



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning and Economic Development Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: April 11, 2002

SUBJECT: An Ordinance amending the Zoning Ordinance of the City of Urbana to amend Table V-1, Table of Uses, as it pertains to the R-7, University Residential Zoning District (Plan Case 1816-T-02.)

Introduction & Background

The Urbana Zoning Administrator is requesting an amendment to the Zoning Ordinance to amend the provisions pertaining to the R-7, University Residential Zoning District. The specific request is to amend Table V-1, Table of Uses to no longer allow *Dwelling, Multi-Family* from being permitted with a Special Use Permit in that zone. This amendment would prohibit multi-family development in the R-7 zoning district altogether.

On April 4, 2002 the Urbana Plan Commission conducted a public hearing on the matter and voted unanimously (7-0) to forward the request to the City Council with a recommendation of approval. Additional background information on this request is provided in the Plan Commission Memorandum, dated March 28, 2002.

Issues and Discussion

This proposed amendment to the R-7 zoning district is requested in order to keep the list of permitted uses consistent with the original intent of that district. The R-7 district was originally created in 1983 and titled R-7, Dormitory Residential. Prior to 1983, lots containing fraternities, sororities and dormitories were zoned R-6, High Density and it was determined that pockets of R-6 zoning in areas that were primarily low density generated an inconsistent zoning pattern and threatened the low density character of those neighborhoods. The R-7 district was thus created with the intention of providing a special zoning classification for these uses that would keep them consistent with the single-family character of the neighborhood. Only 10 properties were rezoned to R-7 in 1983.

In 1990, the R-7 district was amended to enhance the definition and to make minor adjustments to some of the development regulations related to setbacks, height, etc. This effort along with the Downtown to Campus Plan resulted in approximately 33 more properties being rezoned to R-7 including many rooming houses and more fraternities and sororities. The other significant change to the district in 1990 was the addition of the provision to allow multi-family development (apartments) with a special use permit.

The R-7, University Residential District is currently defined in the Zoning Ordinance with the intent to “*provide areas in proximity to the University of Illinois for dormitories and rooming houses, which are occupied primarily by students, to insure the longevity of the architectural character and use of these existing buildings, and to protect nearby low-density residential districts from incompatible developments.*” It is the opinion of staff that the provision to allow multi-family dwellings in the R-7 district is inconsistent with the intent of the district and counterproductive to the goal in which the district strives to achieve which is to provide for residential fraternity, sorority, dormitory and rooming house development in close proximity to campus but with a single-family, low density character.

On April 4, 2002 the Urbana Plan Commission adopted the following Staff Findings related to the case:

Summary of Staff Findings

1. The current provision to allow dwelling, multi-family as a special use in the R-7, University Residential Zoning District is not consistent with the defined intent of that district as being “*intended to provide areas in proximity to the University of Illinois for dormitories and rooming houses, which are occupied primarily by students, to insure the longevity of the architectural character and use of these existing buildings, and to protect nearby low-density residential districts from incompatible developments.*”
2. The current provision to allow dwelling, multi-family as a special use in the R-7, University Residential Zoning District is not consistent with the primary goal of the 1990 Downtown to Campus Plan which is to “*achieve a desirable and compatible balance among the area’s diverse residential, commercial and institutional land uses in order to protect the historical, architectural, economic and environmental character of the neighborhood.*”
3. The proposed amendment to eliminate the provision to allow multi-family in the R-7, University Residential Zoning District with a special use permit is more consistent with the stated intent of the R-7, University Residential Zoning District and the adopted goals of the 1990 Downtown to Campus Plan.

4. The proposed amendment will encourage more compatible land uses between the R-7, University Residential Zoning District and adjacent single-family residential zoning districts by eliminating the provision to allow multi-family development.
5. The proposed amendment would not create any non-conformities among the existing R-7, University Residential zoned properties since there are currently no multi-family developments constructed any lots zoned R-7.
6. The proposed amendment is generally consistent with the goals of the 1982 Urbana Comprehensive Plan.

Options

The City Council has the following options. In Plan Case 1816-T-02, the Plan Commission may:

- a. Approve the proposed text amendment to the Zoning Ordinance, as presented herein; or
- b. Approve the proposed text amendment to the Zoning Ordinance, as modified by specific suggested changes; or
- c. Deny the proposed text amendment to the Zoning Ordinance.

Recommendation

At their April 4, 2002 meeting, the Urbana Plan Commission recommended unanimously (7 to 0) that the City Council approve the requested text amendment. Staff concurs with this recommendation.

Prepared by:

Rob Kowalski, AICP, Planning Manager

Cc: G Drive

Attachments: Draft Ordinance Amending the Zoning Ordinance
Excerpt Draft Minutes from April 4, 2002 Plan Commission meeting

ORDINANCE NO. 2002-04-041

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

(to amend Table V-1, Table of Uses, as it pertains to the R-7, University Residential District - Plan Case 1816-T-02.)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on April 4, 2002 concerning the petition filed by the petitioner in Plan Case No. 1816-T-01; and

WHEREAS, the requested text amendment to the Urbana Zoning Ordinance is consistent with the City of Urbana's Official Comprehensive Plan Map and with the goals and objectives of the City of Urbana Comprehensive Plan, as amended; and

WHEREAS, the Urbana Plan Commission voted 7 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the requested text amendment; and

WHEREAS, the findings of the Plan Commission indicate that approval of the text amendment request would promote the general health, safety, morals, and general welfare of the public.

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

Section 1. Table V-1, Table of Uses of the Zoning Ordinance of the City of Urbana, Illinois, is hereby amended to no longer allow Dwelling, Multi-Family to be permitted in the R-7, University Residential Zoning District with a Special Use Permit. Dwelling, Multi-Family is no longer permitted in the R-7, University Residential Zoning District under any provisions.

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

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Tod Satterthwaite, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 2002, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS**

(to amend Table V-1, Table of Uses, as it pertains to the R-7, University Residential District - Plan Case 1816-T-02.)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2002, 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 _____ day of _____, 2002.