



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** Mayor Laurel Lunt Prussing

**FROM:** Elizabeth H. Tyler, FAICP

**DATE:** February 2, 2012

**SUBJECT:** Plan Case 2166-M-11: A request to rezone 1802 North Lincoln Avenue from IN, Industrial to B-3, General Business.

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### **Introduction and Background**

A & R Corporate Park, LLC has submitted a petition to rezone a 0.46-acre parcel located at 1802 North Lincoln Avenue from IN, Industrial Zoning District to B-3, General Business Zoning District in order to allow a charitable organization known as the Hope Center to operate a food pantry at the site. According to Table V-1 of the Urbana Zoning Ordinance, Institutions of an Educational or Charitable Nature are permitted by right in the B-3, General Business District, but are not allowed in the IN, Industrial District. At their January 19, 2012 meeting, the Urbana Plan Commission held a public hearing regarding the proposed rezoning. The Commission had questions about how the rezoning would affect building codes for the property. Staff has since followed up with the Building Safety Division and confirmed that the rezoning would not affect the building codes for the property. Plan Commission voted eight ayes to zero nays to forward the proposed rezoning to City Council with a recommendation for approval.

### **Description of Subject Property**

The subject property is 19,760 square feet in area, and contains a building along the north half of the site. The site was recently leased to the Vineyard Church, who are proposing to operate a food pantry and other services as part of an affiliate group known as the Hope Center. The front third of the 8,300 square foot building is proposed to be used for community outreach and counseling. The remainder of the building is proposed to be used as a food pantry. Previously the building was used for storage. According to the application, the new use is a “non-profit charity organization, serving the community poor, passing out food and helping with any other needs in order to restore hope in their lives”. The food pantry portion will be open twice a week.

## Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The subject property fronts on Lincoln Avenue, south of Interstate 74. There is a mixture of zoning and land uses in the surrounding area, including industrial, cemetery, residential, and regional business. Across Lincoln Avenue to the west is a multi-family residential development zoned R-4, Medium Density Multifamily Residential. North of the site is an athletic training facility zoned Industrial. To the east is A & R Mechanical Contractors, zoned Industrial. South of the subject property is a cemetery zoned County AG-2, Agricultural.

Following is a summary of zoning, existing land uses and Comprehensive Plan future land use designations for the subject site and surrounding property. Exhibits A, B and C further illustrate this.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	IN, Industrial	Food Pantry (proposed)	Community Business
North	IN, Industrial	Athletic Training	Community Business
South	County AG-2, Agricultural	Cemetery	Institutional
East	IN, Industrial	A & R Mechanical Contractors	Regional Business
West	R-4, Medium Density Multi-family Residential	Apartments	Residential

## Comprehensive Plan

The 2005 Urbana Comprehensive Plan identifies the future land use for the subject site as “Community Business.” The Comprehensive Plan defines “Community Business” as follows:

*Community Business centers are designed to serve the overall community as well as the immediate neighborhood but are less intense than regional commercial centers. Located along principal arterial routes or at major intersections, Community Business centers contain a variety of business and service uses at scales and intensities that make them generally compatible with surrounding neighborhoods. Encourage planned-unit developments to create a variety of uses, and to transition intensities to adjoining neighborhoods. Design facilities to permit pedestrian, bicycle, and transit access as well as automobile traffic.*

Rezoning the subject property to B-3 is consistent with the designation of the site in the Comprehensive Plan as B-3 is the most appropriate zoning district for community business.

## Discussion

According to the Urbana Zoning Ordinance, the intent of the Industrial Zoning District is “to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obstruction 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 intent of the B-3, General Business District, on the other hand, is “to provide areas for a range of commercial uses wider than that of B-1 Neighborhood Business but at a lower intensity than Central Business, meeting the general business needs of the City”. Zoning Description Sheets for both the IN and B-3 Zoning Districts are attached in Exhibit D.

Since the subject property is located along an arterial street in an area with a mix of uses including multi-family residential, commercial uses may be more appropriate than the more intense industrial uses allowed in the IN, Industrial district. The subject property is located on North Lincoln Avenue, an arterial road with several commercial uses, in close proximity to the Interstate. The only access to the property is directly off of Lincoln Avenue. The subject property contains 15 parking spaces, and the proposed uses will require 14 parking spaces.

The property was the long-time home to the PDQ print shop, which has since consolidated with another printing service at a different location. In 2010 the site was sold to the current owner, and became a FedEx shipping center and storage facility until last fall. After being vacant for a month, the owner was approached by the Vineyard Church to use the site for a food pantry. The church is in the process of modifying the building to allow the food pantry use, but has placed these improvements on hold pending the outcome of the rezoning petition.

### **The La Salle Criteria**

In the case of *La Salle National Bank v. County of Cook* (the “La Salle” case), the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property. Each of these factors will be discussed as they pertain to a comparison of the existing zoning with that proposed by the Petitioner.

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

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

The subject property is currently zoned Industrial, as are the adjacent properties to the north and east. The properties to the northeast are part of an industrial subdivision anchored by A & R Mechanical Contractors. These properties are all accessed off of Kettering Park Drive and Linview Avenue. The subject property fronts on and is accessed by Lincoln Avenue. Across Lincoln Avenue is a large apartment complex. South of the subject property is a cemetery. Although adjacent properties are not zoned for commercial, the surrounding uses are all compatible with the proposed zoning. Rezoning to B-3 would allow for continued operation of the Hope Center, which is more compatible with the nearby residences than a heavy industrial use.

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

*This is the difference in the value of the property as IN and the value it would have if it were rezoned to B-3, General Business.*

Of the last three tenants, all could be classified as commercial rather than industrial users. And under the current zoning, the Hope Center would not be allowed, and the property owner would need to find

another tenant. Rezoning to B-3 will support the property's value. In addition, the proposed rezoning would be consistent with the Comprehensive Plan.

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

3. *The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. (see No. 4 below)*
4. *The relative gain to the public as compared to the hardship imposed on the individual property owner.*

*Questions 3 and 4 apply to the current zoning restrictions: do the restrictions promote the public welfare in some significant way so as to offset any hardship imposed on the property owner by the restrictions?*

The rezoning of the property should not jeopardize the health, safety, morals or general welfare of the public. The proposed rezoning will allow for the continued use of the Hope Center, which is a low-intensity use compared to many potential industrial uses. Should the rezoning be denied, there would be no relative gain to the public.

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

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

The subject property is well suited for the B-3 Zoning District as it is located along a commercial corridor on North Lincoln Avenue. In addition, the B-3 Zoning District is consistent with the Community Business land use designation for the area in the Comprehensive Plan. The subject property is also located near to an Interstate and on a bus line and so provides convenient access for customers. The area is well served by utilities.

6. *The length of time the property has been vacant as zoned, considered in the context of land development, in the area, in the vicinity of the subject property.*

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

The site is not vacant. It was home to a printing company before being sold to the current owner. Under the current owner, the site had been used as a FedEx/storage facility, and was then vacant for one month before being leased to the Vineyard Church for use as the Hope Center.

## Summary of Findings

1. On December 30, 2011, the City of Urbana received a petition to amend the Urbana Zoning Map for the subject property from IN, Industrial to B-3, General Business in order to allow for an institution of educational or charitable nature.
2. The proposed zoning map amendment to B-3, General Business would be consistent with the proposed land use and with the land uses and zoning in the surrounding area.
3. The proposed zoning map amendment from IN to B-3 is consistent with the 2005 Urbana Comprehensive Plan's future land use designation of Community Business.
4. The proposed zoning map amendment generally meets the LaSalle Case criteria.

## Options

City Council has the following options regarding Plan Case 2166-M-11:

1. Approve the proposed rezoning.
2. Deny the proposed rezoning.

## Recommendation

At their January 19, 2012 meeting, the Urbana Plan Commission voted eight ayes to zero nays to forward Case No. 2166-M-11 to the City Council with a recommendation for **APPROVAL**. Staff concurs with this recommendation.

Attachments: Exhibit A: Location and Existing Land Use Map  
Exhibit B: Existing Zoning Map  
Exhibit C: Future Land Use Map  
Exhibit D: Zoning Description Sheets  
Exhibit E: Petition for Zoning Map Amendment  
Exhibit F: Draft Minutes from January 19, 2012 Plan Commission Public Hearing

CC: Nathan Reichard, A & R Corporate Park, LLC  
Scott Joellenbeck, Hope Center

ORDINANCE NO. 2012-02-009

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

(Rezoning of 1802 North Lincoln Avenue from IN, Industrial Zoning District to B-3, General Business Zoning District - Plan Case 2166-M-11 / A & R Corporate Park, LLC)

WHEREAS, the A & R Corporate Park LLC. has petitioned the City for a Zoning Map Amendment to rezone one parcel located at 1802 North Lincoln Avenue from IN, Industrial Zoning District to B-3, General Business Zoning District; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 19, 2012 concerning the petition filed in Plan Case No. 2166-M-11; and

WHEREAS, the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation of approval of the request to rezone the property herein described below from IN, Industrial Zoning District to B-3, General Business Zoning District; 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 Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties from IN, Industrial Zoning District to B-3, General Business Zoning District.

The subject property is more accurately described as follows:

LEGAL DESCRIPTION:

Lot 1 in Aloe Holdings Subdivision, City of Urbana, according to the Plat thereof recorded January 23, 2009 as Document No. 2009R01707, in Champaign County, Illinois.

PIN: 91-21-05-353-020

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:

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Phyllis D. Clark, City Clerk

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

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Laurel Lunt Prussing, 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 \_\_\_\_\_, \_\_\_\_\_, 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 of 1802 North Lincoln Avenue from IN, Industrial Zoning District to B-3, General Business Zoning District - Plan Case 2166-M-11 / A & R Corporate Park, LLC), 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 \_\_\_\_\_, \_\_\_\_\_, 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 \_\_\_\_\_, \_\_\_\_\_.



(SEAL)

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

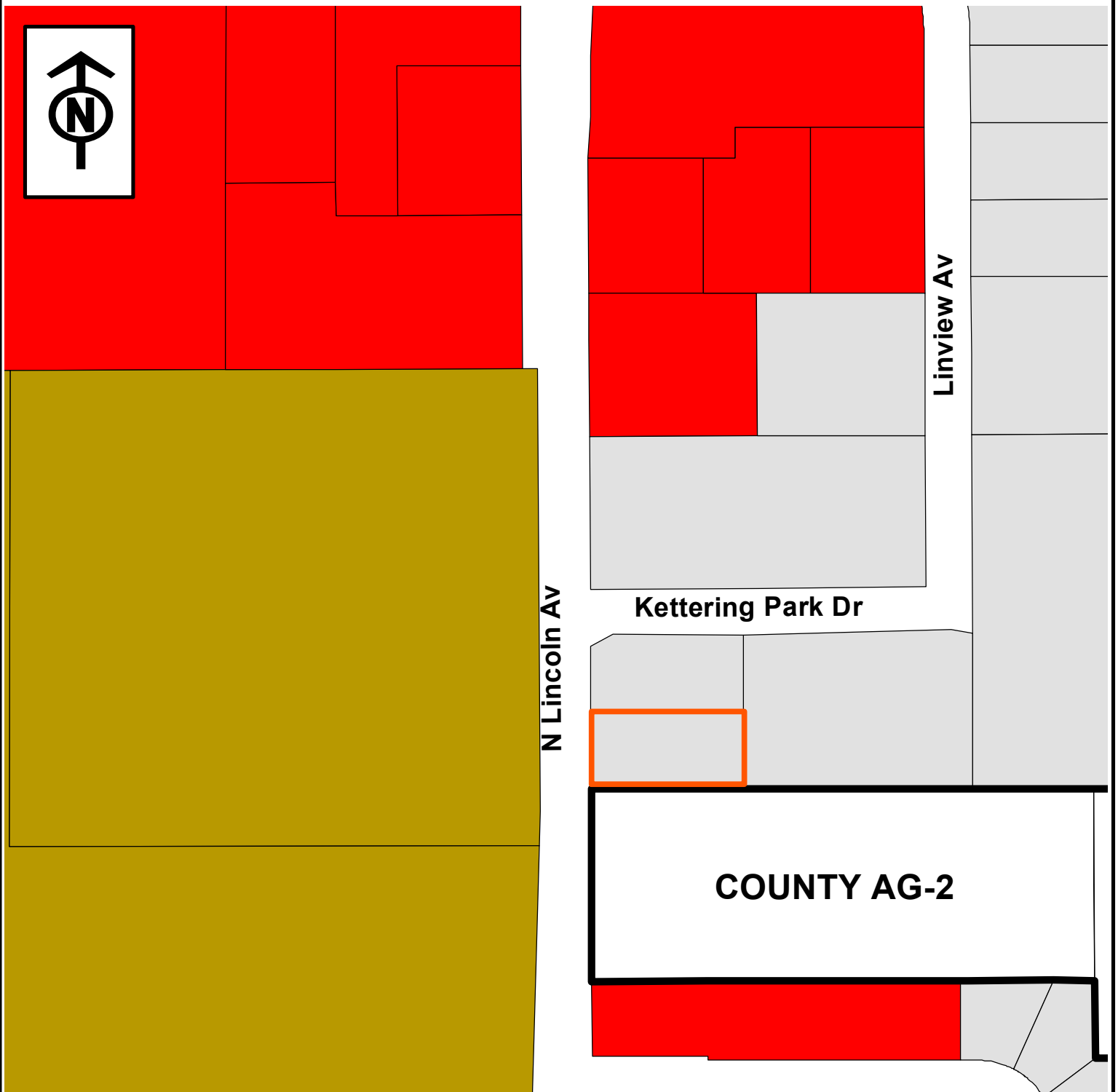
# EXHIBIT A: Location Map & Existing Land Uses



Plan Case: 2166-M-11  
Subject: Rezoning from IN, Industrial to B-3, General Business.  
Location: 1802 N. Lincoln Ave  
Petitioner: A & R Corporate Park, LLC

 Subject Property  
 Urbana

# EXHIBIT B: Zoning Map



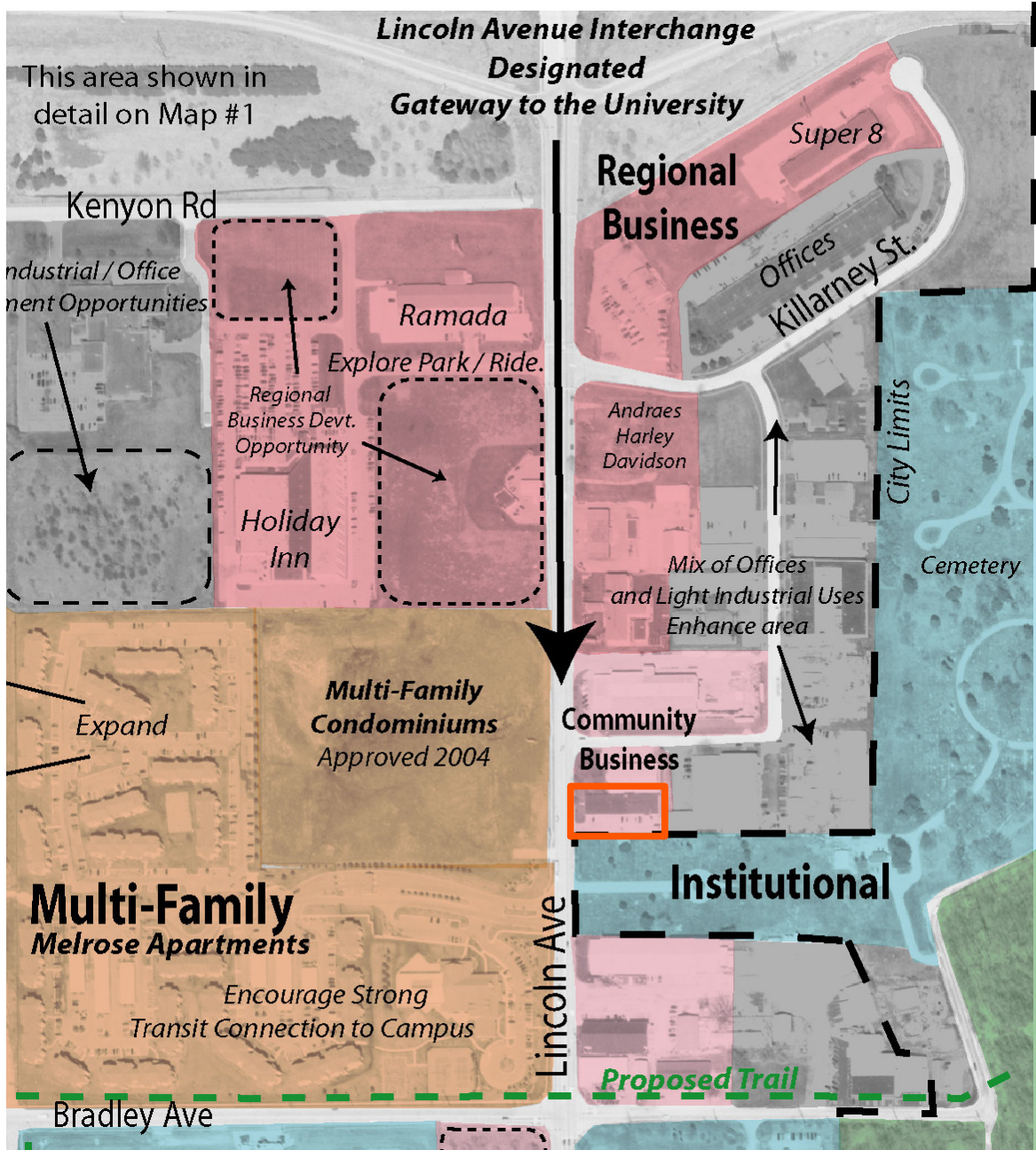
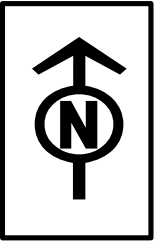
Plan Case: 2166-M-11  
Subject: Rezoning from IN, Industrial to B-3,  
General Business.  
Location: 1802 N. Lincoln Ave  
Petitioner: A & R Corporate Park, LLC

Prepared 01/2012 by Community Development Services - jme

- Subject Property
- Urbana
- B3
- R4
- IN



# EXHIBIT C: Future Land Use Map



Plan Case: 2166-M-11  
 Subject: Rezoning from IN, Industrial to B-3, General Business.  
 Location: 1802 N. Lincoln Ave  
 Petitioner: A & R Corporate Park, LLC

 Subject Property



# IN – INDUSTRIAL ZONING DISTRICT

## ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the IN Zoning District is 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.

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

### PERMITTED USES:

#### Agriculture

Agriculture, Cropping  
Farm Chemicals and Fertilizer Sales Including  
Incidental Storage and Mixing of Blending  
Fertilizer

#### Business - Food Sales and Services

Wholesale Produce Terminal

#### Business - Miscellaneous

Aviation Sales, Service or Storage  
Construction Yard  
Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)  
Kennel  
Lawn Care and Landscaping Service  
Mail Order Business (*Less than 10,000 square feet of gross floor area*)  
Mail Order Business (*Greater than 10,000 square feet of gross floor area*)  
Radio or TV Studio  
Self-Storage Facility  
Shopping Center – Convenience  
Shopping Center - General  
Warehouse  
Wholesale Business

#### Business - Personal Services

Ambulance Service  
Medical Carrier Service

#### Residential

Dwelling, Multiple-Unit, Common-Lot-Line

#### Business - Professional and Financial Services

Bank/ Savings and Loan Association  
Check Cashing Service  
Express Package Delivery Distribution Center  
Professional and Business Office

#### Business - Retail Trade

Building Materials Sales (*All Indoor Excluding Concrete or Asphalt Mixing*)  
Heat, Ventilating, and Air Conditioning Sales and Services  
Photographic Studio and Equipment Sales and Service

#### Business - Transportation

Motor Bus Station  
Railroad Yards and Freight Terminal  
Truck Terminal/ Truck Wash

#### Business - Vehicular Sales and Services

Automobile, Truck, Trailer or Boat Sales  
Automobile/ Truck Repair  
Gasoline Station  
Towing Service  
Truck Stop

#### Public and Quasi-Public

Electrical Substation  
Municipal or Government Building  
Non-Profit or Governmental, Educational and Research Agencies  
Park  
Police or Fire Station  
Principle Use Parking Garage or Lot  
Public Maintenance and Storage Garage  
Utility Provider

**PERMITTED USES CONTINUED:****Industrial**

Bookbinding  
 Building Paper, Paper Containers and Similar Products Manufacturing  
 Confectionery Products Manufacturing and Packaging  
 Electrical and Electronic Machinery, Equipment and Supplies Manufacturing  
 Electronics and Related Accessories-Applied Research and Limited Manufacturing  
 Engineering, Laboratory, Scientific and Research Instruments Manufacturing  
 Grain Mill Products Manufacturing and Packaging  
 Household and Office Furniture Manufacturing  
 Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing  
 Light Assembly Manufacturing (*50,000 gross square feet or less*)  
 Light Assembly and Manufacturing (*Greater than 50,000 gross square feet*)  
 Manufacturing and Processing of Apparel and Related Finished Products Manufacturing  
 Manufacturing and Processing of Athletic Equipment and Related Products  
 Mechanical Measuring and Controlling Instruments Manufacturing  
 Miscellaneous Finished Products Manufacturing Including Home Products, Canvas Products, Decorative Textiles, Luggage, Umbrellas and Similar Products

Motion Picture Production Studio  
 Musical Instruments and Allied Products Manufacturing  
 Office and Artists Materials Manufacturing (*Except Paints, Inks, Dyes and Similar Products*)  
 Optical Instruments and Lenses Manufacturing  
 Photographic Equipment and Supplies Manufacturing  
 Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing  
 Signs and Advertising Display Manufacturing  
 Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing  
 Theoretical and Applied Research, Development and Prototype Light Manufacturing of the following: Drugs, Chemicals, Food Products, Rubber and Petroleum Products, Light Fabricated Metal Products, Electrical Products, Physical and Aerospace Sciences, Wood and Wood Products, Non-electrical Machinery, Textiles, Glass Ceramic Products  
 Watches, Clocks and Clockwork Operated Devices Manufacturing  
 Wool, Cotton, Silk and Man-Made Fiber Manufacturing

**SPECIAL USES:****Business - Transportation**

Heliport

**Business – Vehicular Sales and Service**

Automobile Salvage Yard (*Junkyard*)

**Industrial**

All Other Industrial Uses  
 Recycling Center

**Public and Quasi-Public**

Correctional Institution or Facility

**PLANNED UNIT DEVELOPMENT USES:****Business - Miscellaneous**

Commercial Planned Unit Development

**Industrial**

Industrial Planned Unit Development

**CONDITIONAL USES:****Business - Personal Services**

Dry Cleaning or Laundry Establishment

**Business - Professional and Financial Services**

Vocational, Trade or Business School

**CONDITIONAL USES CONTINUED:**

**Agriculture**

Artificial Lake of one (1) or more acres  
 Commercial Breeding Facility  
 Farm Equipment Sales and Service  
 Grain Storage Elevator and Bins  
 Livestock Sales Facility and Stockyards  
 Mineral Extraction, Quarrying, Topsoil Removal  
 and Allied Activities

**Business - Miscellaneous**

Day Care Facility (*Non-Home Based*)  
 Veterinary Hospital - Large and Small Animal

**Business - Transportation**

Air Freight Terminal

**Business - Vehicular Sales and Services**

Car Wash

**Public and Quasi-Public**

Public or Commercial Sanitary Landfill  
 Radio or Television Tower and Station  
 Sewage Treatment Plant or Lagoon  
 Water Treatment Plant

**DEVELOPMENT REGULATIONS IN THE IN DISTRICT**

<b>ZONE</b>	<b>MIN LOT SIZE (square feet)</b>	<b>MIN AVERAGE WIDTH (in feet)</b>	<b>MAX HEIGHT (in feet)</b>	<b>MAX FAR</b>	<b>MIN OSR</b>	<b>MIN FRONT YARD (in feet)</b>	<b>MIN SIDE YARD (in feet)</b>	<b>MIN REAR YARD (in feet)</b>
<b>IN</b>	<b>10,000</b>	<b>90</b>	<b>None</b>	<b>1.00</b>	<b>None</b>	<b>25</b>	<b>None</b>	<b>None</b>

**FAR= FLOOR AREA RATIO**

**OSR= OPEN SPACE RATIO**

For more information on zoning in the City of Urbana call or visit:

**City of Urbana**  
**Community Development Services Department**  
 400 South Vine Street  
 Urbana, IL 61801  
 (217) 384-2440  
 (217) 384-2367 fax  
[www.city.urbana.il.us](http://www.city.urbana.il.us)



## B-3 – GENERAL BUSINESS ZONING DISTRICT

### ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-3 Zoning District is as follows:

"The B-3, *General Business District* is intended to provide areas for a range of commercial uses wider than that of B-1 Neighborhood Business but at a lower intensity than Central Business, meeting the general business needs of the City."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-3 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

#### **PERMITTED USES:**

##### **Agriculture**

Farm Equipment Sales and Service  
Feed and Grain (*Sales Only*)  
Garden Shop  
Plant Nursery or Greenhouse  
Roadside Produce Sales Stand

##### **Business - Adult Entertainment**

Adult Entertainment Uses

##### **Business - Food Sales and Services**

Bakery (*less than 2,500 square feet*)  
Café or Deli  
Confectionery Store  
Convenience Store  
Fast-Food Restaurant  
Meat and Fish Market  
Restaurant  
Liquor Store  
Supermarket or Grocery Store  
Tavern or Night Club

##### **Business - Miscellaneous**

Auction Sales (*Non-Animal*)  
Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)  
Lawn Care and Landscaping Service  
Mail Order Business  
Radio or TV Studio  
Shopping Center – Convenience  
Shopping Center – General  
Wholesale Business

##### **Business - Personal Services**

Ambulance Service  
Barber/ Beauty Shop  
Dry Cleaning or Laundry Establishment  
Health Club/ Fitness  
Laundry and/or Dry Cleaning Pick-up  
Massage Therapist  
Medical Carrier Service  
Mortuary  
Pet Care/ Grooming  
Self-Service Laundry  
Shoe Repair Shop  
Tailor and Pressing Shop

##### **Business - Professional and Financial Services**

Bank/ Savings and Loan Association  
Check Cashing Service  
Copy and Printing Service  
Packaging/ Mailing Service  
Professional and Business Office  
Vocational, Trade or Business School

##### **Business - Transportation**

Motor Bus Station

##### **Business - Vehicular Sales and Service**

Automobile Accessories (*New*)  
Automobile, Truck, Trailer or Boat Sales  
Automobile/ Truck Repair  
Car Wash  
Gasoline Station  
Mobile Home Sales



**PERMITTED USES CONTINUED:****Business - Recreation**

Athletic Training Facility  
 Bait Sales  
 Bowling Alley  
 Dancing School  
 Driving Range  
 Lodge or Private Club  
 Miniature Golf Course  
 Outdoor Commercial Recreation Enterprise  
*(Except Amusement Park)*  
 Pool Hall  
 Private Indoor Recreational Development  
 Theater, Indoor

**Public and Quasi-Public**

Electrical Substation  
 Hospital or Clinic  
 Institution of an Educational or Charitable  
 Nature  
 Library, Museum or Gallery  
 Methadone Treatment Facility  
 Municipal or Government Building  
 Park  
 Police or Fire Station  
 Principle Use Parking Garage or Lot  
 Public Maintenance and Storage Garage  
 University/ College  
 Utility Provider

**Residential**

Bed and Breakfast Inn  
 Bed and Breakfast Inn, Owner Occupied  
 Dwelling, Community Living Facility, Category  
 II or Category III  
 Dwelling, Home for Adjustment  
 Dwelling, Loft  
 Hotel or Motel

**Business - Retail Trade**

Antique or Used Furniture Sales and Service  
 Appliance Sales and Service  
 Art and Craft Store and/or Studio  
 Bicycle Sales and Service  
 Bookstore  
 Building Material Sales *(All Indoors Excluding  
 Concrete or Asphalt Mixing)*  
 Clothing Store  
 Department Store  
 Drugstore  
 Electronic Sales and Services  
 Florist  
 Hardware Store  
 Heating, Ventilating, Air Conditioning Sales and  
 Service  
 Jewelry Store  
 Monument Sales *(Excluding Stone Cutting)*  
 Music Store  
 Office Supplies/ Equipment Sales and Service  
 Pet Store  
 Photographic Studio and Equipment Sales and  
 Service  
 Shoe Store  
 Sporting Goods  
 Stationery, Gifts, or Art Supplies  
 Tobacconist  
 Variety Store  
 Video Store

**SPECIAL USES:****Business – Vehicular Sales and Service**

Towing Service  
 Truck Stop

**Residential**

Dwelling, Multifamily

**Public and Quasi-Public**

Church, Temple or Mosque  
 Correctional Institution or Facility

**PLANNED UNIT DEVELOPMENT USES:**

**Business – Miscellaneous**

Commercial Planned Unit Development  
 Mixed-Use Planned Unit Development

**CONDITIONAL USES:**

**Business - Miscellaneous**

Crematorium  
 Day Care Facility (*Non-Home Based*)  
 Veterinary Hospital (*Small Animal*)

**Public and Quasi-Public**

Nonprofit or Governmental, Educational and  
 Research Agencies  
 Radio or Television Tower and Station

**Residential**

Home for the Aged  
 Nursing Home

**Industrial**

Bookbinding  
 Confectionery Products Manufacturing and  
 Packaging  
 Electronics and Related Accessories - Applied  
 Research and Limited Manufacturing  
 Engineering, Laboratory, Scientific and  
 Research Instruments Manufacturing  
 Motion Picture Production Studio  
 Printing and Publishing Plants for Newspapers,  
 Periodicals, Books, Stationery, and  
 Commercial Printing  
 Surgical, Medical, Dental and Mortuary  
 Instruments and Supplies Manufacturing

**DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT**

<b>ZONE</b>	<b>MIN LOT SIZE (square feet)</b>	<b>MIN AVERAGE WIDTH (in feet)</b>	<b>MAX HEIGHT (in feet)</b>	<b>MAX FAR</b>	<b>MIN OSR</b>	<b>MIN FRONT YARD (in feet)</b>	<b>MIN SIDE YARD (in feet)</b>	<b>MIN REAR YARD (in feet)</b>
<b>B-3</b>	<b>6,000</b>	<b>60</b>	<b>None</b>	<b>4.00</b>	<b>None</b>	<b>15</b>	<b>5</b>	<b>10</b>

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 Urbana, IL 61801  
 (217) 384-2440  
 (217) 384-2367 fax  
[www.city.urbana.il.us](http://www.city.urbana.il.us)



# Application for Zoning Map Amendment

## Plan Commission

**APPLICATION FEE - \$175.00**

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

**DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY**

Date Request Filed 12/30/2011 Plan Case No. 2166-M-11  
 Fee Paid - Check No. 48196 Amount \$175.00 Date 12/30/2011

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION**

### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **A&R CORPORATE PARK LLC** Phone: **217-840-8890**  
 Address (street/city/state/zip code): **107 MEADOW DR. URBANA, IL 61801**  
 Email Address: **NATHAN.REICHARD@GMAIL.COM**  
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **OWNER**

### 2. OWNER INFORMATION

Name of Owner(s): **NATHAN REICHARD, JON REICHARD, SCOTT REICHARD** Phone: **217-840-8890**  
 Address (street/city/state/zip code): **107 MEADOW DR., URBANA, IL 61801**  
 Email Address: **NATHAN.REICHARD@GMAIL.COM**  
 Is this property owned by a Land Trust?  Yes  No  
 If yes, please attach a list of all individuals holding an interest in said Trust.

### 3. PROPERTY INFORMATION

Location of Subject Site: **1802 N. LINCOLN AVE., URBANA, IL 61801**  
 PIN # of Location: **91-21-05-353-020**  
 Lot Size: .46 Acres  
 Current Zoning Designation: **INDUSTRIAL**  
 Proposed Zoning Designation: **B-3 (BUSINESS)**  
 Current Land Use (vacant, residence, grocery, factory, etc): **STORAGE**

Proposed Land Use: **NON-PROFIT CHARITY ORGANIZATION, SERVING THE COMMUNITY POOR PASSING OUT FOOD AND HELPING WITH ANY OTHER NEEDS IN ORDER TO RESTORE HOPE IN THEIR LIVES**

Present Comprehensive Plan Designation:

How does this request conform to the Comprehensive Plan?

Legal Description: LOT 1, ALOE HOLDINGS, SUB

99.90 X 199.79 X 99.85 X 199.67

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#### 4. CONSULTANT INFORMATION

Name of Architect(s): N/A

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Engineers(s): N/A

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Surveyor(s): N/A

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Professional Site Planner(s):N/A

Phone:

Address (street/city/state/zip code):

Email Address:

Name of Attorney(s): N/A

Phone:

Address (street/city/state/zip code):

Email Address:

5. REASONS FOR MAP AMENDMENT:

What error in the existing Zoning Map would be corrected by the Proposed Amendment?The Use is currently zoned Industrial and would need to be rezoning to business use or B-3

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

A NEW TENANT WARRANTED A CHANGE, AS THE OWNER VACATED AND THE VINEYARD CHURCH (THE NEW TENANT) OPERATES THE CHARITABLE COMMUNITY ORGANIZATION KNOWN AS "THE HOPE CENTER"

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

THE PROPERTY VIRTUALLY WILL GO UNCHANGED, THE BACK TWO-THIRDS OF THE BUILDING WILL FUNCTION AS FOOD STORAGE AND FRONT THIRD AS MEETING ROOMS TALKING AND PRAYING WITH THE PEOPLE SUPPLYING THEM HOPE TO GET BACK ONTO THEIR FEET

What other circumstances justify the zoning map amendment? THE BUILDING WILL VIRTUALLY GO UNCHANGED AS IT IS ALREADY SUITABLE TO THEIR NEEDS

Time schedule for development(if applicable). N/A

Additional exhibits submitted by the petitioner. N/A

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

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

**CERTIFICATION BY THE APPLICANT**

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

D. N. [Signature]  
Applicant's Signature

12/30/11  
Date

**PLEASE RETURN THIS FORM ONCE COMPLETED TO:**

City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL. 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**DRAFT**

**DATE:** January 19, 2012

**TIME:** 7:30 P.M.

**PLACE:** Urbana City Building – City Council Chambers  
400 South Vine Street  
Urbana, IL 61801

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**MEMBERS PRESENT:** Carey Hawkins Ash, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins

**MEMBERS EXCUSED:** Marilyn Upah-Bant

**STAFF PRESENT:** Robert Myers, Planning Manager; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Scott Joellenbeck, Bruce Roth, Susan Taylor

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**NEW PUBLIC HEARINGS**

**Plan Case No. 2166-M-11: A request by A & R Corporate Park, LLC to rezone 1802 North Lincoln Avenue from IN, Industrial District, to B-3, General Business Zoning District.**

Robert Myers, Planning Manager, presented this case to the Plan Commission. He explained that the proposed rezoning request comes from the Vineyard Church planning to operate a food pantry in the building. He discussed the zoning, land uses and Comprehensive Plan designations of this and surrounding properties. City staff has been working with the Vineyard Church to obtain necessary permits to operate the Hope Center food pantry. City staff believes the rezoning would meet the LaSalle National Bank criteria, and he presented staff's recommendation to forward a recommendation for approval to the Urbana City Council.

Mr. Fell stated that he was concerned that rezoning might require fire code upgrades to the existing building. He prepared the plans for the fitness center reuse of the building next door at 1804 North Lincoln Avenue. They encountered many problems with fire separation and had to make costly and difficult retrofits to that building. Is the owner aware that rezoning might make these changes necessary? Mr. Myers responded that he recalls when the existing building was subdivided into two buildings or two lots. Under building and fire codes, change of use and the distance of buildings to property lines are the factors involved rather than zoning. The proposed rezoning will not trigger the owner bringing the building up to comply with any fire codes. The Plan Commission may recall the subdivision plat approved for Tatman's Towing which divided one lot with two existing buildings into two lots. The owner in that case had to retrofit the

buildings to meet building and fire codes because of their distance to the new property line between the buildings. Even if the zoning for 1802 N. Lincoln remained the same, there could be a change of use under the same zoning classification which could trigger fire code modifications to the building. The building needs to comply with fire and building codes no matter what the zoning.

There were no further questions for City staff, so Chair Pollock opened the hearing up for public comment.

Scott Joellenbeck, Director of Finances and Human Resources for the Vineyard Church, approached the Plan Commission to answer questions. There were none.

Chair Pollock then closed the hearing and opened it to Plan Commission discussion and/or motion(s).

The Plan Commission discussed whether or not they should make a motion and vote or to continue the case to the next regular Plan Commission meeting to allow staff and the petitioner time to find out more about meeting fire codes. Chair Pollock pointed out that the petitioner was not asking for a delay, and in addition, the Plan Commission would only be making a recommendation to the City Council. City Council would be taking final action on the proposed rezoning request.

Mr. Otto moved that the Plan Commission forward Plan Case No. 2166-M-11 to the Urbana City Council with a recommendation for approval. Mr. Ash seconded the motion.

Mr. Myers stated that he would verify with the Building Safety Division staff to insure that simply rezoning the property would not require building improvements.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Chair Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Tompkins	-	Yes
Mr. Ash	-	Yes	Mr. Fell	-	Yes

The motion was approved by unanimous vote. Mr. Myers noted that this recommendation would be forwarded to the City Council on February 6, 2012.