



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

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

**TO:** Laurel Lunt Prussing, Mayor

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

**DATE:** January 3, 2012

**SUBJECT:** Plan Case 2193-CP-12: A request to amend the 2005 Urbana Comprehensive Plan future land use map designation for 1501 N Goodwin Avenue and 1205 W Bradley Avenue, totaling approximately 3.603 acres from Residential (Urban Pattern) to Community Business.

Plan Case 2194-M-12: A request to rezone 1501 N Goodwin Avenue and 1205 W Bradley Avenue, totaling approximately 3.603 acres from R-2, Single Family Residential District to B-2 Neighborhood Business-Arterial District.

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**Introduction and Background**

The petitioner, Dodd & Maatuka LLC, has submitted two requests on behalf of Alpha & Omega Church concerning property at 1501 N Goodwin Avenue and 1205 W Bradley Avenue. The first request is to amend the 2005 Urbana Comprehensive Plan future land use designation for the subject properties from Residential (Urban Pattern) to Community Business. The second request is to rezone the properties from R-2, Single Family Residential District, to B-2, Neighborhood Business-Arterial District.

The subject properties are located in a block bounded on the south by Beardsley Avenue, on the east by Goodwin Avenue, on the north by Bradley Avenue, and on the west by Mathews Avenue. Single family residences adjoin the western boundary of the subject properties. 1205 W. Bradley Avenue is currently occupied by a single-family home while 1501 N Goodwin Avenue is vacant land. The petitioner owns both properties. The two properties total approximately 3.603 acres.

The petitioner reports that the western half of the property is currently under contract for sale to construct a mortuary (funeral home) which would be permitted by right in the B-2 zoning district.

The Plan Commission held a public hearing on both cases at their December 20, 2012 meeting. The applicants had originally applied for the Plan Commission to consider either B-2 or B-3 zoning for the property, but during the public hearing, the applicants withdrew their request for B-3 zoning and asked the Plan Commission to simply consider B-2 zoning. Following the public hearing, the Plan Commission voted 3 ayes and 2 nays to recommend approval for the Comprehensive Plan amendment,

and 3 ayes and 2 nays to recommend approval to rezone the property to B-2 (Neighborhood Business – Arterial).

**Petitioner’s Perspective**

The petitioners represent that the subject properties are underutilized and should be rezoned for commercial purposes on the grounds that:

- The subject properties are on the edge of an area of R-2 zoning and in close proximity to W. Bradley Avenue, a major collector roadway;
- The corner of N. Goodwin Avenue and W. Bradley Avenue is a high visibility and traffic area;
- The current zoning map does not provide adequate commercial designated zones for necessary businesses to serve the King Park neighborhood community;
- The R-2 zoning restricts the use of the property. 1501 N Goodwin Avenue has remained vacant for an extended period of time and the current housing market is not conducive to new residential development at this location; and
- The subject properties are in close proximity to commercial areas to the west on N. Lincoln Avenue and to the south on N. Goodwin Avenue.

**Adjacent Land Uses and Zoning Designations**

Across Bradley Avenue to the north of these properties is the Mount Olive Baptist Church (located in the City of Champaign), and to the northeast is the One North multi-family residences which are zoned R-4 Medium Density Multiple Family Residential. The areas to the east, west and south of the subject properties are zoned R-2, Single Family Residential.

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.

<b>Location</b>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Comprehensive Plan Future Land Use</b>
Site	R-2, Single Family Residential	Vacant, Partially Single Family Residential	Residential (Urban Pattern)
North	R-4 Medium High Density Multiple- Family Residential	Church, Partially Vacant & Partially Multi-Family	Multi-Family
South	R-2, Single Family Residential	Residential – Single and Multi-Family	Residential (Urban Pattern)
East	R-2, Single Family Residential	Illinois American Water Company Wellhead	Institutional
West	R-2, Single Family Residential	Residential – Two-Family and Multi-Family	Residential (Urban Pattern)

**Zoning Districts**

The subject properties are currently zoned R-2 Single Family Residential and are proposed to be rezoned to B-2, Neighborhood Business - Arterial.

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

*“The R-2, Single-Family Residential District is intended to provide areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings.”*

In comparison, the purpose and intent of the B-2 Zoning District is as follows:

*“The B-2, Neighborhood Business-Arterial District is intended to provide areas of limited size along arterial streets in proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide areas for new high density residential uses. These business and residential uses may occur in the same structure. Due to the location of arterial streets in many residential neighborhoods where commercial and high density residential uses would not be appropriate, the B-2 District shall be limited to only those areas that have been so designated by the City’s adopted Comprehensive Plan and related amendments.”*

Zoning Description Sheets that outline permitted uses in the R-2 and B-2 districts can be found in Exhibit D.

## **Discussion**

In considering the proposed Comprehensive Plan Map Amendment and rezoning of the subject properties, the City Council should consider effects upon the public health, safety, comfort, morals and general welfare of the community. The City’s Comprehensive Plan and zoning law decisions in the Illinois courts provide the framework for this consideration.

### **Comprehensive Plan Goals, Objectives and Policies**

The proposed Comprehensive Plan Map Amendment should be considered in light of other goals, objectives and policies contained in the 2005 Urbana Comprehensive Plan. The following goals and objectives of the 2005 Urbana Comprehensive Plan relate to the cases:

#### **Goal 1.0 Preserve and enhance the character of Urbana’s established residential neighborhoods.**

##### *Objectives*

- 1.5 Ensure appropriate zoning in established neighborhoods to help foster the overall goals for each unique area.

#### **Goal 15.0 Encourage compact, contiguous and sustainable growth patterns.**

##### *Objectives*

- 18.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid “leapfrog” developments.

#### **Goal 17.0 Minimize incompatible land uses.**

##### *Objectives*

- 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.

**Goal 18.0 Promote infill development.**

*Objectives*

- 18.1 Promote the redevelopment of underutilized property using techniques such as tax increment financing, redevelopment loans/grants, enterprise zone benefits, marketing strategies, zoning incentives, etc.

**Goal 25.0 Create additional commercial area to strengthen the city’s tax base and service base.**

*Objectives*

- 25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.
- 25.3 Find new locations for commercial uses and enhance existing locations so Urbana residents can fulfill their commercial and service needs locally.

**Future Land Use Map**

The 2005 Urbana Comprehensive Plan Future Land Use Map #3 identifies the future land use for the area containing the subject properties as “Residential (Urban Pattern)”.

Map #3 is further annotated as follows:

*“King Park Neighborhood Community Development Target Area; Improve existing housing stock and promote new infill development.”*

The 2005 Urbana Comprehensive Plan Future Land Use Map #3 can be found in Exhibit C.

**Proposed Comprehensive Map Plan Amendment**

The Comprehensive Plan serves as a guiding document for future development in and around the City of Urbana. Proposals and developments submitted as plan cases are reviewed for consistency with the goals, objectives and land use recommendations of the Comprehensive Plan. For this reason, it is appropriate for the proposed rezoning to be consistent with the Comprehensive Plan. The petitioners are proposing to rezone the subject properties from R-2 to B-2. In order to ensure that the proposed rezoning is consistent with the Comprehensive Plan, an amendment to the Comprehensive Plan is requested. Since the subject properties are largely vacant, the petitioners are proposing a Comprehensive Plan Map amendment from Residential (Urban Pattern) to Community Business so that the land use designation of the subject properties in the 2005 Comprehensive Plan will be consistent with the proposed zoning designation.

The Plan defines “Residential (Urban Pattern)” as follows (p. 56):

*“Residential areas contain primarily single-family residential housing but may also include a variety of compatible land uses such as duplexes, town homes, civic uses, institutional uses, and parks where zoning is appropriate. Residential areas can have different physical patterns of development.*

*Urban Pattern of Development: A pattern of development that is typically found in older, established neighborhoods. Includes a grid network of streets with, in some cases, vehicular access from rear alleys. Streets may be narrow in order to slow down traffic and favor the pedestrian. The urban pattern also contains a well-connected sidewalk system that encourages walking and provides convenient pedestrian access to nearby business centers. May include smaller lots where homes face the street and the presence of garages along the street is minimized.”*

The petitioners are proposing to amend the future land use designation of the subject properties to Community Business. The Plan defines “Community Business” as follows (p. 63):

*“Community Business centers are designed to serve the overall community as well as the immediate neighborhood but are less dense than regional commercial centers. Located along principle 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.”*

The purpose of these plan cases is to examine the relevance and appropriateness of the existing residential use for the subject properties as designated in the Comprehensive Plan and the Zoning Map. The property at 1501 N Goodwin Avenue has remained vacant since at least 1973. There appears to be little demand for additional detached, single-family residences in the immediate area. The subject properties are at the intersection of W. Bradley Avenue, a major collector roadway and N. Goodwin Avenue, a minor collector roadway. The properties to the immediate south, east and west are zoned R-2 Single Family Residential. The properties to the immediate north are zoned R-4 Medium Density Multiple Family Residential. The petitioners are proposing to rezone the subject properties to allow the productive development of the property and respond to a demand for commercial development in this area.

### **Urbana Plan Commission**

The Urbana Plan Commission held a public hearing concerning these cases on December 20, 2012. At the hearing, representatives of the property owner, Alpha and Omega Church, as well as an adjoining property, Mount Olive Baptist Church, spoke. Additionally, City staff reported several comments received that day from several nearby residents. Following discussion, the Plan Commission voted 3 ayes and 2 nays to recommend approval of the Comprehensive Plan amendment, and voted 3 ayes and 2 nays to recommend approval of the rezoning request. Those voting to recommend denial commented that the property is located in the midst of a residential neighborhood, and rezoning to B-2 could allow the introduction of incompatible commercial land uses near single-family residences. Draft minutes of the Plan Commission meeting are attached.

### **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.*

Potential land uses and development intensities allowed by B-2 Neighborhood Business – Arterial would not adversely affect uses to the north, northeast, and east. However, there are properties

immediately south and west of the subject properties which are single-family homes that may be adversely affected by a commercial development on the subject properties.

Future development under B-2 Neighborhood Business District - Arterial would be consistent with the predominant single-family detached character of the neighborhood to the south and west, especially given the maximum potential floor area ratio of 1.50 for B-2. Also, single-family homes are allowed by right in B-2 zoning districts, meaning that B-2 zoning would retain an option for residential development. Multi-family Residential is also permitted by right in B-2.

The petitioner reports that the western half of the property is currently under contract for sale to construct a mortuary (funeral home) which would be permitted by right in the B-2 zoning district.

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 R-2, Single Family Residential and the value it would have if it were rezoned to B-2 Neighborhood Business-Arterial.*

Under the existing R-2 zoning, the property at 1501 N Goodwin Avenue has remained vacant land since at least 1973, despite having utilities available to the site. The petitioner reports they now have a contract to purchase a portion of the land for a low-intensity commercial use as a mortuary. This could indicate that the existing R-2 zoning does not well match the real estate market for the property. Should that be the case, the existing zoning could be impeding or diminishing the property's value.

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 subject properties should not jeopardize the health, safety, morals or general welfare of the public. The larger lot at 1501 N Goodwin Avenue has not been occupied by single-family homes for many years. Photographs of the site can be found in Exhibit G.

The rezoning would support the Comprehensive Plan goal for infill development. The existing R-2 zoning does appear to not match market demands for the property. B-2 zoning would not only allow the proposed use of a portion of the property as a mortuary, but also allow options for low-intensity commercial development, multi-family residential, or single-family residential. B-2 zoning would be beneficial to the property owners while still offering some protections to neighbors from more intensive uses.

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 total site size (3.603 acres), the location near W. Bradley Avenue and N. Goodwin Avenue, and the fact that the majority of the site has remained vacant for an extended period of time even though the area is zoned for single-family uses, all seem to indicate that the subject properties are appropriate for rezoning to a commercial use. However, given the single family residential character of neighboring properties to the south and west, a low-intensity commercial use is favorable.

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.*

A 1940's aerial photograph of this portion of the neighborhood shows the properties to have been part of a farm with one farmhouse on the subject properties. A 1973 aerial photo shows this block as vacant except for the single family house on 1205 W Bradley Avenue and the old farmhouse on 1501 N Goodwin Avenue. Subsequent City records indicate that the property has remained undeveloped since 1973. Potentially, the lack of development on this property could be due to its residential zoning and the lack of demand for additional single-family detached residential development in the immediate area.

## **Summary of Findings**

1. The subject properties are currently designated by the 2005 Urbana Comprehensive Plan as Residential (Urban Pattern) and are zoned R-2, Single Family Residential.
2. 1501 N Goodwin Avenue is vacant land. 1205 W Bradley Avenue has one single-family rental home on the site. Both properties are owned by the petitioner.
3. The petitioners are requesting a Comprehensive Map Amendment from Residential (Urban Pattern) to Community Business and a Zoning Map Amendment from R-2, Single Family Residential to B-2 Neighborhood Business – Commercial.
4. A future land use designation of Community Business is appropriate for the subject properties, given their proximity to the intersection of two collector streets, a demonstrated lack of demand for single-family residential development at this location, and an offer for purchase of a portion of the property by a low-intensity commercial user.
5. The proposed Comprehensive Plan Amendment would not result in a substantial diminishment of the residential area.
6. Rezoning of the property to B-2 appears to generally meet the LaSalle Case criteria.

7. Rezoning to B-2, Neighborhood Business – Arterial District, would be most suitable in terms of potential land use impacts on neighboring properties and the King Park Neighborhood generally.
8. On December 20, 2012, following a public hearing, the Urbana Plan Commission voted 3 ayes and 2 nays to recommend approval of the Comprehensive Plan amendment to “Community Business”, and voted 3 ayes and 2 nays to recommend approval of rezoning to B-2 (Neighborhood Business – Arterial).

## Options

The Urbana City Council has the following options regarding Plan Case Nos. 2193-CP-12 and 2194-M-12:

1. Approve the requests as presented herein; or
2. Deny the requests.


## Recommendations

Procedurally, City staff recommends that City Council take action on the Comprehensive Plan amendment first.

At their December 20, 2012 meeting, the Urbana Plan Commission, by a vote of 3 ayes and 2 nays, recommended that City Council **APPROVE** the Comprehensive Plan amendment to “Community Business” (Plan Case 2193-CP-12). City staff concurs with this recommendation.

At their December 20, 2012 meeting, the Urbana Plan Commission, by a vote of 3 ayes and 2 nays, recommended that the City Council **APPROVE** the rezoning application (Plan Case 2194-M-12). City staff also concurs with this recommendation.

Prepared by:



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Aditi Kambuj, Planner I

Attachments: Draft Ordinance Amending the Comprehensive Plan Map of the City of Urbana, IL  
Draft Ordinance Amending the Zoning Map of the City of Urbana, IL

- Exhibit A: Location Map 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 Comprehensive Plan Map Amendment
- Exhibit F: Petition for Zoning Map Amendment



Exhibit G: Site photographs

Exhibit H: Public Correspondence (Alex Ruggieri Letter)

Draft Minutes of December 20, 2012 Plan Commission Hearing

cc: Dodd & Maatuka LLC  
303 S Mattis Avenue, Ste 201  
Champaign IL 61821

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP OF THE CITY OF  
URBANA, ILLINOIS**

(Comprehensive Plan Map Amendment for 1501 N Goodwin Avenue and 1205 W  
Bradley Avenue from "Residential (Urban Pattern)" to "Community Business".  
Plan Case 2193-CP-12)

WHEREAS, Dodd & Maatuka LLC, on behalf of Alpha & Omega Church, have petitioned the City for a Comprehensive Plan Map Amendment to change the future land use designation for 1501 N Goodwin Avenue and 1205 W Bradley Avenue from Residential (Urban Pattern) to Community Business; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on December 20, 2012 concerning the petition filed in Plan Case No. 2193-CP-12; and

WHEREAS, the Urbana Plan Commission voted 3 ayes and 2 nays to forward the case to the Urbana City Council with a recommendation to approve the request that the Comprehensive Plan designation for 1501 N Goodwin Avenue and 1205 W Bradley Avenue be amended from Residential (Urban Pattern) to Community Business; and

WHEREAS, the Urbana City Council has determined it is in the best interest of the citizens of the City of Urbana to amend the Comprehensive Plan.

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

Section 1. The Official Comprehensive Plan Future Land Use Map of Urbana, Illinois, is herewith and hereby amended to change the land use designation of the following described properties from Residential (Urban Pattern) to Community Business.

LEGAL DESCRIPTION:

The North 366 Feet of the East 548 Feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Situated in the City of Urbana in Champaign County, Illinois, except the East 30 feet of the North 336 feet, and also except the South 30 feet of the North 366 feet, and also except the North 33 feet of the North 366 feet, encompassing a net 3.603 acres, all situated in Champaign County, Illinois.

Parcel Nos.: 91-21-07-204-007 and 91-21-07-204-006

Parcel Addresses: 1501 N Goodwin Avenue, Urbana IL 61801 and 1205 W Bradley Avenue, Urbana IL 61801

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 \_\_\_\_\_, 2013.

AYES:

NAYS:

ABSTAINS:

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

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
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 January, 2013, the City Council of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled: "AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP OF THE CITY OF URBANA, ILLINOIS (Comprehensive Plan Map Amendment for 1501 N Goodwin Avenue and 1205 W Bradley Avenue from "Residential (Urban Pattern)" to "Community Business" Plan Case 2193-CP-12), 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 \_\_\_\_\_, 2013, 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 \_\_\_\_\_, 2013.

(SEAL)

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

ORDINANCE NO. \_\_\_\_\_

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

(Rezoning of 1501 N Goodwin Avenue and 1205 W Bradley Avenue from R-2, Single Family Residential District to B-2, Neighborhood Business - Arterial District. Plan Case 2194-M-12)

WHEREAS, Dodd & Maatuka LLC, on behalf of Alpha & Omega Church, have petitioned the City for a Zoning Map Amendment to rezone 1501 N Goodwin Avenue and 1205 W Bradley Avenue from R-2, Single-Family Residential District to B-2, Neighborhood Business - Arterial District; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on December 20, 2012 concerning the petition filed in Plan Case No. 2193-CP-12; 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 3 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 R-2, Single Family Residential District to B-2, Neighborhood Business - Arterial; 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 R-2, Single Family Residential District, to B-2, Neighborhood Business - Arterial District.

LEGAL DESCRIPTION:

The North 366 Feet of the East 548 Feet of the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian, Situated in the City of Urbana in Champaign County, Illinois, except the East 30 feet of the North 336 feet, and also except the South 30 feet of the North 366 feet, and also except the North 33 feet of the North 366 feet, encompassing a net 3.603 acres, all situated in Champaign County, Illinois.

Parcel Nos.: 91-21-07-204-007 and 91-21-07-204-006

Parcel Addresses: 1501 N Goodwin Avenue, Urbana IL 61801 and 1205 W Bradley Avenue, Urbana IL 61801

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PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

AYES:

NAYS:

ABSTAINS:

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

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

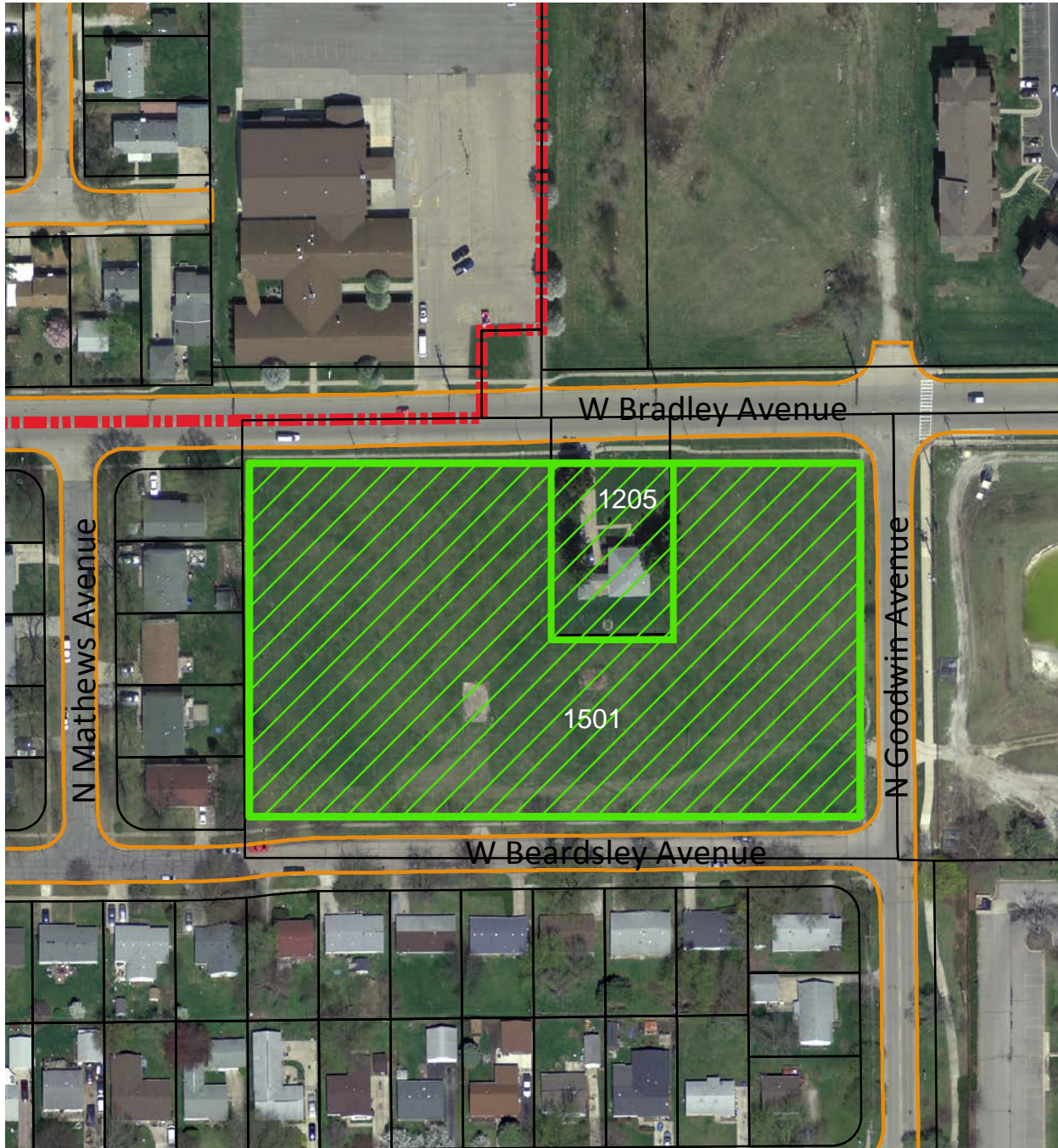
I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the \_\_\_ day of January, 2013, the City Council of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled: "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS (Rezoning of 1501 N Goodwin Avenue and 1205 W Bradley Avenue from R-2, Single Family Residential District to B-2, Neighborhood Business - Arterial District (Plan Case 2194-M-12), 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 \_\_\_\_\_, 2013, 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 \_\_\_\_\_, 2013.

(SEAL)

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



# Property Ownership Map



0 40 80 160 240 320 Feet



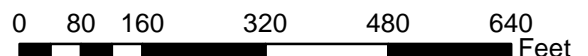
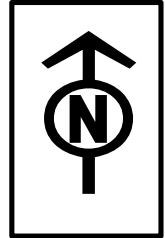
Case: 2193-CP-12 & 2194-M-12  
Subject: Application to amend the 2005 Comprehensive Plan future land use designation from Residential (Urban Pattern) to Community Business & to rezone properties from R2 to B3  
Location: 1501 N Goodwin Avenue & 1205 W Bradley Avenue  
Petitioner: Dodd & Maatuka LLC on behalf of Alpha & Omega Church

-  Alpha & Omega Church Properties
-  Urbana City Limit



Prepared 12/13/2012 by Community Development Services - adk



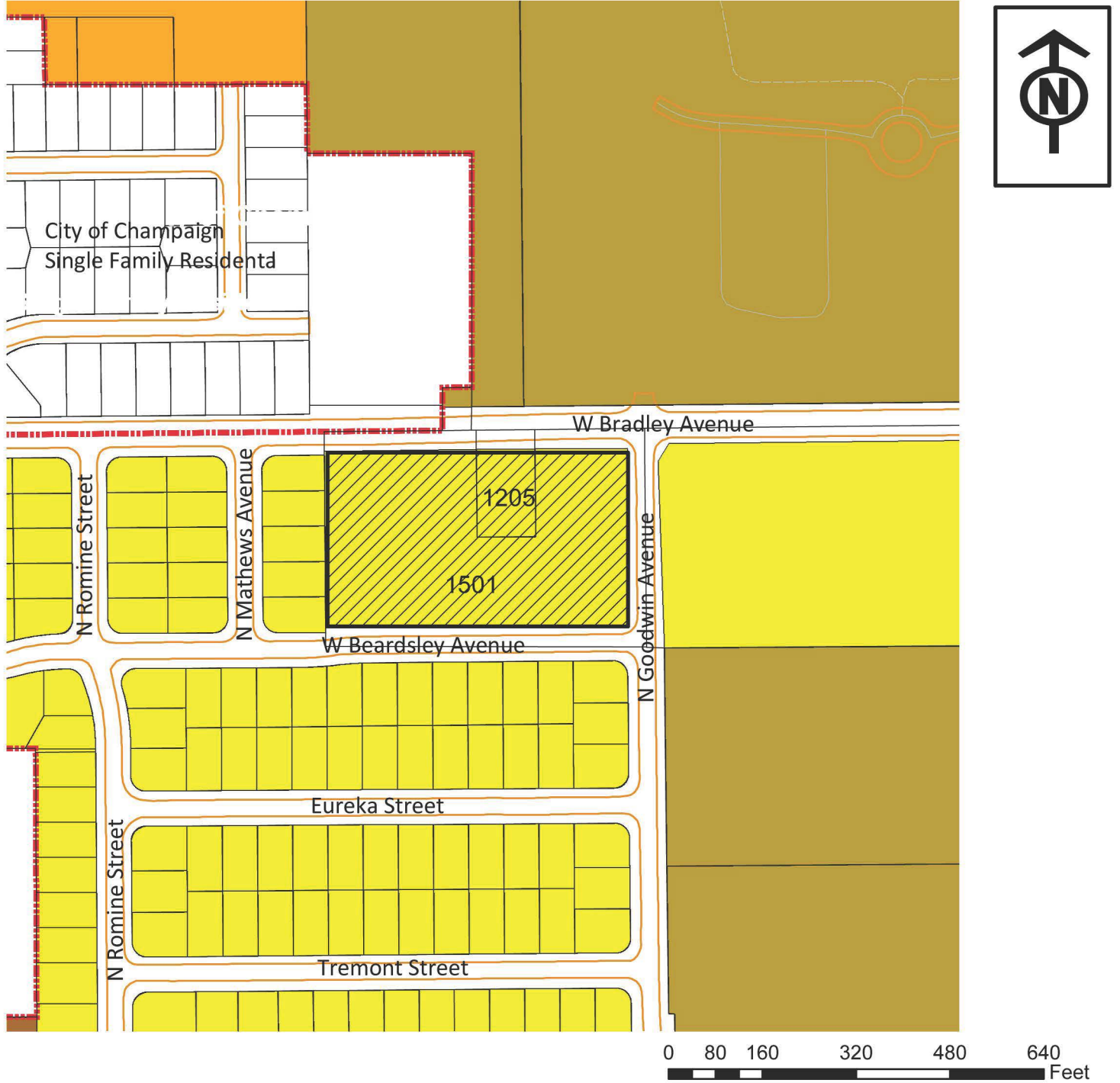
# Exhibit A: Location and Land Use Map








Case: 2193-CP-12 & 2194-M-12  
 Subject: Application to amend the 2005 Comprehensive Plan future land use designation from Residential (Urban Pattern) to Community Business & to rezone properties from R2 to B3  
 Location: 1501 N Goodwin Avenue & 1205 W Bradley Avenue  
 Petitioner: Dodd & Maatuka LLC on behalf of Alpha & Omega Church

 Subject Properties  
 Urbana City Limit

# Exhibit B: Zoning Map

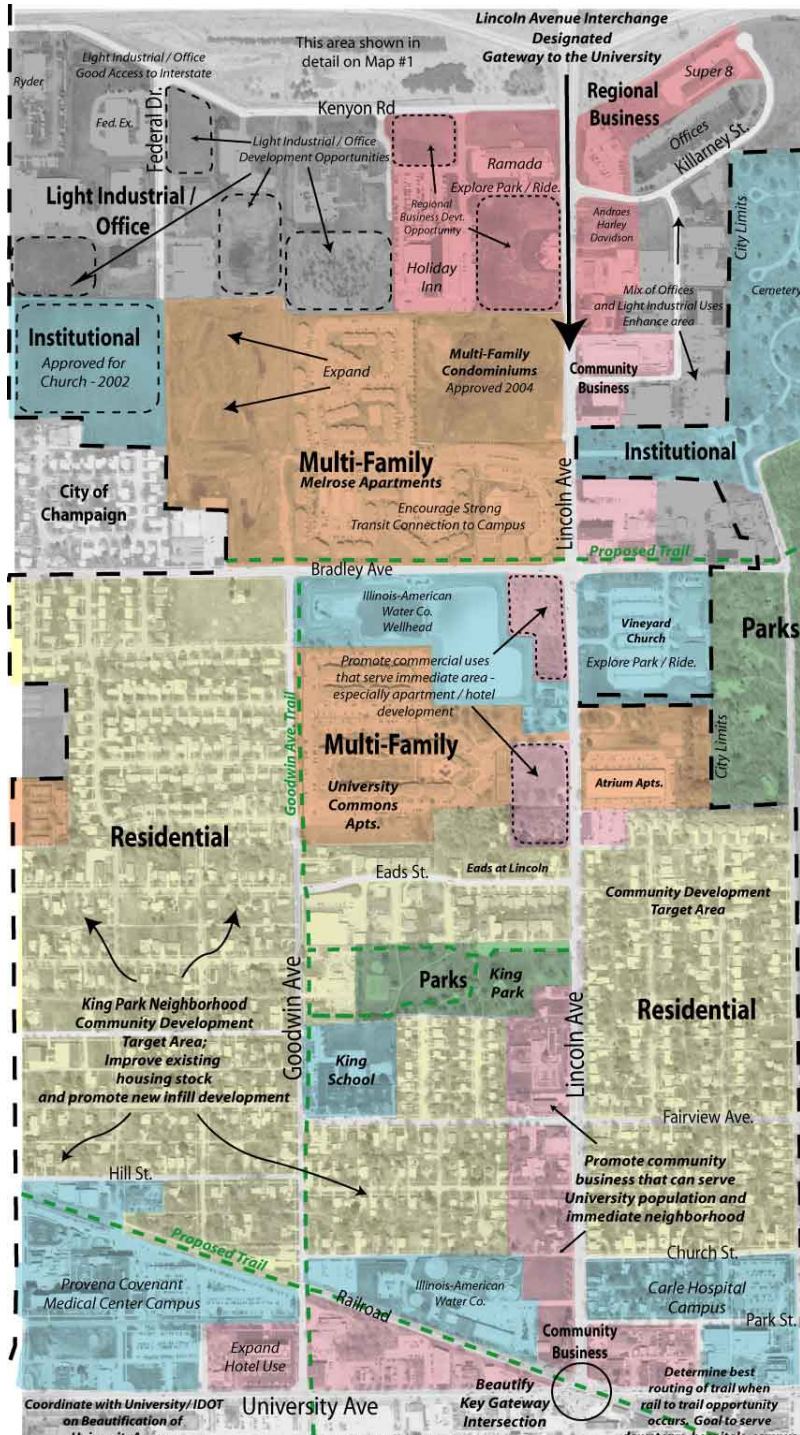


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 Petitioner: Dodd & Maatuka LLC on behalf of Alpha & Omega Church

-  Subject Properties
-  Urbana City Limit
-  R4
-  R2
-  R3



# Exhibit C: Future Land Use Map



Source: Future Land Use Map #3, 2005 Urbana Comprehensive Plan



Case: 2193-CP-12 & 2194-M-12  
 Subject: Application to amend the 2005 Comprehensive Plan future land use designation from Residential (Urban Pattern) to Community Business & to rezone properties from R2 to B3  
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 Prepared 12/13/2012 by Community Development Services - adk



# R-2 – SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

## ZONING DESCRIPTION SHEET

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

"The R-2, *Single-Family Residential District* is intended to provide areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-2 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

#### Business - Recreation

Country Club or Golf Course

#### Public and Quasi-Public

Elementary, Junior High School or Senior High School  
Park

#### Residential

Dwelling, Community Living Facility, Category I  
Dwelling, Single Family  
Dwelling, Single Family (*Extended Occupancy*)

### SPECIAL USES:

#### Public and Quasi-Public

Church, Temple or Mosque  
Electrical Substation  
Institution of an Educational or Charitable Nature  
Library, Museum or Gallery

### PLANNED UNIT DEVELOPMENT USES:

#### Residential

Residential Planned Unit Development

### CONDITIONAL USES:

#### Agriculture

Artificial Lake of One (1) or More Acres

#### Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

#### Business - Recreation

Lodge or Private Club

#### Public and Quasi-Public

Municipal or Government Building

#### Residential

Bed and Breakfast, Owner Occupied  
Dwelling, Community Living Facility, Category II  
Dwelling, Duplex  
Dwelling, Duplex (*Extended Occupancy*)  
Dwelling, Two-Unit Common-Lot-Line

**DEVELOPMENT REGULATIONS IN THE R-2 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>R-2</b>	<b>6,000<sup>13</sup></b>	<b>60<sup>13</sup></b>	<b>35<sup>17</sup></b>	<b>0.40</b>	<b>0.40</b>	<b>15<sup>9</sup></b>	<b>5</b>	<b>10</b>

**FAR= FLOOR AREA RATIO**

**OSR= OPEN SPACE RATIO**

**Footnote<sup>9</sup>** – In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, as required in Sec. VI-5.D.1. In the R-2, R-3, R-4, R-5, R-7, and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater, but no more than 25 feet, as required in Sec. VI-5.D.1. (Ord. No. 9596-58, 11-20-95)(Ord. No. 9697-154) (Ord. No. 2001-03-018, 03-05-01)

**Footnote<sup>13</sup>** – In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

**Footnote<sup>17</sup>** – Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.

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, Illinois 61801

(217) 384-2440 phone / (217) 384-2367 fax

[www.urbanaininois.us](http://www.urbanaininois.us)



# B-2 – NEIGHBORHOOD BUSINESS-ARTERIAL ZONING DISTRICT

## ZONING DESCRIPTION SHEET

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

"The *B-2, Neighborhood Business-Arterial District* is intended to provide areas of limited size along arterial streets in proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide areas for new high density residential uses. These businesses and residential uses may occur in the same structure. Due to the location of arterial streets in many residential neighborhoods where commercial and high density residential uses would not be appropriate, the B-2 District shall be limited to only those areas that have been so designated in the City's adopted Comprehensive Plan and related amendments."

**PLEASE NOTE:** In order to promote a desired mix of business and residential uses in the district, Section V-7-A requires that there be a combination of such uses on a particular zoning lot under the following circumstances:

"In the B-2 District, if the floor area of a principal structure is to be occupied by a residential use of more than three thousand (3,000) square feet, a business use shall also be established on the zoning lot. When a business use is required, the floor area devoted to the business use shall be equal to or greater than twenty-five percent (25%) of the total floor area that is occupied by the residential use on the zoning lot. When a business use is required, the use shall conform to the list of uses permitted in the B-2 District as designated in Table V-1."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-2 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**

Garden Shop

#### **Business - Food Sales and Service**

Bakery (*Less than 2,500 square feet*)  
Café or Deli  
Confectionery Store  
Convenience Store  
Meat and Fish Market  
Restaurant  
Supermarket or Grocery Store

#### **Business - Miscellaneous**

Mail-order Business –  
(*10,000 square feet of gross floor area or less*)

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

Barber/ Beauty Shop  
Dry Cleaning or Laundry Establishment  
Health Club/ Fitness  
Laundry and/or Dry Cleaning Pickup  
Massage Therapist  
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

## **PERMITTED USES CONTINUED:**

### **Business - Retail Trade**

Appliance Sales and Service  
Art and Craft Store and/or Studio  
Bicycle Sales and Service  
Clothing Store  
Drugstore  
Electronic Sales and Service  
Florist  
Hardware Store  
Heating, Ventilating, Air Conditioning Sales and Service  
Jewelry Store  
Music Store  
Pet Store  
Photographic Studio and Equipment Sales and Service  
Shoe Store  
Sporting Goods  
Stationery, Gifts or Art Supplies  
Tobacconist  
Variety Store  
Video Store

### **Public and Quasi-Public**

Church, Temple or Mosque  
Institution of an Educational or Charitable Nature  
Library, Museum or Gallery  
Municipal or Government Building  
Park  
Police or Fire Station  
Principal Use Parking Garage or Lot

### **Residential**

Bed and Breakfast Inn  
Bed and Breakfast, Owner Occupied  
Boarding or Rooming House  
Dormitory  
Dwelling, Community Living Facility, Category I, Category II and Category III  
Dwelling, Duplex  
Dwelling, Duplex (*Extended Occupancy*)  
Dwelling, Home for Adjustment  
Dwelling, Loft  
Dwelling, Multifamily  
Dwelling, Single Family  
Dwelling, Single Family (*Extended Occupancy*)  
Dwelling, Two-Unit Common-Lot-Line  
Home for the Aged  
Nursing Home

## **SPECIAL USES:**

### **Public and Quasi-Public**

Utility Provider

### **Business - Miscellaneous**

Shopping Center - Convenience

## **PLANNED UNIT DEVELOPMENT:**

### **Business - Miscellaneous**

Commercial Planned Unit Development  
Mixed-Use Planned Unit Development

## **CONDITIONAL USES:**

### **Agriculture**

Plant Nursery or Greenhouse

### **Business – Food Sales and Services**

Fast-Food Restaurant  
Liquor Store

### **Business– Miscellaneous**

Day Care Facility (*Non-Home Based*)  
Radio or TV Studio

### **Business – Recreation**

Lodge or Private Club  
Theater, Outdoor

### **Business – Transportation**

Taxi Service

### **Business – Vehicular Sales and Services**

Automobile Accessories (*New*)  
Gasoline Station

### **Industrial**

Bookbinding  
Confectionery Products Manufacturing and Packaging  
Motion Picture Production Studio

### **Public and Quasi-Public**

Electrical Substation

### **Residential**

Dwelling, Multiple-Unit Common-Lot-Line

**DEVELOPMENT REGULATIONS IN THE B-2 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-2</b>	<b>6,000</b>	<b>60</b>	<b>35<sup>3</sup></b>	<b>1.50<sup>4</sup></b>	<b>0.15</b>	<b>15</b>	<b>10</b>	<b>15</b>

**FAR= FLOOR AREA RATIO**

**OSR= OPEN SPACE RATIO**

**Footnote<sup>3</sup>** – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.G.3 and Section VI-5.H.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings. However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

**Footnote<sup>4</sup>** – See Section V-7.A of the Zoning Ordinance for further information about the required floor areas of residential and business uses in the B-2 Zoning District.

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

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**Community Development Services Department**

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(217) 384-2440 phone / (217) 384-2367 fax

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# Application for Comprehensive Plan Map Amendment

# Plan Commission

The Applicants are responsible for paying the cost of legal publication fees. 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 \_\_\_\_\_ Plan Case No. \_\_\_\_\_

Fee Paid - Check No. \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **DODD & MAATUKA LLC** Phone: **217-356-9500**

**C/O ALEXANDER CLEMONS**

**ON BEHALF OF ALPHA & OMEGA CHURCH, OWNER**

Address (*street/city/state/zip code*): **303 S MATTIS AVE, STE 201, CHAMPAIGN, IL 61821**

Email Address: **ALCLEMONS@DODDLAW.NET**

Property interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **ATTORNEY FOR AND ON  
BEHALF OF OWNER**

#### 2. OWNER INFORMATION

Name of Owner(s): **ALPHA & OMEGA CHURCH** Phone: **217-377-7236**

**C/O PASTOR EDWARD MCGHEE**

Address (*street/city/state/zip code*): **400 W BRADLEY AVE, CHAMPAIGN, IL 61820**

Email Address:

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

Address/Location of Subject Site: **1501 N GOODWIN AVE, URBANA, IL 61801**

**AND 1205 W BRADLEY AVE, URBANA, IL 61801**

PIN # of Location: **91-21-07-204-007 AND 91-21-07-204-006**

Lot Size: **3.603 ACRES**

Current Zoning Designation: **R-2**

Current Land Use (*vacant, residence, grocery, factory, etc*): **VACANT**

Proposed Land Use: **MORTUARY ON THE WEST HALF; OTHER VARIOUS BUSINESS ON THE EAST HALF**

Present Comprehensive Plan Designation: **RESIDENTIAL**

Proposed Comprehensive Plan Designation: **COMMUNITY BUSINESS**

How does this request conform to the Comprehensive Plan? **THIS REQUEST DOES NOT CONFORM WITH THE PRESENT COMPREHENSIVE PLAN DESIGN BUT IS IN CONFORMANCE WITH SIMILAR AND NEARBY COMPREHENSIVE PLAN DESIGNATIONS.**

Legal Description: **THE NORTH 366 FEET OF THE EAST 548 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE CITY OF URBANA IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE EAST 30 FEET OF THE NORTH 336 FEET, AND ALSO EXCEPT THE SOUTH 30 FEET OF THE NORTH 366 FEET, AND ALSO EXCEPT THE NORTH 33 FEET OF THE NORTH 366 FEET, ENCOMPASSING A NET 3.603 ACRES, ALL SITUATED IN CHAMPAIGN COUNTY**

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**4. CONSULTANT INFORMATION**

**Name of Architect(s):** Phone:

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

Email Address:

**Name of Engineers(s):** Phone:

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

Email Address:

**Name of Surveyor(s):** Phone:

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

Email Address:

**Name of Professional Site Planner(s):** Phone:

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

Email Address:

Name of Attorney(s): DODD & MAATUKA LLC

Phone: 217-356-9500

C/O ALEXANDER CLEMONS

Address (street/city/state/zip code): 303 S MATTIS AVE, STE 201, CHAMPAIGN, IL 61821

Email Address: ALCLEMONS@DODDLAW.NET

**5. PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT**

Portion(s) of Comprehensive Plan affected by petition:

Change #1: Map - #3 Page - \_\_\_\_\_

Change #2: Map - \_\_\_\_\_ Page - \_\_\_\_\_

Change #3: Map - \_\_\_\_\_ Page - \_\_\_\_\_

Why is this Comprehensive Plan amendment needed? (What are the implications on the City of the proposed amendment?)

**THIS COMPREHENSIVE PLAN AMENDMENT IS NEEDED BECAUSE WITHOUT THIS AMENDMENT, THIS LOT WILL REMAIN VACANT AND UNPRODUCTIVE. A COMPREHENSIVE PLAN AMENDMENT WOULD ALLOW THIS LOT TO BE REZONED, WHICH WOULD IN TURN ALLOW THE PRODUCTIVE DEVELOPMENT OF THIS LAND. THERE IS NO DEMAND FOR ADDITIONAL R-2 RESIDENTIAL DEVELOPMENT IN THIS AREA, BUT THERE IS A DEMAND FOR B-3 GENERAL BUSINESS DEVELOPMENT, AS EVIDENCED BY THE REAL ESTATE MARKET IN THE AREA GENERALLY, AND THE INTEREST SHOWN IN THE LAND BY A FUNERAL HOME SPECIFICALLY. THIS LAND HAS REMAINED VACANT FOR DECADES. WITHOUT A COMPREHENSIVE PLAN AMENDMENT, THE LAND WILL CONTINUE TO REMAIN VACANT AND UNUSED.**

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What error in the existing Comprehensive Plan would be corrected by the proposed Amendment?

**THE CURRENT COMPREHENSIVE PLAN DOES NOT PROVIDE ADDEQUATE B-3 DESIGNATED ZONES FOR NECESSARY BUSINESSES TO SERVICE THE**

**KING PARK NEIGHBORHOOD COMMUNITY DEVELOPMENT TARGET AREA  
AND THE R-2 RESTRICTIONS ON THIS LOT PREVENT USEFUL  
DEVELOPMENT OF THIS VACANT LOT, CAUSING IT TO REMAIN AN  
UNPRODUCTIVE EYE SORE.**

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What changed or changing conditions warrant the approval of this Amendment? **THIS  
LOT REMAINS VACANT AND CURRENT HOUSING CONDITIONS PREVENT  
THE NEW CONSTRUCTION OF RESIDENTIAL HOUSING ON THIS LOT IN THE  
CURRENT ECONOMIC CLIMATE. HOWEVER, OWNER HAS FOUND A BUYER  
WHO WOULD LIKE TO BUILD A MORTUARY ON PART OF THE LOT WHICH  
WOULD BEAUTIFY AND MAKE USEFUL THE VACANT LOT.**

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What other circumstances justify the Amendment? **THIS LOT HAS REMAINED  
VACANT FOR DECADES. THERE IS NO DEMAND TO BUILD NEW SINGLE  
FAMILY RESIDENTIAL HOUSING IN THIS AREA NOR IS THERE LIKELY TO  
BE ANY DEMAND IN THE NEAR FUTURE. A B-3 ZONING DESIGNATION  
WOULD ALLOW A MORTUARY TO BE BUILT ON THE WEST HALF OF THE  
LOT AND ALLOW A FUTURE BUSINESS TO BUILD ON THE EAST HALF OF  
THE LOT. THIS WOULD BEAUTIFY THIS AREA, PROVIDE NEEDED  
SERVICES TO THIS AREA, AND ASSIST IN THE ECONOMIC DEVELOPMENT  
OF THIS AREA. THE SUBJECT PROPERTY IS ON THE VERY OUTER EDGE OF  
AN R-2 ZONE AND NOT IN THE MIDDLE OF AN R-2 ZONE. IT IS IN AN AREA  
WHERE OTHER BUSINESS AND INDUSTRIAL ZONES ARE ALREADY SPREAD  
OUT SPORADICALLY. THE PROPERTY IS LOCATED ON BRADLEY AVE,  
WHICH IS A MAIN ARTERY THROUGH THE CITY OF URBANA, AND NOT A  
MINOR OR QUIET RESIDENTIAL STREET. THIS CORNER IS A HIGH**

**TRAFFIC LOCATION THAT WOULD BE VERY ATTRACTIVE TO A BUSINESS  
SEEKING HIGH VISIBILITY, WHICH WOULD BEAUTIFY AND REVITALIZE  
THIS AREA.**

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Time schedule for development (if applicable) \_\_\_\_\_

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Additional exhibits submitted by the applicant MLS RESIDENTIAL SALES  
CONTRACT FOR MLS LISTING #2121131

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*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.

  
Applicant's Signature

Nov. 26, 2012  
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



# 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 \_\_\_\_\_ Plan Case No. \_\_\_\_\_

Fee Paid - Check No. \_\_\_\_\_ Amount \_\_\_\_\_ Date \_\_\_\_\_

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **DODD & MAATUKA LLC** Phone: **217-356-9500**

**C/O ALEXANDER CLEMONS**

**ON BEHALF OF ALPHA & OMEGA CHURCH, OWNER**

Address (street/city/state/zip code): **303 S MATTIS AVE, STE 201, CHAMPAIGN, IL 61821**

Email Address: **ALCLEMONS@DODDLAW.NET**

Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **ATTORNEY FOR AND ON  
BEHALF OF OWNER**

#### 2. OWNER INFORMATION

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**C/O PASTOR EDWARD MCGHEE**

Address (street/city/state/zip code): **400 W BRADLEY AVE, CHAMPAIGN, IL 61820**

Email Address:

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

Address/Location of Subject Site: **1501 N GOODWIN AVE, URBANA, IL 61801**

**AND 1205 W BRADLEY AVE, URBANA, IL 61801**

PIN # of Location: **91-21-07-204-007 AND 91-21-07-204-006**

Lot Size: 3.603 ACRES

Current Zoning Designation: **R-2**

Proposed Zoning Designation: **B-3 OR B-2**

Current Land Use (*vacant, residence, grocery, factory, etc*): **VACANT**

Proposed Land Use: **MORTUARY ON THE WEST HALF; OTHER VARIOUS BUSINESS ON THE EAST HALF**

Present Comprehensive Plan Designation: **RESIDENTIAL**

How does this request conform to the Comprehensive Plan? **THIS REQUEST DOES NOT CONFORM WITH THE PRESENT COMPREHENSIVE PLAN DESIGN BUT IS IN CONFORMANCE WITH SIMILAR AND NEARBY COMPREHENSIVE PLAN DESIGNATIONS.**

Legal Description: THE NORTH 366 FEET OF THE EAST 548 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN THE CITY OF URBANA IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE EAST 30 FEET OF THE NORTH 336 FEET, AND ALSO EXCEPT THE SOUTH 30 FEET OF THE NORTH 366 FEET, AND ALSO EXCEPT THE NORTH 33 FEET OF THE NORTH 366 FEET, ENCOMPASSING A NET 3.603 ACRES, ALL SITUATED IN CHAMPAIGN COUNTY

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#### 4. CONSULTANT INFORMATION

**Name of Architect(s):**

Phone:

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

Email Address:

**Name of Engineers(s):**

Phone:

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

Email Address:

**Name of Surveyor(s):**

Phone:

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

Email Address:

**Name of Professional Site Planner(s):**

Phone:

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

Email Address:



Name of Attorney(s): DODD & MAATUKA LLC

Phone: 217-356-9500

C/O ALEXANDER CLEMONS

Address (street/city/state/zip code): 303 S MATTIS AVE, STE 201, CHAMPAIGN, IL 61821

Email Address: ALCLEMONS@DODDLAW.NET

**5. REASONS FOR MAP AMENDMENT:**

What error in the existing Zoning Map would be corrected by the Proposed Amendment?

**THE CURRENT ZONING MAP DOES NOT PROVIDE ADDEQUATE B-3 DESIGNATED ZONES FOR NECESSARY BUSINESSES TO SERVICE THE KING PARK NEIGHBORHOOD COMMUNITY DEVELOPMENT TARGET AREA AND THE R-2 RESTRICTIONS ON THIS LOT PREVENT USEFUL DEVELOPMENT OF THIS VACANT LOT, CAUSING IT TO REMAIN AN UNPRODUCTIVE EYE SORE.**

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

**THIS LOT REMAINS VACANT AND CURRENT HOUSING CONDITIONS PREVENT THE NEW CONSTRUCTION OF RESIDENTIAL HOUSING ON THIS LOT IN THE CURRENT ECONOMIC CLIMATE. HOWEVER, OWNER HAS FOUND A BUYER WHO WOULD LIKE TO BUILD A MORTUARY ON PART OF THE LOT WHICH WOULD BEAUTIFY AND MAKE USEFUL THE VACANT LOT.**

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

**THE SUBJECT PROPERTY IS ON THE VERY OUTER EDGE OF AN R-2 ZONE AND NOT IN THE MIDDLE OF AN R-2 ZONE. IT IS IN AN AREA WHERE OTHER BUSINESS AND INDUSTRIAL ZONES ARE ALREADY SPREAD OUT SPORADICALLY. THE PROPERTY IS LOCATED ON BRADLEY AVE, WHICH IS A MAIN ARTERY THROUGH THE CITY OF URBANA, AND NOT A MINOR OR QUIET RESIDENTIAL STREET. THIS CORNER IS A HIGH TRAFFIC LOCATION THAT WOULD BE VERY ATTRACTIVE TO A BUSINESS SEEKING HIGH VISIBILITY, WHICH WOULD BEAUTIFY AND REVITALIZE THIS AREA.**

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---

What other circumstances justify the zoning map amendment? THIS LOT HAS REMAINED VACANT FOR DECADES. THERE IS NO DEMAND TO BUILD NEW SINGLE FAMILY RESIDENTIAL HOUSING IN THIS AREA NOR IS THERE LIKELY TO BE ANY DEMAND IN THE NEAR FUTURE. A B-3 ZONING DESIGNATION WOULD ALLOW A MORTUARY TO BE BUILT ON THE WEST HALF OF THE LOT AND ALLOW A FUTURE BUSINESS TO BUILD ON THE EAST HALF OF THE LOT. THIS WOULD BEAUTIFY THIS AREA, PROVIDE NEEDED SERVICES TO THIS AREA, AND ASSIST IN THE ECONOMIC DEVELOPMENT OF THIS AREA. WITHOUT A ZONING MAP AMENDMENT, THE LAND WILL CONTINUE TO REMAIN VACANT AND UNUSED.

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Time schedule for development (if applicable). \_\_\_\_\_

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Additional exhibits submitted by the petitioner. MLS RESIDENTIAL SALES CONTRACT FOR MLS LISTING #2121131

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*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.

  
Applicant's Signature

Nov 26, 2012  
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

# EXHIBIT G: SITE PHOTOGRAPHS - A



**1) W Bradley Avenue - looking east**



**2) 1501 N Goodwin Avenue property**



**3) Single family rental property at 1205 W Bradley Avenue**



**4) W Bradley Avenue - looking west**



Case: 2193-CP-12 & 2194-M-12  
Subject: Application to amend the 2005 Comprehensive Plan future land use designation from Residential (Urban Pattern) to Community Business & to rezone properties from R2 to B3  
Location: 1501 N Goodwin Avenue & 1205 W Bradley Avenue  
Petitioner: Dodd & Maatuka LLC on behalf of Alpha & Omega Church

*Prepared 12/13/2012 by Community Development Services - adk*

**EXHIBIT G: SITE PHOTOGRAPHS - B**



**5) One North multi-family development  
North east of the subject properties**



**6) N Goodwin Avenue - looking  
south**



**7) W Beardsley Avenue - looking east  
towards Illinois American Water  
Company wellhead**



**8) W Beardsley Avenue - looking west**



Case: 2193-CP-12 & 2194-M-12  
Subject: Application to amend the 2005  
Comprehensive Plan future land use designation  
from Residential (Urban Pattern) to Community  
Business & to rezone properties from R2 to B3  
Location: 1501 N Goodwin Avenue & 1205 W Bradley Avenue  
Petitioner: Dodd & Maatuka LLC on behalf of Alpha & Omega Church

*Prepared 12/13/2012 by Community Development Services - adk*



# Sperry Van Ness

Ramshaw Real Estate

19 December, 2012

Re: 1501 N. Goodwin/1205 W. Bradley

To Whom It May Concern:

I was asked to review the above mentioned property and render my opinion regarding the change in zoning.

I have practiced as a professional commercial real estate broker in our community for over thirty five years. I currently serve on the board of directors for the Champaign County Association of Realtors. I also have been a member of the commercial committee of the National Association of Realtors for the last three years. I hold the CCIM designation which is reserved for only the most accomplished in commercial real estate through NAR. I also hold an MBA from the University of Illinois.

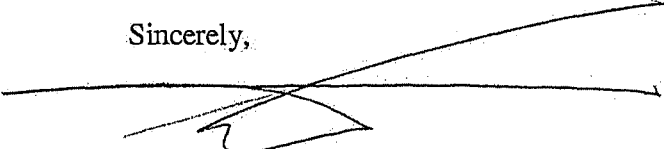
I have toured the property in question and reviewed the requested zoning change. In my opinion a change in the zoning of the subject property will substantially improve the productivity of the land which at present is mostly underutilized.

Given the existing traffic flow and position of the land I do not foresee any unusual or problematic traffic problems or any adverse conditions arising from the proposed zoning change, nor should there be any negative impact on adjacent landowners.

I would be happy to answer questions regarding this opinion.

I can be reached at 217-398-1111

Sincerely,



Alex Ruggieri, CCIM, MBA  
Sperry Van Ness-Ramshaw Real Estate

505 W. University Ave, | Champaign, IL 61821  
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**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**DRAFT**

**DATE:** December 20, 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:** Andrew Fell, Tyler Fitch, Lew Hopkins, Michael Pollock, Mary Tompkins

**MEMBERS EXCUSED:** Carey Hawkins-Ash, Dannie Otto, Bernadine Stake, Marilyn Upah-Bant

**STAFF PRESENT:** Robert Myers, Planning Manager; Rebecca Bird, Planner II; Jeff Engstrom, Planner II; Aditi Kambuj, Planner I

**OTHERS PRESENT:** James Buckley, Alexander Clemons, Robert Dodd, John Huett, Arthur Johnson, Pastor Edward McGhee, Robert Rigdon, Melvin Smith, Nick Taylor, Donna Tinsley, Howard Wakeland

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**1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM**

Chairperson Pollock called the meeting to order at 7:32 p.m. The roll was called, and he declared that there was a quorum of the members present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Mr. Fitch moved that the Plan Commission approve the minutes of the November 8, 2012 regular Plan Commission meeting as presented. Mr. Fell seconded the motion. The minutes were then approved by unanimous voice vote.

**4. COMMUNICATIONS**

The following written communications were distributed to the Plan Commission members at the meeting:

- Letter from Alex Ruggieri, Sperry Van Ness Ramshaw Real Estate, regarding Plan Case Nos. 2193-CP-12 and 2194-M-12
- Letter from Bernadine Stake regarding Plan Case No. 2195-M-12
- Revised site plan for Plan Case No. 2196-SU-12

## 5. NEW PUBLIC HEARINGS

**Plan Case 2193-CP-12: A request by Dodd & Maatuka, LLC to amend the 2005 Urbana Comprehensive Plan future land use map designation for 1501 North Goodwin Avenue and 1205 West Bradley Avenue from Residential (Urban Pattern) to Community Business.**

**Plan Case 2194-M-12: A request by Dodd & Maatuka, LLC to rezone 1501 North Goodwin Avenue and 1205 West Bradley Avenue from R-2 (Single Family Residential) District, to B-3 (General Business) District or B-2 (Neighborhood Business–Arterial) District.**

Aditi Kambuj, Planner I, presented these two cases together to the Urbana Plan Commission. She gave a brief introduction and background for the two requests, including the property's location, zoning, and surrounding land uses. She compared the purpose and intent of the R-2 (Single-Family Residential), B-2 (Neighborhood Business-Arterial), and of the B-3 (General Business) Zoning Districts. She reviewed the applications in terms of the goals, objectives and policies of the 2005 Comprehensive Plan. She reviewed the La Salle National Bank criteria that pertain to the proposed rezoning case. She read the options of the Plan Commission. She informed the Plan Commission of communications that she received that day from neighbors via telephone and email:

- Thelma Harris, of 1303 West Bradley Avenue, opposes the applications.
- Dorothy Carter, of 1505 North Romine Street, opposes the applications.
- Carver Park Neighborhood Association in the City of Champaign does not support the proposed requests.

Mr. Pollock asked for the definition of a “mortuary”. Robert Myers, Planning Manager, answered that it is the same as a “funeral home”. The use would be allowed by right in either the B-2 and the B-3 Zoning Districts.

With no further questions for City staff, Chair Pollock opened the public hearing and invited audience participation.

Robert Dodd, Dodd & Maatuka, LLC, introduced both Pastor Edward McGhee, of the Alpha & Omega Church, and Nick Taylor, of Re/Max Realty. Mr. Dodd said that after further consideration, in order to protect the interest of the community, they were withdrawing their request to rezone to B-3 and instead asked to rezone to B-2 (Neighborhood Business – Arterial). Except for the single-family house located at 1205 W. Bradley Avenue, the block under consideration for rezoning has been vacant since at least 1973. He pointed out that there have been attempts to develop and to sell the property for residential use including to the Housing



Authority of Champaign County. Re/Max Realty recognized that the two properties have value as a neighborhood commercial area and that the two properties can be developed at a reasonable cost if developed as such. If the zoning request is approved by the City of Urbana, the house located at 1205 West Bradley Avenue would be removed and both properties together would be divided into two equal lots. The primary impact would be along Bradley Avenue and not along Goodwin Avenue. Approval of the proposed rezoning to B-2 would allow for growth in the City by developing an area that has been unproductive. In addition, it would increase the tax base for the City of Urbana and serve as a buffer between the mixed uses to the north and the residential to the immediate south. He spoke about the letter from Alex Ruggieri that was entered as a communication. The letter states that Mr. Ruggieri does not foresee any unusual or problematic traffic problems or any adverse conditions arising from the proposed zoning change, nor should there be any negative impact on adjacent landowners. Mr. Dodd noted that due to the weather, the buyer's representative was unable to travel from Chicago to attend this meeting. However, he felt that Mr. Taylor would be able to answer any questions that the Plan Commission might have for the petitioner.

Mr. Fell understood that the lot would be divided into two lots and that the mortuary would purchase one of the lots. If another business wanted to only purchase half of the second lot, would they be willing to subdivide the second lot into two parcels? Mr. Dodd and Mr. Taylor confirmed that the combined property would only be subdivided into two lots of approximately equal area.

Mr. Pollock asked for clarification on traffic access. Mr. Dodd stated that at some point in time, there may be minor access drives off Goodwin Avenue to the side or rear of a future development, but the primary access would be off Bradley Avenue.

Mr. Pollock asked how close to the western property line did the mortuary plan to build. Mr. Dodd replied that there has been no specific development plans designed to build the mortuary at this time. They are waiting upon approval of the rezoning request to prepare a site plan. He acknowledged zoning setback requirements of the City of Urbana. Mr. Pollock asked the petitioner adhere to those setbacks rather than ask for waivers to allow a sufficient buffer between the residential properties and the proposed lot.

James Buckley, Mt. Olive Baptist Church, expressed concern about the effect of additional traffic that future businesses would create here. Pastor McGhee responded that the Alpha & Omega Church has discussed what type of use would fit into the community. They would like to see a use that would enhance the neighborhood.

With no further input from the audience, Chair Pollock closed the public hearing. He then asked for any additional questions from the Plan Commission for City staff.

Mr. Fell did not notice any existing sidewalks on the proposed lots. Would any future development of the lots require the owner(s) to install sidewalks? Mr. Myers stated that there are existing sidewalks. However, if there is a section of sidewalk missing, the Subdivision Ordinance would require their installation at the time of either the land subdivision or development of the property.

Mr. Fell commented that the wide street width and lack of striping on Bradley Avenue there is confusing because it's unclear to motorists whether there are one or two lanes of traffic. Mr. Myers said he would pass this comment along to the City's Public Works Department. In terms of access, traffic along Bradley Avenue was discussed with Public Works staff, and it was agreed upon that the primary traffic should be off of Bradley Avenue rather than from Beardsley Avenue behind which is a residential street.

Mr. Myers noted that several years ago he attended a series of design charrettes that the Alpha & Omega Church held to come up with ideas about how the properties could be used in the future. They considered single-family residential, duplexes, apartments, and low-intensity neighborhood uses and services. So Mr. Myers believes the property owner has investigated development of the property under current zoning. A 1940's aerial photograph of this portion of the neighborhood shows this to have been part of a farm with a farmhouse on the block. And the 1973 aerial photo shows this block as vacant except for the one house on Bradley Avenue and the old farmhouse. So he believes this block has never been developed with homes, despite its residential zoning being in place for decades.

With no further questions, Chair Pollock opened the meeting for Plan Commission discussion and/or motion(s). He noted that the Plan Commission would need to make two separate motions, one for the Comprehensive Plan Amendment and one for the rezoning.

Mr. Fitch recommended that City staff update the 2005 Comprehensive Plan to show the changes that have been made.

Mr. Hopkins expressed concern about the proposed Comprehensive Plan amendment and rezoning. There is no commercial along Bradley Avenue in the immediate area. Those neighboring residents who have commented have voiced opposition to the proposed requests. He feels that it would be an odd place to locate commercial uses.

Mr. Pollock commented that he likes the idea that the Plan Commission thinks about the Comprehensive Plan changes before approving an upzoning. He likes the B-2 Zoning District because it provides the opportunity to construct both single-family and multi-family residential uses. Although he agrees that they would be allowing commercial uses in an area where there are currently no commercial uses, he is not concerned about it.

Mr. Fell values Mr. Hopkins concern. However, he notes that this has happened up and down Bradley Avenue. There is commercial, then residential, then commercial and more residential along Bradley Avenue up to Mattis Avenue. Most logically, they will not develop the proposed two properties as a commercial entity that would not be viable as a neighborhood business. It does not suit itself for a very intense development to begin with.

Mr. Fitch agreed with all the comments on both sides. He feels it is a valued concern; however, living in an area where small businesses are incorporated into the neighborhood, he believes in B-2 as a valuable zoning district. Therefore, he moved that the Plan Commission forward Plan

Case No. 2193-CP-12 to the Urbana City Council with a recommendation for approval. Mr. Fell seconded the motion.

Ms. Tompkins commented that she feels it is spot zoning. If it were to be rezoned, then it should probably be rezoned to multi-family. Would a mortuary still be allowed in any residential zoning district? Rebecca Bird, Planner II, stated that a mortuary would be allowed with a conditional use in the R-5 (Medium High Density Multiple Family Residential), R-6 (High Density Multiple Family Residential) and R-6B (High Density Multiple Family Residential-Restricted) Zoning Districts. Chair Pollock pointed out that the B-2 Zoning District allows a multi-family residential component by right.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	No	Mr. Pollock	-	Yes
Ms. Tompkins	-	No			

The motion passed by a vote of 3-2.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2194-M-12 to the Urbana City Council with a recommendation for approval to be rezoned to B-2 (Neighborhood Business-Arterial). Mr. Fell seconded the motion.

Mr. Hopkins felt that multi-family use would be more appropriate. He pointed out that this is a rezoning case and the proposed mortuary use could fall through and the property could be divided into 60-foot wide lots that could be used as a gas station and/or convenience store. He advised against thinking of the rezoning as a mortuary use. He felt B-2 is the wrong zoning for these two properties. He'd feel differently if this were on the edge of the neighborhood, but this is really in the middle.

Mr. Fell wondered if once sub-divided if each property would be required to provide two front yard setbacks because they would both be corner lots and front on two streets. Mr. Myers said that is correct.

Mr. Fell inquired about parking in the front yard. Mr. Myers explained that the Zoning Ordinance would allow it with a landscape buffer.

Mr. Pollock acknowledges that B-2 is not the perfect zoning for the proposed two lots but planned to support it none-the-less. Mr. Hopkins' comments are accurate. The Plan Commission should consider the range of possible uses that would be allowed in a B-2 Zoning District.

Mr. Pollock wondered if the Plan Commission would review the subdivision plat for this property. Mr. Myers explained that if it does not require an extension of utilities, then it would be considered a minor subdivision, which would be reviewed administratively. However, if

subdividing requires extending utilities or subdividing a lot into five lots or more, then the Plan Commission would review it first and make a recommendation to the City Council.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	No	Mr. Pollock	-	Yes
Ms. Tompkins	-	No			

The motion was passed by a vote of 3-2. Mr. Myers noted that these two cases would be considered at the Monday, January 7, 2013 City Council meeting.

**Plan Case No. 2195-M-12: A request by Howard Wakeland on behalf of Advantage Properties, LLC to rezone 11 parcels totaling approximately 1.82 acres located at 906, 908 and 910 West Church Street; 701, 703, 705 and 707 North Lincoln Avenue; and 903, 905, 907 and 909 West Hill Street from R-2 (Single-Family Residential) Zoning District to B-2 (Neighborhood Business–Arterial) Zoning District.**

Rebecca Bird, Planner II, presented this case to the Plan Commission. She stated that this case is similar to Plan Case No. 2185-M-12 except that the petitioner, Howard Wakeland, was now applying to rezone the same properties to B-2 (Neighborhood Business – Arterial). Following the Plan Commission’s recommendation, City staff received legal advice from the new City Attorney that had differed from previous legal advice concerning noticing procedures. Consequently, Mr. Wakeland withdrew his application before the City Council undertook consideration and has now resubmitted a new application to rezone to the B-2 Zoning District, which is the zoning district recommended by the Plan Commission.

Ms. Bird said that the other details of the new case are the same as in Plan Case No. 2185-M-12. Planning staff mailed out notification letters of the new public hearing to neighboring residents and to the owners and tenants of the two houses that Mr. Wakeland does not own but has included in the proposed rezoning case. City staff has not heard from any of them. She mentioned the letter that Planning staff received from Bernadine Stake regarding the new case, which has been entered as a communication. She read the options of the Plan Commission from the written staff report. She welcomed questions from the Plan Commission.

With no questions for City staff, Chair Pollock opened the hearing up for public input and/or questions.

Howard Wakeland, petitioner, stated that he would be willing to answer any questions the Plan Commission may have. There were none.

With no further input from the audience, Chair Pollock closed the public hearing. He opened the meeting for Plan Commission discussion and/or motion(s).

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2195-M-12 to the Urbana City Council with a recommendation for approval. Mr. Fitch seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Tompkins	-	Yes			

The motion was passed by unanimous vote. Mr. Myers noted that this case would be forwarded to the City Council on January 22, 2013.

**Plan Case 2196-SU-12: A request by B & H Real Estate Ventures, LLC for a Special Use Permit to expand a Pawn Shop at 1004 West University Avenue in the B-3 (General Business) Zoning District.**

Jeff Engstrom, Planner II, presented this case to the Plan Commission. He gave a brief introduction and background for the proposed Special Use Permit. He talked about the zoning and current land uses of the proposed site and of the surrounding neighboring properties. He discussed how the goals, objectives and policies of the 2005 Comprehensive Plan relate to the proposed special use permit. He reviewed the requirements that a Special Use Permit application must meet and read the options of the Plan Commission. He presented staff's recommendation for approval subject to the two conditions in the written staff report.

Mr. Fell asked about parking. It appears on Exhibit A: Location and Current Land Use Map that the some of the parking for the Gold & Diamond Exchange business is located on the neighboring property to the east. Mr. Engstrom explained that there is an agreement with Tri-Color Locksmith for to share those parking spaces.

Mr. Fell asked how vehicles parked in the shared spaces leave the property since they are angled away from the street. Do they drive around the back of the building or turn around as they back out of the parking space? Chair Pollock stated that these questions can best be answered by the owners of the Gold & Diamond Exchange.

When looking at the Site Plan, Mr. Pollock wanted to know if the striped square represents the new addition. Mr. Engstrom explained that the striped square represents a new roof on one of the existing buildings. The dashed line represents the new addition.

With no further questions for City staff, Chair Pollock opened the hearing for public input and/or questions.

Robert Rigdon, President of Gold & Diamond Exchange, addressed the question of how vehicles parked in the easement next to Tri-Color Locksmiths turn around to exit the lot. He mentioned that there is enough room for drivers to back out and drive around behind the Gold & Diamond Exchange. However, most of them back onto the Gold & Diamond property and pullout facing University Avenue.

Mr. Hopkins asked if customers will still be able to drive around behind the building and come out on the west side after the expansion. Mr. Rigdon said yes.

Mr. Fell inquired as to whether the narrowest point behind the building, with only 10 feet between the corner of the building and the rear property line, meets the City's ordinance. Mr. Engstrom replied that they can find a solution. Discussion ensued about possible solutions if the drive does not meet City Code. The easiest solution involved moving parking space number 11 so that two cars could pass along the east side of the building. Chair Pollock recommended that City staff research this and work out a solution agreeable with the owner before taking this case to the City Council.

Mr. Fell moved that the Plan Commission forward Plan Case No. 2196-SU-12 to the Urbana City Council with a recommendation for approval with the necessary adjustments to the Site Plan to bring the parking into conformance. Mr. Fitch seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Tompkins	-	Yes			

The motion was passed by unanimous vote. Mr. Myers noted that this case would be forwarded to the Urbana City Council at a special meeting on Friday, December 21, 2012.

## **6. CONTINUED PUBLIC HEARINGS**

There were none.

## **7. OLD BUSINESS**

There was none.

## **8. NEW BUSINESS**

There was none.

## **9. AUDIENCE PARTICIPATION**

There was none.

## **10. STAFF REPORT**

There was none.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,

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Robert Myers, AICP, Secretary  
Urbana Plan Commission