



DATE: Thursday, February 08, 2024

TIME: 7:00 PM

PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

A. Call to Order and Roll Call

B. Changes to the Agenda

C. Approval of Minutes

[Minutes](#) of the December 7, 2023 Regular Meeting

D. Communications

E. Continued Public Hearings

F. Old Business

[Review](#) of Plan Commission Bylaws - Changes to Plan Commission Meeting Schedule for 2024

G. New Public Hearings

[Plan Case No. 2482-M-23](#) - A request by Brad Bennett, on behalf of the Urbana-Champaign Sanitary District, to rezone Lots 1 and 2 of the Urbana Champaign Sanitary District Subdivision 1 from R-3 (Single and Two-Family Residential) to CRE (Conservation, Recreation and Education).

[Plan Case No. 2483-M-23](#) - A request by the Urbana Zoning Administrator, on behalf of the Urbana City Council, to rezone 205 North High Cross Road from B-3 (General Business) to B-1 (Neighborhood Business).

[Plan Case No. 2484-T-24](#) - A request by the Urbana Zoning Administrator to amend Table V-1 of the Zoning Ordinance to remove "Self-Storage Facility" from the B-3 (General Business) Zoning District as a Conditional Use.

H. New Business

I. Audience Participation

J. Staff Report

K. Study Session

L. Adjournment

PUBLIC INPUT

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

Public Input will be taken in the following ways:

Email Input

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

Written Input

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

Public Hearing

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

Verbal Input

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

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

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

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

Accommodation

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

Phone: 217.384.2455

Email: hro@urbanaillinois.us

Watching the Meeting via Streaming Services

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://urbanaillinois.us/upty>.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: December 7, 2023

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Dustin Allred, Lew Hopkins, Debarah McFarland, Bill Rose, Chenxi Yu

MEMBERS EXCUSED: Will Andresen, Andrew Fell, Karen Simms

STAFF PRESENT: Dave Wesner, City Attorney; Kimberly Smith, Director of Community Services; Kevin Garcia, Principal Planner; Marcus Ricci, Planner II

OTHERS PRESENT: Babatunde Amao; Darleen Bailey; Shea Belahi; Paulette M. Bell; Cheryl Bicknell; Elderess Melinda Carr; Lee A. Clark; Phyllis D. Clark; Paulette Coleman-Peebles; Tony Comtois; Jackie Curry; LeRoy Dee; Earnest Dent; Marion D. Harrington, Jr.; Jonathon Howard; James Johnson; Brian Kesler; Claudia Lenhoff; Diane Wolfe Marlin; Chad Osterbur; Krist Sallee; Marty Smith; Terry Townsend; Reverend Evelyn Underwood, JD, Ph.D.; Bridgett Wakefield; Mary Alice Wu

A. CALL TO ORDER and ROLL CALL

Chair Allred called the meeting to order at 7:02 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the November 9, 2023, regular meetings were presented for approval. Ms. McFarland moved that the Plan Commission approve the minutes as written. Mr. Rose seconded the motion. The minutes were approved by unanimous voice vote as written.

D. CONTINUED PUBLIC HEARINGS

Plan Case No. 2480-PUD-23 – A request by Marty Smith, on behalf of Carle Foundation, for approval of a Final Residential Planned Unit Development located south of Federal Drive and

north of Carver Drive in the R-3 (Single and Two-Family Residential) and R-4 (Medium Density Multiple Family Residential) Zoning Districts.

Chair Allred re-opened Plan Case No. 2480-PUD-23. He reminded everyone that at the previous meeting the public input portion of the hearing was declared closed and the Plan Commission was in discussion when there was a motion to continue the case to this meeting. He stated that there was a request of the applicant to consider the issue of Federal Drive access to the site and the possibility of modifying the site plan to reflect that access. He said that before the Plan Commission resumes their discussion on the case, he first wanted to give the applicant the opportunity to respond to this specific request and then the Plan Commission will go back into discussion amongst the Commission members and possibly entertain a motion to vote.

Marty Smith, applicant, approached the Plan Commission to address the Plan Commission's request to provide access onto Federal Drive. He began by stating that the proposed project will be constructed on the southern portion of the lot, Lot 101, which is not contiguous to Federal Drive and will not have access to Federal Drive. The northern portion of the lot, Lot 102, is contiguous to Federal Drive; however, it is not part of the planned unit development application and is not being proposed for development. The northern portion will remain farmland for now.

He stated that the design of Hope Village on the southern portion with Carver Drive access followed best practice land use, Zoning Ordinance and Planned Unit Development (PUD) criteria based on the following: 1) meets the criteria in the Urbana Zoning Ordinance for approval which states that the proposed development is conducive to the public convenience at that location; 2) Hope Village is a residential development best suited connected to an adjacent residential neighborhood and accessed by a residential public street not a commercial/industrial area; and 3) direct access to a collector or main street with nearby access to public transportation and bus service and is convenient for pedestrian traffic, bike traffic, vehicle transit and close proximity to two hospitals and other medical services.

Mr. Smith stated that the Carver Park Subdivision has two public street access points into the site: Dorie Miller Drive to the east and Carver Drive to the west. These public streets dead end without turnarounds or access back out of the neighborhood, so it can safely be assumed under generally accepted planning principles that these two public streets were intended to be extended as future development occurred. He mentioned that additional benefits to the Carver Park Subdivision from Hope Village being developed on the south lot with access from Carver Drive are that it will provide turnaround for emergency and maintenance vehicles exiting the neighborhood and permanently restrict any additional traffic from connecting to future development to the north through Carver Park Subdivision on Dorie Miller or Carver Drive. He added that as a low-density residential development, Hope Village eliminates any chance for access through Carver Park Subdivision to a higher density multi-family development allowed by right in the current R-4 Zoning District.

He said that orientation to the north lot and access of Federal Drive does not meet best practice land use for the following reasons: 1) it does not meet criteria in the Urbana Zoning Ordinance for approval which states that the proposed development is conducive to the public convenience at that location; 2) it does not provide direct access to a collector or main street nor nearby access

to public transportation and bus service; 3) heavy commercial truck traffic and lack of sidewalks on Kenyon Road, the only feeder street to Federal Drive, present safety concerns for Hope Village residents and pedestrian and bike traffic; 4) travel time to the North Federal Drive location adds significantly longer response time for emergency vehicles putting the Hope Village residents at higher risk; 5) residential development to the north conflicts with the existing commercial/industrial business of a charter bus company, express delivery distribution center, contractor supply, food service distributor and other industrial business traffic.

He stated that based on these conditions, they request a recommendation for approval of the final PUD application before the Plan Commission to the Urbana City Council.

Chair Allred asked if any members of the Plan Commission had questions for Mr. Smith.

Mr. Hopkins asked if the applicant was asserting that Carver Drive is a collector street. Mr. Smith replied no. Carver Drive has direct access to a collector street, Bradley Avenue. Mr. Hopkins pointed out that Hope Village would not have direct access except through a non-collector street, Carver Drive.

Mr. Rose stated that this is the first opportunity for the Plan Commission members to see good reasons for the access drive to not be on Federal Drive. To retain Carver Drive as the main vehicle access, he said he feels it deserves study more than just a verbal presentation. He added that he did not feel equipped at this point to say the reasons Mr. Smith provided verbally are compelling to him.

Ms. McFarland asked if the Plan Commission had the option to visit the site and look at the options for access to the site. Mr. Smith replied that the Site Plan is very specific and well laid out showing the entrance off Carver Drive into the site. He said that he would welcome visitors to the site and would gladly show them around so they could see what Hope Village is intended to be.

With no further questions for the applicant, Chair Allred opened the hearing for discussion by the Plan Commission.

Ms. Yu asked about the detention pond. She recalled that it was viewed by the Carver Park Subdivision residents as a safety concern. Chair Allred stated that part of the issue was that the retention pond was not originally included in the fenced off area of the site, and that change was made to extend the fence to enclose the retention pond as part of the site.

Ms. Yu asked if a retention pond was necessary for the proposed development. Kevin Garcia, Principal Planner, replied that the applicant is not required to do a specific design for water retention. They are required to retain storm water on the site, and it must meet the City's engineering standards. There are different ways to handle stormwater runoff on a site, and a retention pond is one way. The proposed retention pond does meet the City's standards.

Chair Allred stated that taking a tour would need to be voted on by the Plan Commission and would involve continuing the case to another meeting.

Mr. Rose stated that he attaches significant importance to the issue of access to the proposed site. He pointed out that the importance is stressed in the Preliminary PUD approval, which was passed by the City Council with three conditions and one waiver. The second condition is that the Final Site Plan is responsive to the concerns of the neighboring residents. He finds in the material presented to the Plan Commission to date has that this condition has not been met. He went on to say that with reference to Criteria 2: *That the proposed development is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the surrounding areas, or otherwise injurious or detrimental to the public welfare.* He noted that the applicant's response to this did not address the surrounding areas, but only addressed Hope Village.

He stated that Exhibit L, Letter from Carver Park Neighborhood Association lists their first concern as being traffic and access with a recommendation/suggestion that access be made to and from Federal Drive with no traffic coming through Carver Park Subdivision. He felt that Mr. Smith was correct in focusing on access as a crux on which the Plan Commission can make judgments.

Exhibit M, he said is City staff's response to the Carver Park Subdivision letter. He stated that the letter states that the applicants have clearly and consistently articulated the following reasons for designing Hope Village:

- 1) Carver Drive offers better, faster access to the hospitals. He stated that there were more important reasons to base their judgment on.
- 2) Carver Drive provides a direct connection to more frequent Mass Transit District (MTD) bus service along Bradley Avenue. He stated that there is no dispute about pedestrian traffic using Carver Drive to access the bus service along Bradley Avenue.
- 3) If the proposed development used Federal Drive as an access, then it would occupy some of the northern portion of the lot. He stated that this ship had sailed as the applicant has already begun work on the southern portion of the parcel.

Mr. Rose went on to say that 7 or 8 of the 12 speakers at the previous Plan Commission meeting addressed issues with traffic. He recalled that Marion Harrington had talked about how the neighborhood was not against the use and if the proposed development used Federal Drive for access, then the residents of the Carver Park Subdivision would not have an issue with the project. He pointed out comments made by other residents during the November 9, 2023 Plan Commission meeting.

He discussed the applicant's comments about meeting the criteria. He stated that the applicant spoke of the parcel being in two separate lots; however, the lot has not been subdivided at this point, so it was incorrect for the applicant to speak of two separate lots. He did not find the applicant's statement of how the project practices best land use and meets the Zoning Ordinance requirements for the development to be conducive to public convenience to be compelling. As for the vehicular traffic, it would include staff, emergency vehicles, vendors and suppliers, which would largely be commercial rather than residential use. The Hope Village development would not have direct access to a collector street as Mr. Hopkins pointed out. He doubted that not having turnarounds at the dead end of Carver Drive and Dorie Miller Drive has not bothered the

residents of the subdivision. He talked about the additional benefits that the applicant mentioned in their response at the beginning of this meeting with regards to Hope Village preventing additional traffic on Carver Drive to a higher density multi-family allowed by right in the current R-4 Zoning District. In general, he is not compelled by the applicant's reasoning for providing access on Carver Drive rather than on Federal Drive, and he does not feel that Condition # 2 of the approval of the Preliminary PUD has been met.

Mr. Hopkins stated the following:

- 1) Because much of the Final PUD has actually already been physically built before a Final PUD permit was granted contrary to XVI-7 of the Zoning Ordinance, which states that *"No building permit or Certificate of Occupancy if no building permit is required shall be issued before issuance of a planned unit development permit"* and regardless of whether some of it was built by right, whether the proposed development was appropriately shifted to a PUD; whether there was a variance for parking that could have been done a different way, the cancelled attempt to amend the Zoning Ordinance to allow multiple units on a single lot, this is a procedural mess. So, the Plan Commission has no discretion or available use of its traditional, persuasive and negotiating power left;
- 2) Because the Plan Commission has exhausted its discretionary and persuasive capabilities, and held the public hearing that it is required to hold because of the PUD process;
- 3) Because the proposal is an innovative, unusual proposal and project, potentially very valuable, and also therefore with unpredictable or less predictable consequences both on the effects of construction and the effects of operation;
- 4) Because the location chosen is arguably not conducive to the public convenience in the sense of the Carver Park Subdivision residents, therefore these less predictable effects will be effects on a vulnerable neighborhood; and
- 5) Because the City of Urbana, through funding, is actually a participant in this project, not merely a disinterested, regulatory body,

He moved that the Plan Commission forward Plan Case No. 2480-PUD-2023 to the City Council with a recommendation that City administration continue to work closely with the applicant organizations, the neighborhood residents (including those who are residents of Champaign), the City of Champaign and others to mitigate the effects of construction and operation (a continuing responsibility) of Hope Village.

Chair Allred asked for confirmation whether or not this was a recommendation of approval with conditions. Mr. Hopkins said no. He explained that he did not say it was a recommendation of approval or that it was conditions because a recommendation for approval with conditions is approval conditional on the applicant meeting the conditions. The question is not that the City Council will approve the proposed PUD. He stated that the Plan Commission is responsible for making a recommendation, and he was suggesting that after the public hearing and given the procedural mess (where the concerns and usual processes of the Plan Commission have been impossible to carry out) that the Plan Commission should make a recommendation of what the City should do. The City Council has the authority and responsibility to decide to approve this. He added that he is not recommending conditions because the City has a responsibility to continue to work on this; not to check off a box and say "it's approved".

Chair Allred stated that this is unconventional and the options that the City staff gave the Plan Commission does not include something like this. He suggested taking a recess and consulting with the City Attorney, Dave Wesner, to discuss whether the Plan Commission could move forward in the direction of Mr. Hopkins' motion.

Mr. Wesner advised the Plan Commission on how to proceed. He said that the Plan Commission should second the existing motion, and then proceed to taking a recess so that when they return to the public hearing, they will be at the point of discussing the motion. Ms. McFarland seconded the motion made by Mr. Hopkins.

Mr. Rose moved that the Plan Commission recess to speak with Mr. Wesner about Mr. Hopkins' motion. Ms. Yu seconded the motion. Roll call on the motion was as follows:

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

The motion passed unanimously. Recess was taken at 7:44.

At 7:57 p.m., Mr. Rose moved that the Plan Commission exit recess and return to the public hearing. Mr. Hopkins seconded the motion. Roll call on the motion was as follows:

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

The motion passed unanimously.

Chair Allred announced that after consultation with Mr. Wesner, they feel that Mr. Hopkin's motion is an appropriate motion. He asked Mr. Hopkins to restate the motion.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2480-PUD-23 to the City Council with a recommendation that the City Administration continue to work closely with the applicant organizations, the neighborhood residents (including those in the City of Champaign), the City of Champaign, and others to mitigate the effects of construction and operation of Hope Village:

- 1) Because much of this project has already been built before the PUD was granted, the City is therefore in a procedural bind because the City's Zoning Ordinance states that no building permit or certificate of occupancy (if no building permit is required) shall be issued before issuance of a planned unit development permit;
- 2) Because the Plan Commission has exhausted its discretionary and persuasive capabilities through holding a public hearing for the PUD process;
- 3) Because the innovative and unusual proposal presents likelihood of unexpected modifications or effects in construction and operation;
- 4) Because the location makes the effects problematic for a vulnerable neighborhood; and

- 5) Because the City of Urbana, through funding, is actually a participant in this project, not merely a disinterested, regulatory body.

Chair Allred reminded everyone that the motion was seconded by Ms. McFarland, and he then asked if there was any discussion on the motion.

Ms. Yu stated that normally the Plan Commission forwards a case to City Council with a recommendation for approval or disapproval and sometimes they include conditions. In this case, it seems the Plan Commission does not have any way to influence the project at this moment. So, the Plan Commission will vote to send the proposed PUD to Council without approval or disapproval because there is not much the Plan Commission can do; however, they included the language in the motion to let the Council know that this is result of the Plan Commission discussion and how we feel. The Plan Commission is asking the City Council to work with this recommendation.

Mr. Hopkins stated this is correct. The motion uses subtleties of language because the usual meaning of conditions when the Plan Commission makes a recommendation is conditions that should be met prior to approval and much of what this motion argues is that it is pointless after construction. So, they are focusing on recommendations about continuing action and attitude after Council action.

Ms. Yu added that that the point of this motion is to make sure there are some guiding principles for the future operation. Mr. Hopkins stated that he agrees with this.

Mr. Rose stated that he felt this is an astute motion in that it represents where the Plan Commission is at, where the project is at, where the neighborhood is at, and where the City is at with this project in a way that can in no way be captured by a simple up/down or condition approval. The motion sends a message that there is a lot of work to be done. He said that he appreciates this motion.

Chair Allred stated that going into this he was leaning towards not being able to support this project; however, the way that Mr. Hopkins worded his unconventional motion, he now feels that this is something that he can support. He commented that the site selection process made this very problematic before the proposed project even got to the Plan Commission. Particularly for a project with the University of Illinois and the City of Urbana in a relationship, the process should have been much more transparent. The result is that the way this site was chosen has created distrust and a sense that the adjacent neighbors have been wronged. The Plan Commission was not involved in the site selection process and never had a chance to provide input. The Plan Commission was presented with a proposed PUD that was in a particular location with particular characteristics that we now know are partially built. The Preliminary PUD was recommended to City Council by the Plan Commission with a key condition that steps be taken to listen to the concerns of the community and that the final site plan be responsive to those concerns; however, in listening to the public during the November 9, 2023 meeting, it does not seem like this has happened. The Site Plan is largely the same as was originally presented with the exception of minor changes of moving a fence. In

particularly in terms of how the site is accessed, which seems to have been one of the key concerns from the beginning, this has not changed.

With no further discussion, roll call on the motion was taken and was as follows:

Mr. Rose	-	Yes	Ms. Yu	-	No
Mr. Allred	-	Yes	Mr. Hopkins	-	Yes
Ms. McFarland	-	No			

The motion passed by a vote of 3 yeses to 2 nos. Mr. Garcia noted that Plan Case No. 2480-PUD-23 will be forwarded to Committee of the Whole on Monday, December 18, 2023.

E. UNFINISHED BUSINESS

Plan Case No. 2479-S-23 – A request by Marty Smith, on behalf of Carle Foundation, for preliminary and final plat approval for the Hope Village.

Chair Allred re-opened Plan Case No. 2479-S-23. He noted that the Plan Commission had left off with Plan Commission discussion at the previous meeting, which is where they will pick up the case now.

Mr. Hopkins moved to untangle Plan Case No. 2479-S-23. Mr. Rose seconded the motion. Roll call on the motion was as follows:

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

The motion passed unanimously.

Chair Allred asked if there was any further discussion on this case.

Mr. Hopkins asked for clarification on which body would have the deciding vote on the Preliminary Plat since the Plan Commission normally makes the determination. Mr. Garcia stated since it is a combination preliminary and final plat, the City Council would be making the final determination.

Mr. Hopkins stated that belaboring this is pointless because the thing has been built. He moved that the Plan Commission forward Plan Case No. 2479-S-23 to the City Council with a recommendation of action. He clarified that this is now under the authority of the City Council. Neither the preliminary or the final plats are based on action by the Plan Commission.

Chair Allred asked the City Attorney if this motion was workable. Mr. Wesner replied that he feels it is consistent with the motion in Case No. 2480-PUD-23 and accomplishes at least advancing this to the next stage in the process. He did suggest that the Plan Commission reword the motion to forward with no recommendation rather than with a recommendation of action.

Mr. Hopkins agreed to the rewording of the motion. Mr. Rose seconded the motion. Roll call on the motion was as follows:

Ms. Yu	-	Yes	Ms. McFarland	-	No
Mr. Hopkins	-	Yes	Mr. Allred	-	Yes
Mr. Rose	-	Yes			

The motion passed by a vote of 4 to 1. Mr. Garcia noted that Plan Case No. 2479-S-23 will be forwarded to Committee of the Whole on Monday, December 18, 2023.

Review of Plan Commission Bylaws

Changes to Plan Commission Meeting Schedule for 2024

Chair Allred re-opened this item on the agenda. Kevin Garcia, Principal Planner and Zoning Administrator, gave a presentation from the written staff memo.

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

Mr. Hopkins expressed concern about there being no meetings scheduled in a month where the regular meeting lands on a holiday. He used the year 2025 as an example of how it might be difficult to get a quorum on first Thursdays, especially January 2, 2025 and July 3, 2025. He sees a potential of having a real problem actually getting cases done with only having one meeting scheduled per month. So, he believes that if we are going to do this then we have to add some specific way that we schedule additional meetings and the expectation that we scheduling additional meetings. He stated that he believed it would be better to hold regular meetings on the third Thursday rather than the first.

He stated that one of the responsibilities of the Plan Commission as stated in the Zoning Ordinance is the preparation of a Comprehensive Plan. They have demonstrated that the City also needs to revise the Zoning Ordinance. Both of these can be enhanced by the public hearing and public input study session by the Plan Commission. If they are going to make progress on revising the Comprehensive Plan, then they would benefit from more meetings in the next 12 months than they have needed in the last 12 months.

Mr. Garcia responded that because it is stated in the bylaws, they cannot act on the bylaws at this meeting. It is okay if they keep discussing this and in fact, they would not have time to make changes that would take affect as of January 1, 2024. So, there is plenty of time for the Plan Commission to provide feedback.

Mr. Allred agreed with Mr. Hopkins, especially when they have to continue a case. It is much easier knowing that the next Plan Commission meeting is scheduled for two weeks away. Even though he understand the benefits of reducing the number of meetings per month, he expressed concern about losing the flexibility of holding an additional meeting when needed in a month. It

is much better in terms of being responsive to the applicant and it is also helpful in terms of keeping things fresh in Plan Commissioner's minds.

Mr. Garcia stated that City staff will give it some thought and come back to the Plan Commission.

F. NEW PUBLIC HEARINGS

There were none.

G. NEW BUSINESS

There was none.

H. PUBLIC INPUT

Chair Allred invited members of the audience to approach the Plan Commission to speak.

Marion Harrington approached the Plan Commission to speak. He stated that there was not supposed to be any construction vehicular access off Carver Drive; however, on November 28, 2023, there was a semi-truck at Carver Drive unloading two scissor lifts. On this particular date, there were cars parked on both sides of the street, and there was barely enough room for the truck to get through. Carver Drive is not wide enough to accommodate large vehicles like this. They blatantly disregarded the fact that they are not supposed to use Carver Drive anyway. So, obviously they are not paying attention to any of the neighborhood's concerns, which makes the neighborhood feel like no one is listening to them. They called the City of Champaign, who brought out and put up concrete barricades to hopefully deter any future construction access to the proposed development.

Reverend Evelyn B. Underwood approached the Plan Commission to speak. She stated that they are not opposed to housing the homeless. However, they do agree with the many others who are in opposition to the location of Hope Village and the many concerns related to process. Those concerns are as follows:

1. Access through Carver Park Subdivision
2. Lack of attention to Carver Park infrastructure
3. Public health, safety and well-being
4. No environmental impact assessment with neighboring residents or the community
5. Open transparency with community engagement, specific programs and medical services to be used at Hope Village
6. What is the value added to the community?
7. Propose a proper notification process for all changes made and to be made in the future

They trust that we can work together to have an equitable solution so we are able to move forward.

Terry Townsend approached the Plan Commission to speak. He stated the following:

1. That the George Washington Carver Subdivision neighboring residents and stakeholders repeatedly have voiced support for the proposed tiny houses called Hope Village. However, the neighborhood, the stakeholders and the citizens do not want to be a supply chain for experimentation.

2. The applicant repeatedly stated that the purpose of Hope Village is to serve the “medically fragile individuals”. He stated that he contacted the U.S. Department of Housing and Urban Development (HUD), and they have never heard of “medically fragile individuals”. He noted that in the applicant’s 501c3 Articles of Incorporation for Hope Village Incorporated, it states that the purpose for Hope Village is to provide and/or support the provisions of health and support services to individuals who are suffering from homelessness, chronic transitional housing arrangements, and chronic inability to afford permanent housing in Urbana, Illinois or other suitable geographical areas. This is a much broader charge than serving “medically fragile individuals”. This informs and raises significant questions about every aspect of the Hope Village Development.
3. The Hope Village detention basin or pond will be a breeding ground for mosquitoes, transmit diseases, and because of its close proximity to the George Washington Carver and Crispus Attucks Subdivision, it will be a clear health and safety hazard. Because it will be an attractive nuisance, it will be appropriate at any stage of development of the Hope Village for neighboring residents to seek injunctive relief.
4. The City of Urbana and the Plan Commission have not been told the truth about what the traffic problems are. The traffic impact studies are biased, self-serving and use the wrong metrics to measure the negative impact traffic will have on the quality of life of the George Washington Carver Subdivision. Traffic is not just about car ownership of Hope Village residents. It is also about fire trucks, service trucks, ambulances, Hope Village residents, Hope Village staff, University of Illinois students, and Hope Village residents’ family and friends.
5. He agreed with others in that he feels that they have not been heard or listened to.

He thanked the Plan Commission for trying to straighten out this mess, and he thanked them for their service.

Mr. Townsend stated that they are going to ask the University of Illinois to recuse themselves from the partnership with this project.

With no further public input, Chair Allred closed this section of the agenda.

I. STAFF REPORT

There was none.

J. STUDY SESSION

There was none.

K. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Plan Commission
FROM: Kevin Garcia, Principal Planner
DATE: February 8, 2024
SUBJECT: Update to the Plan Commission's Official Bylaws.

Background

At the November 9, 2023, Plan Commission meeting, Staff asked the Plan Commission to consider changing their bylaws to reduce the number of meetings to one per month, to be held on the first Thursday of the month. At that meeting, the Commission expressed some concerns about the proposed changes and asked staff to return at a later date with more information.

Attached is an alternative meeting schedule for the remainder of 2024, which shows three options:

1. Make no changes: keep the current schedule of holding two meetings per month, held on the first and third Thursdays following the first Committee of the Whole meeting of the month.
2. Continue holding two meetings per month, but shift to holding them on the first and third Thursdays of the month.
3. Make the changes originally suggested by staff: to hold one meeting per month on the first Thursday of the month.

Recommendation

Staff recommends that the Plan Commission consider all three options and direct staff accordingly.

Attachments: Options for 2024 Meeting Schedule

2024 MEETING SCHEDULE

PLAN COMMISSION

CURRENT	OPTION 1	OPTION 2
<i>1st and 3rd Thursday following 1st COTW</i>	<i>1st and 3rd Thursday of every month</i>	<i>1st Thursday of every month</i>
[Any changes would take effect in March, at the earliest.]		
March 7	March 7	March 7
March 21	March 21	
April 4	April 4	April 4
April 18	April 18	
May 9	May 2	May 2
May 23	May 16	
June 6	June 6	June 6
June 20	June 20	
July 11*	July 11*	July 11*
July 18	July 18	
August 8	August 1	August 1
August 22	August 15	
September 5	September 5	September 5
September 19	September 19	
October 10	October 3	October 3
October 24	October 17	
November 7	November 7	November 7
November 21	November 21	
December 5	December 5	December 5
December 19	December 19	

*July 4, 2024 is 4th of July holiday. This meeting is rescheduled to July 11, 2024.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission
FROM: Kevin Garcia, AICP, Principal Planner & Zoning Administrator
DATE: February 1, 2024
SUBJECT: **Plan Case 2482-M-23:** A request by Brad Bennett, on behalf of the Urbana-Champaign Sanitary District, to rezone Lots 1 and 2 of the Urbana Champaign Sanitary District Subdivision 1 from R-3 (Single- and Two-Family Residential) to CRE (Conservation, Recreation, and Education)

Introduction & Background

Brad Bennett, on behalf of the Urbana-Champaign Sanitary District (“UCSD”), requests a rezoning of Lots 1 and 2 of the Urbana Champaign Sanitary District Subdivision 1 from R-3 (Single- and Two-Family Residential) to CRE (Conservation, Recreation, and Education). The proposed rezoning would bring the two lots into alignment with the rest of UCSD’s campus.

Staff recommend approving the proposed rezoning, as it satisfies the rezoning criteria.

Description of Site and Area

The site is approximately 2.2 acres, and is located north of University Avenue, at the northern end of Cottage Grove Avenue. It is just west of Ambucs Park. The property and most of the adjacent property are owned by UCSD, with the properties to the west, north, and east all being zoned CRE (Conservation, Recreation, and Education). Two residential parcels to the southwest are privately owned, and are zoned R-3 (Single- and Two-Family Residential), as is the UCSD-owned lot to the south.

Table 1 below identifies the current zoning and the existing and future land uses of the site and surrounding properties (see Exhibit C).

Discussion

The applicant wants to bring two parcels into conformity with the zoning of their remaining parcels. The parcels are currently zoned for residential use (R-3), but they have never contained homes, and they have been used by UCSD since the 1980s, at least. They currently contain a portion of UCSD’s solar farm.

The proposed rezoning would be in line with the Future Land Use Designation of “Institutional” in Urbana’s 2005 Comprehensive Plan.

Staff see no potential issues in permitting the rezoning.

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	R-3 (Single- and Two-Family Residential)	UCSD Solar Farm	Institutional
North	CRE (Conservation-Recreation-Education)	UCSD Facility	Institutional
South	R-3 (Single- and Two-Family Residential)	Homes, Vacant	Residential
East	CRE (Conservation-Recreation-Education)	Park	Parks/Recreation
West	CRE (Conservation-Recreation-Education)	UCSD Solar Farm	Institutional

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 proposed zoning.

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

Nearby properties are a mix of CRE (Conservation-Recreation-Education) and R-3 (Single- and Two-Family Residential), and contain a mix of institutional (UCSD), recreational, and residential uses. The primary reason for the proposed rezoning is to bring the parcels in line with the majority of UCSD's campus. This should weigh in favor of the proposed rezoning.

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

This criterion is not relevant to this case.

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

The proposed rezoning would have little or no effect on the health, safety, morals, or general welfare of the public. This criterion should weigh in favor of the proposed rezoning.

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

There is little gain to the public, but there is also no hardship imposed by the current or proposed rezoning. This should weigh in favor of the proposed rezoning.

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

The property is well-suited for the CRE zoning district. The 2005 Comprehensive Plan designates the area's future use as "Institutional," which is consistent with how it is being used. Solar farms

are allowed in the CRE district with a special use permit. They are not allowed at all in the R-3 district. While the solar farm on the site predates the adoption of Section XIII-9 of the Zoning Ordinance, which regulates Solar Energy Systems, rezoning to CRE would bring the use more in line with current regulations. This should weigh in favor of the proposed rezoning.

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. It contains a portion of UCSD's solar farm. This criterion is not relevant to this case.

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

While this rezoning request is not tied to a specific use, the community may benefit from having more land in the CRE district. This should weigh in favor of the proposed rezoning.

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

The 2005 Comprehensive Plan designates the property for future "Institutional" land use. The rezoning would create a more consistently-zoned campus for UCSD, an institutional use. This should weigh in favor of the proposed rezoning.

Overall, the request meets a preponderance of criteria for a rezoning.

Summary of Findings

1. The proposed rezoning to CRE (Conservation, Recreation, and Education) would be compatible with the "Institutional" Future Land Use designation by the 2005 City of Urbana Comprehensive Plan.
2. The proposed rezoning would be compatible with the adjacent CRE and R-3 zoning districts.
3. The proposed zoning would allow UCSD to have a more consistently-zoned campus.

Options

The Plan Commission has the following options in Plan Case 2484-M-23:

1. Forward the case to City Council with a recommendation to approve the rezoning request.
2. Forward the case to City Council with a recommendation to deny the rezoning request.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission forward the case to City Council with a recommendation to **APPROVE** the rezoning request to CRE (Conservation, Recreation, and Education).

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application for Zoning Map Amendment

Exhibit E: Site Photos

Exhibit F: Zoning Description Sheets: CRE, R-3

cc: Brad Bennett, Applicant

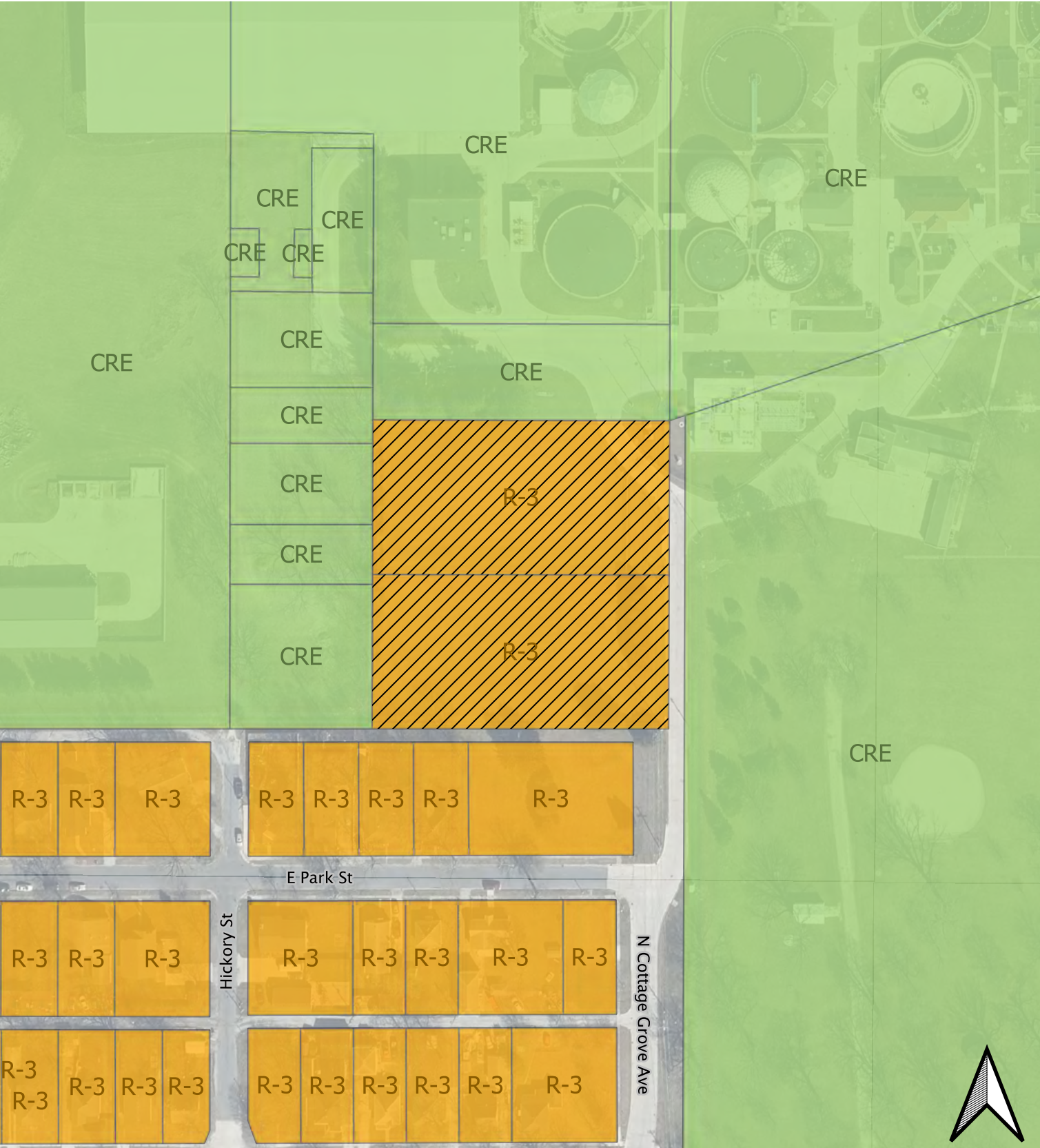
Exhibit A - Location & Land Use



Case: 2482-M-23
Subject: Rezoning R-3 to CRE
Location: Lots 1 and 2 of the UCSD Subdivision 1
Applicant: Urbana-Champaign Sanitary District

//// Subject Property

Exhibit B - Zoning



Case: 2482-M-23
Subject: Rezoning R-3 to CRE
Location: Lots 1 and 2 of the UCSD Subdivision 1
Applicant: Urbana-Champaign Sanitary District

//// Subject Property

Exhibit C - Future Land Use



Case: 2482-M-23
Subject: Rezoning R-3 to CRE
Location: Lots 1 and 2 of the UCSD Subdivision 1
Applicant: Urbana-Champaign Sanitary District

/// Subject Property



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.urbanaininois.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 10-27-2023 Plan Case No. 2482-M-23
Fee Paid - Check No 023467 Amount \$208.00 Date 10-27-2023

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Urbana and Champaign Sanitary District** Phone:

Address (*street/city/state/zip code*): **1100 East University Avenue Urbana, IL 61802**

Email Address:

Property interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **Owner**

2. OWNER INFORMATION

Name of Owner(s): **Urbana and Champaign Sanitary District** Phone:

Address (*street/city/state/zip code*): **1100 East University Avenue**

Email Address:

Is this property owned by a Land Trust? ☐ Yes ☒ No

If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Address/Location of Subject Site: **Parcel 1 - 701 Hickory Street; Parcel 2 - No location address**

PIN # of Location: **91-21-09-306-021; 91-21-09-306-022**

Lot Size: **1.15 acres; 1.15 acres**

Current Zoning Designation: **R-3 Single- and Two-Family Residential District**

Proposed Zoning Designation: **CRE Conservation-Recreation-Education District**

Current Land Use (*vacant, residence, grocery, factory, etc.*): **Vacant, never developed**

Proposed Land Use: **Buffer area around wastewater treatment facility**

Present Comprehensive Plan Designation: **Institutional; Institutional**

How does this request conform to the Comprehensive Plan? **Yes**

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

Parcel 1: PIN 91-21-09-306-021: Lot 1 Urbana Champaign Sanitary District Sub 1

Parcel 2: PIN 91-21-09-306-022: Lot 2 Urbana Champaign Sanitary District Sub 1

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?

There is no error being corrected.

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

Previous single-family residential lots purchased by UCSD that will serve as buffer area adjacent to wastewater treatment facility.

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

Property is adjacent to wastewater treatment facility site making it appropriate for buffer area between plant and residential neighborhood.

What other circumstances justify the zoning map amendment

Time schedule for development (*if applicable*)

Not applicable

Additional exhibits submitted by the petitioner.

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

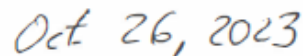
By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

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.



Applicant's Signature



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



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

Day Care Facility (*Non-Home Based*)

Business - Recreation

Lodge or Private Club

Public and Quasi-Public

Municipal or Government Building

Residential

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

Exhibit E: R-3 Zoning Description Sheet

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



CRE – CONSERVATION-RECREATION-EDUCATION ZONING DISTRICT DESCRIPTION SHEET

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

"The *CRE, Conservation-Recreation-Education District* is intended to conserve natural and scenic areas for open space, recreational, and educational purposes, both public and private, and to preserve from unsuitable uses natural surface drainage courses and other areas whose physical characteristics, such as slope or susceptibility to flooding, make many forms of development inappropriate or potentially injurious to the public health or safety. The uses permitted in this district are primarily of low intensity, which would not interfere with natural conditions, and for which such conditions would not pose severe problems; areas developed for more intensive use, which include significant open space, or which provide educational or recreational facilities to the public, are also appropriate in this district."

Following is a list of the Permitted Uses, Special Uses and Conditional Uses in the CRE District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Agriculture, General
Agriculture, Cropping

Business – Professional and Financial Services

Vocational, Trade or Business School

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Public and Quasi-Public

Elementary, Junior High School, or Senior High School
Library, Museum or Gallery
Municipal or Government Building
Nonprofit or Governmental, Educational and Research Agencies
Park
Public Maintenance and Storage Garage
University/ College

SPECIAL USES:

Agriculture

Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities****
Plant Nursery or Greenhouse

Business - Recreation

Private Indoor Firing Range++

Industrial

Solar Farm

Public and Quasi-Public

Church, Temple or Mosque
Farmer's Market
Institution of an Educational or Charitable Nature
Sewage Treatment Plant or Lagoon****

CONDITIONAL USES:

Agriculture

Artificial Lake of one (1) or more acres

Business - Miscellaneous

Cemetery****

CONDITIONAL USES Continued:**Business - Recreation**

Bait Sales

Camp or Picnic Area****

Commercial Fishing Lake

Country Club or Golf Course

Driving Range

Lodge or Private Club

Miniature Golf Course

Outdoor Commercial Recreation Enterprise (*Except Amusement Park*)****

Private Indoor Recreational Development

Resort or Organized Camp****

Riding Stable****

Table V-1 Notes:

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

†† See Section VII-5.E Standards for Private Indoor Firing Ranges

DEVELOPMENT REGULATIONS IN THE CRE 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
CRE	1 acre	150	35 ³	0.40	0.55	25	15	25

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.

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.usCity Website: www.urbanailinois.us



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission
FROM: Kevin Garcia, AICP, Principal Planner & Zoning Administrator
DATE: February 1, 2024
SUBJECT: **Plan Case 2483-M-23:** A request by the Urbana Zoning Administrator, on behalf of the Urbana City Council, to rezone 205 North High Cross Road from B-3 (General Business) to B-1 (Neighborhood Business).

Introduction

At the direction of City Council, the Zoning Administrator requests a rezoning of 205 North High Cross Road from B-3 (General Business) to B-1 (Neighborhood Business). The property is owned by OSF Healthcare.

Staff recommend that Plan Commission carefully review the rezoning criteria and determine whether to recommend approval or denial to City Council.

Background

At the time of the original annexation agreement in 1991 that brought the property into Urbana, the Beringer Commons subdivision identified the corner of University Avenue and High Cross Road as a future commercial area. Aldi later purchased the entire commercial lot, and in 2004 subdivided it into two lots: one for the Aldi grocery store, and the other (the subject property) to be sold for a business use.

In 2020, the property was rezoned to B-3 (General Business) (see Exhibit F for the staff report from that case).¹ At that time, OSF Healthcare planned to use the site for a convenient care clinic. As medical clinics are not allowed in the B-1 district, OSF applied for both a rezoning and a special use permit to allow a medical clinic in the B-3 district. Both requests were granted.

At the Plan Commission hearing in 2020, the Commission discussed how a rezoning would allow any of the uses in the B-3 district, and that the property would not be limited to the medical clinic that the special use permit would allow. After discussion, the Plan Commission voted unanimously to recommend that Council rezone the property to B-3 (see Exhibit H for the Plan Commission minutes from the April 9, 2020, meeting). City Council then voted with six ayes and one nay to rezone the property to B-3 (see Exhibit G for the Council minutes from the April 27, 2020, Council meeting).

The medical clinic was never built, and in late 2023, a conditional use permit was granted to allow a self-storage facility on the site. That conditional use permit is still valid, and although self-storage

¹ Ord. No. 2020-04-023.

facilities are not permitted in the B-1 district, rezoning the property would not affect the validity of the conditional use permit. The use itself, if constructed, would become legally nonconforming.

In November, 2023, City Council, at the request of Council Member Grace Wilken, passed a resolution directing the Zoning Administrator to file a rezoning application for the property, to rezone it back to B-1 from B-3.²

Description of Site and Area

The site is approximately 96,000 square feet, or 2.2 acres, and is located on the northwest corner of High Cross Road and University Avenue. There is an access point off High Cross Road, on the northeastern portion of the property (see Exhibit A). The property is currently vacant.

Table 1 below identifies the current zoning and the existing and future land uses of the site and surrounding properties (see Exhibit C).

Discussion

The site has been vacant since before it was annexed into Urbana in 1991. For most of its history in Urbana, it was zoned B-1. In 2020 it was rezoned to B-3, and there are plans to develop a self-storage facility on the site. Rezoning to B-1 would not prevent the planned self-storage facility from being built. It would limit the potential uses allowed on the site if the self-storage facility is not built, and it would also affect any future reuse of the property. While some of the rezoning criteria are met (see staff analysis below), several criteria weigh against the rezoning. The most compelling of these criteria deal with the vacancy of the land. As stated above, the parcel was vacant for almost 30 years while zoned B-1. Only after it was rezoned to B-3 has there been potential development proposed for the site. To revert the site back to B-1 would revert it to a zone that has historically not attracted development to this location.

In addition, the Plan Commission recommended unanimously, and the City Council approved, by a vote of six to one, the rezoning of the parcel in 2020 to B-3, after discussing that rezoning would allow any of the uses in the B-3 district, and would not limit the site to the special use permit for a medical clinic that was also under consideration at the time.

There have been no changes to the land or surrounding area since 2020 that would suggest that a rezoning back to B-1 is compelling at this time.

The proposed rezoning, and the current zoning designation, would be in line with the Future Land Use Designation of “Community Business” in Urbana’s 2005 Comprehensive Plan.

² Resolution No. 2023-11-094R (Exhibit E)

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	B-3 (General Business)	Vacant (soon to be self-storage)	Community Business
North	R-4 (Medium-Density Multiple-Family Residential)	Townhouses	Residential
South	B-1 (Neighborhood Business)	Grocery Store	Community Business
East	County AG-2 (Agricultural)	Mobile Home Park	Community Business
West	R-4 (Medium-Density Multiple-Family Residential)	Townhouses	Residential

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 proposed zoning.

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

The proposed rezoning to B-1 (Neighborhood Business), is compatible with the land uses of the immediate area (see Exhibits A and B). The surrounding area has two grocery stores, postal office, and residential uses. All surrounding residences have either a road or a six-foot wall separating them from the site. The proposed rezoning is therefore appropriate for the area. However, the current zoning, B-3, is also compatible with the land uses and zoning of the surrounding area, for the reasons stated above, and as stated in the findings of fact in Ord. No. 2020-04-023, which rezoned the property to B-3 in 2020. This weighs neutrally, or against, the proposed rezoning.³

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

It is unknown if the proposed rezoning would have any effect on neighboring property values. This weighs neutrally for the proposed rezoning.

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

The proposed rezoning to B-1 aligns with the “Community Business” future land designation of the 2005 Comprehensive Plan, which is designed to promote the health, safety, morals, and general welfare of the public. This weighs in favor of the proposed rezoning.

³ Throughout Urbana, there are numerous B-3-zoned parcels that abut residential districts from R-1 through R-6. The subject parcel’s combination of B-3 zoning adjacent to R-4 zoning is common throughout the City.

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

Returning the property to B-1 would revert it to the zoning designation it had for almost 30 years, and the property sat vacant that entire time. It is not in the public's interest to have land sit vacant, especially for such a long time. Furthermore, the property owner would see a significant decrease in permitted uses if the property is rezoned to B-1 (as shown in Exhibits I and J), which could be considered a hardship imposed on the owner. This weighs against the proposed rezoning.

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

The property is suited for neighborhood business uses. It is located at the corner of High Cross Road and University Avenue, which is one of the higher-traffic areas in Urbana. As the site is 2.2 acres, it can accommodate a variety of business uses. The site is identified as "Community Business" in the 2005 Comprehensive Plan. This weighs in favor of the proposed rezoning.

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 vacant and has been vacant since before the original annexation agreement was approved in 1991. Since 2020, the property has been zoned B-3. From 1991 to 2020, the property was zoned B-1. To return it to its previous zoning designation would therefore be to return it to a zone where it sat vacant for decades. This weighs against the proposed rezoning.

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

While this rezoning request is not tied to a specific use, the community may benefit from having more land designated for neighborhood business uses. This weighs in favor of the proposed rezoning.

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

The 2005 Comprehensive Plan identifies the property as part of the "Community Business" Future Land Use designation. The current (B-3) and proposed zoning (B-1) are both consistent with this designation. This weighs in favor of the proposed rezoning.

Overall, three criteria weigh in favor of the rezoning, while the rest weigh against it, or are neutral. Furthermore, the most compelling criteria are Criteria #4 and #6, which deal with the relative gain to the public at large, the hardship to the property owner, and the length of time the parcel has been vacant. Both of these criteria weigh against rezoning the parcel back to B-1.

Summary of Findings

1. The proposed rezoning to B-1 (Neighborhood Business) would be compatible with the "Community Business" Future Land Use designation by the 2005 City of Urbana Comprehensive Plan.
2. The proposed rezoning would be compatible with the adjacent zoning districts.
3. The proposed rezoning would revert the parcel back to B-1 (Neighborhood Business), a zoning designation that the parcel had for almost 30 years and which attracted no development to the site. Reverting to B-1 would therefore not be in the public's interest.
4. The proposed rezoning to B-1 (Neighborhood Business) would significantly limit the

allowable uses on the site, which could be considered a hardship to the property owner.

Options

The Plan Commission has the following options in Plan Case 2483-M-23:

1. Forward the case to City Council with a recommendation to approve the rezoning request.
2. Forward the case to City Council with a recommendation to deny the rezoning request.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommend that the Plan Commission carefully consider the rezoning criteria and determine whether to recommend approval or denial to City Council.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application for Zoning Map Amendment
Exhibit E: Council Resolution Directing the Zoning Administrator to File a
Rezoning Application for 205 North High Cross Road
Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit Cases
Exhibit G: Ordinance for 2020 Rezoning to B-3 (Ord. No. 2020-04-023)
Exhibit H: Council Minutes for 2020 Rezoning and Special Use Permit Cases
Exhibit I: Plan Commission Minutes for 2020 Rezoning and Special Use Permit
Cases
Exhibit J: B-3 Zoning Description Sheet
Exhibit K: B-1 Zoning Description Sheet
Exhibit L: Public Input

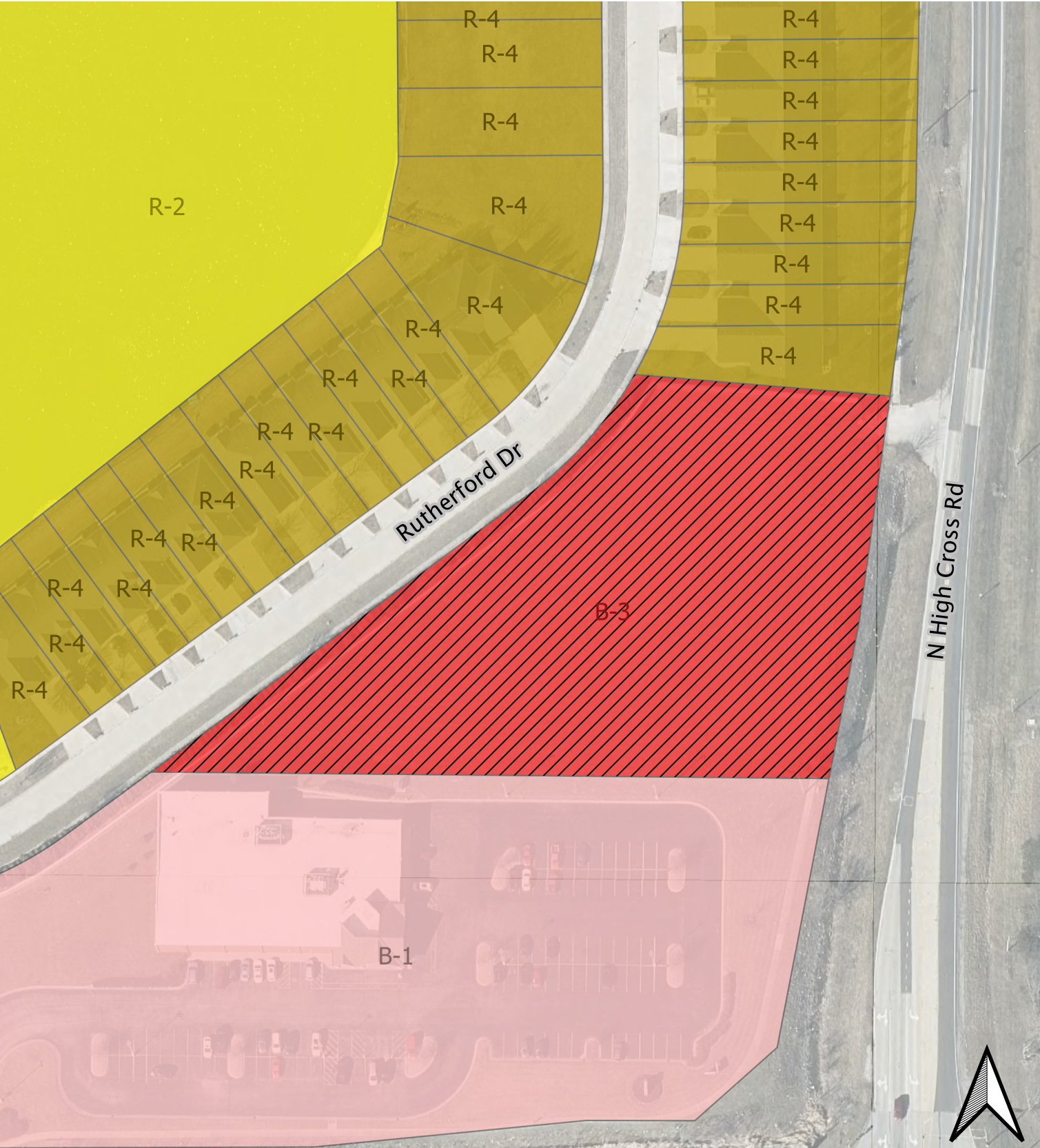
Exhibit A - Location & Land Use



Case: 2483-M-23
Subject: Rezoning B-3 to B-1
Location: 205 North High Cross Road
Applicant: Urbana Zoning Administrator

//// Subject Property

Exhibit B - Zoning



Case: 2483-M-23
Subject: Rezoning B-3 to B-1
Location: 205 North High Cross Road
Applicant: Urbana Zoning Administrator

//// Subject Property

Exhibit C - Future Land Use



Case: 2483-M-23
Subject: Rezoning B-3 to B-1
Location: 205 North High Cross Road
Applicant: Urbana Zoning Administrator

//// Subject Property



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.urbanainillinois.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 1/4/2024 Plan Case No. 2483-M-23
Fee Paid - Check No. N/A Amount Date

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Kevin Garcia** Phone: **217-328-8269**
Address (*street/city/state/zip code*): **400 South Vine Street, Urbana, IL, 61801**
Email Address: **kjgarcia@urbanainillinois.us**
Property interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **City Representative**

2. OWNER INFORMATION

Name of Owner(s): **OSF Healthcare System** Phone:
Address (*street/city/state/zip code*): **800 NE Glen Oak Avenue, Peoria, IL, 61603**
Email Address:
Is this property owned by a Land Trust? ☐ Yes ☒ No
If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Address/Location of Subject Site: **205 North High Cross Road**
PIN # of Location: **91-21-10-407-022**
Lot Size: **2.2 acres**
Current Zoning Designation: **B-3 (General Business)**
Proposed Zoning Designation: **B-1 (Neighborhood Business)**
Current Land Use (*vacant, residence, grocery, factory, etc.*): **Vacant**
Proposed Land Use: **Vacant**
Present Comprehensive Plan Designation: **Community Business**

How does this request conform to the Comprehensive Plan? **Conforms**

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

Lot 2 in Aldi Urbana Subdivision, Being a Subdivision in the Southeast Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian, in the City Of Urbana, Champaign County, Illinois.

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?

There is no error that would be corrected by the Proposed Amendment.

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

The Zoning Administrator was directed by City Council to pursue this Map Amendment via Resolution No. 2023-11-094R: A Resolution Directing the Zoning Administrator to File a Rezoning Application for 205 North High Cross Road. That resolution was prompted by residents of the Beringer Commons subdivision expressing concerns that the current B-3 zoning allows some uses that may be undesirable to them in this location.

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

The property is identified as "Community Business" in the Comprehensive Plan. The B-1 (Neighborhood Business) designation would be suitable under that designation.

What other circumstances justify the zoning map amendment

Time schedule for development (*if applicable*)

N/A

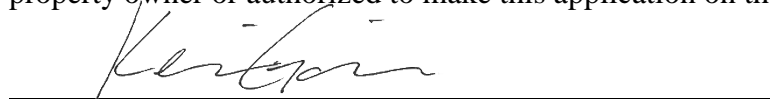
Additional exhibits submitted by the petitioner.

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.



Applicant's Signature

1/4/2024

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

RESOLUTION NO. 2023-11-094R**A RESOLUTION DIRECTING THE ZONING ADMINISTRATOR TO
FILE A REZONING APPLICATION FOR 205 NORTH HIGH CROSS
ROAD**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the property at 205 North High Cross Road (91-21-10-407-022) was rezoned from B-1 to B-3 by Ordinance No. 2020-04-023, in conjunction with a Special Use Permit for medical office; and

WHEREAS, the owner of the subject property, OSF Healthcare, did not build the contemplated medical office, nor do they intend to; and

WHEREAS, the Council of the City of Urbana now wishes to reconsider whether the B-3 Zoning District is the appropriate designation for this parcel given the full complement of uses possible in that zone, whether by-right, special use permit, or conditional use permit; and

WHEREAS, Section XI-7 of the Urbana Zoning Code provides that the regulations and standards, restrictions, and district boundaries may be amended, changed, or repealed, including changes to zoning classifications on parcels, through submission of an application to the Plan Commission; and

WHEREAS, an application by the City Council to rezone a parcel may be initiated only by a majority vote of the body and direction to the Zoning Administrator to file the written application on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. Pursuant to Section XI-7 of the Urbana Zoning Code, the Zoning Administrator is hereby directed to file a written application with the Plan Commission on behalf of the City Council for the rezoning of the property at 205 North High Cross Road from the B-3 Zoning District to the B-1 Zoning District.

Section 2. The Zoning Administrator is further directed to follow all the requirements of the Urbana Zoning Code pertaining to the application, including approval protocols and public processes to bring this application to the City Council for a final determination.

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

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit



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: Lorrie Pearson, AICP, Community Development Services Director
Lily Wilcock, Planner I

DATE: April 23, 2020

SUBJECT: **An Ordinance Approving a Zoning Map Amendment** (205 North High Cross Road / Plan Case No. 2398-M-20)
An Ordinance Approving a Special Use Permit (205 North High Cross Road / Plan Case No. 2399-SU-20)

Introduction

OSF Healthcare requests a rezoning from B-1, Neighborhood Business to B-3, General Business at 205 North High Cross Road. Additionally, OSF Healthcare requests a Special Use Permit to build a medical office on the property. The property has never been developed, and OSF Healthcare would like to build a medical office to serve Urbana and the surrounding area. Medical offices, being more similar in use to a medical clinic than a professional office, are not allowed in the B-1 zoning district, and are only allowed in B-3, General Business zoning district with a Special Use Permit.

At the April 9, 2020, Plan Commission meeting, the Commission voted unanimously (six to zero) to recommend approval of the rezoning request and the Special Use Permit with two conditions.

Background

At the time of the original annexation agreement in 1991 that brought the property into Urbana, the Beringer Commons subdivision identified the corner of University Avenue and High Cross Road as a future commercial area. Aldi later purchased the entire commercial lot, and in 2004 subdivided it into two lots: one for the Aldi grocery store, and the other (the subject property) to be sold for a business use.

Description of the Site and Surrounding Properties

The site is approximately 96,000 square feet, or 2.2 acres, and is located on the northwest corner of High Cross Road and University Avenue. The proposed access drive will be off High Cross Road, on the northern portion of the property (see Exhibit F). The property is currently vacant.

The following chart identifies the current zoning, and existing and future land use of the site and surrounding properties (see Exhibits A, B, and C).

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit

Direction	Zoning	Existing Land Use	Future Land Use
Site	B-1, Neighborhood Business	Vacant	Community Business
North	R-4, Medium Density Multi-Family Residential	Condominiums	Residential
East	County AG-2, Agriculture	Mobile Home Park and Farmland	Community Business
South	B-1, Neighborhood Business	Grocery Store	Residential
West	R-4, Medium Density Multi-Family Residential	Condominiums	Residential

Discussion

OSF Healthcare operates a large area hospital on the west side of Urbana. Additionally, OSF operates urgent care facilities in the area for unscheduled health care needs. The proposed medical office would have specialty providers and scheduled appointments, much like the offices at their main hospital. The applicant cites a demand for healthcare providers to be more scattered and closer to neighborhoods and large shopping centers as a reason for choosing this location for a new medical office.

OSF anticipates a maximum staff of 20 employees, with 10 to 15 employees working at any given time. There is one anticipated supply delivery a week, and weekly trash, recycling, and medical waste pick-up from the location. The proposed operating hours will be 8 a.m. to 5 p.m.

There is a six-foot wall between the residential properties at Beringer Commons and the site, which should mitigate any potential issues for residents.

The rezoning criteria asks how long the property has been vacant with its current zoning. The property in question has been vacant with its current B-1 zoning since before 2004, and the subject parcel was created prior to the Aldi development.

Plan Commission

The Plan Commission held a public hearing on the requests at its April 9, 2020, meeting. The main discussion at Plan Commission centered on a revised staff recommendation that was presented at the meeting. The sidewalk to be built on the subject property will connect to the sidewalk to the north (at Beringer Commons) and to the south (at Aldi); however, the sidewalk does not ultimately connect to the Kickapoo Rail Trail, to the Walmart property to the southeast, or to bus stop on the south side of University Avenue. Staff had proposed a condition that would have required OSF to contribute to a sidewalk that would go from the Aldi parcel, cross over a drainage ditch, and connect to the intersection of High Cross Road and University Avenue. As the proposed condition did not directly

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit

relate to the Special Use Permit request or criteria, the Plan Commission did not feel that it was appropriate to require OSF to contribute to the sidewalk's construction costs without other adjacent property owners also being asked to contribute. The Plan Commission recommended a less-prescriptive condition whereby OSF would agree to work with the City and neighboring business and property owners to explore shared funding of the proposed sidewalk.

Prior to the Plan Commission meeting, staff received two letters in support of the idea to connect the sidewalk on the Aldi parcel to the intersection at High Cross Road and University Avenue. Staff received a third letter in support after the Plan Commission hearing (Exhibit E).

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 proposed zoning.

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

This factor relates to the degree to which the existing and proposed zoning districts are compatible with existing land uses and land use regulations in the immediate area.

The proposed rezoning to B-3, General Business, is compatible with the land uses of the immediate area (see Exhibits A and B). The surrounding area has two grocery stores, postal office, and residential uses. All surrounding residences have either a road or a 6-foot wall separating them from the site. The proposed rezoning is therefore appropriate for the area.

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

This is the difference in the value of the neighboring properties with the current County R-1 zoning of the subject property, compared to their value if the subject property was zoned City R-3.

It is unlikely that the proposed rezoning would have any effect on neighboring property values. The rezoning accompanies a request for a Special Use Permit for a medical office.¹

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

This question applies to the potential impacts of the proposed rezoning to public welfare.

The proposed rezoning should not affect the health, safety, morals, or general welfare of the public, as the rezoning supports the goals and objectives of the 2005 Comprehensive Plan.

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

¹ It should be noted that the Urbana City Planning Division staff are not qualified as professional appraisers and that a professional appraiser has not been consulted regarding the impact on the value of the property. Therefore, any discussion pertaining to property values must be considered speculative and inconclusive.

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit

Do the restrictions provide gain to the public that offsets the hardships imposed on the property owner by the restrictions?

The public would see no gain if the property remains B-1, Neighborhood Business, and continues to be vacant. With a rezoning to B-3, more uses would be permitted, which could be a benefit or a drawback to the public depending on the use. However, under the B-1 zoning, a medical office is not allowed in any circumstance, so the possibility of the public gaining access to nearby healthcare is limited by zoning. The property owner will see a significant increase in permitted uses (as shown in Exhibit I) but, if the applicant is granted a Special Use Permit, the proposed use and site plan will be tied to the property, which should mitigate any potential for an undesirable use of the site for the foreseeable future.

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

The issue here is whether there are certain features of the property that favor the type and intensity of uses permitted in either the current or the proposed zoning district.

The property is suited for general business uses. It is located at the corner of High Cross Road and University Avenue, which is one of the higher-traffic areas in Urbana. As the site is 2.2 acres, it can accommodate a small building and ample parking. The proposed site subdivided and planned to be used for a business use by the developer, and is identified as "Community Business" in the 2005 Comprehensive Plan. A medical office is a business use which can serve the community, but is not permitted in the B-1, Neighborhood Business zoning district.

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.

Another test of the validity of the current zoning district is whether it can be shown that the property has remained vacant for a significant period of time because of restrictions in that zoning district.

The property is vacant and has been vacant since before the original annexation agreement was approved in 1991. The property has been zoned B-1 since it came into the City.

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

The applicant cites this location will provide better access to healthcare, and the location is ideal to serve the needs of residents on the east side of Urbana and for those that live in surrounding communities and commute to Urbana for work (Exhibits I and J).

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

In the 2005 Comprehensive Plan the property was identified as part of the "Community Business" Future Land Use designation. The proposed rezoning to B-3, General Business zoning district would be consistent with this designation.

Special Use Permit Criteria

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

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

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit

The property is near the intersection of two major roads, and is less than two miles from an I-74 highway interchange. The proposed access drive will be as far from the University and High Cross Road intersection as possible to minimize potential car crashes. It is also near two transit stops and is within 600 feet of the Kickapoo Rail Trail. Additionally, the sidewalk that will be built on the east side of the property will fill in the gap that exists between Beringer Commons to the north and the Aldi property to the south. Finally, the proposed medical clinic is in a good location to serve Urbana residents and people that live in surrounding communities.

2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed use is designed and located to be convenient and to fill a community need. It will not be injurious or detrimental to the district or the public welfare. The access drive will connect to the existing curb access on High Cross Road, which is the farthest location from the intersection of High Cross Road and University Avenue. This will limit any potential traffic problems of the use. Also, the residential properties adjacent to the site are all separated from the site by either a wall or road, so the use should not be detrimental to nearby residents. In addition, the building will be located near the Aldi store, making it easier to walk between the two. The hours of operation, and the number of visitors will be similar to the Aldi grocery store.

The future land use for the area is identified as Community Business, which calls for development that is compatible with the surrounding neighborhood and serves both the immediate neighborhood and surrounding communities. The proposed use fits those aims.

3. *That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

Staff finds that the proposal generally conforms to the regulations, standards, and character of the B-3, General Business zoning district. The proposed site plan adheres to all development regulations in the B-3 zoning district.

Summary of Findings

1. OSF Healthcare requests a rezoning from B-1, Neighborhood Business zoning district to B-3, General Business zoning district at 205 North High Cross Road. Additionally, OSF Healthcare requests a Special Use Permit to build a medical office in the B-3, General Business zoning district.
2. The proposed B-3, General Business zoning district, and Special Use Permit would allow the applicant to build a medical office. This would be generally compatible with the “Community Business” future land use designation of the 2005 Urbana Comprehensive Plan.
3. The proposed B-3, General Business zoning district would be compatible with the surrounding area, as the adjacent property is a business of a similar-scale and the residences near this property are separated by either an opaque wall or a road.
4. The proposed B-3, General Business zoning district will likely have no discernible impact on

Exhibit F: Council Memo for 2020 Rezoning and Special Use Permit

adjacent property values. Currently, the 2.2 acre property is vacant.

5. The subject property is suitable for business uses, like those allowed in the proposed B-3, General Business zoning district. The property is located near a major intersection and is near other businesses.
6. The proposed use is generally conducive to the public convenience at this location, as it is located in an area with other business uses, I-74, and is at a major intersection.
7. The proposed use would not be unreasonably injurious or detrimental to the district in which it shall be located, as leaving the site vacant would likely be more harmful to the neighborhood.
8. The proposed use conforms to the regulations and standards of, and preserves the essential character of the B-3, General Business zoning district in which it shall be located, as it is an allowed use in this district with the approval of a Special Use Permit.

Options

City Council has the following options for the Ordinance Approving a Zoning Map Amendment:

1. Approve the Ordinance.
2. Deny the Ordinance.

City Council has the following options for the Ordinance Approving a Special Use Permit:

1. Approve the Ordinance.
2. Approve the Ordinance with conditions.
3. Deny the Ordinance.

Recommendation

At its April 9, 2020, meeting, the Plan Commission voted unanimously (six ayes and zero nays) to forward the Annexation Agreement to City Council with a recommendation to **APPROVE** the Zoning Map Amendment and Special Use Permit with the following conditions on the Special Use Permit:

1. That the applicant develops the property in general conformance with the site plan in Ordinance Attachment A).
2. That the applicant works with the City, surrounding businesses, and property owners to explore the possibility of contributing financially to the construction of a multi-use path to connect the OSF and Aldi sites to the northwest corner of University Avenue and High Cross Road.

Attachments:

- Exhibit A: Location and Existing Land Use Map
- Exhibit B: Zoning Map

ORDINANCE NO. 2020-04-023

**AN ORDINANCE APPROVING A ZONING MAP AMENDMENT
(205 North High Cross Road OSF Healthcare – Plan Case 2398-M-20)**

WHEREAS, OSF Healthcare has petitioned the City to rezone a 2.2-acre parcel from B-1, Neighborhood Business, to B-3, General Business, located at 205 North High Cross Road, Urbana, Illinois; and

WHEREAS, OSF Healthcare has also petitioned for a Special Use Permit for a medical office in the proposed B-3, General Business zoning district; and

WHEREAS, the Zoning Map Amendment would be generally compatible with the “Community Business” future land use designation of the 2005 Urbana Comprehensive Plan; and

WHEREAS, the proposed B-3, General Business zoning district would be compatible with the surrounding area, as the adjacent property is a business of a similar-scale and the residences near this property are separated by either an opaque wall or a road; and

WHEREAS, the proposed B-3, General Business zoning district will likely have no discernible impact on adjacent property values, and the 2.2 acre property is currently vacant; and

WHEREAS, the subject property is suitable for business uses, like those allowed in the proposed B-3, General Business zoning district and the property is located near a major intersection and is near other businesses; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on April 9, 2020, and voted with six (6) ayes and zero (0) nays to forward Plan Case 2398-M-20 to the Urbana City Council with a recommendation to approve the request for a Zoning Map Amendment; 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

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

Section 1.

The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described property:

The subject properties to be rezoned from R-4, Medium Density Multiple-Family Residential to R-5, Medium High Multiple-Family Residential is more accurately described as follows:

Lot 2 of Aldi Urbana Subdivision as per plat recorded 1/10/2006 as document 2006R00745, situated in Champaign County, Illinois.

PIN: 91-21-10-407-022, Address: 205 North High Cross Road

Section 2.

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 27th day of April, 2020.

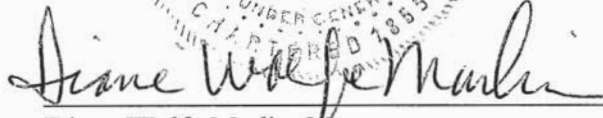
AYES: Brown, Colbrook, Jakobsson, Miller, Roberts, Wu

NAYS: Hursey

ABSTENTIONS:


Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this 28th day of April, 2020.


Diane Wolfe Marlin, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 27th day of April 2020 the City Council of the City of Urbana passed and approved Ordinance No. 2020-04-023 entitled:

**AN ORDINANCE APPROVING A ZONING MAP AMENDMENT (205 NORTH
HIGH CROSS ROAD OSF HEALTHCARE – PLAN CASE 2398-M-20)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2020-04-023 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 28th day of April 2020, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 28th day of April, 2020.





Charles A. Smyth, City Clerk

Exhibit H: Council Minutes for 2020 Rezoning and Special Use Permit

I. NEW BUSINESS

1. **Ordinance No. 2020-04-023:** An Ordinance Approving a Zoning Map Amendment (205 North High Cross Road - OSF Healthcare – Plan Case 2398-M-20)

Planner Lily Wilcock presented this ordinance with the recommendation for approval. She said that members from The Sisters of the Third Order of St. Francis (OSF) Healthcare were available for questions about the proposals.

Ms. Wilcock gave background information about the property location, accessibility, and status of property. OSF is requesting a rezoning from B-1 Neighborhood Business to B-3 General Business at 205 North High Cross Road. Additionally, OSF Healthcare requests a Special Use Permit to build a medical office on the property.

At the April 9, 2020, Plan Commission meeting, the commission voted unanimously to approve both requests. The proposed medical office will have specialty providers and scheduled appointments, much like the office at the main hospital. OSF anticipates a maximum staff of 20 employees, with 10 to 15 employees working at any given time. There is also a six-foot wall between the residential properties and the site.

Ms. Wilcock reiterated the Plan Commission's recommendations: that the applicant develop the property in general conformance with the site plan as presented, and that they work with the City, surrounding businesses and property owners to explore the possibility of contributing financially to the construction of a multi-use path to connect the OSF and Aldi sites on the northwest side of University Avenue and High Cross Road.

Community Development Director Lorrie Pearson, Planner Lily Wilcock, OSF staff; OSF Regional President Dr. Jared Rodgers, A. Tony Trad, Manager of Real Estate Services, Kristin Crawford, Strategic Ambulatory Development Manager, and Real Estate Broker Josh Markiewicz addressed questions from City Council about the project.

...

After the presentation and discussion, CM Roberts made a motion to approve Ordinance No. 2020-04-023 as presented. CM Jakobsson seconded. Motion carried by roll call vote. Votes were as follows:

Aye: Brown, Colbrook, Jakobsson, Miller, Roberts, Wu

Nay: Hursey

2. **Ordinance No. 2020-04-025:** An Ordinance Approving A Special Use Permit (205 North High Cross Road - OSF Healthcare – Plan Case 2399-SU-20)

Planner Lily Wilcock presented this ordinance with the recommendation for approval. CM Brown made a motion to approve Ordinance No. 2020-04-025 as presented. CM Miller seconded.

Unable to reach a unanimous consensus, CM Roberts made a substitute motion to send Ordinance No. 2020-04-025 to committee for further discussion. CM Jakobsson seconded. Motion carried by roll call vote. Votes were as follows:

Aye: Jakobsson, Hursey, Roberts, Wu

Nay: Brown, Colbrook, Miller

The substitute motion to send Ordinance No. 2020-04-025 to committee was approved by roll call vote. Votes were as follows:

Aye: Brown, Jakobsson, Hursey, Roberts, Wu

Nay: Colbrook, Miller

Exhibit I: Plan Commission Minutes from 2020 Rezoning

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 9, 2020

TIME: 7:00 P.M.

PLACE: Zoom

MEMBERS ATTENDING

REMOTELY: Dustin Allred, Jane Billman, Tyler Fitch, Lew Hopkins, Jonah Weisskopf, Chenxi Yu

MEMBERS ABSENT: Andrew Fell

STAFF PRESENT: **City of Urbana (Host);** Kevin Garcia, Planner II; Lily Wilcock, Planner I

OTHERS ATTENDING

REMOTELY: Kristin Crawford, Josh Markiewicz, Tony Trad

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

Chair Fitch called the meeting to order at 7:00 p.m. Roll call was taken, and there was a quorum.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the March 19, 2020 regular Plan Commission meeting were presented for approval. Ms. Yu moved that the Plan Commission approve the minutes as written. Ms. Billman seconded the motion. The minutes were approved by unanimous vote as written.

4. COMMUNICATIONS

- Letter from Rita Morocoima-Black of Champaign-Urbana Urbanized Area Transportation Study (CUUATS) at the Champaign County Regional Planning Commission in support of Plan Case Nos. 2398-M-20 and 2399-SU-20
- Letter from Cynthia Hoyle of Hoyle Consulting in support of Plan Case Nos. 2398-M-20 and 2399-SU-20

Exhibit I: Plan Commission Minutes from 2020 Rezoning

- Revised Recommendation and Conditions for Plan Case Nos. 2398-M-20 and 2399-SU-20

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2398-M-20 – A request by OSF Healthcare to rezone a 2.2-acre parcel from B-1, Neighborhood Business, to B-3, General Business, located at 205 North High Cross Road, Urbana, Illinois.

Plan Case No. 2399-SU-20 – A request by OSF Healthcare for a Special Use Permit to build a medical clinic in the B-3, General Business Zoning District, located at 205 North High Cross Road, Urbana, Illinois.

Chair Fitch opened the public hearing for these two cases simultaneously since they relate to the same proposed development. Lily Wilcock, Planner I, presented the staff report to the Plan Commission. She began by stating the purpose for each request. She briefly described the subject property noting the zoning and existing land use. She talked about the proposed medical clinic and discussed the revised staff recommendation and conditions. She reviewed the criteria used in evaluating rezoning cases and how each criterion relates to the proposed rezoning. She reviewed the criteria for a special use permit request according to Section VII-4.A of the Urbana Zoning Ordinance. She read the options for the Plan Commission and presented staff's revised recommendation for each case. She noted that there were several representatives of the applicant attending the meeting to answer any questions.

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

Mr. Allred asked if the applicant had agreed to the revised condition for sharing the cost of connecting the sidewalk to the intersection. Ms. Wilcock replied that the applicant was still considering the condition.

Ms. Billman inquired about one of the attachments to the staff report. Ms. Wilcock explained that there must have been a printing error. The attachment in question is Exhibit D, Overall Site Plan. The printer sized it so it did not fit the paper size.

Mr. Allred inquired about the general logic used when staff considers placing conditions on special use permits. Ms. Wilcock replied that the special use permit process and the criteria are supposed to ensure that a special use is appropriate with the zoning district that the use is in and that the use is conducive to the public and to the convenience of the public. The revised recommended condition being proposed in the two cases is one that staff hoped the petitioner

Exhibit I: Plan Commission Minutes from 2020 Rezoning

would agree to be a good neighbor and be within the mission of the petitioner. Installing a sidewalk to the intersection would make it convenient and more conducive for the public. The installation of sidewalks in the proposed area is an issue that City staff has received complaints about but have not had the funding to address the issue. The City of Urbana would like to apply for a grant to install sidewalks, and asks the petitioner to contribute as part of their mission.

Chair Fitch asked if OSF agreed to contribute the \$40,000, then who would pay the remaining \$80,000 for the installation of sidewalks. Ms. Wilcock explained that the remaining \$80,000.00 would be covered by a grant through the Illinois Transportation Enhancement Program, if approved.

Chair Fitch asked if the City did not get the grant, what would happen to the \$40,000.00. Ms. Wilcock stated that the City would not collect that amount from the petitioner.

Chair Fitch asked for clarification on whether the conditions would apply to the map amendment or to the special use permit. Ms. Wilcock said that the conditions would apply to the special use permit.

With no further questions for City staff, Chair Fitch opened the case for public input. He summarized the procedure for a public hearing. He invited the applicant to speak remotely.

Tony Trad, *Manager of OSF Real Estate Services*, spoke to the Plan Commission on behalf of their requests for a rezoning and a special use permit. He mentioned that Dr. Jared Rogers (*President of OSF Hospital in Champaign and in Danville*), Chris Manson (*Vice President of Governmental Affairs*), Kristin Crawford (*Strategic Ambulatory Manager*), and Josh Markiewicz (*Local Real Estate Agent*) were available to answer any questions. Each person represents a portion of OSF's ministry. OSF has spent many years working on building a template for medical office buildings. Every year they work with new designers and construction folks to make sure their patients are served properly.

He talked about OSF purchasing the hospital in January of 2018, and about their desire to expand to other areas around Champaign-Urbana, which is why they would like to purchase 205 North High Cross Road and construct a medical clinic on site. OSF has always been ministry based, which really means that they are community based. The OSF Administration is aware of the Kickapoo Rail Trail and the great good it would be for the community if they helped connect to it by contributing towards the installation of a sidewalk to the intersection of High Cross Road and University Avenue.

He said OSF is not in a position to say yay or nay to agreeing with the revised condition. It is a rather difficult time in their ministry because many of their services have been temporarily shut down due to COVID-19. Maybe if OSF, Aldi, and Walmart come together, it might guarantee the construction of the walkway to connect to the Kickapoo Rail Trail.

Josh Markiewicz addressed the Plan Commission. He asked if the City staff had previously held conversations with Aldi, Walmart or the Beringer Commons developer about the installation of a sidewalk. Ms. Wilcock stated that there had been staff turnover in the last ten years, so she does not know of previous conversations, if any, which might have been held. However, the current staff is committed to talking with them as well.

Exhibit I: Plan Commission Minutes from 2020 Rezoning

With there being no further input, Chair Fitch closed the public input and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins stated that the Plan Commission needs to remember and take into consideration that if approved, the rezoning decision will survive whether the special use permit is ever acted upon.

He stated that he is uncomfortable with the additional proposed condition because he believes it will set a legal precedent. By putting the proposed wording in a special use permit, they would be making the special use permit contingent on the condition without being clear what the rational nexus is. If the condition is only being placed on OSF, it would be difficult to sustain legally. He suggested that the Plan Commission try to reword the condition to be an invitation to collaborate with the City of Urbana and other parties in trying to achieve this end. The way to persuade OSF, Aldi and Walmart to participate is by the interest in the achievement of this rather than as a legal commitment.

Mr. Allred agreed with Mr. Hopkins and said that is why he had asked Ms. Wilcock to clarify how conditions are used in the context of special use permits. He believed that the Plan Commission would be potentially putting the City in legal jeopardy in terms of precedents. He believed that conditions are applied as a way to mitigate the impact from a proposed use. He did not know if there is a rational nexus between what would be a required regulation for the special use permit and the impact that the project would be generating.

He liked the idea of wording the condition in a way that suggests more of a collaboration to achieve something that is a goal of both OSF and the community and to bring other properties that are adjacent and would also benefit from something like this.

Chair Fitch agreed with Mr. Hopkins and Mr. Allred. If the City approves the rezoning, then all of the uses that are permitted in the B-3 Zoning District would be allowed. He did not feel that it would make sense to only ask OSF to contribute to the cost of installing sidewalks. It is a great idea of putting in a path to connect to the Kickapoo Rail Trail, but he is not prepared to ask OSF to go at that alone.

He asked if the Plan Commission should include a condition to encourage OSF to consider contributing to the sidewalk project or just leave the invitation as part of the record of the meeting. Ms. Wilcock said that the Plan Commission could do either way.

Mr. Allred liked the idea of rewording the additional condition. The idea is out there, and it is not necessary to drop the condition entirely. If the Plan Commission can reword the condition to make it more of an invitation to collaborate, then it would make the condition better.

Kevin Garcia, Planner II, suggested the following language as an amended condition: *That the applicant works with the City, surrounding businesses and property owners to explore the possibility of contributing financially to the construction of a multi-use path to connect the OSF and Aldi sites to the northwest corner of University Avenue and High Cross Road.* Mr. Allred, Mr. Hopkins and Chair Fitch agreed the suggested language would work.

Exhibit I: Plan Commission Minutes from 2020 Rezoning

Chair Fitch stated that the Plan Commission would vote on the special use permit case prior to the Rezoning case because the special use permit was contingent upon the rezoning of the property. He did not want to rezone the property without the special use permit being approved first. Mr. Garcia commented that since the City Council has the deciding vote, he did not see any negative impact from the Plan Commission voting on the cases in this order. However, the City Council would need to vote on the rezoning case prior to voting on the special use permit case.

Mr. Allred did not believe that they should move forward with rezoning the property to B-3 unless the City is comfortable with the B-3 Zoning on the proposed site to begin with. There is the potential at some point in the future for any use permitted in the B-3 Zoning District to happen by right. Chair Fitch recalled the discussion that was held regarding the zoning when Aldi was being proposed on the site, and the City felt that the B-1, Neighborhood Business was more appropriate than the B-3 Zoning District.

Ms. Yu asked about a grocery store being allowed in the B-1 Zoning District and not a medical clinic. She felt that a grocery store would have a bigger impact on the surrounding properties. Ms. Wilcock stated that Aldi (grocery store use) was allowed in the B-1 Zoning District with approval of a special use permit. However, without approval of the proposed rezoning request, the medical clinic would not be allowed. It is an interesting quirk in the Zoning Ordinance.

Ms. Billman expressed concern about there not being a maximum height requirement for a building constructed in the B-3 Zoning District. Ms. Wilcock explained that while there is not a maximum height requirement, there is a maximum floor area ratio (FAR) requirement. Mr. Trad noted that the property is 2.2 acres, and the facility would be a one story building with a little higher pitch in the roof for aesthetics only. Ms. Billman stated that in the future, another business could come in and construct a tall building because there is no maximum height requirement. Mr. Allred added that the Plan Commission should consider not just the uses allowed but also the development standards of the B-3 Zoning District when voting on the proposed rezoning request. There are other places in the City where tall buildings have been constructed next to single-family homes; however, he is not sure of the impact in those cases.

Ms. Billman stated that she would have liked to have heard from some the nearby residential neighbors. She assumed that since there were no communications from the adjacent residents that they had no objections.

Chair Fitch stated that after hearing this discussion, the Plan Commission should vote on the rezoning case first and then on the special use permit case.

Mr. Allred moved that the Plan Commission forward Plan Case No. 2398-M-20 to the City Council with a recommendation for approval. Ms. Billman seconded the motion.

Ms. Yu asked what the zoning is for Walmart as shown in Exhibit C. Ms. Wilcock explained that Exhibit C shows the Future Land Use Designation. The Future Land Use designation for the Walmart site is Regional Business and the existing zoning is B-3.

Exhibit I: Plan Commission Minutes from 2020 Rezoning

Roll call on the motion was as follows:

Mr. Weisskopf	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes	Ms. Billman	-	Yes
Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes

The motion passed by unanimous vote.

Chair Fitch moved that the Plan Commission forward Plan Case No. 2399-SU-20 to the City Council with a recommendation for approval including the following conditions:

- 1. That the applicant develops the property in general conformance with the Site Plan as shown in Exhibit D.*
- 2. That the applicant works with the City, surrounding businesses and property owners to explore the possibility of contributing financially to the construction of a multi-use path to connect the OSF and Aldi sites to the northwest corner of University Avenue and High Cross Road.*

Mr. Hopkins seconded the motion.

Roll call on the motion was as follows:

Ms. Billman	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Weisskopf	-	Yes
Ms. Yu	-	Yes	Mr. Allred	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that these two cases would be forwarded to the City Council on April 27, 2020.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

Exhibit I: Plan Commission Minutes from 2020 Rezoning

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Kevin Garcia, Secretary
Urbana Plan Commission



B-3 – GENERAL BUSINESS ZONING DISTRICT 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

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

SPECIAL USES:

Business – Retail

Firearm Store†

Business – Vehicular Sales and Service

Towing Service

Truck Stop

Industrial

Solar Farm

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

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	None³	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.

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.usCity Website: www.urbanailinois.us



B-1 – NEIGHBORHOOD BUSINESS ZONING DISTRICT 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*)

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

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 K: B-1 Zoning Description Sheet

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

PUBLIC INPUT

Plan Commission February 8, 2024

Case No.
2483-M-23

Communications Received from:

- *Richard Lampman (*email dated 1-30-2024*)
- *Nancy Barenberg (*email dated 1-29-2024*)
- *Bob Withers (*email dated 2-1-2024*)
- *Gwain and Cindy Zarbuck (*email dated 2-1-2024*)
- *Joanne Budde (*email dated 2-1-2024*)

From: Lampman, Richard Lee
To: Garcia, Kevin
Subject: Case 2483-M-23 Support by HOA President of Beringer Commons
Date: Tuesday, January 30, 2024 9:59:11 AM

Mr. Garcia,

I am writing in support of the upcoming Case 2483-M-23. As the President of Beringer Commons HOA, numerous residents have commented to me that they are in favor of rezoning the North 205 High Cross Road lot from B3 back to its original B1 classification.

To the best of my knowledge, the change from B1 to B3 was originally supported by residents in order to allow OSF to build a local health facility on that lot. When OSF decided not to proceed with the project, that left the lot open for a wide range of B3 businesses that would be inappropriate as a neighborhood business, such as an industrial like self-storage facility or an adult entertainment business. Most of the residents I have talked with, had incorrectly assumed that once OSF declined to build a health center, the area reverted back to B1.

Unfortunately, we recently discovered this was not the case, as a B3 conditional use permit for an industrial like self-storage facility was supported by the Zoning Board of Appeals staff and some board members. Such a facility completely alters the neighborhood atmosphere and these should be restricted to industrial zones. The majority of residents in Beringer Commons, especially those adjacent to the lot, expressed their discontent by sending in a petition against self-storage conditional permits and commenting in person at ZBA meetings.

Beringer Commons residents strongly support returning the 205 North High Cross Road lot to a designation of B1. They also do NOT believe a lot owner that defaults on a proposed project should reap the benefits of a zoning change. In other words, most residents would not have agreed to the rezoning of the B1 designation to B3 for the OSF project, if they knew OSF would default on the planned health facility and residents would subsequently be forced to accept a B3 business development on the lot.

As a resident of BC, I support the rezoning as suggested in Plan Case 2483-M-23 and, as the BCHOA President, I can say the majority of residents would also like the change back to B1. This returns the area to neighborhood business development as originally supported by the Planning Commission.

Thank you.

Richard Lampman, BCHOA President,
Retired Medical Entomologist
Illinois Natural History Survey

From: Pogue, Nancy J
To: !Planning
Subject: PLAN COMMISSION-PUBLIC INPUT - FEB 8, 2024
Date: Monday, January 29, 2024 4:40:16 PM
Importance: Low

Dear Members of the Planning commission,

I'm a resident of Beringer Commons and I strongly oppose the vacant lot at 205 N High Cross Road remaining zoned as a B-3. It is adjacent to a multi-ethnic single home community that has walking paths throughout. We care about our subdivision and demonstrate that by investing in amenities such as the light house and a fountain in a lake. There are residents who live about 50' from the wall separating the subdivision from the area around Aldi's but the intervening space has protected them from intrusive noise and light. There has already been a lost property sale because of the possibility of storage units being built on the intervening space.

Immediately east and south of the subdivision are residential areas and cultivated fields. Please rezone the vacant lot at 205 N. High Cross Road to a B-1.

Thank you,
Nancy Barenberg

From: Bob Withers
To: Garcia, Kevin
Subject: Plan Case 2483-M-23
Date: Thursday, February 1, 2024 7:05:34 PM

Mr. Garcia,

I am writing in support of the upcoming Case 2483-M-23. Most of my neighbors are in support of rezoning the north High Cross Road lot from a B3 back to its original B1 classification.

This situation with the conditional use permit and building a storage facility was a complete disaster. This was not handled very well by the city administration. I am sure you know what I mean.

I am a life long resident of Urbana and my father was deeply rooted in the Urbana administration. He would be greatly disappointed in how this was handled.

Please get this corrected by rezoning this property back to a B1.

Thank you,

Bob Withers

From: [Gwain Zarbuck](#)
To: [!Planning](#)
Subject: Plan Commission - Public Input - Feb. 8 2024
Date: Thursday, February 1, 2024 4:58:05 PM

Our input concerns 2 items on your agenda for the 2/8/24 meeting:

#1) Rezoning of 205 N. High Cross to Business 1

We feel this is an excellent idea, as residents at 3029 Rutherford Drive our property backs up to High Cross and restoring 205 to B-1 (the same as Aldi) is appropriate. There are many inappropriate businesses which can operate under the Business 3 zoning classification. Inappropriate that they don't preserve the essential character of the Beringer Commons residential neighborhood. This would include self-storage facilities, gambling establishments, marijuana dispensaries, adult entertainment lounges and pet grooming businesses. These could be detrimental due to a variety of issues including decreased property values and vermin and associated diseases would hurt neighborhood public health. S Some of these entities would have clientele with negative neighborhood influences & others could visually distort the line of sight for some residents depending upon height of new construction.

#2) Removal of self-storage facilities as a conditional use in B 3 zoning.

We are also for this change as this type of business should not be adjacent to a residential community for the reasons cited above.

Thank you in advance for considering our input.

Gwain and Cindy Zarbuck
[address and email redacted]

From: [Joanne Budde](#)
To: [Planning](#); [Garcia, Kevin](#)
Subject: PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024
Date: Thursday, February 1, 2024 2:03:58 PM
Importance: Low

Dear Plan Commission members:

I am writing in support of case 2484-T-24 - a request to amend the zoning ordinance to remove "self-storage facility" from the B-3 district as a conditional use.

There are many residential neighborhoods in close proximity to B-3 districts, and the allowance of self-storage facilities in these districts do NOT preserve the essential character of the neighborhoods, nor comply with the 2005 Urbana Comprehensive Plan which stresses that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood; and that the city should promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

If you look at the many self-storage facilities in Urbana, some were permitted by "special use" before the zoning ordinance got accidentally changed in 2010 to allow self-storage facilities in B-3 districts with a conditional use. This was in direct opposition to what the Plan Commission and the City Council planned in 1998 when they approved self-storage facilities to be approved only by "special use permit."

Many of the self-storage facilities are located in industrial zones and some are in areas designated as B-3 but surrounded by commercial, industrial or other purposes, such as cemeteries.

You only have to look at Philo Road to see what has happened by allowing self-storage facilities in B-3 districts. The Philo Road Business District Revitalization Plan of 2005 did NOT mention that the district could be revitalized by making it the storage capital of Urbana! The plan spoke of new business and shopping opportunities, and more residential buildings. Instead, somehow, self-storage facilities crept in and were approved, and approved, and approved. That area of Philo Road is an eyesore, and is not compatible with the residential neighborhoods nearby, and does not provide available shopping (not even for groceries) for local residents.

This would be a good move on your part - to remove self-storage facilities from B-3 districts, and I assume they would then only be allowed in B-3 districts with a variance approved by the City Council, if at all.

Thank you,
Joanne Budde
[address redacted]



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission
FROM: Kevin Garcia, AICP, Principal Planner & Zoning Administrator
DATE: February 1, 2024
SUBJECT: **Plan Case No. 2484-T-24** - A request by the Urbana Zoning Administrator to amend Table V-1 of the Zoning Ordinance to remove "Self-Storage Facility" from the B-3 (General Business) Zoning District as a Conditional Use.

Introduction

The Zoning Administrator requests a text amendment to remove self-storage facilities from the B-3 (General Business) zoning district.

Discussion

Self-storage facilities were added to Table V-1: Table of Uses in 1998.¹ Before that, they were allowed as a by right use in the B-3 (General Business) district under the more general "Warehouse" use. In 1998, the City approved a text amendment to add "Warehouse, Self-Storage Facility" as a distinct use, separate from "Warehouse," defined as:

Warehouse, Self-Storage: A building or group of buildings consisting of individual, self-contained units used for the storage of personal property where individual owners lease individual storage units.

That text amendment also eliminated warehouses as a by right use in the B-3 district. It instead required a special use permit for self-storage facilities in that district; it also required a conditional use for self-storage in industrial districts. The Zoning Ordinance was later amended to require a conditional use permit for self-storage facilities in the B-3 district, and to allow them by right in industrial districts.

The intent of these earlier text amendments was to establish self-storage facilities as distinct from warehouses, and to require additional scrutiny for self-storage facilities in the B-3 district, since that district contains some of the best commercial land in Urbana, much of which would not be best used for self-storage.

The proposed text amendment would remove self-storage facilities as an allowed use in the B-3 district altogether. The change would prevent areas that are intended to be developed with more active, tax-revenue-generating businesses from being used for self-storage facilities.

¹ Ord. No. 9899-46 / Plan Case No. 1704-T-98 – Warehouse, Warehouse Self-Storage Facility Text Amendment.

There are currently six self-storage facilities in the B-3 (General Business) district. This text amendment would make them legally non-conforming uses. They could remain in operation indefinitely, but they could not be expanded. If the self-storage use were to be abandoned for six months or more, it could not be reestablished.

Proposed Amendment

The amendment would simply remove the “C” from the B-3 district in the Table of Uses.

Table V-1. Table of Uses

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Business (cont.)																				
<i>Miscellaneous Business</i>																				
Self-Storage Facility												C							P	P

Summary of Findings

1. The proposed amendment will remove “Self-Storage Facility” as a conditional use in the B-3 (General Business) District.
2. The amendment will prevent the proliferation of self-storage facilities in areas intended for more active, tax-generating business uses.
3. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

Options

The Plan Commission has the following options regarding Plan Case 2484-T-24:

1. Forward this case to City Council with a recommendation to approve as presented;
2. Forward this case to City Council with a recommendation to approve as modified by specific suggested changes; or
3. Forward this case to City Council with a recommendation to deny.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission forward Plan Case No. 2484-T-24 to the Urbana City Council with a recommendation to **APPROVE** the proposed text amendment to the Zoning Ordinance.