



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

MEMORANDUM

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: April 15, 2004

SUBJECT: Plan Case No. 1885-M-04: Request to rezone 395 N. Race Street from the IN, Industrial to B-4, Central Business Zoning District.

Introduction & Background

The Urbana Zoning Administrator has submitted a request to rezone 395 N. Race Street from IN, Industrial to B-4, Central Business. The owner of the property has a redevelopment agreement with the City to demolish and redevelop the site to build a new banquet center facility that will include a retail bakery and a coffee shop. The requested rezoning is a component of the agreement and is submitted by the Zoning Administrator with the full consent of the property owner.

The Urbana Zoning Ordinance does not permit most business uses in the IN, Industrial Zoning District. The Zoning Ordinance states that the IN, Industrial zone is intended to provide areas for manufacturing and industrial uses. The IN, Industrial zone does not allow uses other than industrial in order to minimize potential conflict between incompatible uses.

On April 8, 2004 the Urbana Plan Commission conducted a public hearing to consider the request and recommended by a vote of 7-0 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 March 30, 2004.

Issues and Discussion

General Trends and Future Plans

The property was identified as a key redevelopment area in the Tax Increment Finance District 2, Downtown Strategic, and Comprehensive Plans. The plans identify the need to encourage more

retail business uses in the downtown area. The plans encourage redevelopment of underutilized land in the downtown area, such as the subject property, and to encourage business development as there is an identified community need for a variety of retail uses. The Downtown Strategic Plan specifically identifies needed business uses such as specialty goods and services to serve the community and those residents working and living in the downtown area. The Plan also mentions business uses that will accommodate community and special event gatherings, uses that will be mutually compatible with other uses downtown and will reinforce downtown Urbana's sense of place. Overall, each plan encourages a variety of additional retail uses in the downtown area.

The site is ripe for redevelopment and rezoning to a land use classification that is consistent with the needs, wants and goals identified by the community. The downzoning and future planning for redevelopment for more retail land uses in the area creates the potential for more business opportunities in downtown Urbana. Currently the downtown area is strengthening its function as a central business area through efforts such as these. The existing industrial zoning of the subject parcel is not compatible with the current business trends and community goals in the area. City staff has recognized that one of the obstacles to fostering commercial growth is inconsistent zoning on certain parcels. The industrial zoning of this parcel when it no longer contains the amenities desirable for industrial development while it does contain the necessary attributes for commercial redevelopment is a prime example.

Strong Redevelopment Plan

Mr. Strong approached the City with a proposal to construct a banquet facility, including a retail bakery and coffee shop to complement the existing Silvercreek Restaurant, located across the street, and to be accomplished in two phases. Phase 1 would call for demolition of the lumber shed structures to create area for temporary recycled asphalt surface parking, while Phase 2 would call for the demolition of the existing main building and addition of the banquet/retail facility. Support of this rezoning petition for the subject property to be zoned B-4, Central Business is due to the finding that it has a greater potential to be utilized at its highest and best use with the downzoning. (Please see attached site plan for more information about future redevelopment plans)

Summary of Staff Findings

On April 8, 2004 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 trends in the downtown area and the commercial development surrounding the property.

2. The location of the site is no longer an important factor for industrial viable. Economic factors such as the shift from rail access dependence to surface transportation has greatly impacted the appropriateness of the industrial zoning designation.
3. The proposed B-4, Central 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.
4. The proposed downzoning to the B-4, Central 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.
5. The proposed B-4, Central Business zoning district for the subject site would be consistent with the current commercial development in the vicinity of the downtown area.
6. 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.
7. The site is located in a “Key Redevelopment Area” as identified in the Downtown Strategic Plan.
8. 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 downtown Urbana.
9. The proposed rezoning appears to generally meet the LaSalle Case criteria.

Options

The City Council has the following options. In Plan Case 1885-M-04, the City Council may:

- a. Approve the rezoning from IN, Industrial to B-4, Central Business.
- b. Deny the rezoning from IN, Industrial to B-4, Central Business.

Staff Recommendation

Based on the evidence presented in the discussion above, staff concurs with the Plan Commission decision on April 8, 2004 and recommends **approval** of Plan Case No. 1885-M-04.

Attachments: Proposed Ordinance
Minutes of April 8, 2003 Plan Commission meeting
Location Map
Aerial Photo
Site Development Plan (Phase 1&2)
Letter to surrounding properties, matrix mailing labels

Cc: Allen Strong, Kenneth N. Beth

Prepared By:

Michaela Bell Oktay, Senior Planner

ORDINANCE NO. 2004-04-046

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

(Rezoning for 395 N. Race Street from IN, Industrial, to B-4, Central Business - Plan Case 1885-M-04)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on April 8, 2004 concerning the petition filed by the Zoning Administrator in Plan Case No. 1885-M-04; 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 7 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request of the property herein described below from IN, Industrial to B-4, Central 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-4, Central Business.

LEGAL DESCRIPTION:

Beginning at a point 8 feet northerly perpendicular to the Peoria & Eastern Railroad Track number 155 and on the west right-of-way line of Race Street in the City of Urbana, Illinois; thence N 84°26.6' W, 486.92 feet parallel to said track number 155; thence N 03°20.1' E, 65.8 feet to the north right-of-

way of the Peoria & Eastern Railroad; thence S89' 46.9' E, 274.33 feet to the southwest corner of a subdivision of outlot 2, Wm. Parks Addition of outlots; thence N88'15.4'E, 207.23 feet along the south line of said subdivision of outlot 2 to the west line of Race Street thence S0'09.4' E along the west line of Race Street, 1167 feet to the place of beginning and containing 1.01 acres, more or less, situated in Champaign, County, Illinois.

PERMANENT PARCEL #: 91-21-08-376-017.

LOCATED AT: 395 N. Race Street

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 _____, 2004.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2004.

Tod Satterthwaite, Mayor

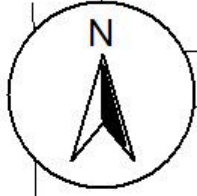
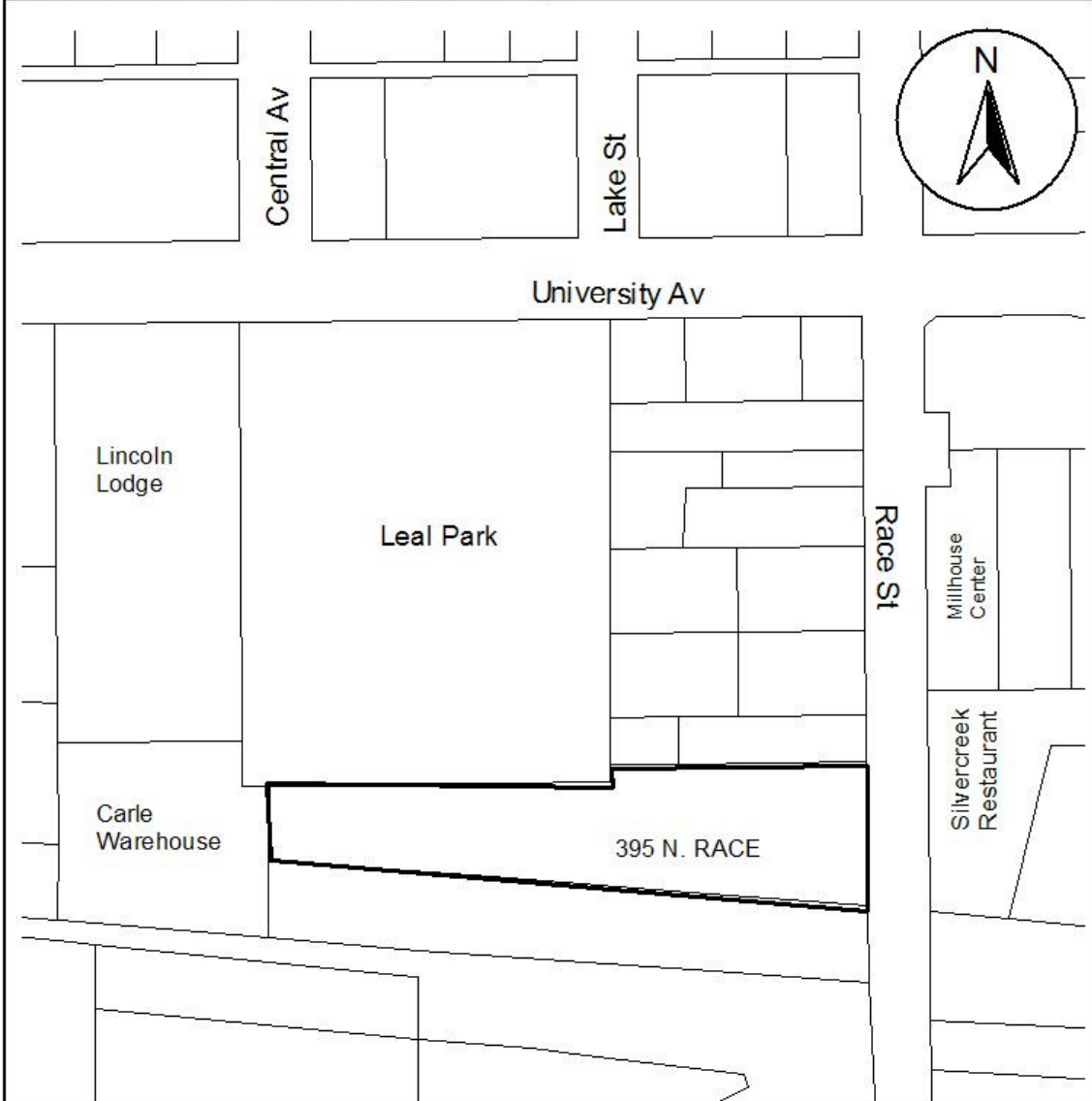
CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

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 _____, 2004, 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 395 N. Race Street from IN, Industrial, to B-4, Central Business - Plan Case 1885-M-04)" 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 _____, 2004, 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 _____, 2004.

Exhibit "A" Location Map

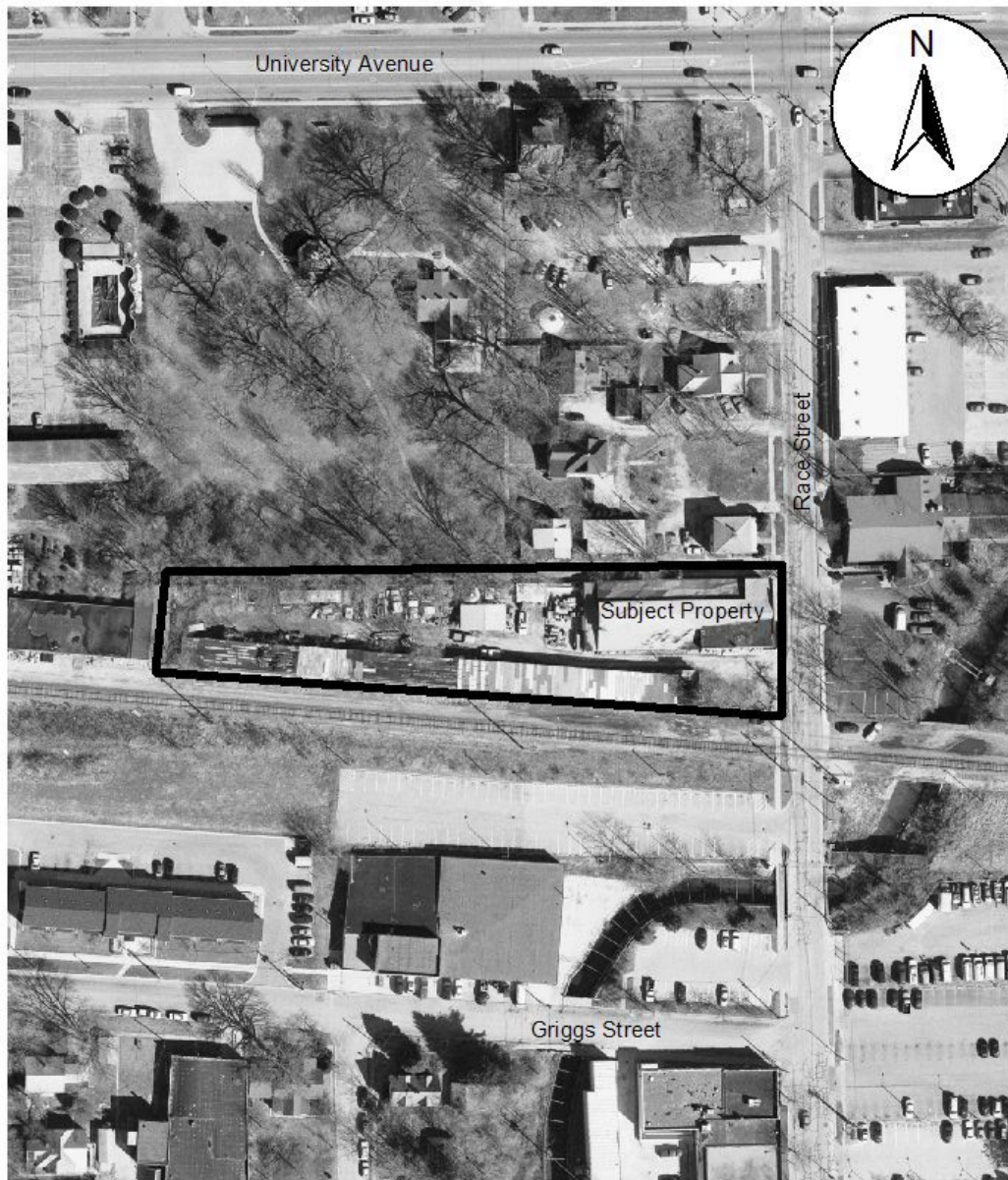


Plan Case: 1885-M-04
Petitioner: Zoning Administrator
395 N. Race Street
Rezone from IN to B-4

 Subject Property

Prepared by Community Development Services - mrb

Exhibit "E": Aerial



Plan Case: 1885-M-04
Petitioner: Zoning Administrator
395 N. Race Street
Rezone from IN to B-4

Prepared by Community Development Services - mrb



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division
400 S. Vine
P.O. Box 946
Urbana, IL 61801
(217) 384-2439

March 15, 2004

NOTICE OF PUBLIC HEARING IN REGARD TO A PROPOSED REZONING

Dear Property Owner:

A public hearing will be held by the Urbana Plan Commission on **Thursday, April 8, 2004 at 7:30 P.M.** in the Urbana City Council Chambers, at which time and place the Commission will consider a request by the Urbana Zoning Administrator for a rezoning of 395 N. Race Street. The request is to rezone the property at 395 N. Race Street from the IN, Industrial zoning district to the B-4, Central Business zoning district. The Urbana Zoning Ordinance defines the two zoning districts as follows:

*The **IN, Industrial District** is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obtrusion on or by adjoining uses and districts. Light industrial uses, which are unlikely to cause undesirable effects, are permitted by right; more intensive industrial uses which may have wider-reaching environmental effects are permitted as special uses, which provide the Urbana Plan Commission and City Council the opportunity to review the uses and impose needed conditions. In order to minimize conflict among incompatible uses, most non-industrial uses are not allowed in the IN Industrial District.*

*The **B-4, Central Business District** is intended to provide an area for the focus of the city, in which the full range of commercial and business uses may locate in a limited area of high intensity uses, with the appropriate forms of physical development at a high density.*

You have been sent this notice because you are a nearby property owner. The Urbana Plan Commission welcomes your comments at the public hearing, or in writing if received prior to the hearing. If you have any specific questions about the request, please do not hesitate to contact me.

Sincerely,

Michaela Oktay
Senior Planner

Persons with disabilities needing services or accommodations for this hearing should contact the Community Development Services Department at 384-2440, or the City of Urbana's Americans with Disabilities Act Coordinator at 384-2466, or TTY 384-2360. If you have any questions concerning this

request, please contact my office at (217) 384-2440.

Current Resident
410 N RACE ST
Urbana, IL 61801

Current Resident
413 N RACE ST
Urbana, IL 61801

Current Resident
203 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
205 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
303 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
403 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
407 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
405 N BROADWAY AV
Urbana, IL 61801

Current Resident
411 N RACE ST
Urbana, IL 61801

Current Resident
408 B N RACE ST
Urbana, IL 61801

Current Resident
408 A N RACE ST
Urbana, IL 61801

Current Resident
408 N RACE ST
Urbana, IL 61801

Current Resident
409 N RACE ST
Urbana, IL 61801

Current Resident
408 N LAKE ST
Urbana, IL 61801

Current Resident
407 N RACE ST
Urbana, IL 61801

Current Resident
405 N RACE ST
Urbana, IL 61801

Current Resident
406 N LAKE ST
Urbana, IL 61801

Current Resident
407 * W UNIVERSITY AV
Urbana, IL 61801

Current Resident
403 N RACE ST
Urbana, IL 61801

Current Resident
404 N LAKE ST
Urbana, IL 61801

Current Resident
409 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
403 N BROADWAY AV
Urbana, IL 61801

Current Resident
402 N RACE ST
Urbana, IL 61801

Current Resident
401 N RACE ST
Urbana, IL 61801

Current Resident
402 N LAKE ST
Urbana, IL 61801

Current Resident
405 W UNIVERSITY AV
Urbana, IL 61801

Current Resident
Urbana, IL 61801

Current Resident
395 N RACE ST
Urbana, IL 61801

Current Resident
Urbana, IL 61801

Current Resident
223 N BROADWAY AV
Urbana, IL 61801

Current Resident
304 * N RACE ST
Urbana, IL 61801

Current Resident
304 N RACE ST
Urbana, IL 61801

Current Resident
221 N BROADWAY AV
Urbana, IL 61801

Current Resident
212 N CENTRAL AV
Urbana, IL 61801

Current Resident
305 W GRIGGS ST
Urbana, IL 61801

Current Resident
303 W GRIGGS ST
Urbana, IL 61801

Current Resident
301 W GRIGGS ST
Urbana, IL 61801

Current Resident
209 W GRIGGS ST
Urbana, IL 61801

Current Resident
205 N RACE ST
Urbana, IL 61801

Current Resident
210 N CENTRAL AV
Urbana, IL 61801

Current Resident
217 N BROADWAY AV
Urbana, IL 61801

Current Resident
206 N WOOD ST
Urbana, IL 61801

Current Resident
221 * N RACE ST
Urbana, IL 61801

Current Resident
306 W GRIGGS ST
Urbana, IL 61801

Current Resident
304 N CENTRAL AV
Urbana, IL 61801