



CITY OF URBANA CITY COUNCIL REGULAR MEETING

DATE: Monday, April 10, 2023
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

- A. Call to Order and Roll Call
- B. Approval of Minutes of Previous Meeting
 - 1. 02-13-2023 Minutes
 - 2. 02-27-2023 Minutes
 - 3. 03-13-2023 Minutes
- C. Additions to the Agenda
- D. Presentation and Public Input
 - 1. Mayoral Proclamation: National Community Development Week
 - 2. Presentation: *Imagine Urbana* Introduction - Andrea Ruedi
- E. Council Input and Communications
- F. Unfinished Business
- G. Reports of Standing Committees
- H. Committee of the Whole (*Council Member Grace Wilken, Ward 6*)
 - 1. Consent Agenda
 - 2. Regular Agenda
 - a. **Ordinance No. 2023-04-007:** An Ordinance Revising the Annual Budget Ordinance - Budget Amendment #7 - HRF
 - b. **Ordinance No. 2023-04-009:** An Ordinance Amending the Urbana Zoning Map (R-3/B-1 to B-2 at 714 East University Avenue / Plan Case No. 2470-M-23) - CD
 - c. **Ordinance No. 2023-04-011:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Maintaining the number of Class A liquor licenses for Synesthesia LLC d/b/a Gallery, 119 W Main St, Urbana, IL) - Exec

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://urbanaininois.us/uptv>

[d.](#) **Ordinance No. 2023-04-010:** An Ordinance Amending Urbana City Code Chapter Three, Section 3-43 (Increasing the number of Class H liquor licenses for VIDHI 3 LLC, 1001 W Killarney St, Urbana, IL) - Exec

I. Reports of Special Committees

J. Reports of Officers

K. New Business

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 the 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

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanaininois.us. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

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).

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 two (2) hours, 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 may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

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 Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanillinois.us

MEMORANDUM

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Elizabeth Hannan, Human Resources & Finance Director / CFO
Alyana Robinson, Financial Analyst

DATE: April 6, 2023

SUBJECT: Revised FY2023 Budget Amendment #7 – Omnibus

Introduction: A revised version of this budget amendment is attached. Approval of this Ordinance requires six affirmative votes, including the Mayor, in order to pass.

Discussion: The item described below is included in the attached revised Ordinance amending the annual budget.

Stormwater Utility Fund (201):

Boneyard Creek Bank Stabilization: The current budget amendment shows an additional \$145,000 for repair and bank stabilization of the Boneyard Creek located west of Broadway Avenue through coordination with the Urbana-Champaign Sanitary District (UCSD). However, with the expansion of scope to include protection of an elevated UCSD sewer, the total additional funding needed to complete this project is \$270,000, of which \$145,000 will be an offset in revenue from the UCSD to pay for the expanded scope and the remaining \$125,000 will be paid out of the Stormwater Utility Fund balance.

Recommendation: Replace the current Ordinance with the revised version attached, prior to approving this budget amendment.

ORDINANCE NO. 2023-04-007**AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE****(Budget Amendment #7 – Omnibus)**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution of 1970, and may exercise any power and perform any function pertaining to its governmental business and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted by the Illinois Constitution of 1970; and

WHEREAS, the corporate authorities of the City heretofore did approve the annual budget ordinance of and for the City of Urbana for the fiscal year beginning July 1, 2022 and ending June 30, 2023; and

WHEREAS, the said corporate authorities find that revising the annual budget ordinance by deleting, adding to, changing, or creating sub-classes within object classes and object classes themselves is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, the Budget Director may not make such revision under the authority so delegated to the Budget Director pursuant to 65 ILCS 5/8-2-9.6 or Urbana City Code Section 2-133.

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

Section 1.

The annual budget ordinance shall be and the same is hereby revised as set forth in the exhibit appended hereto and made a part hereof as if fully set forth herein.

Section 2.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

PASSED BY THE CORPORATE AUTHORITIES this __ Day of _____, 20__.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this __ Day of _____, 20__.

Diane Wolfe Marlin, Mayor

REVISED
Budget Amendment 2022/23 - 07 - Exhibit A

General Ledger Code	Project String	Description	Current Budget	Revised Budget	Difference	Reason
GENERAL OPERATING FUND (100)						
<u>Expenditures</u>						
10050500-50110		CD ADMIN - SALARY - REGULAR EMPLOYEES	193,589	180,089	(13,500)	Salary Vacancy savings
10050500-59300		CD ADMIN - TFR TO VERF FUND	2,827	12,827	10,000	CD new cubicle and desk - TFR to VERF
10050510-52320		CD PLANNING & ZONING - TRAVEL, EDUCATION & TRAINING	6,900	10,400	3,500	Council of Development Finance Agencies training
10020201-52320	20102-2023-TRAINING	POLICE PATROL - TRAVEL, EDUCATION & TRAINING	71,785	64,657	(7,128)	JAG Grant OT training
10020201-50133	20102-2023-OT	POLICE PATROL - OVERTIME TRAINING	51,469	58,597	7,128	JAG Grant OT training
10040402-50110		PW LANDSCAPE MGMT - SALARY - REGULAR EMPLOYEES	200,548	160,548	(40,000)	PW vacancy savings - on-call electrical services
10040402-50210		PW LANDSCAPE MGMT - INSURANCE	20,392	15,392	(5,000)	PW vacancy savings - on-call electrical services
10040402-50220		PW LANDSCAPE MGMT - FICA & MEDICARE	19,927	17,927	(2,000)	PW vacancy savings - on-call electrical services
10040402-50251		PW LANDSCAPE MGMT - IMRF & SURS	22,224	19,224	(3,000)	PW vacancy savings - on-call electrical services
10040426-52999		PW TRAFFIC SIGNALS - OTHER CONTRACTUAL SERVICES	170,612	210,612	40,000	PW vacancy savings - on-call electrical services
10040424-50110		PW STREET MAINT. & CONST - SALARY - REGULAR EMPLOYEES	729,183	689,183	(40,000)	PW vacancy savings - GIS services
10040424-50210		PW STREET MAINT. & CONST - INSURANCE	116,143	111,143	(5,000)	PW vacancy savings - GIS services
10040424-50220		PW STREET MAINT. & CONST - FICA & MEDICARE	53,979	51,979	(2,000)	PW vacancy savings - GIS services
10040424-50251		PW STREET MAINT. & CONST - IMRF	79,746	76,746	(3,000)	PW vacancy savings - GIS services
10040440-50110		PW ENGINEERING - SALARY - REGULAR EMPLOYEES	789,361	759,361	(30,000)	PW vacancy savings - GIS services
10040440-50210		PW ENGINEERING - INSURANCE	103,577	96,577	(7,000)	PW vacancy savings - GIS services
10040440-50220		PW ENGINEERING - FICA & MEDICARE	64,841	59,841	(5,000)	PW vacancy savings - GIS services
10040440-50251		PW ENGINEERING - IMRF	90,494	82,494	(8,000)	PW vacancy savings - GIS services
10040440-52199		PW ENGINEERING - OTHER PROFESSIONAL SERVICES	85,000	195,000	110,000	PW vacancy savings - GIS services
Total Expenditures			43,428,611	43,428,611	-	
Ending Fund Balance (estimated)			11,731,301	11,731,301	-	
STORMWATER UTILITY FUND (201)						
<u>Revenues</u>						
201-46290	49201-REIM	OTHER REIMBURSEMENTS	17,750	162,750	145,000	Boneyard creek bank stabilization - UCSD portion
Total Revenues			1,911,818	2,056,818	145,000	
<u>Expenditures</u>						
20140470-52106-40412	40412-PLANNING	ARCHITECTURAL & ENG SERVICES - STORMWATER MANAGEMENT PLANNING	478,950	643,950	165,000	Planning, assessment and improvement svcs
20140470-53303-40414	40414-CONST	STORMWATER - BONEYARD CREEK CROSSING IMPROVEMENT	275,000	545,000	270,000	Boneyard creek bank stabilization
20140470-52204-40402	40402-CONST	INFRASTRUCTURE MAINT - STORM SEWER CLEANING & TELEVISION	459,800	259,800	(200,000)	Storm sewer lining & abandonment feasibility study
20140470-53303-40417	40417-CONST	STORMWATER - STORM SEWER RECONSTRUCTION	500,000	50,000	(450,000)	Storm sewer lining & abandonment feasibility study
20140470-53303-40418	40418-CONST	STORMWATER - STORM SEWER LINING	-	550,000	550,000	Storm sewer lining
20140470-52105-40419	40419-PLANNING	PLANNING SERVICES - STORM SEWER ABANDONMENT STUDY	-	100,000	100,000	Storm sewer abandonment feasibility study
Total Expenditures			3,137,195	3,572,195	435,000	
Ending Fund Balance (estimated)			2,428,456	2,138,456	(290,000)	
LOCAL MOTOR FUEL TAX (202)						
<u>Expenditures</u>						
20240470-53301-40159	40159-CONST-LMFT	HIGHWAY AND STREETS - ANNUAL JOINT SEAL & CRACK PROGRAM	90,000	200,000	110,000	Joint and crack sealing program
20240470-53301-40164	40164-CONST-LMFT	HIGHWAY AND STREETS - FLORDIA AT JAMES CHERRY	312,200	202,200	(110,000)	Joint and crack sealing program
Total Expenditures			2,754,307	2,754,307	-	
Ending Fund Balance (estimated)			219,815	219,815	-	
MOTOR FUEL TAX (203)						
<u>Expenditures</u>						
20340470-53301-40133	40133-CONST	HIGHWAY & STREETS - PHILO, COLORADO, ANDERSON RESURFACE	1,700,000	1,640,000	(60,000)	Springfield ave project
20340470-52105-40134	40134-PLANNING	PLANNING SERVICES - SPRINGFIELD: WRIGHT TO MCCULL	70,000	130,000	60,000	Springfield ave project
20340470-52105-40167	40167-PLANNING	PLANNING SERVICES - BONEYARD CREEK BRIDGE REPAIR	55,000	80,000	25,000	Boneyard creek structural improvements at Race St
20340470-52105-40150	40150-PLANNING	PLANNING SERVICES - WINDSOR: RACE TO WEST BOUNDARY	184,877	159,877	(25,000)	Boneyard creek structural improvements at Race St
Total Expenditures			9,848,688	9,848,688	-	
Ending Fund Balance (estimated)			6,675,880	6,675,880	-	
SANITARY SEWER FUND (204)						
<u>Expenditures</u>						
20440470-52105-40514	40514-PLANNING	PLANNING SERVICES - SANITARY PLANNING & GIS	135,000	235,000	100,000	Planning, assessment and improvement svcs
20440470-53304-40511	40511-CONST	SANITARY SEWER - SANITARY SEWER LINING	258,000	300,000	42,000	Sanitary backlog rehabilitation needs
20440470-53304-40512	40512-CONST	SANITARY SEWER - SANITARY SEWER RECONSTRUCTION	157,414	115,414	(42,000)	Sanitary backlog rehabilitation needs
Total Expenditures			2,610,778	2,710,778	100,000	
Ending Fund Balance (estimated)			1,523,361	1,423,361	(100,000)	
VEHICLE & EQUIPMENT REPLACEMENT FUND (300)						
<u>Revenues</u>						
300-49100		TRF FROM GENERAL FUND	1,630,058	1,640,058	10,000	CD new cubicle and desk - TFR from Gen Fund
Total Revenues			1,749,785	1,759,785	10,000	
<u>Expenditures</u>						
30060600-53430	VERF-CD-241	FURNITURE AND FIXTURES	133,949	143,949	10,000	CD new cubicle and desk
Total Expenditures			3,110,601	3,120,601	10,000	
Ending Fund Balance (estimated)			4,681,085	4,681,085	-	
COMMUNITY DEV GRANTS FUND (331)						
<u>Revenues</u>						

331-49350

TRF FROM ARPA

Total Revenues

-	60,000	60,000
11,100,533	11,160,533	60,000

ARPA allocation - Urbana Roof Repair & Replacement Program

Expenditures

33150538-52800

ARP-25

OTHER MISC PROGRAMS - GRANT MISC CONTRACTUAL SERVICES

-	60,000	60,000
11,758,880	11,818,880	60,000

ARPA allocation - Urbana Roof Repair & Replacement Program

Total Expenditures**Ending Fund Balance (estimated)**

(294,244)	(294,244)	-
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AMERICAN RESCUE PLAN FUND (350)**Expenditures**

35060620-52500

ARP-01

INTERGOVERNMENTAL AND AGENCY

63,777

123,777

60,000

RPC contract

35060620-52800

ARP-02

GRANT MISC CONTRACTUAL SERVICES

-

814,375

814,375

Urbana SD 116

35060620-52800

ARP-03

GRANT MISC CONTRACTUAL SERVICES

814,375

2,814,375

2,000,000

Urbana Park District Health & Wellness Center

35060620-52800

ARP-04

GRANT MISC CONTRACTUAL SERVICES

2,814,375

2,987,971

173,596

Urbana Free Library

35060620-52800

ARP-05

GRANT MISC CONTRACTUAL SERVICES

2,987,971

3,646,809

658,838

Cunningham Township Supervisor's Office

35060620-52800

ARP-06

GRANT MISC CONTRACTUAL SERVICES

3,646,809

3,790,143

143,334

City of Urbana: Student, Family, Comm Engagement Sponsorship

35060620-52800

ARP-07

GRANT MISC CONTRACTUAL SERVICES

3,790,143

4,540,143

750,000

City of Champaign Township

35060620-52800

ARP-08

GRANT MISC CONTRACTUAL SERVICES

4,540,143

4,640,143

100,000

Urbana Neighborhood Connections Center

35060620-52800

ARP-09

GRANT MISC CONTRACTUAL SERVICES

4,640,143

4,719,143

79,000

Eastern Illinois Foodbank

35060620-52800

ARP-10

GRANT MISC CONTRACTUAL SERVICES

4,719,143

5,219,143

500,000

Champaign County Health Care Consumers

35060620-52800

ARP-11

GRANT MISC CONTRACTUAL SERVICES

5,219,143

5,469,143

250,000

Champaign County Economic Development Corporation

35060620-52800

ARP-12

GRANT MISC CONTRACTUAL SERVICES

5,469,143

5,819,143

350,000

Housing Authority of Champaign County, YouthBuild

35060620-52800

ARP-13

GRANT MISC CONTRACTUAL SERVICES

5,819,143

6,269,143

450,000

University YMCA (New American Welcome Center)

35060620-52800

ARP-14

GRANT MISC CONTRACTUAL SERVICES

6,269,143

6,279,143

10,000

Red Herring Vegetarian Restaurant

35060620-52800

ARP-15

GRANT MISC CONTRACTUAL SERVICES

6,279,143

6,289,143

10,000

Common Ground Food Co-op

35060620-52800

ARP-16

GRANT MISC CONTRACTUAL SERVICES

6,289,143

6,368,343

79,200

FirstFollowers: Urbana Community Peace Hub

35060620-52800

ARP-17

GRANT MISC CONTRACTUAL SERVICES

6,368,343

6,868,343

500,000

Housing Authority of Champaign County

35060620-52800

ARP-18

GRANT MISC CONTRACTUAL SERVICES

6,868,343

7,043,343

175,000

Champaign County Environmental Stewards

35060620-52800

ARP-19

GRANT MISC CONTRACTUAL SERVICES

7,043,343

7,203,343

160,000

The Well Experience

35060620-52800

ARP-20

GRANT MISC CONTRACTUAL SERVICES

7,203,343

7,278,343

75,000

Urbana-Champaign Independent Media Center

35060620-52800

ARP-21

GRANT MISC CONTRACTUAL SERVICES

7,278,343

7,478,343

200,000

Housing Authority of Champaign County

35060620-52800

ARP-22

GRANT MISC CONTRACTUAL SERVICES

7,478,343

7,628,343

150,000

Sola Gratia Farm

35060620-52800

ARP-23

GRANT MISC CONTRACTUAL SERVICES

7,628,343

7,653,343

25,000

Habitat for Humanity of Champaign County

35060620-52800

ARP-23

GRANT MISC CONTRACTUAL SERVICES

7,653,343

8,503,343

850,000

Carle Foundation Hospital

35060620-59331

TRF TO COMMUNITY DEVELOPMENT GRANTS FUND

-

60,000

60,000

City of Urbana: Urbana Roof Repair & Replacement Program

Total Expenditures

1,016,708	9,640,051	8,623,343
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Ending Fund Balance (estimated)

12,945,890	4,322,547	(8,623,343)
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DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Sheila Dodd, Interim Community Development Services Director
Marcus Ricci, AICP, Planner II

DATE: March 30, 2023

SUBJECT: **AN ORDINANCE AMENDING THE URBANA ZONING MAP** (R-3/B-1 to B-2 at 714 East University Avenue / Plan Case No. 2470-M-23)

Introduction & Background

Sharon Shaffer requests to rezone 714 East University Avenue from its current split-zoning of R-3, Single and Two-Family Residential/B-1, Neighborhood Business. The property has been the location of Shaffer's Sanitary waste hauling service for over 60 years. The current use is legally nonconforming within the current zoning designations. Ms. Shaffer's initial request was to rezone the entire property B-3, General Business; this has been amended to rezone the entire property to B-2, Neighborhood Business – Arterial.

At its March 9, 2023, meeting, the Plan Commission held a public hearing on this case. One member of the public spoke regarding the case. Staff recommended rezoning the property to B-2, Neighborhood Business – Arterial, as it would more closely align with the Comprehensive Plan's future land use designation for this area as "Residential." The B-2 zoning district would permit additional business uses on the lot, including a proposed auto detailing use. **The Plan Commission voted unanimously, with five ayes and zero nays, to recommend that City Council approve rezoning this property to B-2, Neighborhood Business – Arterial.** Staff concur and request that this case be placed on the City Council Consent Agenda.

Description of Site and Area

The site is approximately 14,700 square feet and is located at the northwest corner of East University Avenue and Ash Street. The west half of the property is zoned R-3, Single and Two-Family Residential, and was the site of a single-family house until 1973 when it was demolished. The east half is zoned B-1, Neighborhood Business, and has been the location of Shaffer's Sanitary waste hauling service since the 1950s. The adjacent properties on the north side of University Avenue are zoned R-3 and the property across University Avenue to the south is zoned IN-1, Light Industrial. Nearby properties are zoned R-3; B-3; IN-2, Heavy Industrial; and CRE, Conservation-Recreation-Education. Table 1 below identifies the current zoning and the existing and future land uses of the site and surrounding properties (see Exhibits A, B, and C).

Discussion

The applicant plans to move the waste hauling business and wants to have a family member relocate their existing auto detailing business to the site (Exhibit D – Application). Auto detailing is not listed in the Table of Uses of the Urbana Zoning Ordinance. The Zoning Administrator has determined

that this use would be most similar to a Personal Service such as “Dry Cleaning” or “Pet Care/Grooming” (see Exhibit E – Table V-1. Table of Uses, Excerpt of R-3, B-1, B-2, and B-3 Districts).

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	R-3, One- and Two-Family Residential & B-1, Neighborhood Business	Waste Hauler (Shaffer’s Sanitary)	Residential
North	R-3, One- and Two-Family Residential; then CRE, Conservation-Recreation-Education	Single and Two-Family Residential; then Sanitary Treatment Plant and Military Armory; then Park	Residential; then Institutional
South	IN-1, Light Industrial; then IN-2, Heavy Industrial and B-3, General Business	Mass Transit Administration and Operations Complex; then Asphalt Plant and various Commercial uses	Industrial
East	R-3, One- and Two-Family Residential; then CRE, Conservation-Recreation-Education	Single and Two-Family Residential; then Park	Residential; then Parks
West	R-3, One- and Two-Family Residential; then CRE, Conservation-Recreation-Education	Single and Two-Family Residential; then Military Armory	Residential; then Institutional

The property was originally two lots, each containing a house. According to the applicant, her family started the waste hauling service on the east lot (712 East University Avenue) in the 1950s. In 1961, Russ Shaffer requested a rezoning of the land to industrial, but was denied.¹ Mr. Shaffer replatted the two lots into a single lot in 1961 and built the garage now on the site. The east half of the lot was later rezoned to B-1, Neighborhood Business, with the new designation first appearing on the 1970 Urbana Zoning Map. The 1985 Certificate of Occupancy lists the use as “Illini Sanitary (garage and office) (legally non-conforming use)” (see Exhibit F – Certificate of Occupancy). This status prohibits expansion of the buildings or a change to any other use not permitted in the B-1 (east half) or R-3 (west half) zoning districts.

Rezoning the entire lot to the recommended B-2 zoning district would allow an auto detailing use on the entire property, as well as many other commercial uses. It would not bring the existing use into legal conformity because a Towing Service – the most-similar use to a Waste Hauler – is not permitted in the B-2 zoning district. The 2005 Comprehensive Plan designates this area for future “Residential” use, with that definition; including “compatible uses such as duplexes, town homes, civic uses, institutional uses, and parks where zoning is appropriate” (see Exhibit C). While the primary use promoted in this designation are residences, the accompanying figure shows a commercial use along the periphery of the residential area, indicating that neighborhood businesses are compatible with the “Residential” designation, and that the inclusion of a neighborhood business in a residential area is not out of sync with the Comprehensive Plan.

¹ Plan Commission meeting minutes of September 11, 1961, and November 27, 1961.

Residential (Urban Pattern)

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

Urban Pattern of Development

A pattern of development that is typically found in older, established neighborhoods. Includes a grid network of streets with, in some cases, vehicular access from rear alleys. Streets may be narrow in order to slow down traffic and favor the pedestrian. The urban pattern also contains a well-connected sidewalk system that encourages walking and provides convenient pedestrian access to nearby business centers. May include smaller lots where homes face the street and the presence of garages along the street is minimized. [Note the single red “Commercial” use in the figure.]



Local Examples: West Urbana, “Historic East Urbana,” King Park Neighborhood

Figure 1. 2005 Urbana Comprehensive Plan.

Since the site is in a residential neighborhood and along a major arterial, it would be appropriate to rezone the entire lot to B-2, Neighborhood Business – Arterial. This zoning would allow auto detailing and other lower-intensity businesses, while higher-intensity uses that may not be suitable for the neighborhood would be either prohibited or allowed with additional zoning permitting required (see Exhibit E – Table of Uses Excerpt, and Exhibit H – Zoning Description Sheets).

Rezoning Criteria

In the case of *La Salle National Bank v. County of Cook*, the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property. In addition to the six La Salle Criteria, the court developed two more factors in the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. Together, all eight factors are discussed below to compare the current zoning to the recommended zoning.

1. The existing land uses and zoning of the nearby property.

Many of the uses in the recommended B-2 zoning district would be compatible with the existing land uses and zoning of the nearby property (see Exhibits A, B, E, and H). The existing waste hauler service has been operating on the site for over 60 years; the applicant stated they have not received complaints about the business’ operations. Although the property is bounded on three sides by single- and two-family residential, the CU Mass Transit District complex and Emulsicoat are across University Avenue, and the Urbana-Champaign Sanitary District complex and the Illinois National Guard complex are both less than 500 feet away. This should weigh in favor of the recommended rezoning to B-2.

2. The extent to which property values are diminished by the restrictions of the ordinance.

Both the R-3 and B-1 zoning designations greatly restrict the number of permitted uses on the property, and the fact that each zoning designation applies to only half of the property compounds that restriction: while the R-3 district allows a single- or two-family house on the west half of the lot, the B-1 district requires a conditional use permit for the same use on the east half of the lot. Conversely, the B-1 district allows a garden shop or a bakery, while the R-3 district prohibits almost

all business uses. The current split-zoning prohibits any expansion or rebuilding of the current legally nonconforming waste hauler service building, should it be significantly damaged.² All of these restrictions reduce the value of the property. As the current values of adjacent properties already reflect the presence of the waste hauler service – since it has been there for 60 years – rezoning the property to a district that would allow other business uses would likely not result in substantial reductions in neighboring property values. This should weigh neutrally or in favor of the recommended rezoning to B-2.

3. *The extent to which the ordinance promotes the health, safety, morals, or general welfare of the public.*

The legally nonconforming status of the existing waste hauler service would allow it to continue indefinitely. The recommended B-2 zoning district would allow the property owners to convert that use to something that may bring more beneficial goods or services to the neighborhood and community in general, such as an auto detailing service or other business that could be sustained on this small parcel. This should weigh neutrally or in favor of the recommended rezoning to B-2.

4. *The relative gain to the public as compared to the hardship imposed on the individual property owner.*

The public would likely benefit from many of the uses allowed by the recommended rezoning to B-2. On the other hand, the property owner would suffer a significant hardship if they were not able to replace or make substantial repairs to the legally nonconforming business they have operated for over 60 years. They would also face a significant hardship when selling the property, as the current R-1/B-3 split-zoning does not make the property attractive to future owners. This should weigh in favor of the recommended rezoning to B-2.

5. *The suitability of the subject property for the zoned purposes.*

The property would be suitable for many of the uses in the recommended B-2 zoning district. Some uses would require a conditional or special use permit, which would allow oversight of the operations by the Urbana Zoning Board of Appeals or Plan Commission. The property has hosted a waste hauler service for over 60 years – a special use in the higher-intensity B-3 zoning district – and would likely be able to host less-intensive B-2 uses without negatively affecting the neighborhood. This should weigh neutrally or in favor of the recommended rezoning to B-2.

6. *The length of time the property has been vacant as zoned, considered in the context of land development, in the area, in the vicinity of the subject property.*

The property is not vacant. If the recommended rezoning is not granted, the existing waste hauler service could operate indefinitely until the building needs more than minor repairs. After that time, the use would have to change to one permitted by the current R-3 and B-1 zoning districts, or the property would become vacant. Granting the recommended rezoning would increase the number of uses allowed on the property, and could reduce the potential for vacancy in the future. This should weigh neutrally or in favor of the recommended rezoning to B-2.

7. *The community's need for more of the proposed use.*

The applicant requests a rezoning to allow for an auto detailing service. There are similar uses in the region but not within the immediate vicinity, indicating a potential market. East University Avenue is a mix of residential, commercial, and industrial uses, so it may be a good location for the proposed use. It is unclear if there is a need for more of the types of uses that would be allowed if

² Article X. Nonconformities, Urbana Zoning Ordinance.

the rezoning were granted. However, the recommended rezoning to B-2 would allow for commercial uses in general. This should weigh in favor of the recommended rezoning to B-2.

8. *The care with which the community has planned its land use development.*

In the 2005 Comprehensive Plan, the properties are identified as part of the “Residential” Future Land Use designation that encompasses the entire neighborhood. Although the property has been the site of a waste hauler service for over 60 years – pre-dating the Comprehensive Plan, and clearly a non-residential use – the recommended rezoning to B-2, Neighborhood Business – Arterial, does not align with the primary use of the Residential designation. However, the Plan does show a peripheral commercial use in its example of the Residential future land use. This should weigh neutrally relative to the recommended rezoning to B-2.

Overall, the request meets the criteria for the recommended zoning map amendment to B-2: three criteria weigh in favor of the request, four criteria weigh in favor or are neutral; one criterion weigh neutrally or against the recommended rezoning.

Public 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 Plan Commission meeting. Staff also sent letters to 37 neighboring property owners (within 250 feet of the property), notifying them of the request, and posted a public hearing sign on the property. We received one email from a resident one block from the property that expressed support for the requested zoning map amendment to B-3, General Business. One neighbor spoke at Plan Commission, as detailed below.

Plan Commission

The Plan Commission discussed the original request to rezone to B-3 and the staff-recommended rezoning to B-2 at its March 9, 2023, meeting (Exhibit F – Plan Commission Meeting Minutes – DRAFT). The applicant stated that she would accept the Plan Commission’s recommended alternative rezoning to B-2, Neighborhood Business – Arterial, as it would allow the desired auto detailing use.

One neighbor expressed concerns about trash and wildlife that they said are attracted by the existing waste hauling service. The neighbor said they did not think that the area needed more business along University Avenue, but also said they were in favor of the recommended rezoning to B-2 that would allow other uses instead of the waste hauling service. The Commission voted unanimously, with five ayes and zero nays, to recommend that City Council approve the recommended rezoning to B-2, Neighborhood Business – Arterial.

Summary of Findings

1. Sharon Shaffer requests a rezoning of 714 East University Avenue from its current split-zoning of R-3, Single and Two-Family Residential, and B-1, Neighborhood Business, to the recommended zoning of B-2, Neighborhood Business – Arterial.
2. The compatibility of the recommended rezoning with the “Residential” Future Land Use designation along this major arterial by the Urbana Comprehensive Plan is unclear.
3. The recommended rezoning is compatible with the industrial zoning districts to the south and CRE district to the far north and west, and should be generally compatible with the residential zoning district to the immediate north, east, and west.

4. If the property is rezoned, the public could be positively or negatively affected, depending on the compatibility of the future use with the residential character of the neighborhood.
5. The property is currently the site of a long-established waste hauler service. Granting the requested rezoning could reduce the length of a future vacancy.
6. It is unclear if there is a need for more of the types of uses that would be allowed if the rezoning were granted. However, the recommended zoning would allow for commercial uses in general, which aligns with some of the existing land uses and zoning in the surrounding area.
7. At the March 9, 2023, meeting, the Urbana Plan Commission held a public hearing and voted unanimously, with five ayes and zero nays, to forward the case to the City Council with a recommendation to approve the zoning map amendment to B-2, Neighborhood Business - Arterial.

Options

City Council has the following options in **Plan Case 2470-M-23**:

1. **Approve** the zoning map amendment to B-2, Neighborhood Business – Arterial, based on the findings in this memo and place the request on the City Council Consent Agenda; or
2. **Deny** the zoning map amendment, and if so, articulate findings supporting the denial.

Recommendation

At its March 9, 2023, meeting, the Urbana Plan Commission voted five ayes to zero nays to forward this case to Urbana City Council with a recommendation to APPROVE the request. City staff likewise recommend approval.

Attachments: Exhibit A: Location Map
 Exhibit B: Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: Application and Addendum for Zoning Map Amendment
 Exhibit E: Table V-1. Table of Uses, Excerpt of R-3, B-1, B-2, and B-3 Districts
 Exhibit F: Certificate of Occupancy (1985)
 Exhibit G: Site Photos
 Exhibit H: Zoning Description Sheets: B-2
 Exhibit I: Plan Commission Meeting Minutes – DRAFT (dated March 9, 2023)

cc: Sharon Shaffer, Applicant

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE URBANA ZONING MAP

(714 East University Avenue / Plan Case No. 2470-M-23)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, Sharon Shaffer has requested a rezoning from the R-3, Single and Two-Family Residential, and B-1, Neighborhood Business, zoning districts to the B-3, General Business, zoning district at 714 East University Avenue; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on March 9, 2023, and voted with five (5) ayes and zero (0) nays to forward Plan Case 2470-M-23 to the Urbana City Council with a recommendation to approve a rezoning to the B-2, Neighborhood Business – Arterial zoning district; and

WHEREAS, the City Council finds that the requested rezoning is consistent with the criteria contained in *La Salle Nat. Bank of Chicago v. Cook County*, 12 Ill. 2d 40, 145 N.E.2d 65 (1957) and *Sinclair Pipe Line Co. v. Village of Richton Park*, 19 Ill.2d 370 (1960); and

WHEREAS, the City Council, after due consideration, finds that an amendment to the Urbana Zoning Map as herein provided is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana

Item b.

Illinois, as follows:

Section 1.

The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification from the R-3, Single and Two-Family Residential, and B-1, Neighborhood Business, zoning districts to the B-2, Neighborhood Business – Arterial, zoning district, for the property more particularly described as follows:

Lot 1 and Lot 2 of William F. Tipton Replat, as per Plat Recorded June 28, 1948 as Document Number 429170, per Plat Book “H”, Page 12, Situated in Champaign County, Illinois.

Commonly known as 714 East University Avenue, Urbana, Illinois 61802

P.I.N.: 91-21-09-303-012

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2023.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2023.

Diane Wolfe Marlin, Mayor

Exhibit A - Location & Land Use


Item b.





Case: 2470-M-23
Subject: Rezoning - R-3/B-1 to B-3
Location: 714 East University Avenue
Applicant: Sharon Shaffer


 SUBJECT PROPERTY

Parcel - Activity

 Residential

 Shopping, business, or trade

 Industrial, manufacturing, and waste-

 Social, institutional, or infrastructure-related

0

100

200

300

400 ft


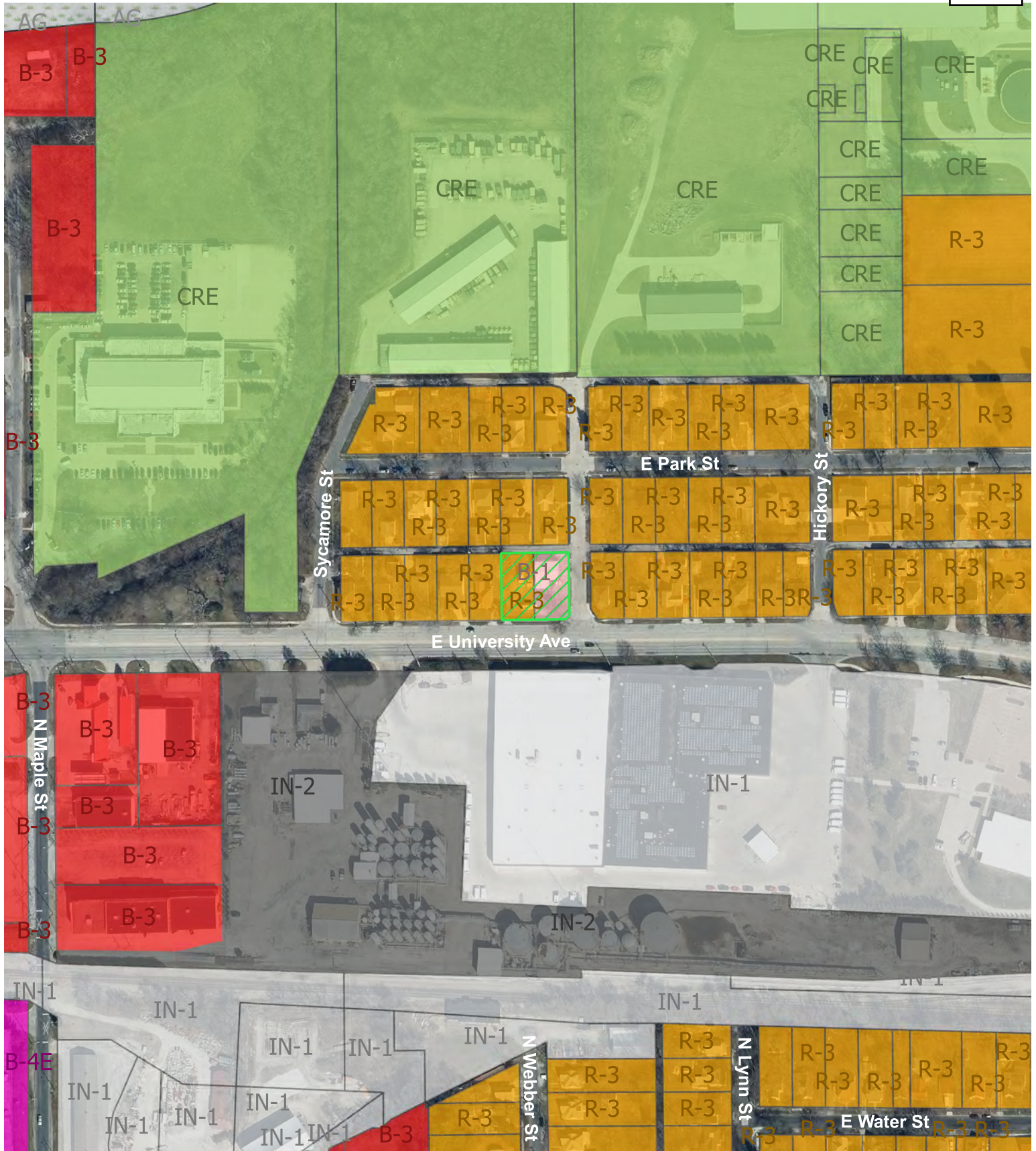


Exhibit B - Current Zoning

Item b.



Case: 2470-M-23
 Subject: Rezoning - R-3/B-1 to B-3
 Location: 714 East University Avenue
 Applicant: Sharon Shaffer

Legend

SUBJECT PROPERTY
 0 100 200 300 400 ft

B-1	IN-1
B-3	R-3
CRE	

Exhibit C - Future Land Use

Item b.



Case: 2470-M-23
Subject: Rezoning - R-3/B-1 to B-3
Location: 714 East University Avenue
Applicant: Sharon Shaffer

Legend

 SUBJECT PROPERTY

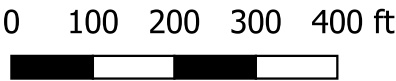


Exhibit D - Application

Item b.



Application for Zoning Map Amendment

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanailinois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 02-07-2023 Plan Case No. 2470-M-23
Fee Paid - Check No. 543 Amount \$200.00 Date 02-07-2023

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): SHARON SHAFFER Phone: 217-493-0080
Address (street/city/state/zip code): 1111 PHILLO RD. URBANA, ILL. 61801
Email Address: SASHAFF209@AOL.COM
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): OWNER

2. OWNER INFORMATION

Name of Owner(s): SHARON SHAFFER Phone: 217-493-0080
Address (street/city/state/zip code): 1111 PHILLO RD. URBANA, ILL. 61801
Email Address: SASHAFF209@AOL.COM
Is this property owned by a Land Trust? ☐ Yes ☒ No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION (RE SHAFFER REPLAT)

Address/Location of Subject Site: 712+714 E. UNIVERSITY AVE. URBANA, ILL. 61802
PIN # of Location: 91-21-303-012
Lot Size: 119.91 + 119.50
Current Zoning Designation: B1
Proposed Zoning Designation: B3
Current Land Use (vacant, residence, grocery, factory, etc): GARBAGE CO. SHAFFER SANITARY
Proposed Land Use: CAR DETAIL SHOP
Present Comprehensive Plan Designation:

Exhibit D - Application

Item b.

How does this request conform to the Comprehensive Plan?

Legal Description *(If additional space is needed, please submit on separate sheet of paper):*

4. CONSULTANT INFORMATION

Name of Architect(s):

Phone:

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

Email Address:

Name of Engineers(s):

Phone:

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

Email Address:

Name of Surveyor(s):

Phone:

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

Email Address:

Name of Professional Site Planner(s):

Phone:

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

Email Address:

Name of Attorney(s):

Phone:

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

Email Address:

5. REASONS FOR MAP AMENDMENT:

What error in the existing Zoning Map would be corrected by the Proposed Amendment?

112-714 E UNIVERSITY WAS REPIATED TO RE SHAFFER'S QP141
HOW DID IT GET DELETED AGAIN

What changed or changing conditions warrant the approval of this Map Amendment?

Exhibit D - Application

Item b.

Explain why the subject property is suitable for the proposed zoning.

WE HAVE OPERATED A GARBAGE CO. AT THIS LOCATION FOR 65 YEARS. WE HAVE HAD LITTLE OR NO COMPLAINTS. IT IS ALSO OUR SOURCE OF INCOME. A DETAIL SHOP WOULD NOT BE A NEGATIVE AFFECT ON THIS AREA.

What other circumstances justify the zoning map amendment I THINK CHANGING FROM A GARBAGE CO. TO A DETAIL SHOP ON THIS LOT WITH A NEW ZONING WOULD BE A POSITIVE MOVE FOR THIS LOCATION.

Time schedule for development (if applicable)

2 TO 3 MONTHS OR MORE FOR IMPROVEMENTS

Additional exhibits submitted by the petitioner.

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

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

CERTIFICATION BY THE APPLICANT

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

Sharon Shaffer
Applicant's Signature

2/7/23
Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

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

Exhibit D - Application Addendum

Item b.

March 2, 2023

Sharon Shaffer
1111 Philo Road
Urbana IL, 61801

TO;
City of Urbana Zoning Commission
Marcus Ricci, Planner 2

RE: 714 E University Avenue, Urbana IL (Tax ID # 91-21-09-303-012)

Mr. Ricci,

I am giving my permission for you to share this letter and any previous correspondence/documentation that I have sent to you to other council zoning members.

We originally wrote you regarding our concerns on February 20, 2023. Our family has owned this property since 1950 operating as Shaffer Sanitary on this lot (there was only one 5-year period that we rented the lot which was approved by your council (see certificate of occupancy).

We previously communicated that the garbage business is re-locating to another location (North Route 45). What we could not share until March 1st is that our son, Russell Shaffer III, sold the business. We were under a confidentiality agreement and could not discuss this until after 3/1/2023. Our Son was involved in a serious car accident and yesterday had a five-hour surgery to fuse C3-7 on his neck vertebrae. Unfortunately, he had no choice but to sell the business as his doctor did not want him continuing this work as he could be paralyzed.

We first visited the Urbana Zoning in early February to evaluate what options we have for renting our lot. We believed that the lot was zoned 3000 Commercial as evidenced on your Champaign County Consortium map which confirms that status. When we spoke with Mr. Nick Olson, he immediately told that us that the Champaign County Map was incorrect. We were then told that out lot is actually two zones in one plot: zoned R3 on the West side and B1 on the East side.

I am attaching a photo of the what was showing on Champaign Country Consortium Map (<https://maps.ccgisc.org>) shows our lot as one plot and the location is clearly shown on the attached page (from online) as 3000-Commercial.

Some relevant notes about our Lot:

- 1973: Our lot used to have a house on the West side of the lot. We had to file for a permit to demolish house and on the permit the West side was shown as B-1 not R3.
- 1985: We have a letter from Reed Berger, Zoning Staff Assistant, confirmed that the East one-half of the property is zoned as B-1 but may continue its former nonconforming use.
- After 1985, my husband I attended a neighborhood zoning meeting and talked to one of your planners. We were told by the planning person that splitting the lot did not seem like something they would do. He told us that he would get this resolved.
 - Tax Bills: Used to be addressed to 712 University and after this discussion it got changed to 714 University along with the Champaign County Consortium Map showing 3000-Commercial.
 - Taxes: Our taxes appear to have been calculated based on a Commercial lot.

Exhibit D - Application Addendum

Item b.

Neighborhood:

- This is not just a residential area as we are surrounded by other commercial properties.
- To the North of our lot about 140 feet away is the Urbana Armory (National Guard) which is full of military equipment.
- Attached to the Armory is the Urbana Park District where they park all their equipment.
- On the far end connected to the Park District is the Champaign Urbana Sanitary District.
- The Sanitary District has obtained 13 lots in this area with no notification to me as a property owner. We have no idea what they plan on doing with these lots, but this is not simply a residential area.
- Directly across the street is the MTD bus lot.
- This neighborhood used to be nice, in fact, my husband grew up there with his family. However, the complexion of the neighborhood has changed with houses that are not kept up and increased crime. The house to the West of our location (710 E University) has in the past been a drug house with an FBI raid and we frequently find drug paraphernalia on our lot.
- The current list of businesses you would allow on B1 property does not fit this neighborhood.

Notes on your zoning plan group meeting 2/23:

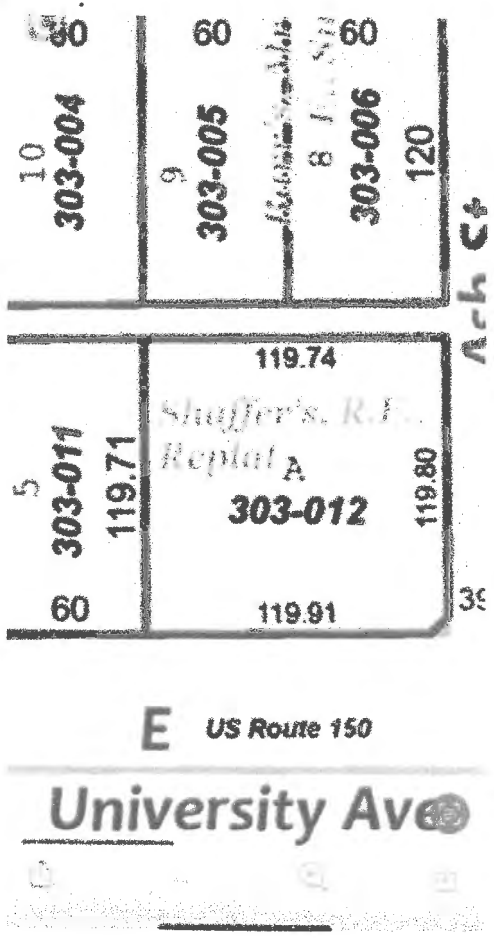
- We are concerned about the group notes that B3 is not the right zone with residential on three sides. We know of two other businesses in the neighborhood that are also surrounded on three sides residential that are currently zoned as B1. How are these business's operating when clearly B1 does not allow these occupancies?
 - 211 S Cottage Grove: Auto Repair. The day we drove by, they had 10 vehicles on the lot (see picture). Zoned B1.
 - Corner of Goodwin and Hill: Appears to be an electrical shop with many vehicles sitting on the lot. Zoned B1.
 - Corner of Main and Weber. There is a small auto detail shop but the business owner does most of his work outside. This is zoned B3.
 - One of the meeting comments -detailing is like car wash which has to be in B3. A detailing shop (owned by our Grandson) does on a busy day 6-8 vehicles. Detailing shop is different than a car wash as customers make appointments, there is not a line of cars waiting and 99% of my Grandson's shop is done inside. This is a small family business with three total employees. Our Grandson business is Miller Detailing.
 - Our lot is located on University Avenue and we have an access point to enter our location directly without going through the neighborhood.
 - You should also know that the Urbana Park District uses Ash street to move their equipment from their Kerr Avenue location.

As a business owner in Urbana for over 50 years, we are concerned about the misinformation we have received online about our location zoning. We have paid our taxes based on a commercial zoning and taken care of our lot with no complaints that we are aware of. As an elderly couple, we rely on the income as part of our retirement income. We believed that our lot based on your information was Commercial. We are asking you to correct the error and documentation affirming either a Commercial or B3 rating based on the past taxes we have paid.

Our plan is to leave this lot to our Son for his family as this location has been in the Shaffer family for over 50 years.

Thank you for your consideration.

Sharon Shaffer



Appendix

Plat Map on the Champaign Country Consortium Map

Exhibit D - Application Addendum

Item b.

SHAFFER SHARON A
1111 PHILO RD

URBANA IL 61801-5373

Assessed Value

Land	12,640
Building	6,620
Farm Land	0
Farm Building	0
Total	19,260

Values may be subject to change.

Champaign County Property Tax Inquiry Results Historical Tax Information (RY 2017 and Prior)

Property Information

Sec. 09 T. 19N R. 9E

Recorded Acreage | 0.00

Most Recent Deed

BK 1695-PG 250

[View Recorded Deed\(s\)](#)

Property Code

3000 - Commercial

Exhibit D - Application Add Item b. n

1136

Photo 11

1136

TIME: BUILDING PERMIT 429 (1973)

Summary: PERMIT ISSUED OCTOBER 23, 1973, FOR DEMOLITION OF HOUSE

Series: City of Urbana Community Development Services Dept. Records

Subjects: UNIVERSITY AVE (URBANA), EAST, 712 BUILDING DEMOLITIONS, ZONING DISTRICT B-1

Name(s): MRS. E BARR SUBDIVISION (URBANA, ILL.) SHAFFER, R E (OWNER/APPLICANT)

Call Number: Microfiche City of Urbana Records 07.01 - 07.02 Building Permits

LESS

1973 Permit for Demolition
Approved by Urbana

Exhibit D - Application Addendum

Item b.

CITY OF URBANA
430 SOUTH VINE STREET • P.O. BOX 219 • URBANA, ILLINOIS 61801-0219
Community Development - 115 W. Main, Suite 208, P.O.B. 946 - Urbana, IL 61801-0946

September 26, 1985

Mr. & Mrs. Russell Shaffer
2289 Lantern Hill Drive
Urbana, IL 61801

Re: 714 E. University (91-21-09-303-013)

Dear Mr. & Mrs. Shaffer:

In response to your letter which we received in our office September 12, 1985, we have the following comments:

1. The east one-half of the above referenced property is zoned as B-1 and as such may continue its former nonconforming use as set forth below:
 - a. Trucks and other vehicles over 3/4 ton may be parked at the property for more than four (4) hours at any given time provided they are parked within the existing garage.
 - b. The existing office building may be used as an office use provided the use is limited to office functions directly related to the operation of the vehicles stored at the garage or to your sanitary hauling operations.
 - c. You will need to obtain a Certificate of Occupancy (see enclosed application) before you establish the uses set forth above. At such time in the future you wish to consider another use for the property you would need to apply for a "change of use."
2. The west one-half of the property is zoned R-3 and as such shall not be used for commercial uses.
3. The gravel parking surfaces may be used for parking employee's personal vehicles during regular business hours. If you intend to have a permanent office use at the property it will be necessary to provide a paved parking lot within one (1) year from the date a Certificate of Occupancy is issued for said use. Most office uses in the Urbana Zoning Ordinance require two (2) parking spaces given approximately 375 sq. ft. of floor area in the existing building.
4. The property shall not be used for temporary or permanent location of garbage

1985 Approval Letter for Cert of Occupancy

Exhibit D - Application Addendum

Item b.

CERTIFICATE OF OCCUPANCY
DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES, CITY OF URBANA, ILLINOIS

* THE ISSUANCE OF THIS CERTIFICATE IS FOR THE PROPERTY LOCATED AT 214 E. University
831-21-02-012 WHICH AS OF THE DATE OF THIS CERTIFICATE IS
ZONED S-1 (Single-Family Residential) THE PERMITTED USE HEREBY AUTHORIZED BY
THIS CERTIFICATE IS Miscellaneous Business (Class 1) AND THUS COMPLIES WITH THE
1988 ZONING ORDINANCE HAS AMENDED OF THE CITY OF URBANA, ILLINOIS.

* CONSTRUCTION WHICH IS AUTHORIZED BY HEREIN NOTED PERMIT(S) COMPLIES WITH THE PROVISIONS OF THE BUILDING CODE AND OTHER RELATED CODES, LAWS AND ORDINANCES OF THE CITY OF URBANA. OCCUPANCY USE IS HEREBY GRANTED WITH THE STIPULATION THAT THE BUILDING PREMISES SHALL BE PRESERVED AND MAINTAINED AS HEREIN DESCRIBED IN THIS CERTIFICATE REGARDING SPECIFIC USE, USE GROUP AND FIRE RATING, TYPE CONSTRUCTION, LIVE LOADING, OCCUPANCY LOAD AND CODE COMPLIANCE.

USE GROUP AND FIRE RATING (Check one)	CLASS	USE GROUP	FIRE RATING IN HOUR
SPECIFIC USE	A-1	Assembly, theaters	3
(1) (a) Sanitary (garage and off-street)	A-2	Assembly, night clubs	3
(legally non-conforming use)	A-3	Assembly, banquet halls, dance halls	3
	A-4	Assembly, restaurants	2
	B	Assembly, churches, schools	3
	C	General	3
	D	Factory and industrial	3
	E	High hazard	3
	F	Occupational, educational, religious	3
	G	Transitional, unoccupied occupancy	3
	H	Warehouses	3
	I	Residential, hotels	3
	J	Residential, multiple dwellings	3
	K	Residential, 1 and 2 family dwellings	3
	L	Storage, warehouse, repair	3
	M	Storage, use of space	3

TYPE 1	TYPE 2	TYPE 3	TYPE 4
FRAMEWORK	NON-FRAMEWORK	EXPOSED REINFORCED CONCRETE	FRAME
1A	1B	1C	1D
2A	2B	2C	2D
3A	3B	3C	3D
4A	4B	4C	4D
5A	5B	5C	5D
6A	6B	6C	6D
7A	7B	7C	7D
8A	8B	8C	8D
9A	9B	9C	9D
10A	10B	10C	10D
11A	11B	11C	11D
12A	12B	12C	12D
13A	13B	13C	13D
14A	14B	14C	14D
15A	15B	15C	15D
16A	16B	16C	16D
17A	17B	17C	17D
18A	18B	18C	18D
19A	19B	19C	19D
20A	20B	20C	20D
21A	21B	21C	21D
22A	22B	22C	22D
23A	23B	23C	23D
24A	24B	24C	24D
25A	25B	25C	25D
26A	26B	26C	26D
27A	27B	27C	27D
28A	28B	28C	28D
29A	29B	29C	29D
30A	30B	30C	30D
31A	31B	31C	31D
32A	32B	32C	32D
33A	33B	33C	33D
34A	34B	34C	34D
35A	35B	35C	35D
36A	36B	36C	36D
37A	37B	37C	37D
38A	38B	38C	38D
39A	39B	39C	39D
40A	40B	40C	40D
41A	41B	41C	41D
42A	42B	42C	42D
43A	43B	43C	43D
44A	44B	44C	44D
45A	45B	45C	45D
46A	46B	46C	46D
47A	47B	47C	47D
48A	48B	48C	48D
49A	49B	49C	49D
50A	50B	50C	50D
51A	51B	51C	51D
52A	52B	52C	52D
53A	53B	53C	53D
54A	54B	54C	54D
55A	55B	55C	55D
56A	56B	56C	56D
57A	57B	57C	57D
58A	58B	58C	58D
59A	59B	59C	59D
60A	60B	60C	60D
61A	61B	61C	61D
62A	62B	62C	62D
63A	63B	63C	63D
64A	64B	64C	64D
65A	65B	65C	65D
66A	66B	66C	66D
67A	67B	67C	67D
68A	68B	68C	68D
69A	69B	69C	69D
70A	70B	70C	70D
71A	71B	71C	71D
72A	72B	72C	72D
73A	73B	73C	73D
74A	74B	74C	74D
75A	75B	75C	75D
76A	76B	76C	76D
77A	77B	77C	77D
78A	78B	78C	78D
79A	79B	79C	79D
80A	80B	80C	80D
81A	81B	81C	81D
82A	82B	82C	82D
83A	83B	83C	83D
84A	84B	84C	84D
85A	85B	85C	85D
86A	86B	86C	86D
87A	87B	87C	87D
88A	88B	88C	88D
89A	89B	89C	89D
90A	90B	90C	90D
91A	91B	91C	91D
92A	92B	92C	92D
93A	93B	93C	93D
94A	94B	94C	94D
95A	95B	95C	95D
96A	96B	96C	96D
97A	97B	97C	97D
98A	98B	98C	98D
99A	99B	99C	99D
100A	100B	100C	100D

* ANY CHANGES IN THE ABOVE SPECIFICATIONS REQUIRES APPROVAL BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES AND THE RESUBMISSION OF A NEW CERTIFICATE. THIS CERTIFICATE IS TO BE POSTED EXCEPT IN ONE AND TWO FAMILY DWELLINGS WHERE IT IS VISIBLE TO ALL USERS OF THE BUILDING PREMISES.

* THEREFORE IN ACCORDANCE WITH THE ABOVE PROVISIONS THIS PROPERTY IS DECLARED SUITABLE FOR OCCUPANCY.

[Signature]
BUILDING OFFICIAL

10/15/91
DATE

SEAL

Certificate of Occupancy
5 year period when it was not
occupied by family

Exhibit D - Application Added

Item b.



211 South Cottage B1 Business

13 Lots Bought by Sewer District



Exhibit E - Table V-1. Table of Uses Excerpt of R-3, B-1, B-2, and B-3 Districts

Item b.

ZONING DISTRICT	R-3	B-1	B-2	B-3
Agriculture				
Agriculture, Cropping	P			
Artificial Lake of one (1) or more acres	C			
Farm Equipment Sales and Service				P
Feed and Grain (Sales only)				P
Garden Shop		P	P	P
Plant Nursery or Greenhouse		C	C	P
Roadside Produce Sales Stand				P
Public and Quasi-Public				
Church, Temple or Mosque	S	P	P	P
Correctional Institution or Facility				S
Electrical Substation	S	C	C	P
Elementary, Junior High School, or Senior High School	P			
Farmer's Market				P
Hospital or Clinic				S
Institution of an Educational or Charitable Nature	S	P	P	P
Library, Museum or Gallery	S	P	P	P
Methadone Treatment Facility				P
Municipal or Government Building	C	P	P	P
Nonprofit or Governmental, Educational and Research Agencies				C
Park	P	P	P	P
Police Station or Fire Station	S	P	P	P
Principal Use Parking Garage or Lot			P	P
Public Maintenance and Storage Garage				P
Radio or Television Tower and Station				C
University/College				P
Utility Provider			S	P
Business				
Adult Entertainment				
Adult Entertainment Uses				P
Food Sales and Service				
Bakery (Less than 2,500 square feet)		P	P	P
Banquet Facility		C	C	P
Café or Deli		C	P	P
Catering Service		C	P	P
Confectionery Store		P	P	P
Convenience Store		S	P	P
Fast-food Restaurant		C	C	P
Meat and Fish Market		P	P	P
Liquor Store			C	P
Restaurant		C	P	P
Supermarket or Grocery Store		**	P	P
Tavern or Night Club				P
Personal Services				

Exhibit E - Table V-1. Table of Uses Excerpt of R-3, B-1, B-2, and B-3 Districts

Item b.

ZONING DISTRICT	R-3	B-1	B-2	B-3
Ambulance Service				P
Barber/Beauty Shop		P	P	P
Dry Cleaning or Laundry Establishment		S	P	P
Health Club/Fitness		*	P	P
Laundry and/or Dry Cleaning Pickup		S	P	P
Massage Therapist		P	P	P
Medical Carrier Service				P
Mortuary		C	P	P
Movers				P
Pet Care/Grooming		P	P	P
Self-Service Laundry		P	P	P
Shoe Repair Shop		P	P	P
Tailor and Pressing Shop		P	P	P
Professional and Financial Services				
Bank/Savings and Loan Association		P	P	P
Check Cashing Service		C	P	P
Copy and Printing Service		P	P	P
Packaging/Mailing Service		C	P	P
Professional and Business Office		P	P	P
Vocational, Trade or Business School				P
Retail Trade				
Antique or Used Furniture Sales and Service		*		P
Appliance Sales and Service		P	P	P
Art and Craft Store and/or Studio		*	P	P
Bicycle Sales and Service		*	P	P
Building Material Sales (All Indoors Excl. Concrete/Asphalt Mixing)				P
Clothing Store		*	P	P
Department Store				P
Drugstore		S	P	P
Electronics Sales and Service		P	P	P
Firearm Store†				S
Florist		P	P	P
Hardware Store		P	P	P
Heating, Ventilating, Air Conditioning Sales and Service		C	P	P
Jewelry Store		P	P	P
Monument Sales (Excluding Stone Cutting)				P
Music Store		P	P	P
Office Supplies/Equipment Sales and Service				P
Pawn or Consignment Shop				P
Pet Store		*	P	P
Photographic Studio and Equipment Sales and Service		*	P	P
Shoe Store		*	P	P
Sporting Goods		*	P	P
Stationery, Gifts, or Art Supplies		P	P	P
Tobacconist		P	P	P

Exhibit E - Table V-1. Table of Uses Excerpt of R-3, B-1, B-2, and B-3 Districts

Item b.

ZONING DISTRICT	R-3	B-1	B-2	B-3
Variety Store		P	P	P
Video Store		**	P	P
All Other Retail Stores		S	C	P
Recreation				
Athletic Training Facility				P
Bait Sales				P
Bowling Alley				P
Country Club or Golf Course	P			
Dancing School		*		P
Driving Range				P
Gaming Hall *****				P
Lodge or Private Club	C	C	C	P
Miniature Golf Course				P
Outdoor Commercial Recreation Enterprise (Exc. Amusement Park)				P
Pool Hall				P
Private Indoor Recreational Development				P
Theater, Indoor		S		P
Theater, Outdoor****			C	
Transportation				
Motor Bus Station				P
Taxi Service			C	P
Vehicular Sales and Service				
Automobile Accessories (New)		C	C	P
Automobile, Truck, Trailer or Boat Sales or Rental				P
Automobile/Truck Repair				P
Car Wash				P
Gasoline Station		S	C	P
Mobile Home Sales				P
Towing Service				S
Truck Rental				P
Truck Stop				S
Miscellaneous Business				
Auction Sales (Non-Animal)				P
Commercial Planned Unit Development (See Section XIII-3)			D	D
Contractor Shop and Showroom (Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops)		C	C	P
Crematorium				C
Day Care Facility (Non-Home Based)	C	C	C	C
Lawn Care and Landscaping Service		C	C	P
Mail Order Business (< 10,000 square feet of gross floor area)		C	P	P
Mail Order Business (> 10,000 square feet of gross floor area)				P
Medical Cannabis Dispensary				P
Radio or TV Studio		C	C	P

Exhibit E - Table V-1. Table of Uses Excerpt of R-3, B-1, B-2, and B-3 Districts

Item b.

ZONING DISTRICT	R-3	B-1	B-2	B-3
Shopping Center - Convenience		S	S	P
Shopping Center - General				P
Self-Storage Facility				C
Wholesale Business				P
Veterinary Hospital - Small Animal****				C
Residential				
Assisted Living Facility			P	C
Bed and Breakfast Inn		P	P	P
Bed and Breakfast, Owner Occupied	C	P	P	P
Boarding or Rooming House			P	
Dormitory			P	
Dwelling, Community Living Facility, Category I	P	C	P	
Dwelling, Community Living Facility, Category II	P	C	P	P
Dwelling, Community Living Facility, Category III		C	P	P
Dwelling, Duplex***	P	C	P	
Dwelling, Duplex (Extended Occupancy)***	P	C	P	
Dwelling, Home for Adjustment			P	P
Dwelling, Loft		P	P	P
Dwelling, Multifamily		C	P	S
Dwelling, Multiple-Unit Common-Lot-Line***		S	C	
Dwelling, Single-Family	P	C	P	
Dwelling, Single-Family (Extended Occupancy)	P	C	P	
Dwelling, Transitional Home, Category I	C	C	P	P
Dwelling, Transitional Home, Category ii	S	S	P	P
Dwelling, Two-Unit Common-Lot-Line***	P		P	
Hotel or Motel				P
Nursing Home			P	C
Industrial				
Bookbinding			C	C
Confectionery Products Manufacturing and Packaging			C	C
Electronics and Related Accessories - Applied Research and Limited Manufacturing				C
Engineering, Laboratory, Scientific, and Research Instruments Manufacturing				C
Microbrewery			S	P
Motion Picture Production Studio		S	C	C
Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing				C

Permitted Uses	11	31	70	117
Conditional Uses	6	27	19	14
Special Uses	6	11	3	6

Exhibit F - Certificate of Occupancy (1985)

Item b.

CERTIFICATE OF OCCUPANCY

DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES, CITY OF URBANA, ILLINOIS.

● THE ISSUANCE OF THIS CERTIFICATE IS FOR THE PROPERTY LOCATED AT 714 E. University
491-27-08-302-012, WHICH AS OF THE DATE OF THIS CERTIFICATE IS
 ZONED B-1 (neighborhood business), THE PERMITTED USE HEREBY AUTHORIZED BY
 THIS CERTIFICATE IS Miscellaneous Business Uses AND THUS COMPLIES WITH THE
 1950 ZONING ORDINANCE (AS AMENDED) OF THE CITY OF URBANA, ILLINOIS.

● CONSTRUCTION WHICH IS AUTHORIZED BY HEREIN NOTED PERMIT(S)
 COMPLIES WITH THE PROVISIONS OF THE BUILDING CODE AND OTHER RE-
 LATED CODES, LAWS AND ORDINANCES OF THE CITY OF URBANA. OCCU-
 PANCY USE IS HEREBY GRANTED WITH THE STIPULATION THAT THE BUILD-
 ING PREMISES SHALL BE PRESERVED AND MAINTAINED AS HEREIN DE-
 SCRIBED IN THIS CERTIFICATE REGARDING SPECIFIC USE, USE GROUP AND
 FIRE GRADING, TYPE CONSTRUCTION, LIVE LOADING, OCCUPANCY LOAD-
 ING AND CODE COMPLIANCE.

NA (BUILDING)
 # NA (ELECTRIC)
 # NA (PLUMBING)
 # NA (H.V.A.C.)
 # NA (DRIVEWAY)
 # ()
 # ()

USE GROUP AND FIRE GRADING (Check one)	CLASS	USE GROUP	FIRE GRADING IN HOURS
SPECIFIC USE: <u>Illini Sanitary (garage and office)</u> <u>(legally non-conforming use)</u>	A-1	Assembly, theatres,	3
	A-2	Assembly, night clubs,	3
	A-3	Assembly, recreation centers, lecture halls, terminals, restaurants,	2
	A-4	Assembly, churches, schools,	1½
	B	Business,	2
	F	Factory and industrial,	3
	H	High hazard,	4
	I-1	Institutional, restrained occupants,	3
	I-2	Institutional, incapacitated occupants,	2
	M	Mercantile,	3
	R-1	Residential, hotels,	2
	R-2	Residential, multifamily dwellings,	1½
	R-3	Residential, 1 and 2 family dwellings,	¾
	S-1	Storage, moderate hazard,	3
	S-2	Storage, low hazard,	2
LIVE LOAD <u>125</u> #/SQ. FT.			
OCCUPANCY LOAD: <u>4</u> #PEOPLE			
MEAN OF EGRESS <u>08</u> #EXIT UNITS			
OTHER: <u>See letter of require-</u> <u>ments dated 09-26-85</u>			

TYPE 1	TYPE 2	TYPE 3	TYPE 4
FIREPROOF	NONCOMBUSTIBLE	EXTERIOR MASONRY WALLS	FRAME
		ORDINARY	
	PROTECTED	HEAVY TIMBERS (MILL)	
	UNPROTECTED	PROTECTED	UNPROTECTED
		PROTECTED	UNPROTECTED
TYPE CONSTRUCTION (Check one) →	1A 1B 2A 2B 2C 3A 3B 3C 4A 4B		

● ANY CHANGE IN THE ABOVE STIPULATIONS REQUIRES APPROVAL BY THE
 DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES AND THE REIS-
 SUANCE OF A NEW CERTIFICATE. THIS CERTIFICATE IS TO BE POSTED (EXCEPT
 IN ONE- AND TWO-FAMILY DWELLINGS) WHERE IT IS VISIBLE TO ALL USERS OF
 THE BUILDING PREMISES.

● THEREFORE IN ACCORDANCE WITH THE ABOVE PROVISIONS THIS
 PROPERTY IS DECLARED SUITABLE FOR OCCUPANCY.

BUILDING OFFICIAL

DATE

10/18/85





Fig. 1: Subject Property, from intersection



Fig. 2: Looking north along Ash Street, towards Sanitary District property

Exhibit G - Site Photos

Item b.



Fig. 3: Looking southeast along East University Avenue at CUMTD building



Fig. 4: Looking south at Ash Street intersection at CUMTD building



Fig. 5: Looking southwest along East University Avenue at CUMTD building, Emulsicoat, and other businesses

Exhibit H - Zoning Description Sheets

Item b.



R-3 – SINGLE AND TWO-FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the R-3 Zoning District is as follows:

"The R-3, Single and Two-Family Residential District is intended to provide areas for low-density residential development, including single-family attached and detached dwellings and two-family dwellings."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-3 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Agriculture, Cropping

Business - Recreation

Country Club or Golf Course

Public and Quasi-Public

Elementary, Junior High School or Senior High
School
Park

Residential

Dwelling, Community Living Facility, Category I
and Category II
Dwelling, Duplex***
Dwelling, Duplex (*Extended Occupancy*)***
Dwelling, Single Family
Dwelling, Single Family (*Extended Occupancy*)
Dwelling, Two-Unit Common-Lot-Line***

SPECIAL USES:

Public and Quasi-Public

Church, Temple or Mosque
Electrical Substation
Institution of an Educational or Charitable Nature
Library, Museum or Gallery
Police or Fire Station

Residential

Dwelling, Transitional Home, Category II

PLANNED UNIT DEVELOPMENT USES:

Residential

Residential Planned Unit Development (*See Section XIII-3*)

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Business - Recreation

Lodge or Private Club

Business - Miscellaneous

Day Care Facility (*Non-Home Based*)

Public and Quasi-Public

Municipal or Government Building

Exhibit H - Zoning Description Sheets

Item b.

CONDITIONAL USES CONTINUED:

Residential

Bed and Breakfast, Owner Occupied
Dwelling, Transitional Home, Category I

Table V-1 Notes:

*** See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.

DEVELOPMENT REGULATIONS IN THE R-3 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-3	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote⁹ – In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, as required in Section VI-5.D.1. In the R-2, R-3, R-4, R-5, R-7, and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater, but no more than 25 feet, as required in Section VI-5.D.1. (*Ordinance No. 9596-58, 11-20-95*) (*Ordinance No. 9697-154*) (*Ordinance No. 2001-03-018, 03-05-01*)

Footnote¹³ – In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

Footnote¹⁷ – Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.

For more information on zoning in the City of Urbana call or visit:

City of Urbana

Community Development Services Department

Planning Division

400 South Vine Street, Urbana, Illinois 61801

(217) 384-2440 phone | Email: Planning@urbanailinois.us

City Website: www.urbanailinois.us



B-1 – NEIGHBORHOOD BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-1 Zoning District is as follows:

"The B-1, *Neighborhood Business District* is intended to provide commercial areas of limited size, for basic trade and personal services for the convenience of adjacent residential areas, for needs recurring regularly or frequently."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-1 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Garden Shop

Business - Food Sales and Services

Bakery (*less than 2,500 square feet*)

Confectionery Store

Meat and Fish Market

Supermarket or Grocery Store** (*3,500 gross square feet or less per floor*)

Business - Miscellaneous

Day Care Facility (Non-Home Based)

Business - Personal Services

Barber/ Beauty Shop

Health Club/Fitness* (*3,500 gross square feet or less per floor*)

Massage Therapist

Pet Care/ Grooming

Self-Service Laundry

Shoe Repair Shop

Tailor and Pressing Shop

Business - Professional and Financial Services

Bank, Savings and Loan Association

Copy and Printing Service

Professional and Business Office

Business – Recreation

Dancing School* (*3,500 gross square feet or less per floor*)

Business - Retail Trade

Antique or Used Furniture Sales and Service* (*3,500 gross square feet or less per floor*)

Appliance Sales and Service

Art and Craft Store and/or Studio* (*3,500 gross square feet or less per floor*)

Bicycle Sales and Service* (*3,500 gross square feet or less per floor*)

Clothing Store (*3,500 gross square feet or less per floor*)

Electronic Sales & Service

Florist

Hardware Store

Jewelry Store

Music Store

Pet Store* (*3,500 gross square feet or less per floor*)

Photographic Studio and Equipment Sales and Service* (*3,500 gross square feet or less per floor*)

Shoe Store* (*3,500 gross square feet or less per floor*)

Sporting Goods* (*3,500 gross square feet or less per floor*)

Stationery, Gifts or Art Supplies

Tobacconist

Variety Store

Video Store** (*3,500 gross square feet or less per floor*)

Exhibit H - Zoning Description Sheets

Item b.

PERMITTED USES Continued:

Public and Quasi-Public

Church, Temple or Mosque
Institution of an Educational or Charitable
Nature
Library, Museum or Gallery
Municipal or Government Building
Park
Police or Fire Station

Residential

Bed and Breakfast Inn
Bed and Breakfast, Owner Occupied
Dwelling, Loft

SPECIAL USES:

Business - Food Sales and Services

Convenience Store
Supermarket or Grocery Store** (*Greater than 3,500 gross square feet per floor*)

Business – Miscellaneous

Shopping Center - Convenience

Business – Personal Services

Dry Cleaning or Laundry Establishment
Landry and/or Dry Cleaning Pickup

Business - Recreation

Theater, Indoor

Business - Retail Trade

Drugstore
Video Store** (*Greater than 3,500 gross square feet per floor*)
All Other Retail Stores

Business - Vehicular Sales and Services

Gasoline Station

Industrial

Motion Picture Production Studio

Residential

Dwelling, Multiple-Unit Common-Lot-Line***
Dwelling, Transitional Home, Category II

PLANNED UNIT DEVELOPMENT USES:

Business – Miscellaneous Business

Mixed-Use Planned Unit Development (*See Section XIII-3*)

CONDITIONAL USES:

Agriculture

Plant Nursery or Greenhouse

Business - Food Sales and Services

Banquet Facility
Café or Deli
Catering Service
Fast-Food Restaurant
Restaurant

Business - Personal Services

Health Club/ Fitness* (*Greater than 3,500 gross square feet per floor*)
Mortuary

Business - Miscellaneous

Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)
Lawn Care and Landscaping Service
Mail-Order Business (*Less than 10,000 square feet of gross floor area*)
Radio or TV Studio

Business - Professional and Financial Services

Check Cashing Service
Packaging/ Mailing Service

Exhibit H - Zoning Description Sheets

Item b.

CONDITIONAL USES Continued:

Business - Recreation

Dancing School* (*Greater than 3,500 gross square feet per floor*)
Lodge or Private Club

Business - Vehicular Sales and Services

Automobile Accessories (*New*)

Public and Quasi-Public

Electrical Substation

Residential

Dwelling, Community Living Facility, Category I,
Category II, Category III
Dwelling, Duplex***
Dwelling, Duplex*** (*Extended Occupancy*)
Dwelling, Multi-Family
Dwelling, Single Family
Dwelling, Single-Family (*Extended Occupancy*)
Dwelling, Transitional Home, Category I

Business - Retail Trade

Antique or Used Furniture Sales and Service* (*Greater than 3,500 gross square feet per floor*)
Art and Craft Store and/or Studio* (*Greater than 3,500 gross square feet per floor*)
Bicycle Sales and Service* (*Greater than 3,500 gross square feet per floor*)
Clothing Store* (*Greater than 3,500 gross square feet per floor*)
Heating, Ventilating, Air Conditioning Sales and Service
Pet Store* (*Greater than 3,500 gross square feet per floor*)
Photographic Studio and Equipment Sales and Service* (*Greater than 3,500 gross square feet per floor*)
Shoe Store* (*Greater than 3,500 gross square feet per floor*)
Sporting Goods* (*Greater than 3,500 gross square feet per floor*)

Table V-1 Notes:

- * Use permitted by right when the gross square footage of the use is 3,500 square feet or less per floor, and by conditional use when the gross square footage is greater than 3,500 square feet per floor.
- ** Use permitted by right when the gross square footage of the use is 3,500 square feet or less per floor, and by special use when the gross square footage is greater than 3,500 square feet per floor.
- *** See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.

DEVELOPMENT REGULATIONS IN THE B-1 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
B-1	6,000	60	35 ³	0.30	None	15	7	10

FAR = Floor Area Ratio
OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Exhibit H - Zoning Description Sheets

Item b.

Footnote³ – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.F.3 and Section VI-5.G.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings; however, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

For more information on zoning in the City of Urbana call or visit:

City of Urbana

Community Development Services Department

Planning Division

400 South Vine Street, Urbana, Illinois 61801

(217) 384-2440 phone | Email: Planning@urbanailinois.us

City Website: www.urbanailinois.us



B-2 – NEIGHBORHOOD BUSINESS-ARTERIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-2 Zoning District is as follows:

"The B-2, *Neighborhood Business-Arterial District* is intended to provide areas of limited size along arterial streets in proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide areas for new high density residential uses. These business and residential uses may occur in the same structure. Due to the location of arterial streets in many residential neighborhoods where commercial and high density residential uses would not be appropriate, the B-2 District shall be limited to only those areas that have been so designated in the City's adopted Comprehensive Plan and related amendments."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-2 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Garden Shop

Business - Food Sales and Service

Bakery (*Less than 2,500 square feet*)

Café or Deli

Catering Service

Confectionery Store

Convenience Store

Meat and Fish Market

Restaurant

Supermarket or Grocery Store

Business - Miscellaneous

Day Care Facility (Non-Home Based)

Mail-Order Business (*Less than 10,000 square feet of gross floor area*)

Business - Personal Services

Barber/ Beauty Shop

Dry Cleaning or Laundry Establishment

Health Club/ Fitness

Laundry and/or Dry Cleaning Pickup

Massage Therapist

Mortuary

Pet Care/ Grooming

Self-Service Laundry

Shoe Repair Shop

Tailor and Pressing Shop

Business – Professional and Financial Services

Bank/ Savings and Loan Association

Check Cashing Service

Copy and Printing Service

Packaging/ Mailing Service

Professional and Business Office

Business - Retail Trade

Appliance Sales and Service

Art and Craft Store and/or Studio

Bicycle Sales and Service

Clothing Store

Drugstore

Electronic Sales and Service

Florist

Hardware Store

Heating, Ventilating, Air Conditioning Sales and Service

Jewelry Store

Music Store

Pet Store

Photographic Studio and Equipment Sales and Service

Shoe Store

Sporting Goods

Stationery, Gifts or Art Supplies

Tobacconist

Variety Store

Video Store

Exhibit H - Zoning Description Sheets

Item b.

PERMITTED USES Continued:

Public and Quasi-Public

Church, Temple or Mosque
Institution of an Educational or Charitable
Nature
Library, Museum or Gallery
Municipal or Government Building
Park
Police or Fire Station
Principal Use Parking Garage or Lot

Residential

Assisted Living Facility
Bed and Breakfast Inn
Bed and Breakfast, Owner Occupied
Boarding or Rooming House
Dormitory
Dwelling, Community Living Facility, Category I,
Category II and Category III
Dwelling, Duplex***
Dwelling, Duplex*** (*Extended Occupancy*)
Dwelling, Home for Adjustment
Dwelling, Loft
Dwelling, Multifamily
Dwelling, Single Family
Dwelling, Single Family (*Extended Occupancy*)
Dwelling, Transitional Home, Category I and II
Dwelling, Two-Unit Common-Lot-Line***
Nursing Home

SPECIAL USES:

Business - Cannabis

Dispensary (Non-Medical)

Industrial

Microbrewery

Business - Miscellaneous

Shopping Center - Convenience

Public and Quasi-Public

Utility Provider

PLANNED UNIT DEVELOPMENT:

Business - Miscellaneous

Commercial Planned Unit Development (*See Section XIII-3*)
Mixed-Use Planned Unit Development (*See Section XIII-3*)

CONDITIONAL USES:

Agriculture

Plant Nursery or Greenhouse

Business – Food Sales and Services

Banquet Facility
Fast-Food Restaurant
Liquor Store

Business – Recreation

Lodge or Private Club
Theater, Outdoor****

Business – Retail

All Other Retail Stores

Business – Transportation

Taxi Service

Business– Miscellaneous

Contractor Shop and Showroom (*Carpentry,
Electrical, Exterminating, Upholstery, Sign
Painting and Other Home Improvement Shops*)
Lawn Care and Landscaping Service
Radio or TV Studio

Business – Vehicular Sales and Services

Automobile Accessories (*New*)
Gasoline Station

Industrial

Bookbinding
Confectionery Products Manufacturing and
Packaging
Motion Picture Production Studio

Exhibit H - Zoning Description Sheets

Item b.

Public and Quasi-Public

Electrical Substation

Residential

Dwelling, Multiple-Unit Common-Lot-Line***

Table V-1 Notes:

*** See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.

**** See Table VII-1 for Standards for Specific Conditional Uses.

DEVELOPMENT REGULATIONS IN THE B-2 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
B-2	6,000	60	35 ³	1.50 ⁴	0.15	15	7	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote³ – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.F.3 and Section VI-5.G.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings. However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

Footnote⁴ – (Reserved)

For more information on zoning in the City of Urbana call or visit:

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Planning Division

400 South Vine Street, Urbana, Illinois 61801

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B-3 – GENERAL BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-3 Zoning District is as follows:

"The B-3, General Business District is intended to provide areas for a range of commercial uses wider than that of Neighborhood Business but at a lower intensity than Central Business, meeting the general business needs of the City."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-3 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Farm Equipment Sales and Service
Feed and Grain (*Sales Only*)
Garden Shop
Plant Nursery or Greenhouse
Roadside Produce Sales Stand

Business - Adult Entertainment

Adult Entertainment Uses

Business – Cannabis

Craft Grower
Dispensary (*Medical & Non-Medical*)
Infuser

Business - Food Sales and Services

Bakery (*Less than 2,500 square feet*)
Banquet Facility
Café or Deli
Catering Service
Confectionery Store
Convenience Store
Fast-Food Restaurant
Liquor Store
Meat and Fish Market
Restaurant
Supermarket or Grocery Store
Tavern or Night Club

Business - Miscellaneous

Auction Sales (*Non-Animal*)
Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)
Day Care Facility (*Non-Home Based*)
Lawn Care and Landscaping Service
Mail Order Business
Radio or TV Studio
Shopping Center – Convenience
Shopping Center – General
Wholesale Business

Business - Personal Services

Ambulance Service
Barber/ Beauty Shop
Dry Cleaning or Laundry Establishment
Health Club/ Fitness
Laundry and/or Dry Cleaning Pick-up
Massage Therapist
Medical Carrier Service
Mortuary
Movers
Pet Care/ Grooming
Self-Service Laundry
Shoe Repair Shop
Tailor and Pressing Shop

Exhibit H - Zoning Description Sheets

Item b.

PERMITTED USES Continued:

Business - Professional and Financial Services

Bank/ Savings and Loan Association
Check Cashing Service
Copy and Printing Service
Packaging/ Mailing Service
Professional and Business Office
Vocational, Trade or Business School

Business - Retail Trade

Antique or Used Furniture Sales and Service
Appliance Sales and Service
Art and Craft Store and/or Studio
Bicycle Sales and Service
Building Material Sales (*All Indoors Excluding Concrete or Asphalt Mixing*)
Clothing Store
Department Store
Drugstore
Electronic Sales and Services
Florist
Hardware Store
Heating, Ventilating, Air Conditioning Sales and Service
Jewelry Store
Monument Sales (*Excluding Stone Cutting*)
Music Store
Office Supplies/ Equipment Sales and Service
Pawn or Consignment Shop
Pet Store
Photographic Studio and Equipment Sales and Service
Shoe Store
Sporting Goods
Stationery, Gifts, or Art Supplies
Tobacconist
Variety Store
Video Store
All Other Retail Stores

Business - Vehicular Sales and Service

Automobile Accessories (*New*)
Automobile, Truck, Trailer or Boat Sales or Rental
Automobile/ Truck Repair
Car Wash
Gasoline Station
Mobile Home Sales
Truck Rental

Business - Recreation

Athletic Training Facility
Bait Sales
Bowling Alley
Dancing School
Driving Range
Gaming Hall*****
Lodge or Private Club
Miniature Golf Course
Outdoor Commercial Recreation Enterprise
(*Except Amusement Park*)****
Pool Hall
Private Indoor Recreational Development
Theater, Indoor

Business - Transportation

Motor Bus Station
Taxi Service

Industrial

Microbrewery

Public and Quasi-Public

Church, Temple or Mosque
Electrical Substation
Farmer's Market
Institution of an Educational or Charitable Nature
Library, Museum or Gallery
Methadone Treatment Facility
Municipal or Government Building
Park
Police or Fire Station
Principle Use Parking Garage or Lot
Public Maintenance and Storage Garage
University/College
Utility Provider

Residential

Bed and Breakfast Inn
Bed and Breakfast Inn, Owner Occupied
Dwelling, Community Living Facility, Category II or Category III
Dwelling, Home for Adjustment
Dwelling, Loft
Dwelling, Transitional Home, Category I or II
Hotel or Motel

Exhibit H - Zoning Description Sheets

Item b.

SPECIAL USES:

Business – Retail

Firearm Store†

Business – Vehicular Sales and Service

Towing Service

Truck Stop

Public and Quasi-Public

Correctional Institution or Facility

Hospital or Clinic

Residential

Dwelling, Multifamily

PLANNED UNIT DEVELOPMENT USES:

Business – Miscellaneous

Commercial Planned Unit Development (See Section XIII-3)

Mixed-Use Planned Unit Development (See Section XIII-3)

CONDITIONAL USES:

Business - Miscellaneous

Crematorium

Self-Storage Facility

Veterinary Hospital (*Small Animal*)****

Public and Quasi-Public

Nonprofit or Governmental, Educational and
Research Agencies

Radio or Television Tower and Station

Residential

Assisted Living Facility

Nursing Home

Industrial

Bookbinding

Confectionery Products Manufacturing and
Packaging

Electronics and Related Accessories - Applied
Research and Limited Manufacturing

Engineering, Laboratory, Scientific and Research
Instruments Manufacturing

Motion Picture Production Studio

Printing and Publishing Plants for Newspapers,
Periodicals, Books, Stationery and Commercial
Printing

Surgical, Medical, Dental and Mortuary

Instruments and Supplies Manufacturing

Table V-1 Notes:

**** See Table VII-1 for Standards for Specific Conditional Uses

***** The establishment requesting a license for a principal use gaming hall shall be a minimum of five hundred feet from any other licensed gaming hall or pre-existing Day Care Facility, Day Care Home, School, or Place of Worship, as defined under the Religious Corporation Act (805 ILCS 110/0.01 et seq.). The establishment requesting a license for a principal use gaming hall shall also be a minimum of two hundred and fifty feet away from any previously existing establishment containing a licensed video gaming terminal. Said distances shall be measured as the intervening distance between business frontages.

† See Section VII-5.D for Standards for Firearm Stores

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Item b.

DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
B-3	6,000	60	None ³	4.00	None	15	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote³ – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.F.3 and Section VI-5.G.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings; however, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

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MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** March 9, 2023**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

PLAN COMMISSION**MEMBERS ATTENDING:** Dustin Allred, Lew Hopkins, Debarah McFarland, Karen Simms, Chenxi Yu**MEMBERS EXCUSED:** Andrew Fell**MEMBERS ABSENT:** Will Andresen**STAFF PRESENT:** UPTV Camera Operator; Kevin Garcia, Principal Planner; Marcus Ricci, Planner II**PUBLIC PRESENT:** Wilson Antonio, Dennis Barber, Devan Jones, Sarah Kedas, Hanna Loew, Mia Renna, Maya Robinson, Russell Shaffer, Sharon Shaffer, Austin Shwata, Michael Venardi

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Allred called the meeting to order at 7:03 p.m. Roll call was taken, and there was a quorum of the members present.

2. NEW PUBLIC HEARINGS

Plan Case No. 2470-M-23 – An application by Sharon Shaffer to rezone the parcel at 714 East University Avenue from its current split zoning of R-3 (Single- and Two-Family Residential) and B-1 (Neighborhood Business) to B-3 (General Business).

Chair Allred opened Plan Case No. 2470-M-23 on the agenda. Marcus Ricci, Planner II, presented the staff report to the Plan Commission. He began by stating the purpose of the proposed rezoning. He gave a description of the subject property and using Exhibit A in the written staff report, he showed where the property is located in the City. He noted the zoning, existing land uses and future land use designations of the subject property and its surrounding properties. He discussed the intended use as an auto detailing business and the previous zoning of the property. He reviewed the rezoning criteria and how they relate to the proposed rezoning.

Kevin Garcia, Principal Planner, talked about criteria #8, which is *the care with which the community has planned its land use development*. He stated that since the 2005 Comprehensive Plan Future Land Use map identifies the subject site as “residential”, this would weigh against the proposed rezoning. He retracted text in the written staff report that he said was “speculative” about other areas with long-established neighborhood businesses being identified in the Comprehensive Plan as “Community Business” or with special text encouraging businesses in otherwise “Residential” areas, and how the staff report said criteria #8 should weigh in favor of the proposed rezoning. Instead, the criteria should weigh against the proposed rezoning.

Mr. Ricci continued his presentation by explaining the notification process that was followed for the case. He pointed out that he received one email in support from Donald Aikman. He summarized staff findings and showed photos from different perspectives of the proposed site and surrounding streets. He read the options of the Plan Commission and presented City staff’s recommendation, which is to recommend approval to City Council to rezone the property to B-2 (Neighborhood Business – Arterial).

Mr. Garcia added that the City’s legal counsel determined that the Urbana Zoning Ordinance gives the Plan Commission the authority to make recommendations on amendments to the Zoning Ordinance. It does not limit the Plan Commission to the requested rezoning, so the Plan Commission can make a recommendation to an alternate zone.

Chair Allred asked if any of the members of the Plan Commission had questions for City staff.

Mr. Hopkins asked if any of the rezonings would result in the current use becoming conforming. Mr. Garcia stated that rezoning the two properties to B-3 (General Business) would make the current use conforming. Waste hauler is not listed as a use in the Zoning Ordinance. The nearest similar use is a towing service, which is a use allowed with approval of a special use permit in the B-3 Zoning District and not allowed in the B-2 Zoning District. Therefore, if the existing use continued, it would still be a non-conforming use in the B-2 district.

Mr. Hopkins asked if the applicants move the waste hauling business to another location and start up an auto detailing business on the subject properties, would the non-conforming use go away? It could not come back, correct? Mr. Garcia said that is correct.

Mr. Hopkins asked if the existing building(s) would be conforming to the B-2 Zoning District. Mr. Garcia believed so. Mr. Hopkins reminded everyone that they would be making a recommendation on the zoning, not on the change in use.

Chair Allred asked if the criteria was applied to the applicants’ request to rezone to B-3 or to City staff’s recommendation to rezone to B-2. Mr. Ricci explained that it was primarily based on the applicants’ request to rezone to B-3. Only when he specifically mentioned B-2 did it vary from the B-3 discussion.

Chair Allred asked which uses would not be an issue for B-3 zoning because of the size of the lot. Mr. Ricci replied farm equipment sales and service and shopping center (general) would not probably fit on the lot.

Ms. Simms asked if there are uses that are restricted if zoned B-2 but would make sense to be located on these two lots. While the Plan Commission does not want to choose a zoning district

that would be too big, she would not want to choose a zoning district that would be too contracting either. Mr. Ricci stated that he did not have one that he would be concerned about.

Chair Allred asked if the applicants were amendable to City staff's recommendation to B-2. Mr. Ricci deferred the question for the applicants to answer.

Chair Allred reviewed the procedures for a public hearing. He then opened the hearing for public input. He invited the applicant to speak.

Sharon Shaffer, applicant, approached the Plan Commission to speak. She began by stating that the two properties have been in her husband's family since the beginning of Shaffer Sanitary. She stated that they are from the neighborhood and have known the residents for years. They have never had any problems. She said that she and her husband plan to move the waste hauling business providing they can start up a different business on the lots. They have plans to improve the visual appeal of the property with some fencing and maybe some greenery.

Ms. Shaffer stated that she and her husband just found out that the two properties still have split zoning. They thought it was already zoned commercial. The split zoning creates a deterrent for what they can do on the site. They have a grandson who owns an auto detailing shop in Rantoul and would like to have his shop on the proposed site. It would be a win-win for the family. Their grandson would have an auto detailing shop and would pay them rent so they can help supplement their retirement years.

Mr. Hopkins said that the B-2 Zoning District would allow an auto detailing shop use and many other uses similar to it. Ms. Shaffer replied that they would accept rezoning to B-2 as long as they can have the auto detailing shop.

Mya Renna approached the Plan Commission to speak in opposition of the proposed rezoning. She stated that she is happy to hear that the owners' intent is to change the use of the properties, because the trash has created a major rodent issue in the neighborhood. She mentioned that there is also a lot of trash in the alley.

Ms. Renna expressed concern with other uses that would be allowed that would be unacceptable to the neighborhood should the auto detailing use fail. She would be more in favor of rezoning to B-2 than continuing on with the current use.

Mr. Hopkins wondered if the alley was City-owned. Mr. Garcia said that he made a note to check into this. [Editor's Note: The alleys are City-owned.]

Ms. Shaffer re-approached to address Ms. Renna's concern about trash in the neighborhood. She stated that they have had to call the police to come out because people have dumped garbage bags of trash on their property before. The police came, went through the trash and found who owned the trash, called the owners and made them come get their trash. Shaffer Sanitary does not leave any trash on their property because that would be bad for their business. Other waste haulers come into the neighborhood and pick up residents' trash; however, they [Shaffer's] get blamed for loose trash being in neighboring yards and in the alley. She said this won't be an issue any longer because the waste hauling use will not be located there.

Ms. Shaffer talked about being taxed as commercial for 40 years, so even Champaign County believed they were zoned commercial.

With there being no further questions or concerns from the audience, Chair Allred closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2470-M-23 to the City Council with a recommendation to rezone 714 East University Avenue to B-2 (Neighborhood Business – Arterial). Ms. McFarland seconded the motion.

Mr. Hopkins noted that with regards to the Comprehensive Plan, it is useful to have the notion of “urban residential pattern” and the annotations are useful and they matter.

Roll call on the motion was as follows:

Ms. Simms	-	Yes	Mr. Allred	-	Yes
Mr. Hopkins	-	Yes	Ms. McFarland	-	Yes
Ms. Yu	-	Yes			

The motion passed by unanimous vote. Mr. Garcia noted that this case would be forwarded to Committee of the Whole on March 20, 2023 and to City Council on March 27, 2023.



MEMORANDUM

TO: City Council
FROM: Diane Wolfe Marlin, Mayor and Local Liquor Commissioner
Kate Levy, Deputy Local Liquor Commissioner
DATE: March 24, 2023
RE: **Maintaining the Number of Class A Liquor Licenses for Synesthesia LLC d/b/a Gallery**

Synesthesia LLC d/b/a Gallery has applied for a Class A (Retailer's on-premises) liquor license for the establishment located at 119 West Main Street in Urbana.

There is no change in the authorized number of Class A liquor licenses in the license classification chart in the attached ordinance, because Nola's Rock Bar, a separate Class A establishment at the same location, closed for business in December 2022.

The change in the authorized number of Class H (Hotel) liquor licenses in the license classification chart in the attached ordinance appears because of a change in the flagship status of Radisson Hotel and Conference Center that rendered the FY23 liquor license null and void.

ORDINANCE NO. _____

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE, SECTION
3-43

(Maintaining the number of Class A liquor licenses for Synesthesia LLC d/b/a Gallery, 119 W Main St, Urbana, IL)

WHEREAS, the City Council heretofore has adopted Urbana City Code Section 3-43 to establish limits on the number of liquor licenses issued in the City in this Class A designation; and

WHEREAS, the City Council finds that the best interests of the City are served by maintaining the number of Class A liquor licenses for **Synesthesia LLC d/b/a Gallery, 119 W Main St, Urbana, IL**.

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

Section 1.

Urbana City Code Chapter 3, "Alcoholic Liquors," Article III, "Retail License," Section 3-43, "Limitations on number issued," subsection 3-43(a), is hereby amended and as amended shall read as follows:

Sec. 3-43. - Limitations on number issued.

(a) The maximum number of liquor licenses authorized for the license classifications set forth below is as follows:

Classification	Number authorized
A	7
BYOB-R	0
CA	1
CS	0
FM	0
GC	1
GH	9
H	1 2
MB-1	0
MB-2	2
N	1
P	27
PB	0

R&T-1	15
R&T-2	11
TH	0
URO	0

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, ____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, ____.

Diane Wolfe Marlin, Mayor



MEMORANDUM

TO: City Council
FROM: Diane Wolfe Marlin, Mayor and Local Liquor Commissioner
Kate Levy, Deputy Local Liquor Commissioner
DATE: March 24, 2023
RE: **Increasing the Number of Class H Liquor Licenses for VIDHI 3 LLC**

VIDHI 3 LLC has applied for a Class H (Hotel) liquor license for the establishment located at 1001 Killarney Street in Urbana. This establishment, formerly under the flagship of Radisson Hotels, has been rebranded as a Wyndham Hotel.

The change in the authorized number of Class H (Hotel) liquor licenses in the license classification chart in the attached ordinance will increase from one to two.

ORDINANCE NO. _____

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER THREE, SECTION
3-43(Increasing the number of Class H liquor licenses for VIDHI 3 LLC, 1001 W Killarney St,
Urbana, IL)

WHEREAS, the City Council heretofore has adopted Urbana City Code Section 3-43 to establish limits on the number of liquor licenses issued in the City in this Class H designation; and

WHEREAS, the City Council finds that the best interests of the City are served by increasing the number of Class H liquor licenses for **VIDHI 3 LLC, 1001 W Killarney St, Urbana, IL.**

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

Section 1.

Urbana City Code Chapter 3, "Alcoholic Liquors," Article III, "Retail License," Section 3-43, "Limitations on number issued," subsection 3-43(a), is hereby amended and as amended shall read as follows:

Sec. 3-43. - Limitations on number issued.

(a) The maximum number of liquor licenses authorized for the license classifications set forth below is as follows:

Classification	Number authorized
A	7
BYOB-R	0
CA	1
CS	0
FM	0
GC	1
GH	9
H	1 2
MB-1	0
MB-2	2
N	1
P	27
PB	0
R&T-1	15

R&T-2	11
TH	0
URO	0

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, ____.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, ____.

Diane Wolfe Marlin, Mayor