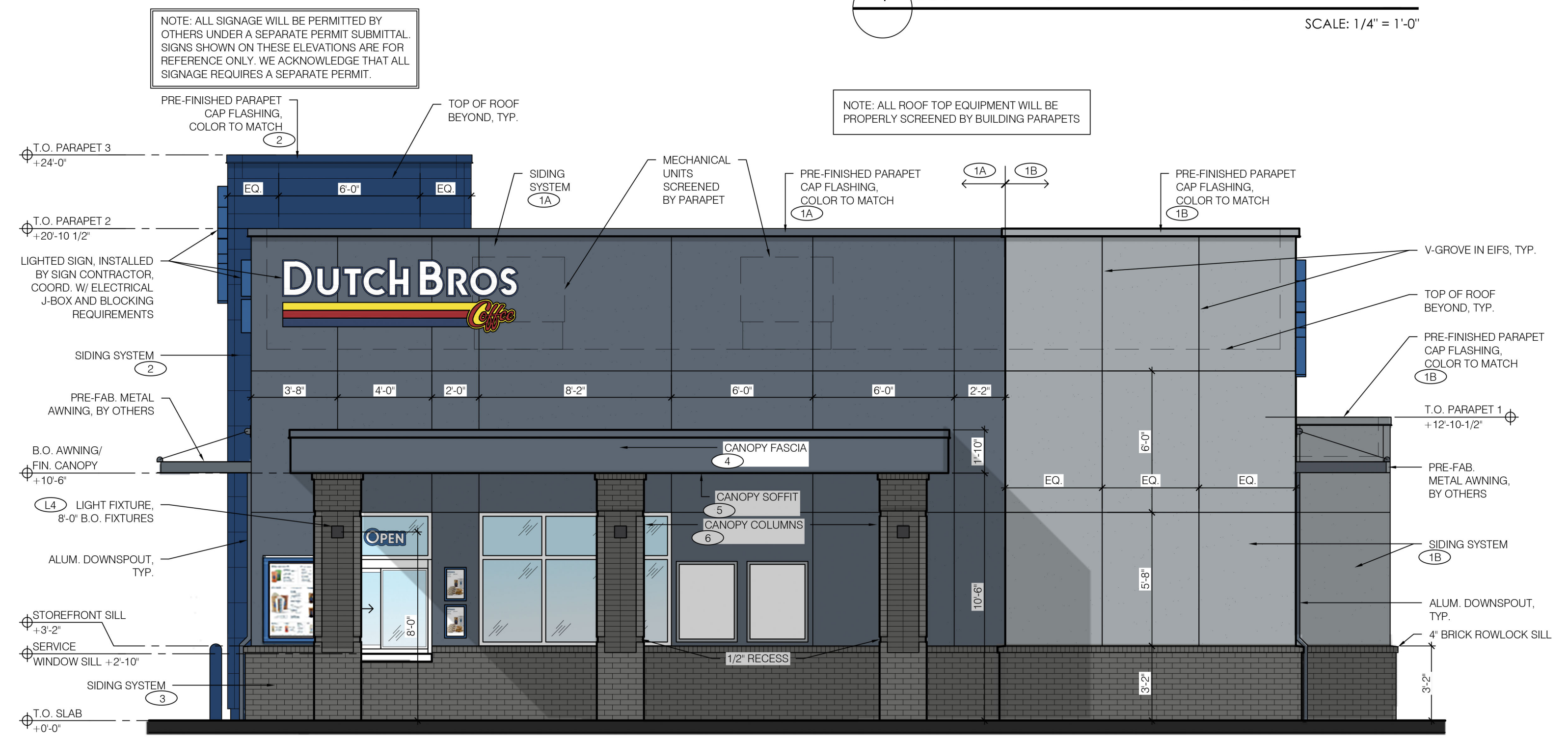
MEP ENGINEER
CASE ENGINEERING
MATT CASE
796 MERUS CT,
FENTON, MO 63026
T. 636.349.1600 F. 636.349.1730
mcase@caseengineeringinc.com



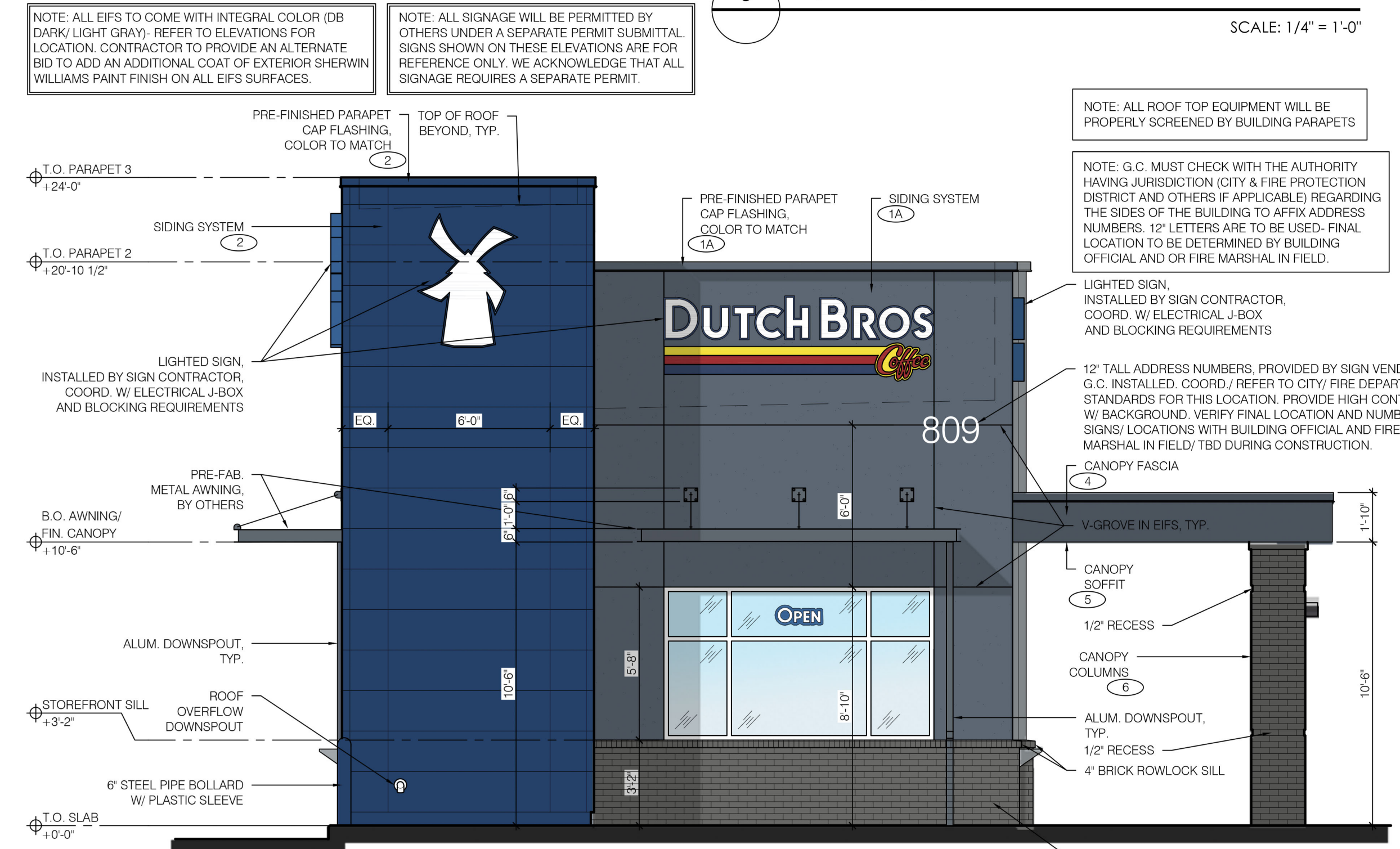
4 SOUTH ELEVATION - DRIVE-THRU WINDOW SCALE: 1/4" = 1'-0"



3 WEST ELEVATION SCALE: 1/4" = 1'-0"



2 NORTH ELEVATION - WALK-UP WINDOW SCALE: 1/4" = 1'-0"



1 EAST ELEVATION SCALE: 1/4" = 1'-0"



Project No: IL0301
Dutch Bros Coffee
New Freestanding Store
809 W GREEN STREET,
URBANA, IL 61801
for: Dutch Bros Coffee
110 SW 4th St, Grants Pass, OR 97156

ISSUED FOR PERMIT
XX.XX.XX

REV	DATE	DESCRIPTION
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SHEET NAME:

BUILDING ELEVATIONS

SHEET NUMBER:

A6.1

*The name DUTCH BROS. and all associated logos, distinctive designs, content, information, and other materials featured, contained herein, and made available by Dutch Bros, including but not limited to, the "look and feel" of the establishments and products, all text, images, colors, configurations, graphics, designs, illustrations, photographs, and pictures (collectively, the "Materials") are owned by and/or licensed by DB Franchising USA, LLC and are protected by copyright, trademark, trade dress, patent, and/or other intellectual property rights and unfair competition laws under the United States and foreign laws.

Exhibit G - Site Photos



Exhibit G - Site Photos



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Exhibit G - Site Photos



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Exhibit G - Site Photos

