



**DATE:** Thursday, February 22, 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 February 8, 2024 Regular Meeting

**D. Communications**

**E. Continued Public Hearings**

[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).

[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) district as a conditional use.

**F. Old Business**

**G. New Public Hearings**

**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@urbanaininois.us](mailto:Planning@urbanaininois.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](mailto: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

**DATE:** February 8, 2024

**TIME:** 7:00 P.M.

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

---

**MEMBERS ATTENDING:** Will Andresen, Dustin Allred, Andrew Fell, Lew Hopkins, Bill Rose, Karen Simms, Chenxi Yu

**MEMBERS EXCUSED:** Debarah McFarland

**STAFF PRESENT:** Kimberly Smith, Director of Community Development Services; Kevin Garcia, Principal Planner; Teri Andel, Administrative Assistant II

**OTHERS PRESENT:** Geoffrey Bant, Brad Bennett, Joanne Budde, Christy Donovan, Stan Frese, Deb Hissong, Rich Hissong, Richard Lampman, Adam Martinsek, Lori Martinsek, Christina Penna, Scott Roher, Tony Trad, Vicki Trimble, Jim Tucker, Marla Tucker, [2 representatives from OSF Healthcare]

---

### A. CALL TO ORDER and ROLL CALL

Chair Allred called the meeting to order at 7:01 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 December 7, 2023, regular meetings were presented for approval. Mr. Hopkins 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. COMMUNICATIONS

Communications received regarding Plan Case No. 2483-M-23:

- 1) Packet of Emails received Post Packet
  - Andrea and Ted Turner
  - John and Silda Andrick
  - Christy Donovan
  - Eric and Kelly Kuchefski

- Scott Glassman
  - Jim and Marla Tucker
  - Joanne Budde
  - Kent and Lori Choquette
  - Dr. Richard Lampman
  - Randy Roberts
  - Bob Withers
- 2) Notice of Request for Postponement and Layover of Public Hearing from Carol A. Lockwood, of Hinshaw & Culbertson LLP
  - 3) Letter from Carol A. Lockwood, Esq., of Hinshaw & Culbertson LLP
  - 4) Letter from Josh Markiewicz

#### **E. CONTINUED PUBLIC HEARINGS**

There were none.

#### **F. OLD BUSINESS**

##### **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, presented a brief update on the proposed changes. He stated the options of the Plan Commission.

Mr. Hopkins asked if the Plan Commission could act on the item during this meeting. Mr. Garcia replied yes, because it was originally proposed in November, 2023.

Mr. Hopkins stated that he was not interested in having one meeting a month for reasons he mentioned at the previous meeting on November 9, 2023. He believed there was a reason for scheduling the Plan Commission meetings on the first and third Thursday after the first Monday. He asked if the reason was still valid. Mr. Garcia stated that he was unsure of the original reasoning. He explained that if the Plan Commission switched to the first and third Thursday of every month it would give staff an additional week in some months to prepare for Committee of the Whole. It is also easier to understand. Mr. Hopkins was agreeable to switching to holding meetings on the first and third Thursdays of each month.

Mr. Allred asked how many meetings are not held due to lack of a quorum. Mr. Garcia replied that in looking at a two-year period, there were 49 scheduled meetings, and only 18 meetings were held. Twenty-seven meetings were cancelled due to lack of agenda items, three meetings were cancelled due to lack of a quorum and one meeting was cancelled due to inclement weather.

Mr. Rose asked if it would be burdensome to applicants to only hold one meeting a month rather than two each month. Mr. Fell commented that as someone who presents cases to the Plan Commission, it is better to have the option of two meetings a month. There are times when it is

financially critical for deadlines and components to have to wait. He stated that the prep time and the lead time to submit materials for the packet might be an issue with only one meeting a month.

Mr. Hopkins moved that the Plan Commission amend the bylaws to make the meetings to occur on the first and third Thursdays of each month (Option #1). Ms. Simms seconded the motion. Roll call on the motion was as follows:

Mr. Andresen	-	Yes	Mr. Fell	-	Yes
Mr. Hopkins	-	Yes	Mr. Rose	-	Yes
Ms. Simms	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes			

The motion passed unanimously.

**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 No. 1 from R-3 (Single and Two-Family Residential) to CRE (Conservation-Recreation-Education).**

Chair Allred opened Plan Case No. 2482-M-23. Kevin Garcia, Principal Planner, presented the written staff report to the Plan Commission. He briefly summarized the details and facts of the case.

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

Mr. Hopkins expressed concern about the existing solar farm. Mr. Garcia explained that the solar farm was built before the City passed a text amendment regulating solar use. Prior to the text amendment, the City treated solar of any kind as a mechanical system. Solar farms are not allowed in the R-3 (Single and Two-Family Residential) Zoning District, so the proposed rezoning would bring the existing solar farm more into conformity. Mr. Hopkins stated that it needs to be in the record that the City considers the solar farm to be conforming and have approval of a special use permit to operate.

Mr. Fell asked if the City owns the two lots. Ms. Garcia replied that the Urbana-Champaign Sanitary District owns both lots.

With no further questions for the applicant, Chair Allred opened the hearing for discussion by the Plan Commission. He reviewed the procedure for a public hearing. There was no public input, so Chair Allred opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins moved that the Plan Commission forward Case No. 2482-M-23 to the City Council with a recommendation for approval and recognition that the current solar farm is a conforming use based on an implied special use permit. Mr. Rose seconded the motion.

Mr. Fell asked if the Plan Commission could blanketly issue a special use permit this way. Mr. Hopkins stated that the solar farm was approved under a different ordinance, which made the solar

farm become a conforming use. He doesn't want the use to become non-conforming due to the proposed rezoning.

Chair Allred stated that since the Plan Commission cannot grant a special use permit in this case without proper noticing, he suggested that City staff research the best way to move forward without creating a non-conformity. If the City approves the proposed rezoning, the solar farm would become legally non-conforming and would not create the impression that another proposed solar farm would not require a Special Use Permit. Mr. Garcia added that when the City adopted the solar energy text amendment, they essentially made any existing solar farm non-conforming.

Mr. Rose asked if there is currently a special use permit for the existing solar farm. Mr. Garcia said no because it was constructed prior to the City having regulations on solar farms. They were considered mechanical systems then.

Ms. Simms asked if there is a grandfather statement that the Plan Commission can make about the existing solar farm. Mr. Garcia said that is what the entire non-conforming section in the Zoning Ordinance is about.

Roll call was taken on the motion and was as follows:

Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Mr. Rose	-	Yes	Ms. Simms	-	Yes
Ms. Yu	-	Yes	Mr. Allred	-	Yes
Mr. Andresen	-	Yes			

The motion passed by unanimous vote.

Mr. Garcia noted that this case would be forwarded to Committee of the Whole on February 19, 2024.

**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).**

Chair Allred opened the public hearing for Plan Case No. 2483-M-23. He stated that the attorney for the property owner submitted a request to continue this case to the February 22, 2024 meeting of the Plan Commission based on their inability to prepare for this public hearing due to the short notice of this meeting.

Mr. Fell moved that the Plan Commission continue Case No. 2483-M-23 to the February 22, 2024 meeting. Ms. Simms seconded the motion.

Mr. Hopkins asked the representatives of OSF if they still want to continue the case. Mr. Garcia said yes. It was made clear to him that OSF wants to continue the case and the representatives from OSF that are in the audience are not the legal representation that OSF would like to have at the public hearing.

Roll call on the motion was as follows:

Mr. Hopkins	-	No	Mr. Rose	-	Yes
Ms. Simms	-	Yes	Ms. Yu	-	No
Mr. Allred	-	Yes	Mr. Andresen	-	Yes
Mr. Fell	-	Yes			

The motion passed by a vote of 5-2.

**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.**

Chair Allred opened the public hearing for Case No. 2484-T-24.

Mr. Hopkins stated that having read the legal brief, part of the contention is that making the current contractual proposal a non-conforming use is part of the contest from the legal point of view. Therefore, dealing with this case, which would also make [a self-storage facility] a non-conforming use, should also be continued to the same meeting as Case No. 2483-M-24. Mr. Garcia stated that this would be appropriate.

Mr. Hopkins moved that the Plan Commission forward Case No. 2484-T-24 to the February 22, 2024 Plan Commission meeting. Mr. Rose seconded the motion.

Mr. Fell asked for clarification on the reason for the motion. Mr. Hopkins replied that both Case No. 2483-M-23 and 2484-T-24 are in effect attempts to make a proposed development, which has already been given a conditional use permit, a non-conforming use. That would be the effect of approval of each case. Arguably that cannot affect the existing approved use. However, as the legal document that has been submitted for Case No. 2483-M-23 requesting the continuation of that case states that OSF still currently owns the property. The contract to sell it to the approved developer has not actually been consummated. The approved developer in that sales contract is identified as being concerned about it becoming a non-conforming use. Since both of the cases would yield that effect, he felt it would be inappropriate to consider them separately given the legal question involved.

Mr. Fell asked for clarification on the intent of the proposed text amendment in Case No. 2484-T-24. By removing the self-storage use from the B-3 (General Business) Zoning District as a conditional use permit, would it become a permitted use or not allowed at all in the B-3 District? Mr. Garcia replied that staff's intent is to remove the self-storage use from the B-3 District entirely.

Chair Allred agreed with Mr. Hopkins; however, the reasons in the written staff report relates to concerns about the proliferation of self-storage units on properties zoned B-3 city-wide, so he does not know that it would be necessary to not address this case in light of the specific proposal for the property located at 205 North High Cross Road.



Roll call on the motion was as follows:

Mr. Rose	-	Yes	Ms. Simms	-	Yes
Ms. Yu	-	Yes	Mr. Allred	-	Yes
Mr. Andresen	-	Yes	Mr. Fell	-	Yes
Mr. Hopkins	-	Yes			

The motion was passed by unanimous vote.

**H. NEW BUSINESS**

There was none.

**I. AUDIENCE PARTICIPATION**

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

Vicki Trimble approached the Plan Commission to speak. She stated that she had submitted an email which was not relayed to the Plan Commission. She wondered how many other emails were not relayed. She said that the residents of Beringer Commons have had trouble getting their voices heard by the Zoning Board of Appeals. They were hopeful that the Plan Commission would be able to help them.

Joanne Budde approached the Plan Commission to speak. She stated that she was just outside the Council Chambers speaking with fellow residents of Beringer Commons who also had submitted comments via email that were not included in the packet. She said that she had sent two comments and only saw one of them in the packet.

Mr. Garcia stated that any communications received after the packet of information for the meeting was emailed out on Friday, February 2, 2024 were packaged up and shared with the Plan Commission members earlier in the day. Staff will be sure to include Ms. Trimble’s email in the packet for the February 22, 2024 meeting.

Mr. Rose suggested sending copies of all submitted public comments to anyone who had submitted comments. Mr. Garcia stated that he would do so, and would also inform them of the continued cases. Ms. Simms suggested that staff check with IT to see if any comments were marked as spam.

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

**J. STAFF REPORT**

Mr. Garcia noted that Hope Village Planned Unit Development and Preliminary/Final Plat were both approved by City Council.

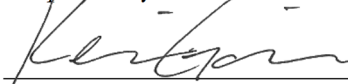
**K. STUDY SESSION**

There was none.

**L. ADJOURNMENT OF MEETING**

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Kevin Garcia, Secretary  
Urbana Plan Commission

DRAFT



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 22, 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.

### **Discussion**

This case was opened at a public hearing at the regularly-scheduled meeting on February 8, 2024. At the request of Carol A. Lockwood, Esq., legal representative for OSF, the Plan Commission continued this case to the next regularly-scheduled meeting of February 22, 2024, to allow adequate time for the property owner to prepare for the public hearing.

Please refer to the February 8, 2024, staff report for a discussion of existing conditions, rezoning criteria, and staff findings as they pertain to this case.

# PUBLIC INPUT

## PLAN CASE No. 2483-M-23

### ADDITIONAL COMMUNICATIONS THAT WERE NOT IN THE INITIAL PLAN COMMISSION PACKET

#### Communication Received From:

- **Martinsek, Adam and Lorelei** (*Dated February 2, 2024 @ 10:13 am*)
- **Turner, Andrea and Ted** (*Dated February 3, 2024 @ 10:55 am*)
- **Trimble, Vicki** (*Dated February 3, 2024 @ 7:06 pm*)
- **Andrick, John and Silda** (*Dated February 5, 2024 @ 12:52 pm*)
- **Donovan, Christy** (*Dated February 4, 2024 @ 4:33 pm*)
- **Kuchefski, Eric and Kelly** (*Dated February 6, 2024 @ 2:52 pm*)
- **Glassman, Scott** (*Dated February 5, 2024 @ 10:14 pm*)
- **Tucker, Jim & Marla** (*Dated February 3, 2024 @ 10:22 am*) regarding Plan Case Nos. 2383-M-23 and 2384-T-24
- **Budde, Joanne** (*Dated February 1, 2024 @ 1:43 pm*)
- **Choquette, Kent and Lori** (*Dated February 4, 2024 @ 6:45 pm*)
- **Lampman, Dr. Richard** (*Dated February 4, 2024 @ 11:24 am*)
- **Roberts, Randy** (*Dated February 5, 2024 @ 3:48 pm*)
- **Withers, Bob** (*Dated February 5, 2024 @ 7:06 pm*) regarding Plan Case Nos. 2383-M-23 and 2384-T-84
- **Lockwood, Carol** (*Dated February 8, 2024*)
- **Markiewicz, Josh** (*Received February 8, 2024 @ 4:58 pm*)

**From:** Adam Martinsek  
**To:** !Planning  
**Subject:** 205 North High Cross Road - PLAN COMMISSION-PUBLIC INPUT-FEB 8, 2024  
**Date:** Friday, February 2, 2024 10:13:17 AM  
**Importance:** Low

---

We strongly support the proposed rezoning of 205 N. High Cross Road back to B-1 (neighborhood business).

The current B-3 zoning allows a wide range of business uses, including adult entertainment, cannabis dispensaries, bars, night clubs, and pawn shops, that are not appropriate right next to a large, attractive residential area (Beringer Commons). The list of businesses permitted under B-1 is much more compatible with the immediate neighborhood.

We urge the Plan Commission to approve the rezoning of 205 N. High Cross Road to B-1.

Sincerely,  
Adam and Lorelei Martinsek

**From:** Andrea Turner

**To:** !Planning

**Cc:** Garcia, Kevin; Ted Turner

**Subject:** 205 North High Cross Road - Rezoning

**Date:** Saturday, February 3, 2024 10:55:16 AM

**Attachments:** [image0.png](#)

---

Hello,

Please support and rezone the 205 North High Cross Road lot from B3 (many businesses altering the neighborhood atmosphere of Bering Commons) to B1 (neighborhood business). Please keep adjacent lots to Beringer as neighborhood businesses.

Thank you,

Andrea and Ted Turner

[address redacted]

**From:** [Trimble, Vicki L](#)  
**To:** [!Planning](#)  
**Subject:** Plan Commission-Public Input-February 8, 2024  
**Date:** Saturday, February 3, 2024 7:06:09 PM

---

Dear Planning Commission Board:

I am writing in support of rezoning 205 N. High Cross Road from B3 back to its original B1 status/classification.

As a 31 year resident of Urbana, I have paid a great deal of taxes, supported our local businesses, donated to our local charities, voted in elections, and so much more over those 31 years in an effort to better our Urbana community. Currently I live in Beringer Commons (and will have for 10 years this July) and I do not pay \$15,000 in property taxes a year to have my next door neighbor be an adult entertainment store of some kind, a liquor store, tavern or night club, auction house, dispensary, mortuary, gaming hall, self-storage facility units or any of the other businesses listed for a B3 zoned lot.

Any of those businesses listed as B3 zoning would definitely lower the Beringer Commons' home values as they do NOT preserve the essential character of the district. One of the many reasons I purchased my home in Beringer Commons was due to the beauty of the area, an area where I felt my home value would increase over time. Should any of those businesses be allowed on that corner lot, this will no longer be the case.

Certain businesses will attract an undesirable kind of person who could cause harm/fear/theft in our currently very safe subdivision. Other businesses would attract vermin, rodents, pests, which again would be detrimental to our community. Trash and litter are other obvious issues that would occur.

I don't understand how this change in zoning occurred in the first place. I have been told that it was due to OSF wanting to build a Convenient Care Facility. But if they are NO longer planning to do that then it should automatically be put back to its original B1 zoning status and NOT be allowed to continue as a B3 allowing pretty much any undesirable business to be built. Where has the COMMON SENSE of this matter gone?

Would Urbana Planning Commission allow such a thing to occur at Stone Creek...which is the next most like Beringer Commons subdivision that I can think of in Urbana? I truly doubt it.

Please... let's let common sense prevail and do the right thing with this matter.

Thank you from a proud, long-time Urbana resident, and Beringer Commons' homeowner,

Vicki Trimble, former BCHOA Board member  
Retired Assistant Dean of Libraries for Advancement  
University of Illinois

**From:** [Andrick, John M](#)  
**To:** [Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8,2024  
**Date:** Monday, February 5, 2024 12:52:54 PM  
**Importance:** Low

---

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

TO: Planning Commission Board,  
City of Urbana

Certainly, one important priority for all branches and divisions of municipal government is the preservation and enhancement of neighborhood safety and well-being and the promotion of a flourishing civic life that resonates in the human and physical landscapes that both residents and visitors to the City of Urbana can appreciate and enjoy.

On the basis of aesthetics alone, the proposed of self-storage container units and perhaps even less desirable business facilities on the very edge of Beringer Commons poses an unnecessary blight impacting residential appeal, property values, and health and safety concerns. This consideration should give pause as your body deliberates action on this matter, particularly as there are other, more suitable locations for such units that do not adversely impact the quality of neighborhood life.

Urbana has long been “known as a city of comfortable and attractive homes” (*Urbana Daily Courier*, February 5, 1932, p. 5). There are a number of neighborhoods and subdivisions in Urbana, including Beringer Commons, that are regular Sunday destinations of local citizens admiring well-kept homes and gardens. We both are among these Sunday tourists who drive through Urbana, appreciating the uniqueness and historical features found throughout the city.

The City Beautiful movement of the early-twentieth century is a poignant reminder of the careful visual culture that progressives and reformers hoped to bring to urban centers across the country. Urbana was and has been a national leader in the City Beautiful movement, as is evident in the abundant parks, pathways, and shade trees it has thoughtfully planned and provided. Lectures at the University on “Urbana, the City Beautiful,” according to the *Daily Illini* (March 10, 1922, p. 4) signified “academic idealism” at “its most sublime height.”

Whenever possible the best choice of city government is to keep uninspiring,



potentially degrading commercial activity from impacting the quality of life of the citizens it serves. B3 zoning, it would seem, in the case of the High Cross Road lot under review, brings unwanted, noisome business activity and creates a potential nuisance of sufficient magnitude that it should be prohibited from encroaching on the Beringer Commons neighborhood. Therefore, we heartily encourage you to rezone 205 N. High Cross Road from B3 to the original B1 zoning classification, a move that will signal a clear resolution to preserve the sanctity and integrity of desirable, wholesome neighborhood living.

Respectfully,  
John and Silda Andrick  
2906 Artesia Crossing  
Urbana, IL 61802

**From:** [Christy Donovan](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Sunday, February 4, 2024 4:33:21 PM  
**Importance:** Low

---

**\*\*\* Email From An External Source \*\*\***  
Use caution when clicking on links or opening attachments.

TO: Plan Commission members

I live at 3013 Rutherford Drive in Urbana, adjacent to the parcel of land at 205 North High Cross road that is inappropriately zoned (in my opinion) as B-3 for general business. This parcel would be more appropriately zoned as B-1 for neighborhood business. I moved to Beringer Commons because it is a nice neighborhood--beautiful and quiet. If storage facilities are built in close proximity to the residents on Rutherford Drive it will no longer be beautiful and quiet. I don't want to look at storage facilities, nor do I want to see the lighting that will accompany the buildings, hear the noise from the tenants, experience the increase in traffic on area roads, or negatively benefit from water / rain run off from the amount of concrete / asphalt that the buildings will be built on. I do not want to risk the possible influx of rodents that may take up residency. I am not sure what is stored in self storage buildings, but certainly do not wish to be near undesirable or illegal activities (I have heard this has happened in other locations--people can find ways to take advantage). This neighborhood would benefit from other neighborhood businesses that would compliment the neighborhood and / or cater to area homeowners, in addition to generating tax revenue for Urbana.

I am very concerned about the path that the decision making has taken so far. I hope the plan commission members will consider the alleged inconsistencies and take the time to follow procedure correctly. I have attended previous meetings and will continue to do so in support of our neighborhood to conserve the beauty and property values.

Thank you so much for allowing public input and thank you for your consideration.

Sincerely,

Christy Donovan  
3013 Rutherford Drive  
Urbana, IL 61802

**From:** [Kelly](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - Plan Commission - Public Input - 2/8/24  
**Date:** Tuesday, February 6, 2024 2:52:53 PM

---

\*\*\* Email From An External Source \*\*\*

Use caution when clicking on links or opening attachments.

As current residents of Beringer Commons, we are writing this email to address and share our support for rezoning the property adjacent to our neighborhood (205 N High across Rd) to a B-1.

We chose to build a home in this specific neighborhood many years ago because of location and it's upscale appeal. To now hear about the possibility of storage units being built adjacent to Beringer, or even other businesses such as adult entertainment, cannabis dispensaries etc (all valid within a B-3) is incredibly disturbing. There is no valid reason for putting these types of businesses next to Beringer, or any neighborhood.

We ask that you rezone this specific property from a B-3 to a B-1 to keep this a desirable neighborhood.

Thank you.

Eric and Kelly Kuchefski

**From:** [Scott](#)  
**To:** [Olsen, Nicholas](#)  
**Cc:** [!!Zoning Board of Appeals; !Planning](#)  
**Subject:** Re: ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023  
**Date:** Monday, February 5, 2024 10:14:25 PM

---

**\*\*\* Email From An External Source \*\*\***  
Use caution when clicking on links or opening attachments.

To whom it may concern;

I just wanted to reiterate my strong objection to the proposed storage facility on High Cross Rd and that you also re-zone the property back to B-1 as it was originally intended.

I live in Beringer Commons on Artesia Crossing, so this is going to affect me. Allowing a storage facility so close to my neighborhood is a terrible idea. Aside from it being an eye sore and its safety issues and noise / light pollution. But most importantly this will *significantly* lower the property values in my neighborhood. I have already heard of house and lot sales falling through due to just the potential development of this storage facility.

I'm sure there are plenty of other suitable locations for this development. It doesn't need to be on top of my neighborhood, or anyone else's for that matter. A storage facility can literally be anywhere as it does not depend on foot or car traffic exposure. Having owned a local Urbana business for 19 years, I am not anti-business at all. But it's just not a suitable business for the proposed location and will have seriously harmful effects to our property values. Again, this is why it was originally zoned B-1.

There is a very good reason this location was zoned B1 in the first place, this should never have been changed and it should be changed back.

Please, I urge you to do what you can to put an end to this proposed facility at this location.

Please re-zone this property back to B-1 with no exceptions.

Thank you for your time,

Scott Glassman

On Nov 15, 2023, at 8:27 AM, Olsen, Nicholas <njolsen@urbanaillinois.us> wrote:

Good morning, Scott,

Thank you for your comments. I am confirming that they have been received.

**Nick Olsen** (*he/him/his*)  
Planner I

Community Development Services Department | City of Urbana  
400 S Vine St | Urbana, Illinois 61801  
217.384.6277



CITY OF  
URBANA

---

**From:** Scott Glassman <[photoscott13@gmail.com](mailto:photoscott13@gmail.com)>  
**Sent:** Monday, November 13, 2023 5:50 PM  
**To:** !Planning <[Planning@urbanainlinois.us](mailto:Planning@urbanainlinois.us)>  
**Subject:** ZONING BOARD OF APPEALS - PUBLIC INPUT November 15, 2023

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

To whom it may concern;

I writing you concerning the proposed self storage facility on High Cross Rd next to Beringer Commons. I live in Beringer Commons on Artesia Crossing, so this is going to affect me. Allowing a storage facility so close to my neighborhood is a terrible idea. Aside from it being an eye sore and it's safety issues and noise / light pollution, this will *significantly* lower the property values in my neighborhood. I have already heard of house and lot sales falling through due to just the potential development of this storage facility.

I'm sure there are plenty of other suitable locations for this development. It doesn't need to be on top of my neighborhood, or anyone else's for that matter. A storage facility can literally be anywhere as it does not depend on foot or car traffic exposure. Having owned a local Urbana business for 19 years, I am not anti-business at all. But it's just not a suitable business for the proposed location and will have seriously harmful effects to our property values.

Please, I urge you to do what you can to put an end to this proposed facility at this location.

Thank you for your time,

Scott Glassman

---

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

**From:** [!Planning](#)  
**To:** ["Jim Tucker"; !Planning](#)  
**Cc:** [Garcia, Kevin](#)  
**Subject:** 205 North High Cross Road Rezoning AND B-3 Zoning Update RE: PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Monday, February 5, 2024 12:21:24 PM

---

Jim & Marla,

Thank you for your comments regarding Plan Cases No. 2483-M-83 – N. High Cross Rezoning and 2484-T-24. They will be shared with the Plan Commission and City Council.

Be safe, stay healthy,  
Marcus

**Marcus Ricci, AICP** (*he/him/his*)  
Planner II

Community Services Department | City of Urbana  
400 S. Vine St. | Urbana, Illinois 61801  
217.328.8283



---

**From:** Jim Tucker <jltmdt81@gmail.com>  
**Sent:** Saturday, February 3, 2024 10:22 AM  
**To:** !Planning <Planning@urbanailinois.us>  
**Subject:** [\*\*\* SPAM \*\*\*] PLAN COMMISSION - PUBLIC INPUT FEBRUARY 8, 2024  
**Importance:** Low

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Members of the Urbana Plan Commission:

Regarding Plan Case 2483-M-23:

We are writing to urge the Commission to recommend the rezoning of the parcel located at 205 N. High Cross Road in Urbana from B-3 back to its original B-1 designation. We did not live in our current location directly north of the parcel in 2020 when it was rezoned to B-3 in order to accommodate a request by OSF to build a clinic on the site. We had no idea when we purchased our home in 2021 that the empty lot across the street from us was zoned for commercial use. Like others in Beringer Commons, we assumed that it was zoned for a neighborhood business like its own neighbor, Aldi. Having just gone through the process of trying and failing to prevent the issuing of a conditional permit for a different commercial facility on that parcel, we have come to better understand its full history. Although it's unfortunate that OSF feels it will be hindered by the rezoning of the parcel back to B-1

(which we feel should have been done immediately in 2020 when they decided not to build their clinic), we do NOT feel that it's our duty or that of our neighbors to bear the consequences of their decision. Leaving the parcel zoned B-3 leaves open the possibility of all sorts of inappropriate businesses that could be located within mere yards of many of our homes. We are in complete agreement with the 2005 Urbana Comprehensive Plan that indicates new development in established neighborhoods be compatible with the existing fabric of the neighborhood and be of both quality and aesthetics recognizable to both neighbors and visitors. That plan itself would require the parcel be zoned B-1.

Regarding Plan Case 2484-T-24

We fully support the zoning ordinance change that will remove self-storage facilities from a conditional use in a B-3 district. They would be much more appropriately located only in light industrial or general industrial areas.

Thank you for your consideration.

Jim & Marla Tucker  
2944 Rutherford Dr.  
Urbana IL 61802

---

**Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.**



**From:** Joanne Budde  
**To:** !Planning  
**Cc:** Garcia, Kevin  
**Subject:** PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Thursday, February 1, 2024 1:43:47 PM  
**Importance:** Low

---

I am writing in support of Plan Case 2483-M-23 to rezone 205 N. High Cross Road back to its original designation of B-1 (neighborhood business).

As a B-3, there are many permitted (by right) uses that are inappropriate for this lot, adjacent to homes.

Some of those B-3 permitted uses include: adult entertainment, craft grower, dispensary, tavern or night club, gaming hall, automobile, truck, trailer or boat sales or rental, automobile and truck repair, car wash; and as a special use - firearm store (listed as a special use under B-3, but on Zoning Ordinance Chart, it lists firearm store as a special use only under IN-1), a towing service, or a truck stop.

Further, there are no height restrictions in a B-3 district, so a multi-story business (even a self-storage facility) could be allowed by conditional use permit in this district. In a B-1 district, no structure more than 2 ½ stories could be constructed.

In addition, the City of Urbana's Comprehensive Plan for Future Land Use Descriptions says *"that the future land use map and descriptions will be used to help determine future policy decisions related to growth and development, which could include annexation, investment in transportation infrastructure, and zoning changes within the city limits."* In their "future use" map, they indicate that the current farmland across from 205 N. High Cross Road will be residential, not industrial, not B-3, and we doubt that homeowners in that new residential area will think that a self-storage facility preserves the essential character of the district. In fact, that future use plan shows that the northeast corner of High Cross Road and University Avenue will be neighborhood business (such as Aldi's), not industrial or commercial or even B-3, as compared to Walmart which is shown in the future use to be a regional business.

Further, and most importantly, a B-3 district and the allowance of a self-storage facility on lot is not in compliance with the 2005 Urbana Comprehensive Plan which was created to guide planning and development policy for the city and the one and-one-half mile territory adjacent to the city limits.

In that plan, one of the concerns is "quality of life."

In that section (Goal 1.0, and 2.0 page 33 of the 2005 Comprehensive plan), some of the key goals and objectives include:

- Goal: To preserve and enhance the character of Urbana's established residential neighborhoods.

- Objective 1.5: Ensure appropriate zoning in established neighborhoods to help foster the overall goals for each unique area.
- Objective 2.1: Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.
- Objective 2.4: Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

For all of these reasons, I support the rezoning of 205 N. High Cross Road back to its original B-1 zone which will limit the types of businesses that can be constructed so close to a residential neighborhood; and across from a residential neighborhood according to the future land use.

Thank you,

**Joanne Budde**  
[Address Redacted]

**From:** [Lori Choquette](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning AND B-3 Zoning Update - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Sunday, February 4, 2024 4:06:45 PM  
**Importance:** Low

---

**\*\*\* Email From An External Source \*\*\***  
Use caution when clicking on links or opening attachments.

Hi

We were notified about a conditional use permit for the plot next to Aldi in Urbana to build a self-storage facility. This area is now up for 2 new agenda items before you. One is to rezone 205 N High Cross Road back to its original destination of B-1 from the B-3 it was rezoned to for a building that never happened. The other is to remove self-storage facilities as a conditional use in B-3 districts. Both of these action could stop the building of these storage units.

The request from Wes Taylor to build a storage facility should not be allowed to happen in this area. This really isn't the right area for that and there is currently a storage facility only quarter mile south of here next to the Urbana Post Office. This kind of facility should not be built next to Beringer Commons, a higher end housing neighborhood with some of the more expensive houses in the city of Urbana, but rather next to other commercial areas. There is plenty of land near the Walmart or even near the other storage facility that is already located off of Tatman Dr and High Cross Rd.

These types of units are normally restricted to industrial areas and it is incorrect that the storage facility fits into the character of the vacant lot at High Cross and University (within feet of residents in Beringer Commons). This is not an industrial area, but rather a nice housing development. These units would be right up against the yards of the people who live in the condos within our development. Self-storage facilities are more appropriate in an industrial zone (IN-1 Light Industrial/Office) or (IN-2 Heavy Industrial) where they are listed as a permissible use. This is where all the other storage facilities in Champaign-Urbana are located. Other storage facilities in Urbana are not next to residential areas. We don't have street lamps in our neighborhood to cut down on lights that shine in our houses all night, yet a facility like the one proposed would be lit up at all hours of the night with bright lights. We don't want the extra lights, security fences, and associated negatives that come with storage facilities located next to our housing development.

We are not opposed to business near us. Aldi's has been a good neighborhood business, but before opening, in response to neighborhood concerns, they agreed to limit their hours from 9 A.M. to 8 P.M. They built a wall to separate their store from our homes directly adjacent, and they planted trees to help block the view, to help diminish noise and to beautify the neighborhood. The proposed self-storage facility would have business hours between 7:00 a.m. and 10:00 p.m, with lighting on 24/7. The builder will no do anything else to block the view from our homes, which, in some

cases will be only 20 feet away from the facility, and residents will have a view of metal machine-shed like buildings. We have a wall between our neighborhood and the proposed facility, but in some cases, it is only 4 ½ feet tall, and the facility will be at least 10 ½ feet tall. Our residents will be looking at these units and their metal roofs and listening to the loud hum of A/C and heating equipment immediately outside their windows. In a B-3 zone, there is no height limit for buildings, so the applicant could, at a later point, build onto these units by building up. This really should never have been changed to a B-1 zone to the B-3 zone. It was only done because there was to be a OSF urgent care center built there and then they changed their minds after they bought and rezoned the land to build elsewhere. (That place is on the corner of Cunningham and University and the building now sits vacant!)

The building of B-3 types of businesses in this area next to Aldi will invariably lower the salability of our homes and lower our property values, which in the long run could lead to lower property tax revenue collected by the city for this area when those of us living here start calling for reassessments. Sales have already been affected by the news of this potential, industrial “neighbor.” Real estate agents have informed our HOA that buying decisions, and perhaps sales prices, have already been affected on two recent/potential transactions.

We also feel that the zoning designation for this area needs to be reverted back to a B-1 designation which our Alderperson, Grace Wilken, has already introduced to the City Council to prevent issues like this from occurring again in the future with development of this area.

Many of our neighbors attended the earlier zoning meetings to oppose this development, yet it seems that against the neighborhood wishes there is a continued push for this to move forward. It should also be noted that many of us sent in letters prior to the earlier deadlines and yet when the Zoning Board asked if there was any written public input they were told that there was none. It really feels like this board is ignoring the wishes of the neighborhood to favor a single developer.

Please rezone 205 High Cross back to its original B-1 designation or at least make it so that no storage units can be built on this B-3 site.

Thank you — Kent & Lori Choquette  
407 N Beringer Circle  
Urbana, IL 61802

**From:** [Lampman, Richard Lee](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024.  
**Date:** Sunday, February 4, 2024 11:24:55 AM  
**Importance:** Low

---

To whom it may concern,

I have lived in Urbana for 44 years and Beringer Commons for 14 years. I have typically supported the long-term City plans for northeast and southeast Urbana; however, I recently found that some of the future plans have been dramatically altered, often by the failure of a lot owner to complete a project. For example, I strongly support the rezoning of 205 N. High Cross Road from B3 back to its originally planned B1 status. To the best of my knowledge, the change in zoning to B3 was to allow OSF to build a health facility on the lot. When that permit was abandoned, few of us in Beringer realized that we were now open to a wide variety of highly objectionable businesses moving adjacent to our subdivision.

I never believed the ZBA would allow the lot to be used in ways that would dramatically alter the character of the area. However, I was wrong and they recently approved an industrial like self-storage facility to be built immediately adjacent to homes in the Beringer Commons subdivision on this lot. In fact, the ZBA members chided the residents protesting this conditional permit by saying they could be approving worse businesses like a cannabis dispensary, tavern, gaming business, truck repair and storage, adult entertainment, etc. In other words, they would approve any request allowed under B3, despite the alteration to the character of the surrounding area. The long-term goal of the ZBA was to facilitate business without concern for the long-term planning for an area.

I believe the City Council has made a reasonable request to return the lot to its original classification of B1 and I strongly support it. First, the zoning of this area as B3 is only because OSF defaulted on their original plans. Second, the ZBA can not be relied upon to be a gatekeeper for the characteristics of an area because their main goal appears to be bring in businesses regardless of their local impact. Third, OSF should not be rewarded with being able to sell to a B3 business as they defaulted on the original reason for the change in zoning from B1. Finally, I do not

understand why the strong opinions of residents adjacent to the lot was completely overlooked in granting a permit for a self-storage facility. The only protection residents of Urbana have is lobbying the City Council and Planning Commission to address egregious decisions that will alter the character and nature of our neighborhoods.

For these reasons, I sincerely hope for the return of the High Cross Road lot to the B1 classification as originally designated for the area.

Dr. Richard Lampman  
702 Abbey Road  
Urbana, IL

**From:** [R.Roberts](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Monday, February 5, 2024 3:48:22 PM  
**Importance:** Low

---

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

To Whom It May Concern:

I am a near lifelong resident of Urbana (over 50 years) and a resident of Beringer Commons for the last 11 years. I have always been proud of my community, and can boast of having raised my 3 children in this culturally diverse city. I have always been pro-business (I am a business owner myself) and have always tried to keep my dollars within the city limits where possible.

I have been made aware of a proposed change in the zoning of a lot at 205 N. High Cross Rd. which is immediately adjacent to my neighborhood, sandwiched between current housing and Aldi grocery store. It is my understanding that the lot was originally designated the same as Aldi (B-1) for residential business use, but was changed to B-3 in 2020 for a proposed OSF Clinic, which subsequently fell through. It does not make sense to me that the designation did not immediately revert back to B-1 once OSF decided not to build there. It is still a neighborhood lot, and thus should not be potentially subject to undesirable businesses allowed in B-3 that would not be conducive to our neighborhood atmosphere.

It has been very nice having Aldi as a part of our community, as the day-to-day running of that business has not been disruptive in any way to the quality of life that we enjoy in Beringer Commons. Indeed, it has been nice as my kids grew up to allow them to bicycle there and back without having to worry about them crossing major thoroughfares, such as University Avenue or Route 130. A neighborhood business such as a coffee shop, bakery, florist, or hardware store would be a welcome addition as well.

I urge you to rezone the lot at 205 N. High Cross Rd. from B-3 back to its original and appropriate B-1 designation. This would ensure that the character of any future business situating there will fit in with that of the surrounding neighborhood, and will not adversely affect our property values.

Thank you for your consideration in this matter.

Randy Roberts  
408 Beringer Circle  
Urbana, IL 61802

**From:** [Bob Withers](#)  
**To:** [!Planning](#)  
**Subject:** 205 North High Cross Road Rezoning - PLAN COMMISSION - PUBLIC INPUT - FEBRUARY 8, 2024  
**Date:** Monday, February 5, 2024 7:06:18 PM  
**Importance:** Low

---

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

To whom it may concern,

I strongly support the rezoning of 205 N High Cross Road from a B3 back to its originally planned B1 status. The change in rezoning was done to accommodate OSF so they could build a satellite facility on this site. When OSF changed their mind on this it opened up a wide variety of unsuitable business that could build there.

I never would have thought that the ZBA would take the stance of what is best financially over what is best for the surrounding area. I strongly oppose the building of a self-storage facility on that property and think that they should remove the self-storage facilities as a conditional use in B3 districts.

The City Council has made a request to return the lot to its original classification of B1 and I strongly support it. I do not understand why the requests of the residents adjacent to this lot were completely ignored in granting a permit for a self-storage facility in the first place.

I am hoping that the Planning Commission will return the High Cross Road lot the original B1 classification as it should be.

Bob Withers  
401 Beringer



Planning@urbanaillinois.us

PLAN COMMISSION - PUBLIC INPUT – February 8, 2024

Plan Case 2483-M-23

Dear Members of the Plan Commission,

I represent OSF Healthcare System in its real estate matters. On Monday February 5, 2024, we were made aware of the Public Hearing scheduled for February 8, 2024 with regard to the Zoning Administrator's application for the rezoning of property owned by OSF located at 205 North High Cross Road and situated in Ward 6 of the City. Also on February 5, 2024 we received a copy of the Staff Comments, dated February 1, 2024, providing the Staff's discussion of the proposed rezoning. As OSF is not the applicant, OSF was not included in any pre-application discussions that may have taken place with regard to the proposed rezoning, and has not been able to fully study the Staff Comments and prepare for a public hearing within the one week that the Staff Comments have been available. Because of that, OSF has submitted a request that the Public Hearing be postponed to the next Plan Commission meeting on February 22, 2024 to give the property owner adequate time to study and respond to the information contained in the Staff Report. We hope that the Plan Commission will grant that request.

However, in the event that the postponement of the Public Hearing is not granted, OSF, as the property owner, wishes to submit this Written/Email Input to be on record that OSF objects to the proposed rezoning of the property, and requests that the Plan Commission recommend denial of the application to rezone the property to B-1. I provide a brief summary of the property owner's concerns.

1. OSF, as owner of the property, should be able to rely on the current B3 zoning of the property through the doctrine of vested rights. There is caselaw to support this position. OSF applied for the B3 zoning in 2020, prior to its acquisition of the property in 2021, and would not have purchased the property but for the approval of the B3 zoning. The City Council approved B3 zoning for this property on April 27, 2020, and OSF completed its purchase of the property with the recording of a deed on January 8, 2021.

We are not aware of any change in the general character of the neighborhood since that time that would relate to a need to rezone the property now.

2. When the B-3 zoning was under discussion in 2020, the Minutes of that 2020 public hearing indicate that the Plan Commission was aware that if the medical office was not constructed, the underlying zoning of the property would remain B-3. It seems that there were no objectors appearing at the 2020 public hearing to oppose the B-3 zoning, nor does it appear that anyone initiated an appeal of the 2020 zoning decision during the prescribed time periods, and those periods of time for appealing have long-since expired. Yet, the current zoning application indicates that this proposed rezone was prompted by concerns of neighboring property owners. The doctrine of laches might provide guidance as to whether granting a rezone now is not equitable to OSF. Similarly, following the expiration of OSF's prior special use permit for operating a medical facility, the City had ample time

to raise concerns about B3 zoning prior to the condition use permit that was granted in 2023; and following such a long delay in seeking a rezone we suggest that the doctrine of laches favors OSF's position that rezoning would be detrimental and inequitable to the property owner.

3. The B3 General Business District is an appropriate zoning district for the property. Map #7 of the Comprehensive Plan adopted by the City on April 11, 2005 shows the High Cross Road corridor, and both the northwest and northeast corners of the intersection of High Cross Road and University Avenue/Route 150, including OSF's property, are designated for Community Business uses. We see that the road and surrounding area contain a variety of business, office, and industrial uses, serving nearby residential areas. We have no indication from the Staff that B3 zoning is considered to be incompatible with the character of the surrounding land uses.

B3 District zoning is appropriate and compatible with the Community Business designation in the Comprehensive Plan. We do not believe that B3 zoning is an unreasonable classification for this property.

4. The B3 zoning classification on this site offers opportunities to generate tax revenue for the City. The parcel was created at least 20 years ago in the B-1 zoning district, and while zoned as such, it did not attract any buyers, and provided no service to the community. It was not until B3 zoning was obtained in 2020, that OSF agreed to purchase the property. When OSF's medical use plans changed, it marketed the property to find a purchaser that could put the property to a tax-generating use, based upon its current B3 zoning classification. The current Contract Purchaser has obtained a conditional use permit for its proposed use of the property, and upon sale and commencement of business operations on the property, the property will contribute towards an increase in the tax base for the City. However, the Contract Purchaser has expressed concerns about purchasing a property that would become "legally nonconforming" if zoning were changed to B1 and that might limit future use of the property. If the Contract Purchaser terminates the current purchase and sale agreement due to these concerns, and if past history is a guide, if the property is rezoned to B-1 there will be reduced opportunity to market the property to a new buyer and to generate tax revenue with a B-1 zoning classification. This is detrimental to the property owner, the Contract Purchaser, and the City.
5. It appears that OSF's property is not being treated similarly with other B3 zoned properties that are adjacent to residentially zoned districts. If the City were proposing to rezone the district boundaries of the B3 district in a comprehensive manner, that might be more in keeping with the spirit of the wording of Section XI-7 of the City's Zoning Code which provides that "district boundaries" may be amended, not necessarily one single boundary.

We note that there are other properties along High Cross Road and along Philo Road that are similarly designated in the Comprehensive Plan for Community Business uses, some of which currently hold B3 zoning classifications while abutting R4 zoning districts. We see no resolutions by the City Council or applications from the Zoning Administrator proposing to rezone those properties.

We would expect that the City would wish to treat similarly situated properties on a consistent basis.

6. We note that the Staff Comments of February 1, 2024 do not make a recommendation to approve rezoning to B1.

OSF has undertaken actions that were intended to build relationships with the community. For instance, it is perhaps unknown to many people that, immediately following the purchase of the property in 2021, OSF voluntarily entered into a recorded Easement and Restriction Agreement with the Aldi parcel, whereby OSF and future owners of the parcel agree not to use it for certain activities that might otherwise be permitted in the B3 district. For example, the Easement and Restriction Agreement does not allow adult entertainment uses on the property.

I conclude by again asking the Plan Commission to recommend denial of the application to rezone OSF's property to B-1 zoning classification.

Please note that, in the event that the Public Hearing on this matter is postponed, OSF reserves the right to submit supplemental Written/Email Input.

Thank you.

Carol A. Lockwood, Esq.  
ARDC #6275381  
Hinshaw & Culbertson LLP



**COLDWELL BANKER**  
**COMMERCIAL**  
DEVONSHIRE  
REALTY

P. O. Box 140  
201 W. Springfield, 11<sup>th</sup> Floor  
Champaign, IL 61824-0140  
217-352-7712 office  
217-352-5513 fax

Mr. Kevin Garcia  
City of Urbana

Subject: Opposition to Plan Case 2483-M-23, Rezoning of 205 North High Cross Road

Dear Mr. Garcia,

I am writing to express my opposition to Plan Case 2483-M-23 and the request by the Urbana City Council to rezone 205 North High Cross Road, in Urbana, IL from B-3 (General Business) to B-1 (Neighborhood Business).

After thoroughly reviewing the planning memorandum and the supporting letters written for the rezoning, I believe I can provide valuable insights that argue against its approval. My goal is to shed light on why the rezoning is not justified and to address concerns surrounding B-3 zoning that may not be applicable to this specific case.

Many letters in favor of rezoning focused on potential negative impacts that uses such as “adult entertainment businesses”, “gambling establishments”, and “marijuana dispensaries”, allowed under B-3 zoning, would have on the neighborhood. However, an Easement and Restriction Agreement negotiated between OSF Healthcare and Aldi, recorded with Champaign County on January 8, 2021, prohibits these uses (and many more) on the property. Exhibit A, attached to this letter, provides a comprehensive list of property use restrictions.

In your memorandum dated February 1, 2024, you outlined criteria for rezoning and indicated that several factors weigh against it. You mentioned that the property, while zoned B-1, remained undeveloped for 30 years and that the 2020 rezoning to B-3 facilitated potential development. Reverting the site to B-1, historically unattractive for development, could hinder progress.

Furthermore, your memorandum highlighted that leaving the land vacant is not in the public’s interest and that rezoning to B-1 could impose a hardship on OSF Healthcare. Such a move would not only impact the property’s marketability but also diminish its value – a hardship on the property owner.

In 2020, the Plan Commission voted unanimously and Urbana City Council voted 6-1 in favor of rezoning the property to B-3. During my involvement in the 2020 transaction between OSF Healthcare and Aldi, there was no discernible neighborhood or public input either for or against the rezoning.

Given these considerations, I find no validity in rezoning 205 N High Cross Road to B-1. I respectfully request that the Plan Commission oppose Plan Case 2483-M-23.

Sincerely,

Josh Markiewicz  
Vice President, Coldwell Banker Commercial Devonshire Realty

## Exhibit A

### Property Use Restrictions

- (a) a Retail Grocery Store. The term "Retail Grocery Store" means a supermarket, a meat market, a grocery store, a fruit and vegetable store or stand, a frozen or otherwise processed food store, and any other store where more than 1,500 square feet (including adjacent aisle space) is used for the sale or display of grocery items. "Retail Grocery Store" shall also include the operation of a grocery pick-up service (e.g. Clicklist, Curbside Pickup or similar service) anywhere within the Center, whether or not the premises from which the service is offered is also used for the sale and display of grocery items. "Retail Grocery Store" does not include a delicatessen or any restaurant wherein prepared food is sold for on-premises or "take-out" consumption;
- (b) a business selling alcoholic beverages for on-premises consumption except for a restaurant with sit down table service as its primary operation in which the sale of alcoholic beverages does not exceed 50% of its gross sales;
- (c) any establishment which stocks, displays, sells, rents, or offers for sale or rent any merchandise or material commonly used or intended for the use with or in consumption of any narcotic, dangerous drug, or other controlled substance (provided that the foregoing is not intended and shall not be construed to prohibit a drug store); any store or operation where the sale of cannabis (including marijuana) or cannabis derivatives and related products exceeds 50% of such store or operation's gross sales;
- (d) adult book store, an establishment selling or exhibiting pornographic materials (provided that this restriction shall not prohibit sales by national book retailers such as Barnes and Noble) or any form of adult entertainment or an operation whose principal use is an exotic dancing and/or massage parlor (provided this restriction shall not prohibit massages in connection with a beauty salon, health club or athletic facility, or a national massage chain such as Massage Envy);
- (e) a pool or billiard hall; arcade;
- (f) night club or dance club;
- (g) movie theater or cinema;
- (h) gym or health club greater than 5,000 square feet;
- (i) school or learning center having more than thirty students at any one time,
- (j) children's play or party center; trampoline center; laser tag operation; skating rink; bowling alley; race track; go-karting track;
- (k) telemarketing; polling and surveying center; office use (other than office uses within and ancillary to a permitted retail use);
- (l) an abortion clinic; Planned Parenthood;
- (m) a pet store; except, however, a national pet store (e.g., Petsmart or Petco) shall be permitted if the location of such use is not adjacent to the Aldi Lot;

- (n) an auto repair shop (provided, however, a retail auto supply store that does not perform repairs shall be permitted); the sale of used automobiles;
- (o) a mobile home park; trailer court (except that this provision shall not prohibit the temporary use of construction trailers during any periods of construction, reconstruction or maintenance); mobile home sales; living quarters; hotel; apartment building;
- (p) off-track betting establishment, bingo parlor or any gambling use (other than the ancillary operations of state sponsored lottery);
- (q) a use or operation which would emit or produce noxious or harmful, fumes, contaminants, gases, excessive dust, dirt or loud noises
- (r) dry cleaner/laundry operation performing cleaning on-site, except for environmentally safe cleaning;
- (s) a public or private nuisance
- (t) an assembly, manufacturing, distilling, refining, smelting, industrial, agricultural, drilling or mining operation;
- (u) a junk yard, stock yard, animal raising operation, a dump or disposal or any operation for the incineration or reduction of garbage of refuse;
- (v) a gun/firearms shop or gun/firearms range;
- (w) a pawn shop, tattoo parlor or flea market;
- (x) a thrift store, consignment shop or "re-sell" shop, a "Good Will" or "Salvation Army" type store, or any "drop box" or similar collection facility for donated goods;
- (y) a store dedicated to the sale of tobacco products;
- (z) a mortuary or funeral home;
- (aa) a church or other place of worship; banquet hall; auditorium or meeting hall;
- (bb) the outdoor display, sale or storage of merchandise (Christmas trees, pumpkins, produce, flowers, art work, fireworks, novelties, clothing, etc.);
- (cc) carnival, amusement park, car show, festival, political event/rally, circus or other similar public event; and/or
- (dd) to perform or participate in the performance of human euthanasia which shall mean an action or omission that of itself or by intention causes human death in order to alleviate suffering and includes physician assisted suicide.



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 22, 2024  
**SUBJECT:** **Plan Case 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**

This case was opened at a public hearing at the regularly-scheduled meeting on February 8, 2024. Plan Commission continued this case to the next regularly-scheduled meeting of February 22, 2024, stating it is relevant to Plan Case 2483-M-23, a request to rezone 205 North High Cross Road from B-3 (General Business) to B-1 (Neighborhood Business).

Please refer to the February 8, 2024, staff report for a discussion of existing conditions, rezoning criteria, and staff findings as they pertain to this case.

Attachment: Email from Joanne Budde

**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]