



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

### MEMORANDUM

**TO:** Bruce K. Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, AICP, Director

**DATE:** August 28, 2003

**SUBJECT:** Plan Case No. 1862-M-03: Request to rezone a 74.50 acre tract of property at the southeast corner of IL-Route 130 and IL-Route 150 from IN, Industrial to B-3, General Business.

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#### Introduction & Background

The Urbana Zoning Administrator is requesting a zoning map amendment for a 74.50 acre tract of property at the southeast corner of IL-Route 130 and IL-Route 150. The owner of the property, Wilmer Otto, intends to market the site for commercial purposes and therefore requires the appropriate business zoning classification. The map amendment has been submitted by the City with full consent of the property owner.

On August 21, 2003 the Urbana Plan Commission conducted a public hearing to consider the request and recommended by a vote of 6-2 that the Urbana City Council approve the rezoning. For further information on the hearing, please refer to the staff memorandum to the Plan Commission dated August 15, 2003 as well as the minutes of the meeting attached to the memorandum.

#### Issues and Discussion

The parcel was annexed into the City in 1994 with a zoning classification of Industrial. At that time, the Conrail Railroad supplied tracks to the site and it was anticipated that the location would be ideal for heavy industrial development. Since the annexation, the owner has been unsuccessful in marketing the track to an industrial user. The railroad tracks serving the parcel have also been removed thus eliminating the opportunity for rail service unless new tracks were to be installed.

The High Cross Road corridor has also experienced significant changes in recent years that call into question the appropriateness of the current industrial zoning classification. The growth of nearby residential subdivisions such as Beringer Commons, Stone Creek and Savannah Green have signified growth patterns for residential and supporting commercial land uses rather than heavy industrial uses that could produce users that would be incompatible with nearby residential development.

The Urbana Comprehensive Plan is currently under revision by city staff and the Comprehensive Plan Steering Committee. At this time, the Steering Committee has spent considerable time discussing growth on High Cross Road north and south of the interstate. It has been recognized that commercial development south of the interstate would be appropriate in order to best serve growing areas of Urbana while preserving the natural amenities north of the interstate. The current draft version of the Future Land Use Map being discussed by the Steering Committee identifies this area as being planned for commercial development.

Although there has not been a confirmed commercial development identified for the site, it is well suited for development. It is located at the intersection of two primary state roadways that have been significantly improved. The site also is compact and contiguous to the existing city limits and is well within service ranges for police, fire, and other city services. There is also currently sanitary sewer service available for the site. Finally, any development on the tract will be required to meet the regulations of the Urbana Subdivision and Land Development Code which specifies requirements for subdivision, drainage and access.

## **Summary of Staff Findings**

On August 21, 2003, the Urbana Plan Commission adopted the following findings and recommended approval of the requested rezoning to the Urbana City Council.

1. The existing industrial zoning is no longer appropriate due to the elimination of the rail access to the site and the inability to effectively serve the site with heavy industrial truck traffic.
2. The proposed B-3, General Business zoning represents a downzoning from the existing IN, Industrial zoning classification and will result in elimination of a number of potentially incompatible land uses that are permitted in the IN, Industrial zoning district.
3. The proposed downzoning to the B-3, General Business zoning district would allow for the commercial development of the property which would be a benefit to the community and contribute to the tax revenues of the city.
4. The proposed B-3, General Business zoning district for the subject site would be consistent with the current commercial and industrial zoning in the general vicinity.

5. The proposed commercial zoning classification would be consistent with current drafts of the Comprehensive Plan Update being considered by the Comprehensive Plan Steering Committee and the public.
6. The site is located at the intersection of state routes IL-130 and IL-150 which makes it appropriate for commercial zoning in terms of access.
7. The proposed rezoning would not be detrimental to the public health, safety or general welfare and would be a benefit to the public because it will create the opportunity for commercial uses in close proximity to residential areas.
8. The proposed rezoning appears to generally meet the LaSalle Case criteria.

## Options

The City Council has the following options. In Plan Case 1862-M-03, the City Council may:

- a. Approve the rezoning from IN, Industrial to B-3, General Business.
- b. Deny the rezoning from IN, Industrial to B-3, General Business.

## Staff Recommendation

Based on the evidence presented in the discussion above, staff concurs with the Plan Commission decision on August 21, 2003 and recommends **approval** of Plan Case No. 1862-M-03.

Attachments: Proposed Ordinance  
August 15, 2003 Plan Commission Memorandum  
Minutes of August 21, 2003 Plan Commission meeting

Cc: Wilmer Otto

Prepared By:

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Rob Kowalski, Planning Manager

ORDINANCE NO. 2003-09-093

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

(Rezoning for a 74.50 acre parcel at the southeast corner of IL-Route 130 and IL-Route 150 - Plan Case 1862-M-03)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on August 21, 2003 concerning the petition filed by the petitioner in Plan Case No. 1862-M-03; and

WHEREAS, the requested rezoning is consistent with the goals and objectives of the City of Urbana Comprehensive Plan, as amended; and

WHEREAS, the Urbana Plan Commission voted 6 ayes and 2 nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request of the properties herein described below from IN, Industrial to B-3, General Business; and

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning 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. The Zoning Ordinance and Zoning Map of the City of Urbana, Illinois, are herewith and hereby amended to change the zoning classification of the following described area from IN, Industrial to B-3, General Business.

LEGAL DESCRIPTION:

The North half of the Northwest Quarter, Section 14, Township 19 North, Range 9 East of the Third Principal Meridian.

Except;

All of the former Conrail Railroad Right-of-Way adjacent to the above described tract.

All situated in the City of Urbana, Champaign County, Illinois.

PERMANENT PARCEL #: 91-21-14-100-003

LOCATED AT: Southeast corner of the intersection of IL-Route 130 and IL-Route 150

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 \_\_\_\_\_, 2003.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
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 \_\_\_\_\_, 2003, the corporate authorities of the City of Urbana passed and approved Ordinance No.

\_\_\_\_\_, entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS (Rezoning for a 74.50 acre parcel at the southeast corner of IL-Route 130 and IL-Route 150 - Plan Case 1862-M-03)" 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 \_\_\_\_\_, 2003, 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 \_\_\_\_\_, 2003.