



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council

FROM: John A. Schneider, Manager, Community Development Services Department

DATE: February 1, 2018

SUBJECT: **An Ordinance Amending the Urbana Comprehensive Plan Map** (Changing 1102 North Broadway Avenue from “Institutional” to “Residential (Urban Pattern)”)

An Ordinance Amending the Urbana Zoning Map (Rezoning 3.5 acres at 1102 North Broadway Avenue from CRE, Conservation-Recreation-Education to R-3, Single- and Two-Family Residential)

Introduction

Urbana School District 116 has submitted two requests for their property at 1102 North Broadway Avenue, the site of the former Washington School. One of the requests was to change the future land use designation in the 2005 Urbana Comprehensive Plan from Institutional to Mixed Residential. The other request was to rezone the property from the CRE, Conservation-Recreation-Education District to the R-4, Medium Density Multiple Family Residential District.

At the public hearing for these two cases at the Plan Commission meeting on January 18, 2018, six people spoke against rezoning the property to the R-4 district. However, three of the six people stated that they felt the R-3, Single- and Two-Family Residential District would be appropriate for the property. After discussion, the Plan Commission voted 7 ayes to 1 nay to recommended that the property be rezoned to the R-3 district. The Plan Commission voted by the same count to recommended that the proposed future land use designation be changed from Institutional to Residential (Urban Pattern), which is a lower-intensity land use than the Mixed Residential designation initially sought.

Background

Washington School was built in 1925, with two additions built in the 1950s. By 2013, the buildings were no longer useful as a school, and Washington School was closed. Initially, the School District thought they might reuse the buildings and the property, but the cost to bring the buildings up to modern standards and code requirements would be prohibitively expensive, due in large part to the presence of asbestos in the original school building. One particular challenge would be providing internet access to the original building, which is important not only for schools, but for other potential reuses of the building. Installing fiber optic or other internet cables is infeasible because running the necessary conduit for the lines would disturb the asbestos. Similarly, Wi-Fi is infeasible, as the lath and plaster walls block Wi-Fi signals.

Once the School District determined that it could not reuse the property, they actively sought a buyer for the site. While there was one promising potential buyer last year, that party eventually decided not to purchase the property. Since the current zoning designation (CRE) is very restrictive in the uses it allows, the School District, after consulting with City staff, decided that rezoning the property to R-4 would make it more attractive to a potential buyer. If the property were rezoned to R-4, a developer would know in advance of making an offer that they would be allowed to build a low-to medium-density residential development on the site, as these are permitted by right in the R-4 Zoning District.

Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The Washington School property sits on 3.5 acres on North Broadway Avenue, between Oakland Avenue and Chapin Street. To the west, and zoned CRE, is Crystal Lake Park. The surrounding areas to the north, east, and south are zoned R-3 and contain mostly single-family homes. The Anita Purves Nature Center, Busey Woods, and the Crystal Lake Park Family Aquatic Center are further north on the west side of Broadway Avenue. Nearby to the south, there are properties zoned R-5 (Crystal View Townhomes) and R-4 (Highland Green). Exhibits A, B and C provide more details on the zoning and land uses for the larger surrounding area.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	CRE, Conservation-Recreation-Education	Vacant (Former School)	Institutional
North	R-3, Single- and Two-Family Residential	Single-Family Residential	Residential
South	R-3, Single- and Two-Family Residential	Single-Family Residential	Residential
East	R-3, Single- and Two-Family Residential	Single-Family Residential	Residential
West	CRE, Conservation-Recreation-Education	Crystal Lake Park	Park

Zoning Districts

The property is currently zoned CRE, Conservation-Recreation-Education District. The purpose and intent of the CRE District is defined as follows:

“The CRE, Conservation-Recreation-Education District is intended to conserve natural and scenic areas for open space, recreational, and educational purposes, both public and private, and to preserve from unsuitable uses natural surface drainage courses and other areas whose physical characteristics, such as slope or susceptibility to flooding, make many forms of development inappropriate or potentially injurious to the public health or safety. The uses permitted in this district are primarily of low intensity, which would not interfere with natural conditions, and for which such conditions would not pose severe problems; areas developed for more intensive use, which include significant open space, or which provide educational or recreational facilities to the public, are also appropriate in this district.”

The requested zoning district is R-4, Medium Density Multiple-Family Residential. The purpose and intent of the R-4 District is defined as follows:

“The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities.”

The recommended zoning district is R-3, Single- and Two-Family Residential. The purpose and intent of the R-3 District is defined as follows:

“The R-3, Single and Two-Family Residential District is intended to provide areas for low-density residential development, including single-family attached and detached dwellings and two-family dwellings.”

The attached Zoning Description Sheets provide more information about the permitted uses in each district (see Exhibit D).

Comprehensive Plan

The 2005 Urbana Comprehensive Plan identifies the future land use for the site as “Institutional,” which is defined as follows:

“Institutional uses generally include public, quasi-public, and private uses, such as governmental, educational, medical, religious, or university facilities as well as cemeteries. Institutional uses may range from single buildings to campuses.”

The following Comprehensive Plan Goals and Objectives also pertain to the requests:

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

Objectives

- 1.4 Promote the established neighborhoods close to campus and the downtown as attractive places for people to live.

Goal 2.0 New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Goal 4.0 Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.

Objectives

- 4.2 Promote the design of new neighborhoods that are convenient to transit and reduce the need to travel long distances to fulfill basic needs.
- 4.3 Encourage development patterns that offer the efficiencies of density and a mix of uses.

Goal 5.0 Ensure that land use patterns conserve energy.

Objectives

- 5.1 Encourage development patterns that help reduce dependence on automobiles and promote different modes of transportation.

Goal 16.0 Ensure that new land uses are compatible with and enhance the existing community.

Objectives

- 16.1 Encourage a mix of land use types to achieve a balanced growing community.

16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

Goal 18.0 Promote infill development.

Goal 19.0 Provide a strong housing supply to meet the needs of a diverse and growing community.

Objectives

19.1 Ensure that new residential development has sufficient recreation and open space, public utilities, public services, and access to commercial and employment centers.

Goal 28.0 Develop a diversified and broad, stable tax base.

Goal 34.0 Encourage development in areas where adequate infrastructure already exists.

The proposed rezoning would contribute to meeting these goals by allowing low- to medium-density residential development on an infill site that is served by public infrastructure, is close to commercial and recreational areas, and is served by public transit.

Discussion

The site is well suited for low-density residential uses. It is in a residential area directly across from Crystal Lake Park, and is close to other outdoor recreation areas. It is well-served by public transit, sidewalks, and designated bike routes. It is also close to downtown and the University Avenue and Cunningham Avenue commercial corridors.

Proposed Comprehensive Plan Amendment

The Comprehensive Plan is the guiding document for future development in and around Urbana. Most plan cases are reviewed to ensure they are consistent with the goals, objectives and land use recommendations of the Comprehensive Plan.

When the Comprehensive Plan was adopted, Washington School was still in use and there were no plans to close the school or to redevelop the site. It made sense at the time to identify the future land use as “Institutional.” Now that the school has been closed and the School District has determined that they no longer have a use for the site, they have asked that the future land use designation be changed to “Mixed Residential”. Given the site’s context – low-density residential uses and parkland bordering the site, with medium-density residential uses nearby (Crystal View Townhomes and Highland Green) – Mixed Residential may be a suitable designation. The Comprehensive Plan defines Mixed Residential as follows:

“Mixed-Residential areas contain a variety of residential land uses including single-family residences, duplexes, town homes, and multi-family development. Encourages a gradation of densities between single-family and multi-family uses in order to achieve compatible development. Also encourages design considerations among various land uses to help achieve compatibility. May also include supporting land uses such as civic, institutional, office, neighborhood business uses as well as parks. Mixed Residential areas will have different physical patterns of development depending on their location in the community. These areas should incorporate provisions for transit service and pedestrian access to nearby commercial and employment centers.”

While Mixed Residential may be suitable for the site, it may allow more intense development than is appropriate, given that the neighborhood surrounding the site is almost exclusively single-family residential. At the Plan Commission meeting, residents and the Plan Commission expressed that low-density residential development would be most appropriate for the site. As such, the Plan Commission recommended that the land use designation be changed to “Residential (Urban Pattern)”. The Comprehensive Plan defines “Residential” as follows:

“Residential area 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.”

The Comprehensive Plan further distinguishes between “urban patterns” and “suburban patterns” of Residential land uses. The “urban pattern” would be most appropriate for this site:

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 “Residential (Urban Pattern)” land use designation would allow a developer to provide low-density residential uses on the site. It would also give a developer the option to pursue a Residential Planned Unit Development to reuse part or all of the existing building(s) for residential use.¹

Proposed Rezoning

While the future land use designation generally describes the desired uses for a site, the site’s zoning ultimately determines what can be built. In this case, the R-3 zoning district is a good option to allow the site to be developed to correspond to the Residential (Urban Pattern) future land use designation. The R-3 zone allows low-density residential uses, some public/institutional uses, and Residential Planned Unit Developments, which could allow for the reuse of the Washington School buildings.

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.

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 R-3 district is compatible with the existing zoning and land uses of the surrounding area. The district allows low-density residential development, which would fit in well with the existing low-density residential uses in the neighborhood.

¹ The potential buyer for the site had planned to reuse part of the existing building, before they decided not to purchase the property. It is possible that a new purchaser may also be interested in reusing part or all of the existing building.

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 CRE, Conservation-Recreation-Education compared to the value it would have if it were rezoned to R-3, Single- and Two-Family Residential.

The property's value under the current CRE zoning designation is minimal. The CRE zone essentially limits the uses of the property to parks, schools, or government uses. The potential to sell the property for any of those uses is minimal. The R-3 zoning designation would increase the property's value (and salability) by allowing single-family homes, duplexes, and common-lot-line dwellings. In addition, the R-3 district allows Residential Planned Unit Developments, which could allow a developer to reuse the Washington School buildings.

Please note 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.*

The questions here 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 proposed zoning would not harm the health, safety, morals, or general welfare of the public. It would allow for the development of low- to medium-density residential uses in a residential area that is close to parks and commercial areas.

The current zoning designation severely limits the redevelopment potential of the site, and makes the property unattractive to potential buyers who may otherwise be interested in purchasing the property. Rezoning would facilitate the sale and reuse of the property, which would be beneficial to the public. Once developed, a vacant property would be put back into productive use, which would generate tax revenue for the City, and it would bring more patrons to nearby businesses.

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 property is well-suited for low- density residential uses, which would be provided by rezoning to R-3. Given its surroundings, the best use for the site is some type of residential use. There is already ample public parkland across Broadway Avenue in Crystal Lake Park, so open space is not needed. It is well-served by public transit, sidewalks, and designated bike routes. Another institutional use is unlikely, given the cost it will take to deal with the asbestos in the original building.

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 property to be rezoned has been vacant since 2013. While the CRE district was appropriate when the property was used by the Urbana School District, there are no plans to redevelop the site for future School District uses. Without rezoning the property, it will likely remain vacant for the foreseeable future.

Plan Commission Action

At the Plan Commission meeting on January 18, 2018, six people from the surrounding neighborhood spoke against rezoning the property to the R-4 district. They expressed concern that R-4 zoning would allow higher-density development that would be out of character with the surrounding neighborhood, which is predominantly single-family homes. Many neighbors expressed support for rezoning to R-3, which would allow uses that would be more compatible with the neighborhood. After some discussion, the Plan Commission concluded that R-3 would be more appropriate than R-4, and recommended by a vote of 7 to 1 to City Council that the property be rezoned to R-3. The Plan Commission voted by the same count to amend the Comprehensive Plan Future Land Use Map to change the designation of the property from “Institutional” to “Residential (Urban Pattern)”.

Summary of Findings

1. 1102 North Broadway Avenue is owned by Urbana School District 116, is currently zoned CRE, Conservation-Recreation-Education, and is designated by the Comprehensive Plan as “Institutional”.
2. Urbana School District 116 has filed petitions to amend the Urbana Zoning Map to rezone the property to R-4, Medium Density Multiple-Family Residential Zoning District, and to amend the Comprehensive Plan to designate the property as “Mixed Residential”.
3. On January 18, 2018, the Plan Commission voted 7 ayes to 1 nay to recommend that the property be rezoned to R-3, Single- and Two-Family Residential Zoning District, and to amend the Comprehensive Plan to designate the property as “Residential (Urban Pattern)”.
4. The property is located on the east side of Broadway Avenue, between Oakland Avenue and Chapin Street, and has been vacant since 2013.
5. The zoning change would facilitate the sale and development of this infill site.
6. The zoning change generally conforms to the LaSalle Criteria.
7. The property is appropriate for residential uses due to its location in a residential area and its proximity to nearby parks.

Options

The City Council has the following options for An Ordinance Amending the Urbana Comprehensive Plan Map (Changing 1102 N. Broadway Ave. from “Institutional” to “Residential (Urban Pattern)”):

1. Approve the Ordinance to change the land use designation to Residential (Urban Pattern);
2. Amend the Ordinance to approve the initial request to change the land use designation to Mixed Residential; or
3. Deny the request.

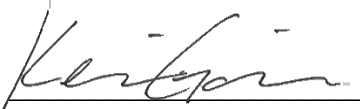
The City Council has the following options for An Ordinance Amending the Urbana Zoning Map (Rezoning 3.5 acres at 1102 N. Broadway Ave. from CRE, Conservation-Recreation-Education, to R-3, Single- and Two-Family Residential, Zoning District):

1. Approve the Ordinance to rezone the property to R-3, Single- and Two-Family Residential;
2. Amend the Ordinance to approve the initial request to rezone the property to R-4, Medium-Density Multiple-Family Residential; or
3. Deny the request to rezone the property.

Recommendation

At its January 18, 2018 meeting, the Plan Commission voted 7 ayes to 1 nay to forward the case to the City Council with a recommendation to **APPROVE** the Comprehensive Plan Map amendment to change the land use designation to Residential (Urban Pattern) and to **APPROVE** rezoning the property to R-3, Single- and Two-Family Residential. Staff concurs with the recommendations of the Plan Commission.

Prepared by:



Kevin Garcia, AICP
Planner II

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 for CRE, R-4, and R-3 Districts

ORDINANCE NO. 2018-02-006

AN ORDINANCE AMENDING THE URBANA COMPREHENSIVE PLAN MAP

(Changing 1102 North Broadway Avenue from “Institutional” to “Residential (Urban Pattern)” – Plan Case 2326-CP-17 / Urbana School District 116)

WHEREAS, Urbana School District 116 has petitioned the City for a Comprehensive Plan Map Amendment to change the future land use designation of five parcels comprising approximately 3.5 acres and located at 1102 North Broadway Avenue from “Institutional” to “Residential (Urban Pattern); and

WHEREAS, after due publication, a public hearing was held by the Plan Commission on January 18, 2018 concerning the petition filed in Plan Case No. 2326-CP-17; and

WHEREAS, the Plan Commission voted with 7 ayes to 1 nay to forward Plan Case No. 2326-CP-17 to City Council with a recommendation of approval to change the Comprehensive Plan designation for 1102 North Broadway from “Institutional” to “Residential (Urban Pattern)”; and

WHEREAS, the 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 property from “Institutional” to “Residential (Urban Pattern)”.

The subject property is more accurately described as follows:

LOTS 1-7 AND 18-31 OF URBANA HEIGHTS ADDITION TO THE CITY OF URBANA, AS PER PLAT RECORDED IN BOOK “C” AT PAGE 036, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS;

ALSO, THAT PORTION OF THE VACATED ALLEY THAT RUNS NORTH AND SOUTH AND ABUTTING LOTS 1-7 AND 18-24 THEREOF OBTAINED BY THE ORDINANCE OF VACATION OF SAID ALLEY FILED NOVEMBER 22, 1923 AND RECORDED IN MISC. RECORD 17 AT PAGE 273 IN THE RECORDER’S

OFFICE OF SAID COUNTY OF CHAMPAIGN, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS;

ALSO, THAT PORTION OF VACATED BERKLEY AVENUE THAT RUNS NORTH AND SOUTH AND ADJACENT TO A PORTION OF LOTS 19 AND 30 AND ALL OF LOTS 20 THROUGH 24 AND 25 THROUGH 29 THEREOF OBTAINED BY THE ORDINANCE OF VACATION OF SAID BERKLEY AVENUE FILED SEPTEMBER 6, 1996 AND RECORDED AS DOCUMENT NO. 96R22493 IN THE RECORDER'S OFFICE OF CHAMPAIGN COUNTY, ILLINOIS;

EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 7; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 7, 36.00 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 7, 85.00 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 7, 6.00 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 7 AND LOT 18, 186.50 FEET TO THE EAST LINE OF LOT 18; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 18, 42.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 18; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 18 AND SAID SOUTH LINE EXTENDED AND THE SOUTH LINE OF SAID LOT 7, 271.50 FEET TO THE POINT OF BEGINNING, AS SHOWN IN DEDICATION OF RIGHT OF WAY RECORDED JULY 10, 1996 AS DOCUMENT NO. 96R17027.

PINs: 91-21-08-254-001, 91-21-08-254-002, 91-21-08-254-003, 91-21-08-254-004,
91-21-08-256-001

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:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, _____.

Diane Wolfe Marlin, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Charles A. Smyth, 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” (Comprehensive Plan Map Amendment for 1102 North Broadway Avenue from “Institutional” to “Residential (Urban Pattern)” – Plan Case 2326-CP-17 / Urbana School District 116)**, 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)

Charles A. Smyth, City Clerk

ORDINANCE NO. 2018-02-007

AN ORDINANCE AMENDING THE URBANA ZONING MAP

(Rezoning 3.5 acres at 1102 North Broadway Avenue from CRE, Conservation-Recreation-Education, to R-3, Single- and Two-Family Residential, Zoning District – Plan Case 2325-M-17 /Urbana School District 116)

WHEREAS, Urbana School District 116 has petitioned the City for a Zoning Map Amendment to rezone five parcels comprising approximately 3.5 acres and located at 1102 North Broadway Avenue from CRE, Conservation-Recreation-Education, to R-3, Single- and Two-Family Residential, Zoning District; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 18, 2018 concerning the petition filed in Plan Case No. 2325-M-17; and

WHEREAS, the 2005 Urbana Comprehensive Plan future land use map, as amended, designates the future land use of these properties as “Residential (Urban Pattern)”, and the proposed rezoning is consistent with this future land use type; and

WHEREAS, the proposed rezoning would facilitate the development of an infill site; and

WHEREAS, the proposed rezoning would generally conform to the La Salle Criteria; and

WHEREAS, the subject property is appropriate for residential uses due to its location in a residential area and its proximity to nearby parks; and

WHEREAS, the Urbana Plan Commission voted with 7 ayes to 1 nay to forward Plan Case No. 2325-M-17 to City Council with a recommendation of approval for rezoning the subject property to R-3, Single- and Two-Family Residential Zoning District; and

WHEREAS, the findings of the Plan Commission indicate that 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 property from CRE, Conservation-Recreation-Education, to R-3, Single- and Two-Family Residential, Zoning District.

The subject property is more accurately described as follows:

LOTS 1-7 AND 18-31 OF URBANA HEIGHTS ADDITION TO THE CITY OF URBANA, AS PER PLAT RECORDED IN BOOK "C" AT PAGE 036, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS;

ALSO, THAT PORTION OF THE VACATED ALLEY THAT RUNS NORTH AND SOUTH AND ABUTTING LOTS 1-7 AND 18-24 THEREOF OBTAINED BY THE ORDINANCE OF VACATION OF SAID ALLEY FILED NOVEMBER 22, 1923 AND RECORDED IN MISC. RECORD 17 AT PAGE 273 IN THE RECORDER'S OFFICE OF SAID COUNTY OF CHAMPAIGN, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS;

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PINs: 91-21-08-254-001, 91-21-08-254-002, 91-21-08-254-003, 91-21-08-254-004,
91-21-08-256-001

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:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, _____.

Diane Wolfe Marlin, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

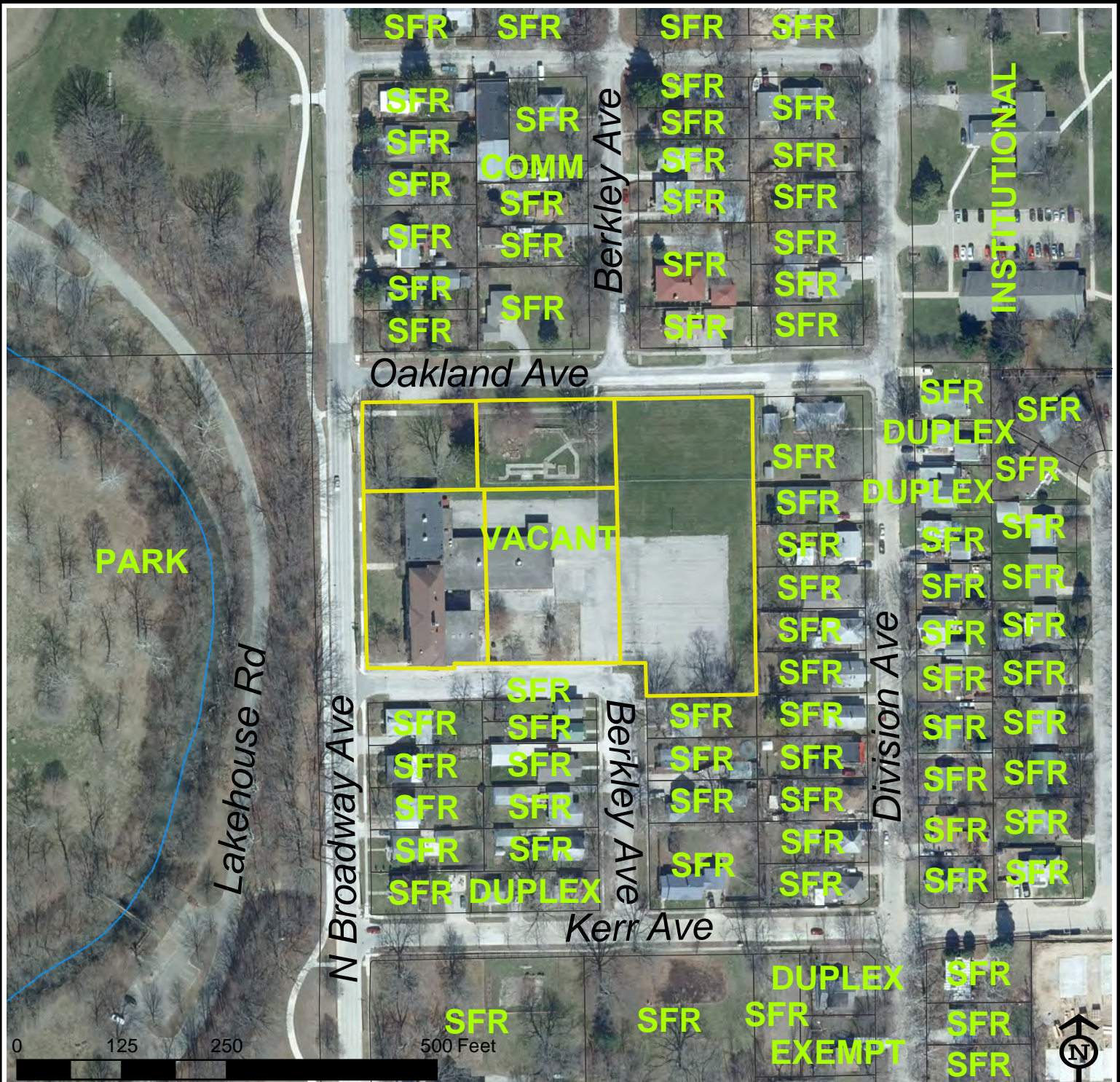
I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, _____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled: **“An Ordinance Amending the Zoning Map of the City of Urbana, Illinois” (Rezoning of five parcels comprising 3.5 acres at 1102 North Broadway Avenue from CRE, Conservation-Recreation-Education, to R-3, Single- and Two-Family Residential, Zoning District – Plan Case 2325-M-17 /Urbana School District 116)** 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)

Charles A. Smyth, City Clerk

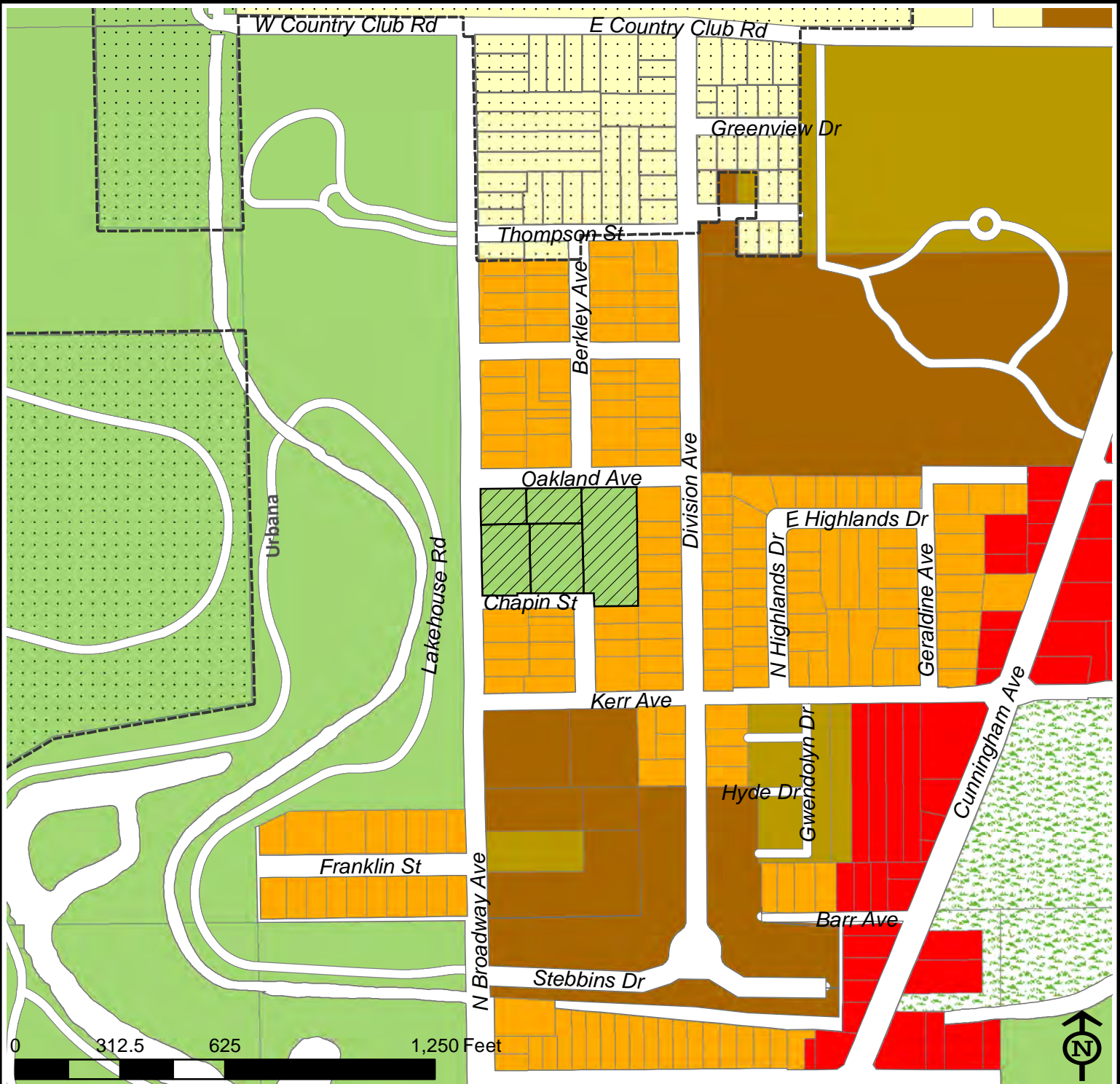
Exhibit A: Location & Existing Land Use Map



Case: 2325-M-17 & 2326-CP-17
 Subject: Rezoning & Comp Plan Amendment
 Location: 1102 N Broadway Avenue
 Petitioner: Urbana School District 116

 Subject Property

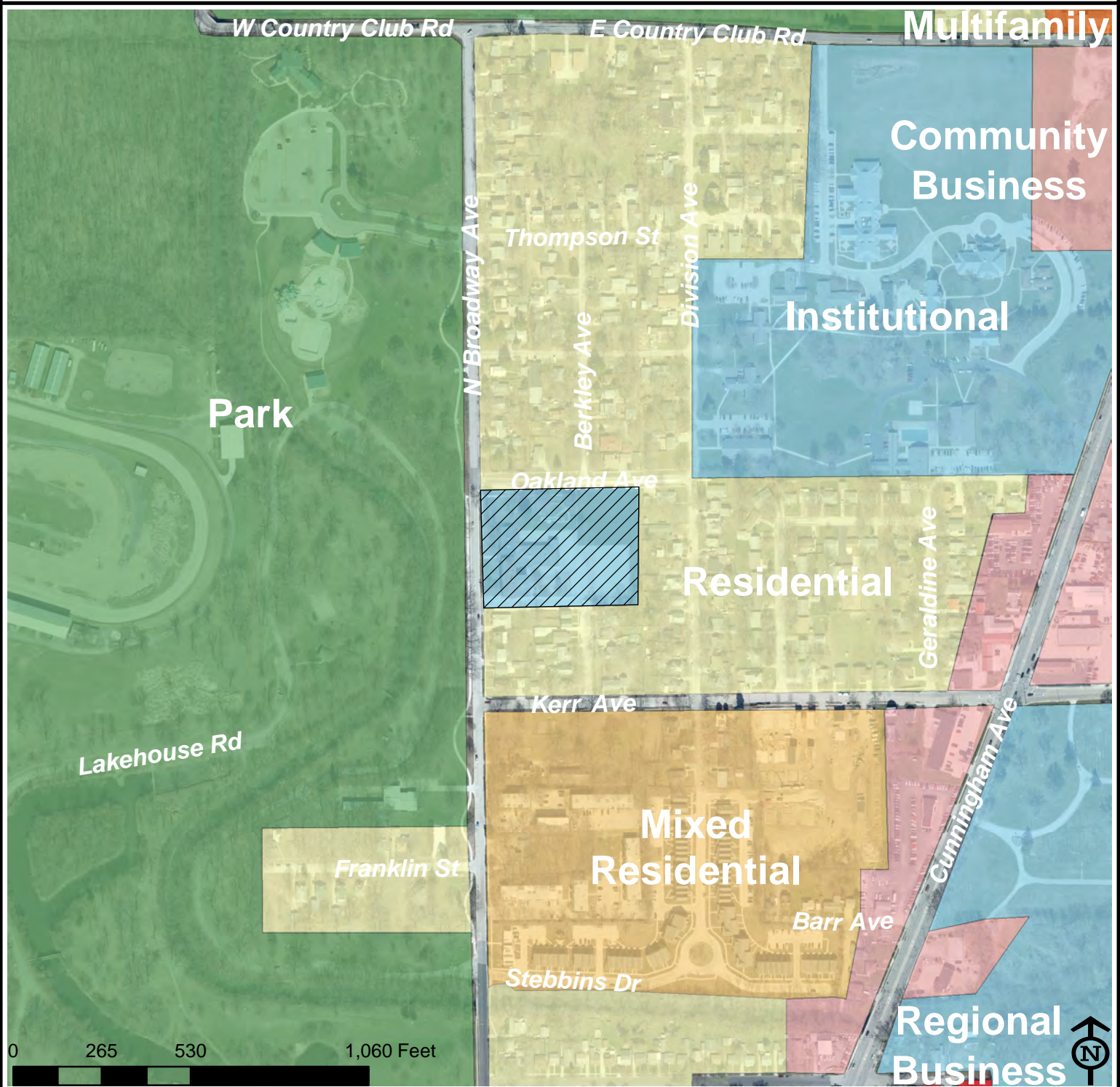
Exhibit B: Zoning Map







Case: 2325-M-17 & 2326-CP-17
 Subject: Rezoning & Comp Plan Amendment
 Location: 1102 N Broadway Avenue
 Petitioner: Urbana School District 116

- | | | | |
|--|------------------|--|---------------|
| | AG | | R4 |
| | B3 | | R5 |
| | CRE | | CR (County) |
| | R1 | | R-1 (County) |
| | R3 | | City Boundary |
| | Subject Property | | |

Exhibit C: Future Land Use Map



Case: 2325-M-17 & 2326-CP-17
 Subject: Rezoning & Comp Plan Amendment
 Location: 1102 N Broadway Avenue
 Petitioner: Urbana School District 116

- | | |
|--|--|
|  Residential |  Community Business |
|  Mixed Residential |  Institutional |
|  Multi-Family Residential |  Park |
|  Regional Business | |



CRE – CONSERVATION-RECREATION-EDUCATION ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The *CRE, Conservation-Recreation-Education District* is intended to conserve natural and scenic areas for open space, recreational, and educational purposes, both public and private, and to preserve from unsuitable uses natural surface drainage courses and other areas whose physical characteristics, such as slope or susceptibility to flooding, make many forms of development inappropriate or potentially injurious to the public health or safety. The uses permitted in this district are primarily of low intensity, which would not interfere with natural conditions, and for which such conditions would not pose severe problems; areas developed for more intensive use, which include significant open space, or which provide educational or recreational facilities to the public, are also appropriate in this district."

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

PERMITTED USES:

Agriculture

Agriculture, General
Agriculture, Cropping

Business – Professional and Financial Services

Vocational, Trade or Business School

Public and Quasi-Public

Elementary, Junior High School, or Senior High School
Library, Museum or Gallery
Municipal or Government Building
Nonprofit or Governmental, Educational and Research Agencies
Park
Public Maintenance and Storage Garage
University/ College

SPECIAL USES:

Agriculture

Mineral Extraction, Quarrying, Topsoil Removal and Allied Activities****
Plant Nursery or Greenhouse

Business - Recreation

Private Indoor Firing Range++

Public and Quasi-Public

Church, Temple or Mosque
Farmer's Market
Institution of an Educational or Charitable Nature
Sewage Treatment Plant or Lagoon****

CONDITIONAL USES:

Agriculture

Artificial Lake of one (1) or more acres

Business - Miscellaneous

Cemetery****

CONDITIONAL USES Continued:

Business - Recreation

- Bait Sales
- Camp or Picnic Area****
- Commercial Fishing Lake
- Country Club or Golf Course
- Driving Range
- Lodge or Private Club
- Miniature Golf Course
- Outdoor Commercial Recreation Enterprise (*Except Amusement Park*)****
- Private Indoor Recreational Development
- Resort or Organized Camp****
- Riding Stable****

Table V-1 Notes:

- **** See Table VII-1 for Standards for Specific Conditional Uses
- †† See Section VII-5.E Standards for Private Indoor Firing Ranges

DEVELOPMENT REGULATIONS IN THE CRE DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet)¹	MIN SIDE YARD (in feet)¹	MIN REAR YARD (in feet)¹
CRE	1 acre	150	35³	0.40	0.55	25	15	25

FAR = Floor Area Ratio
 OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote³ – 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.F.3 and Section VI-5.G.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.

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



R-4 – MEDIUM DENSITY MULTIPLE-FAMILY ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the R-4 Zoning District is as follows:

"The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-4 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

Church, Temple or Mosque
Elementary, Junior High School or Senior High School
Institution of an Educational or Charitable Nature
Library, Museum or Gallery
Municipal or Government Building
Park

Residential

Boarding or Rooming House
Dormitory
Dwelling, Community Living Facility, Category I, Category II and Category III
Dwelling, Duplex***
Dwelling, Duplex (*Extended Occupancy*)***
Dwelling, Multifamily
Dwelling, Multiple-Unit Common-Lot-Line***
Dwelling, Single Family
Dwelling, Single Family (*Extended Occupancy*)
Dwelling, Two-Unit Common-Lot-Line***

SPECIAL USES:

Business – Professional and Financial Services

Professional and Business Office

Residential

Dwelling, Home for Adjustment

Public and Quasi-Public

Police or Fire Station
Principal Use Parking Garage or Lot

PLANNED UNIT DEVELOPMENT USES:

Business – Miscellaneous

Mixed-Use Planned Unit Development (*See Section XIII-3*)

Residential

Residential PUD (*See Section XIII-3*)

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Public and Quasi-Public

Electrical Substation

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Residential

Assisted Living Facility
 Bed and Breakfast, Owner Occupied
 Nursing Home

Business - Recreation

Lodge or Private Club

Table V-1 Notes:

*** See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.

DEVELOPMENT REGULATIONS IN THE R-4 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-4	6,000	60	35 ¹⁷	0.50 ¹⁴	0.35	15 ⁹	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote⁹ – 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. (Ordinance No. 9596-58, 11-20-95) (Ordinance No. 9697-154) (Ordinance No. 2001-03-018, 03-05-01)

Footnote¹⁴ – In the R-4 District, the maximum floor area ratio may be increased to 0.70, provided that there is a minimum of 2,000 square feet of lot area per dwelling unit.

Footnote¹⁷ – 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.



R-3 – SINGLE AND TWO-FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The *R-3, Single and Two-Family Residential District* is intended to provide areas for low-density residential development, including single-family attached and detached dwellings and two-family dwellings."

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

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 and Category II

Dwelling, Duplex***

Dwelling, Duplex (*Extended Occupancy*)***

Dwelling, Single Family

Dwelling, Single Family (*Extended Occupancy*)

Dwelling, Two-Unit Common-Lot-Line***

SPECIAL USES:

Public and Quasi-Public

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

PLANNED UNIT DEVELOPMENT USES:

Residential

Residential Planned Unit Development (*See Section XIII-3*)

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Public and Quasi-Public

Municipal or Government Building

Business - Miscellaneous

Day Care Facility (*Non-Home Based*)

Residential

Bed and Breakfast, Owner Occupied

Business - Recreation

Lodge or Private Club

Table V-1 Notes:

*** See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.

DEVELOPMENT REGULATIONS IN THE R-3 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-3	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote⁹ – 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. (Ordinance No. 9596-58, 11-20-95) (Ordinance No. 9697-154) (Ordinance No. 2001-03-018, 03-05-01)

Footnote¹³ – 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.

Footnote¹⁷ – 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.