



## 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, MPA, Director, Community Development Services Department

**DATE:** November 1, 2018

**SUBJECT:** **An Ordinance Amending the Urbana Zoning Map** (Rezoning Nine Real Estate Parcels at North Race Street and West University Avenue from B-3 to B-4 / James W. Burch III Trust – Plan Case 2353-M-18)

**An Ordinance Amending the Urbana Zoning Map** (Rezoning 406 North Lake Street from B-3 to B-4 / Bridget Logue – Plan Case 2355-M-18)

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### Introduction

Requests have been submitted by two neighboring property owners for Map Amendments to rezone a total of ten parcels from B-3, General Business to B-4, Central Business Zoning District. Sarah M. Burch, Trustee for the James W. Burch III Trust, has requested rezoning for nine parcels at the southwest corner of West University Avenue and North Race Street (Exhibit A). Bridget Logue has requested rezoning for a westerly-adjacent parcel located at 406 North Lake Street. The changes would reflect the Future Land Use designation of “Central Business” attributed to these parcels in the 2005 Urbana Comprehensive Plan. Because of their similarities, the ordinances will be presented together. However, the ordinances may be voted on individually.

On Thursday, October 18, 2018, the Urbana Plan Commission voted 6-0 to recommend to City Council to approve both of the requests to rezone all ten parcels to B-4, Central Business. City Council approval is required for these two requests.

### Background

Table 1 summarizes the Current Land Use or duration of vacancy<sup>1</sup>, Previous Land Use, Owner, and Lot Size of the subject properties (Exhibits B and B2; see Table 1 on the next page). There are currently two access easements on the subject property: one across Tract 6 to allow ingress/egress to Tract 10, and one across Tract 7 to allow ingress/egress to 404 North Lake Street.

All ten of the subject properties have been zoned B-3, General Business, since 1979 when the earlier two-commercial-zoning-district system was split into a four-commercial-zoning-district system (Exhibit C). The Zoning, Current Land Use, and Future Land Use for the subject and surrounding properties are summarized in Table 2 (see next page).

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<sup>1</sup> Vacancy date determined from aerial photographs: actual vacancy may from 3 to 15 years longer than listed in table due to time period between aerial photographs.

**Table 1: Subject Property Information Summary**

Tract Number	SUBJECT PROPERTY	Current Land Use	Previous Land Use	Owner	Lot Size
Tract 1	413 North Race	Vacant since 2002	Commercial	Burch Trust	3,936 sf
Tract 2	411 North Race	Vacant since 2002	Commercial	Burch Trust	8,431 sf
Tract 3	409 North Race	Vacant since 2005	Commercial	Burch Trust	3,483 sf
Tract 4	408 North Lake	Vacant since 1998	Single-family residential	Burch Trust	5,931 sf
Tract 5	407 North Race	Vacant since 2002	Commercial	Burch Trust	7,127 sf
Tract 6	405 North Race	Vacant since 2005	Commercial	Burch Trust	6,600 sf
Tract 7	403 North Race	Vacant since 2005	Commercial	Burch Trust	7,725 sf
Tract 8	203 West University	Vacant since 2014	Single-family residential	Burch Trust	7,215 sf
Tract 9	205 West University	Vacant since 2017	Single-family residential	Burch Trust	4,589 sf
Logue Tract	406 North Lake	Single-family residential	Single-family residential	Logue	6,740 sf

**Table 2: Subject and Surrounding Property Zoning and Use Summary**

PROPERTIES	Zoning	Current Land Use	Future Land Use
Subject Property	B-3	Vacant & Residential	Central Business
North	B-3	Commercial	Community Business
East	B-4	Commercial	Central Business
South	B-3 & B-4	Residential	Central Business
West	B-3 & CRE	Residential & Park	Central Business & Park

## Discussion

The proposed rezoning would expand the easterly-adjacent B-4, Central Business district (Exhibit D). It would also bring the subject properties’ zoning into conformity with their Future Land Use Designation as per the Comprehensive Plan, and provide a zoning classification appropriate for an area that the 2012 Downtown Urbana Plan included as part of downtown. In addition, the proposed B-4 zoning designation requires a reduced minimum lot size bringing the four currently legally-nonconforming lots into compliance with the Zoning Ordinance, and eliminates minimum parking requirements and required yard setbacks. Finally, although B-4 zoning still requires a stormwater management plan, on-site stormwater retention would not be required. There would be no changes to the minimum Open Space Ratio or maximum building height.

The Urbana Zoning Ordinance states that the B-3 and B-4 zoning districts serve these purposes:

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

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

## **The *La Salle & Sinclair* Criteria**

In the case of *La Salle National Bank v. County of Cook*, 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. In addition to the six *La Salle* Criteria, the court developed two more factors in the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. All eight factors are discussed below to compare the current zoning to the proposed zoning. In order to maximize the defensibility of their decision, City Council's decision must be based only on an objective application of these criteria.

*La Salle Factor #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 proposed rezoning to B-4, Central Business is compatible with the zoning and land uses of the immediate area (see Exhibits B, B2, and C). To the north is a medical clinic and a gaming hall zoned B-3. To the east are two retail shopping centers and a drive-through restaurant zoned B-4. To the south and west lie legally non-conforming, single-family residences zoned B-3; further south is a parking lot zoned B-4. Also to the west lies Leal Park, zoned CRE. The expansion of the adjacent B-4 district should weigh *in favor* of the applicants' requests for rezoning.

*La Salle Factor #2. The extent to which property values are diminished by the restrictions of the ordinance. (This is the difference in the value of the neighboring properties with the current B-3, General Business zoning of the subject properties, compared to the value of the neighboring properties if the subject properties are zoned B-4, Central Business.)*

The proposed rezoning to B-4, Central Business should not reduce the property values of neighboring properties.<sup>2</sup> The primary differences between the B-3 and B-4 zoning districts are the reduced number of allowed uses and the reduction of several lot characteristics (required yard setbacks, Floor Area Ratio, etc.; see Exhibit E). Increasing the flexibility of the subject properties for future use should not reduce the property values of the surrounding properties and should weigh *in favor* of the applicants' requests for rezoning.

*La Salle Factor #3. The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. (This question applies to the potential impacts of the proposed rezoning to public welfare.)*

The proposed rezoning to B-4, Central Business will not affect the health, safety, morals, or general welfare of the public in any foreseeable way. There is no discernible difference between the current B-3 zoning and the proposed B-4 zoning in this regard and should weigh either *neutrally or in favor* of the applicants' requests for rezoning.

*La Salle Factor #4. The relative gain to the public as compared to the hardship imposed on the individual property owner. (Do the restrictions provide gain to the public which offsets the hardships imposed on the property owner by the restrictions?)*

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<sup>2</sup> It should be noted that the Urbana City Planning Division staff are not qualified as professional appraisers and that a professional appraiser has not been consulted regarding the impact on the value of the property. Therefore, any discussion pertaining to property values must be considered speculative and inconclusive.

The public would experience limited gains in continued vacancy of the subject properties, as has been the case under the current B-3, General Business zoning for many years. Conversely, the property owner would continue to experience significant hardship from the reduced flexibility in lot usage that is created by the B-3 zoning. The relative gain to the public and the elimination of hardship to the individual owners created by the proposed rezonings should weigh *in favor* of the applicants' requests for rezoning.

*La Salle Factor #5. The suitability of the subject property for the zoned purposes. (The issue here is whether there are certain features of the property which favor the type and intensity of uses permitted in either the current or the proposed zoning district.)*

The subject properties are well-suited for "Central Business"-type uses, which would be allowed under the proposed rezoning to B-4, Central Business. Given the existing B-4 zoning adjacent to the east and nearby to the south, the proposed B-4 zoning district is logical, and reflects the "Central Business" Future Land Use designation shown in the 2005 Comprehensive Plan. This suitability should weigh *in favor* of the applicants' requests for rezoning.

*La Salle Factor #6. The length of time the property has been vacant as zoned, considered in the context of land development 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.)*

Six of the ten properties have been vacant an average of fifteen years. Two have been vacant less than five years, and one has been vacant over thirty years. One property is currently occupied. As such, rezoning would likely encourage the vast majority of the subject properties to be put to use rather than continue to sit vacant and should weigh *in favor* of the applicants' requests for rezoning.

*Sinclair Factor #1. The community's need for more of the proposed use.*

The uses allowed in the proposed B-4, Central Business zoning district are varied, and would add to the diversity already present in downtown Urbana (Exhibits F & G). Future uses will likely be based on market research to confirm the need for any proposed use. The absence of current needs research should weigh *neutrally* on the applicants' requests for rezoning.

*Sinclair Factor #8. The care with which the community has planned its land use development.*

When the City adopted its 2005 Comprehensive Plan, the area of the subject properties, due to its proximity to downtown Urbana, was generally envisioned as part of the "Central Business" Future Land Use designation, transitioning to "Regional Business" to the east and "Community Business" to the north and west. The proposed rezoning would meet the following Goals of the Comprehensive Plan and should weigh *in favor* of the applicants' requests for rezoning:

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

**Goal 18.0 Promote infill development.**

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

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

## **Plan Commission**

Tim Bartlett, Director of the Urbana Park District, submitted a letter expressing concerns regarding the proposed rezoning requests (Exhibit H). Paul Tatman, speaking as the potential future developer, stated that the Illinois Department of Transportation is acquiring right-of-way along West University Avenue, and that the proposed B-4 zoning district's reduced required front yard setback would help

mitigate this reduction in the developable area of the subject property. Public comments during the Plan Commission meeting were mixed: one attendee was in favor of both rezoning requests; another was opposed to the rezoning requests due to the elimination of setbacks and their possible impacts on the adjacent park.

Discussion at Plan Commission focused on the different uses allowed and development regulations in the current and proposed zoning districts, possible improvements to area walkability, and possible impacts on the proposed Kickapoo Rail-Trail extension, the need for redevelopment in this area, possible traffic impacts, and the potential need for a Traffic Impact Analysis. The draft minutes of this meeting are attached (Exhibit I).

## Summary of Staff Findings

1. Sarah M. Burch, Trustee, for the James W. Burch, III, Declaration of Trust dated May 17, 1996, has petitioned to rezone nine parcels: 413, 411, 409, 407, 405, and 403 North Race Street; 408 North Lake Street; and 205 and 203 West University Avenue.
2. Bridget Logue has petitioned to rezone 406 North Lake Street.
3. The properties would be rezoned from B-3, General Business to B-4, Central Business, to match their Future Land Use designations in the 2005 Urbana Comprehensive Plan.
4. The proposed zoning map amendments are consistent with the 2005 Urbana Comprehensive Plan.
5. The proposed zoning map amendments generally meet the *La Salle* and *Sinclair* criteria.

## Options

The City Council has the following options:

1. Approve the ordinances as presented;
2. Approve the ordinances as modified by specific suggested changes; or
3. Deny the ordinances.

## Recommendation

At its October 18, 2018, meeting, the Plan Commission voted six (6) ayes to zero (0) nays to forward both cases to the City Council with recommendations to **APPROVE** both requests. Staff likewise recommends approval for both ordinances.

Prepared by:



Marcus Ricci, Planner II

Attachments: Exhibit A: Subject Property Plan  
Exhibit B: Location and Existing Land Use  
Exhibit B2: Satellite Renderings of Existing Land Use

Exhibit C: Zoning Map  
Exhibit D: Future Land Use Map  
Exhibit E: Zoning Description Sheets for B-3 and B-4 Districts  
Exhibit F: Burch Zoning Map Amendment Application  
Exhibit G: Logue Zoning Map Amendment Application  
Exhibit H: Communications  
Exhibit I: Draft Minutes of Plan Commission Meeting of October 18, 2018

CC: Sarah M. Burch, Trustee, James W. Burch, III, Declaration of Trust dated May 17, 1996, Applicant  
Bridget Logue, Applicant

**ORDINANCE NO. 2018-11-074**

**AN ORDINANCE AMENDING THE URBANA ZONING MAP**

**(Rezoning Nine Real Estate Parcels at North Race Street and West University Avenue from B-3 to B-4 / James W. Burch III Trust – Plan Case 2353-M-18)**

**WHEREAS**, Sarah M. Burch, Trustee of the James W. Burch, III, Declaration of Trust dated May 17, 1996, has applied to the City of Urbana (“City”) for a Zoning Map Amendment to rezone nine properties in downtown Urbana from B-3, General Business to B-4, Central Business; and

**WHEREAS**, the Plan Commission held a public hearing on such application at 7:00 p.m. on Thursday, October 18, 2018, in Plan Case No. 2353-M-18; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Urbana Plan Commission voted six (6) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request; and

**WHEREAS**, the findings of the Plan Commission indicate that approval of the rezoning request will promote the general health, safety, and welfare of the public; and

**WHEREAS**, the City Council finds that 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 City Council finds that the requested rezoning is consistent with the criteria contained in *La Salle Nat. Bank of Chicago v. Cook County*, 12 Ill. 2d 40, 145 N.E.2d 65 (1957) and *Sinclair Pipe Line Co. v. Village of Richton Park*, 19 Ill.2d 370 (1960); and

**WHEREAS**, after due consideration, the City Council further finds that an amendment to the Urbana Zoning Map as herein provided will protect the public health, safety, and welfare.

**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:

The subject properties to be rezoned from B-3, General Business to B-4, Central Business are more accurately described as follows:

**TRACT 1:**

THE EAST 50 FEET OF LOT 1 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, EXCEPT THE NORTH 33 FEET THEREOF, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

Commonly known as 413 North Race Street

Permanent Index No.: 91-21-08-451-003

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**TRACT 2:**

LOT 2 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF



URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES  
RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

Commonly known as 411 North Race Street

Permanent Index No.: 91-21-08-451-004

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**TRACT 3:**

THE NORTH 30 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE WEST 89 FEET THEREOF, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

Commonly known as 409 North Race Street

Permanent Index No.: 91-21-08-451-009

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**TRACT 4:**

THE WEST 89 FEET OF THE NORTH 30 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS; AND  
THE WEST 59 FEET OF THE SOUTH 48.46 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS.

Commonly known as 408 North Lake Street

Permanent Index No.: 91-21-08-451-005

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**TRACT 5:**

THE SOUTH 48.46 FEET OF LOT 3 OF SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE WEST 59 FEET THEREOF, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN

DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED  
OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

Commonly known as 407 North Race Street                      Permanent Index No.: 91-21-08-451-010

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**TRACT 6:**

THE NORTH 71 FEET OF THE EAST 102 FEET OF LOT 4 OF A SUBDIVISION OF  
OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT  
RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN  
CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF  
THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT  
OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS  
DOCUMENT NO. 2011 R22066.

Commonly known as 405 North Race Street                      Permanent Index No.: 91-21-08-451-011

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**TRACT 7:**

THE SOUTH 66 FEET OF THE EAST HALF OF LOT 4 OF A SUBDIVISION OF  
OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT  
RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN  
CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF  
THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT  
OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS  
DOCUMENT NO. 2011R22066.

Commonly known as 403 North Race Street                      Permanent Index No.: 91-21-08-451-012

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**TRACT 8:**

THE WEST 94 FEET OF THE EAST 144 FEET OF LOT 1 EXCEPT THE NORTH 33  
FEET OF A SUBDIVISION OF LOT 2 OF HOOPER AND PARK'S ADDITION TO  
THE CITY OF URBANA, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

Commonly known as 203 W. University Avenue                      Permanent Index No.: 91-21-08-451-002

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**Tract 9:**

THE WEST 60 FEET OF LOT 1 EXCEPT THE NORTH 33 FEET OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS.

Commonly known as 205 W. University Avenue      Permanent Index No.: 91-21-08-451-001  
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EXCEPTING THEREFROM THE FOLLOWING PARCEL CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS:

Part of Lot 1 of a Subdivision of Outlet 2 of Hooper and Park's Addition to Urbana, as per plat recorded in Book "A" at Page 40, situated in the City of Urbana, in Champaign County, Illinois, described as follows:

Beginning at the intersection of the westerly line of the Subdivision of Outlet 2 of Hooper and Park's Addition to Urbana and the southerly right of way line of University Avenue, said point is located 31.91 feet southerly of and normal to the centerline of FAP Route 808/US 150 (University Avenue); thence, N 89° 19' 12" E [Bearings based on Illinois State Plane Coordinates, East Zone NAD 83(2011) Epoch 2010] along the southerly right of way line of University Avenue a distance of 174.52 feet to a 5/8" Iron Pin w/Cap #3885 (Set); thence continuing along said line, S 46° 03' 27" E a distance of 8.20 feet to a point located 38.00 feet southerly of and normal to the centerline of FAP Route 808/US 150 (University Avenue) a 5/8" Iron Pin w/Cap #3885 (Set); thence along a line that is 38.00 feet southerly of and parallel with said centerline, S 89° 13' 03" W a distance of 93.56 feet to a 5/8" Iron Pin w/Cap #3885 (Set); thence leaving said line, S 00° 46' 57" E a distance of 2.00 feet to a 5/8" Iron Pin w/Cap #3885 (Set); thence along a line that is 40.00 feet southerly of and parallel with said centerline, S 89° 13' 03" W a distance of 4.00 feet to a 5/8" Iron Pin w/Cap #3885 (Set); thence leaving said line, N 00° 46' 57" W a distance of 2.00 feet to a 5/8" Iron Pin w/Cap #3885 (Set); thence along a line that is 38.00 feet southerly of and parallel with said centerline, S 89° 13' 03" W a distance of 82.72 feet to a 5/8" Iron Pin w/Cap #3885 (Set) in the westerly line of aforesaid Subdivision of Outlet 2; thence along said westerly line, N 01° 28' 20" W a distance of 6.09 feet to the Point of Beginning, containing 1,059 square feet (0.024 Ac), more or less.

**Section 2.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**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: **(Rezoning Nine Real Estate Parcels at North Race Street and West University Avenue from B-3 to B-4 / James W. Burch III Trust – Plan Case 2353-M-18)** 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. 2018-11-075**

**AN ORDINANCE AMENDING THE URBANA ZONING MAP**

**(Rezoning 406 North Lake Street from B-3 to B-4 / Bridget Logue – Plan Case 2355-M-18)**

**WHEREAS**, Bridget Logue, the owner of certain real property, has applied to the City of Urbana (“City”) for a Zoning Map Amendment to rezone the approximately 0.166-acre parcel commonly addressed as 406 North Lake Street in downtown Urbana from B-3, General Business to B-4, Central Business; and

**WHEREAS**, the Plan Commission held a public hearing on such application at 7:00 p.m. on Thursday, October 18, 2018, in Plan Case No. 2355-M-18; and

**WHEREAS**, in accordance with Urbana Zoning Ordinance Section XI-10, due and proper notice of such public hearing was given by publication in The News-Gazette, a newspaper having a general circulation within the City, on a date at least 15 days but no more than 30 days before the time of the public hearing, and by posting a sign containing such notice on the real property identified herein; and

**WHEREAS**, the Urbana Plan Commission voted six (6) ayes and zero (0) nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request; and

**WHEREAS**, the findings of the Plan Commission indicate that approval of the rezoning request will promote the general health, safety, and welfare of the public; and

**WHEREAS**, the City Council finds that 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 City Council finds that the requested rezoning is consistent with the criteria contained in *La Salle Nat. Bank of Chicago v. Cook County*, 12 Ill. 2d 40, 145 N.E.2d 65 (1957) and *Sinclair Pipe Line Co. v. Village of Richton Park*, 19 Ill.2d 370 (1960); and

**WHEREAS**, after due consideration, the City Council further finds that an amendment to the Urbana Zoning Map as herein provided will protect the public health, safety, and welfare.

**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:

The subject property to be rezoned from B-3, General Business to B-4, Central Business is more accurately described as follows:

The North 71 feet of Lot 4 of a Subdivision of Outlot 2 of Hooper and Park's Addition of Outlots to the City of Urbana, except the east 102 feet thereof, together with the right of ingress and egress over the South 8 feet of the North 71 feet of the East 102 feet of said Lot 4, as created by instrument recorded November 15, 1927 in Book 208 at page 185, all situated in the City of Urbana, in Champaign County, Illinois.

Permanent Index No.: 91-21-08-451-006

**Section 2.**

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

**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: **(Rezoning 406 North Lake Street from B-3 to B-4 / Bridget Logue – Plan Case 2355-M-18)** 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.

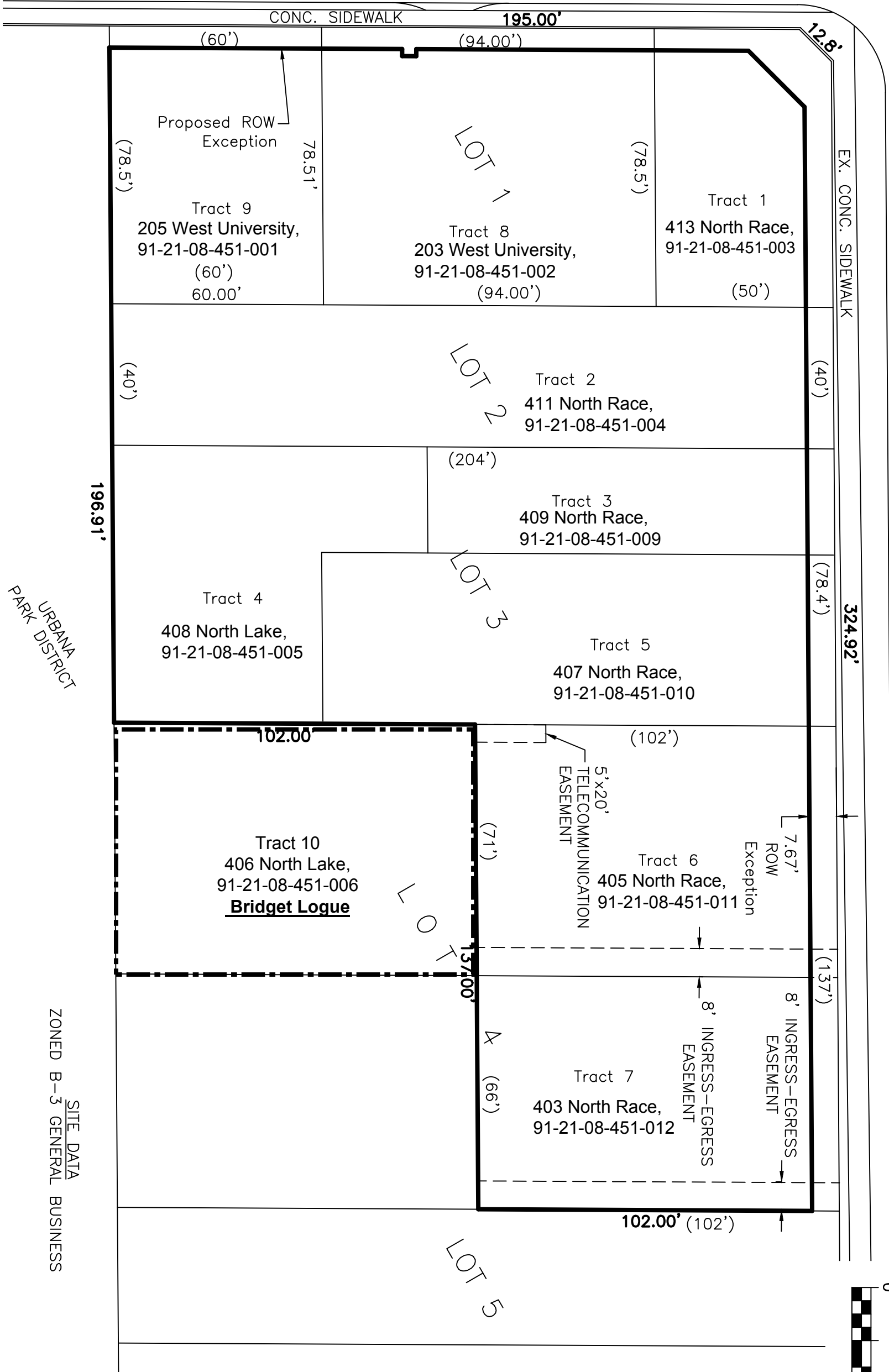
DATED at Urbana, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(SEAL)

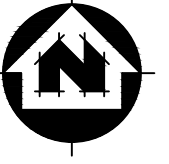
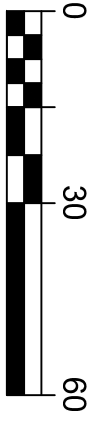
\_\_\_\_\_  
Charles A. Smyth, City Clerk

# Exhibit A: Subject Property Plan

UNIVERSITY AVENUE



RACE STREET



PROJECT NO.:	13205000	SCALE:	AS SHOWN	NO.:		DATE:	
PROJECT DATE:	SEP 2018	DRAWN BY:	CBP	CHECKED BY:	DEA		
F.B.:							
PILOT DATE:	9/26/18	UNIVERSITY AVENUE PROJECT	13205000	13205000	13205000	13205000	13205000
<b>EXHIBIT</b>							
<b>MSA</b>							
ENGINEERING   ARCHITECTURE   SURVEYING PLANNING   PLANNING   ENVIRONMENTAL 201 W Springfield Avenue, Champaign IL 61820 (217) 352-6976 www.msa-ps.com © MSA Professional Services, Inc.							
203 WEST UNIVERSITY AVENUE SURVEY JAMES BURCH CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS							
SITE DATA ZONED B-3 GENERAL BUSINESS							
OVERALL EXHIBIT							
FIG. NO.:	13205000						
SHEET:	1 OF 1						

# Exhibit B: Location & Existing Land Use Map



Case: 2353-M-18 & 2355-M-18  
 Subject: Burch & Logue Rezoning  
 Location: SW Corner of N Race St and W University Ave  
 Petitioner: Sarah M Burch, Trustee & Bridget Logue

- Burch parcels
- Logue parcel



## Exhibit B2: Satellite Renderings of Existing Land Use

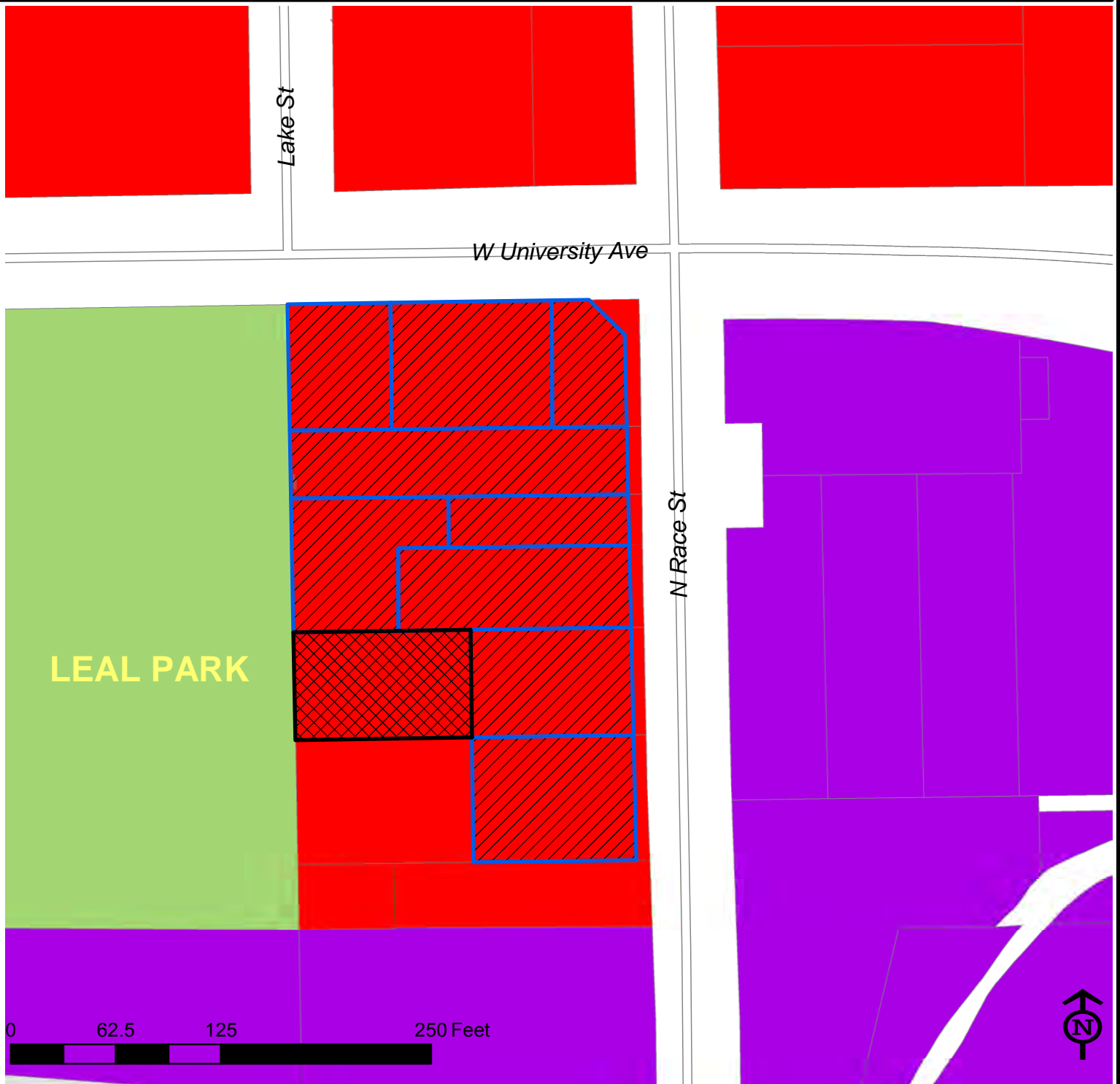


From Northeast



From East

# Exhibit C: Zoning Map



Case: 2353-M-18 & 2355-M-18  
 Subject: Burch & Logue Rezoning  
 Location: SW Corner of N Race St and W University Ave  
 Petitioner: Sarah M Burch, Trustee & Bridget Logue

- |   |      |   |               |
|---|------|---|---------------|
|  | B3   |  | CRE           |
|  | B4   |  | Logue parcel  |
|  | IN-1 |  | Burch parcels |

# Exhibit D: Future Land Use Map

# Community Business

## W University Ave

LEAL PARK

# Park

## N Race St






# Central Business

0 50 100 200 Feet

Buildings not drawn to scale.



Case: 2353-M-18 & 2355-M-18  
Subject: Burch & Logue Rezoning  
Location: SW Corner of N Race St and W University Ave  
Petitioner: Sarah M Burch, Trustee & Bridget Logue

-  Logue parcel
-  Burch parcels
-  Community Business
-  Central Business
-  Park



# Exhibit E: Zoning Description Sheets



## B-3 – GENERAL BUSINESS ZONING DISTRICT

### ZONING DESCRIPTION SHEET

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

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

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

#### PERMITTED USES:

##### **Agriculture**

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

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

Adult Entertainment Uses

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

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

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

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

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

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

# Exhibit E: Zoning Description Sheets

## PERMITTED USES Continued:

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

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

### **Business - Retail Trade**

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

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

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

### **Business - Recreation**

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

### **Business - Transportation**

Motor Bus Station  
Taxi Service

### **Industrial**

Microbrewery

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

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

### **Residential**

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



# Exhibit E: Zoning Description Sheets

## SPECIAL USES:

### Business – Retail

Firearm Store†

### Public and Quasi-Public

Correctional Institution or Facility  
Hospital or Clinic

### Business – Vehicular Sales and Service

Towing Service  
Truck Stop

### Residential

Dwelling, Multifamily

## PLANNED UNIT DEVELOPMENT USES:

### Business – Miscellaneous

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

## CONDITIONAL USES:

### Business - Miscellaneous

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

### Public and Quasi-Public

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

### Residential

Assisted Living Facility  
Nursing Home

### Industrial

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

### Table V-1 Notes:

\*\*\*\* See Table VII-1 for Standards for Specific Conditional Uses

\*\*\*\*\* The establishment requesting a license for a principal use gaming hall shall be a minimum of five hundred feet from any other licensed gaming hall or pre-existing Day Care Facility, Day Care Home, School, or Place of Worship, as defined under the Religious Corporation Act (805 ILCS 110/0.01 et seq.). The establishment requesting a license for a principal use gaming hall shall also be a minimum of two hundred and fifty feet away from any previously existing establishment containing a licensed video gaming terminal. Said distances shall be measured as the intervening distance between business frontages.

† See Section VII-5.D for Standards for Firearm Stores

# Exhibit E: Zoning Description Sheets

## DEVELOPMENT REGULATIONS IN THE B-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) <sup>1</sup>	MIN SIDE YARD (in feet) <sup>1</sup>	MIN REAR YARD (in feet) <sup>1</sup>
B-3	6,000	60	None <sup>3</sup>	4.00	None	15	5	10

FAR = Floor Area Ratio  
OSR = Open Space Ratio

**Footnote<sup>1</sup>** – See Section VI-5 and Section VIII-4 for further information about required yards.

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

# Exhibit E: Zoning Description Sheets



## B-4 – CENTRAL BUSINESS ZONING DISTRICT

### ZONING DESCRIPTION SHEET

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

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

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

Garden Shop  
Plant Nursery or Greenhouse

##### Business - Adult Entertainment

Adult Entertainment Uses

##### Business - Food Sales and Services

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

##### Business - Miscellaneous

Auction Sales (*Non-Animal*)  
Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)  
Lawn Care and Landscaping Service  
Mail Order Business  
(*10,000 square feet of gross floor area or less*)  
Medical Cannabis Dispensary  
Radio or TV Studio

##### Business - Personal Services

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

##### Business - Professional and Financial Services

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

##### Business - Transportation

Motor Bus Station

##### Business - Vehicular Sales and Service

Automobile Accessories (*New*)

# Exhibit E: Zoning Description Sheets

## PERMITTED USES Continued:

### **Business - Recreation**

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

### **Business - Retail Trade**

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

### **Industrial**

Microbrewery

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

Church, Temple or Mosque  
Electrical Substation  
Farmer's Market  
Institution of an Educational or Charitable Nature  
Library, Museum or Gallery  
Methadone Treatment Facility  
Municipal or Government Building  
Park  
Police or Fire Station  
Principle Use Parking Garage or Lot  
University/ College  
Utility Provider

### **Residential**

Bed and Breakfast Inn  
Bed and Breakfast, Owner Occupied  
Boarding or Rooming House  
Dwelling, Community Living Facility, Category II  
and Category III  
Dwelling, Home for Adjustment  
Dwelling, Loft  
Dwelling, Multi-family  
Dwelling, Multiple-Unit Common-Lot-Line\*\*\*  
Dwelling, Transitional Home, Category I and II  
Hotel or Motel

# Exhibit E: Zoning Description Sheets

## SPECIAL USES:

### Business - Miscellaneous

Shopping Center – Convenience  
Shopping Center – General

### Public and Quasi-Public

Correctional Institution or Facility  
Elementary, Junior High School or Senior High School  
Hospital or Clinic  
Radio or Television Tower and Station

## PLANNED UNIT DEVELOPMENT USES:

### Business - Miscellaneous

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

## CONDITIONAL USES:

### Agriculture

Feed and Grain (*Sales Only*)

### Business – Miscellaneous

Day Care Facility (*Non-Home Based*)  
Wholesale Business

### Business – Transportation

Taxi Service

### Business – Vehicular Sales and Service

Automobile/Truck Repair  
Gasoline Station

### Public and Quasi-Public

Nonprofit or Governmental, Educational and  
Research Agencies

### Residential

Assisted Living Facility  
Dormitory  
Nursing Home

### Industrial

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

### Table V-1 Notes:

- \*\*\* See Section VI-3 for lot area and width regulations for duplex and common-lot line dwelling units.
- \*\*\*\* See Table VII-1 for Standards for Specific Conditional Uses.
- \*\*\*\*\* The establishment requesting a license for a principal use gaming hall shall be a minimum of five hundred feet from any other licensed gaming hall or pre-existing Day Care Facility, Day Care Home, School, or Place of Worship, as defined under the Religious Corporation Act (805 ILCS 110/0.01 et seq.). The establishment requesting a license for a principal use gaming hall shall also be a minimum of two hundred and fifty feet away from any previously existing establishment containing a licensed video gaming terminal. Said distances shall be measured as the intervening distance between business frontages.

# Exhibit E: Zoning Description Sheets

## DEVELOPMENT REGULATIONS IN THE B-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) <sup>1</sup>	MIN SIDE YARD (in feet) <sup>1</sup>	MIN REAR YARD (in feet) <sup>1</sup>
B-4	2,000	20	None <sup>3</sup>	9.00	None	None	None	None <sup>18</sup>

FAR= Floor Area Ratio  
OSR= Open Space Ratio

**Footnote<sup>1</sup>** – See Section VI-5 and Section VIII-4 for further information about required yards.

**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.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.

**Footnote<sup>18</sup>** – In the B-4, B-4E and IN-2 Districts, if the property is adjacent to a residential district, a ten foot rear buffer is required, in accordance with Table VI-3.

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 or (217) 384-2367 fax  
[www.urbanaininois.us](http://www.urbanaininois.us)

# Exhibit F: Burch Zoning Map Amendment Application - 4-18



## Application for Zoning Map Amendment

## PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. The Applicant is also responsible for paying the cost of legal publication fees. Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be 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): <sup>Trust;</sup> James W Burch, III Declaration of Trust dated 5/17/1996, Sarah M Burch, Trustee Phone: 217-493-7173

Address (street/city/state/zip code): 2003 Hagen Blvd., Urbana, IL 61801

Email Address: [bburch1954@gmail.com](mailto:bburch1954@gmail.com)

Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Owner

#### 2. OWNER INFORMATION

Name of Owner(s): James W Burch, III Declaration of Trust dated 5/17/1996, Sarah M Burch, Trustee Phone: 217-493-7173

Address (street/city/state/zip code): 2003 Hagen Blvd., Urbana, IL 61801

Email Address: [bburch1954@gmail.com](mailto:bburch1954@gmail.com)

Is this property owned by a Land Trust?  Yes  No

If yes, please attach a list of all individuals holding an interest in said Trust.

#### 3. PROPERTY INFORMATION

Address/Location of Subject Site:

PIN # of Location: 91-21-08-451-001;002;004;005;009;010;011;012 ; add -003

Lot Size: 1.22 ac

Current Zoning Designation: B-3

Proposed Zoning Designation: B-4

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

Proposed Land Use: Restaurant

Present Comprehensive Plan Designation: Central Business

# Exhibit F: Burch Zoning Map Amendment Application

How does this request conform to the Comprehensive Plan? *It would make the zoning consistent with the Comprehensive Plan*

Legal Description *(If additional space is needed, please submit on separate sheet of paper):*

**See attached, 2 pages titled EXHIBIT A**

## 4. CONSULTANT INFORMATION

**Name of Architect(s):** Scott Kunkel, JSM Management **Phone:** 217-359-5828

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

**Email Address:** kunkel@jsmliving.com

**Name of Engineers(s):** David Atchley, MSA Professional Services **Phone:** 217-403-3361

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

**Email Address:** datchley@msa-ps.com

**Name of Surveyor(s):** David Atchley, MSA Professional Services **Phone:**

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

**Email Address:** datchley@msa-ps.com

**Name of Professional Site Planner(s):** David Atchley, MSA Professional Services **Phone:**

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

**Email Address:** datchley@msa-ps.com

**Name of Attorney(s):** Timothy S. Jefferson **Phone:** 217-352-7661

*Address (street/city/state/zip code):* 201 W Springfield Ave., Suite 1012, Champaign, IL 61824-0800

**Email Address:** tsjeffer@rosklaw.com

## 5. REASONS FOR MAP AMENDMENT:

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

**There is technically no correction, but it will make it more consistent with the Comprehensive Plan**

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

**The owners recognize that downtown is expanding north**



# Exhibit F: Burch Zoning Map Amendment Application

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

BECAUSE OF THE CENTRAL BUSINESS DESIGNATION  
IN THE CURRENT COMPREHENSIVE PLAN

What other circumstances justify the zoning map amendment

- BY BEING ADJACENT TO B-4 ZONING  
- THE UPCOMING IMPROVEMENTS TO UNIVERSITY AVE.

Time schedule for development (if applicable)

IMMEDIATE, START THIS YEAR

Additional exhibits submitted by the petitioner.

SURVEY DIAGRAM

**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.

SARAH BURCH, TRUSTEE

Bruce Rogers, Agent & POA  
Applicant's Signature

9/12/18  
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 F: Burch Zoning Map Amendment Application

## EXHIBIT "A"

### TRACT 1:

THE EAST 50 FEET OF LOT 1 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, EXCEPT THE NORTH 33 FEET THEREOF, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

### TRACT 2:

LOT 2 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

### TRACT 3:

THE NORTH 30 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE WEST 89 FEET THEREOF, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

### TRACT 4:

THE WEST 89 FEET OF THE NORTH 30 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS; AND

THE WEST 59 FEET OF THE SOUTH 48.46 FEET OF LOT 3 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS.

### TRACT 5:

THE SOUTH 48.46 FEET OF LOT 3 OF SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPT THE WEST 59 FEET THEREOF, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

### TRACT 6:

THE NORTH 71 FEET OF THE EAST 102 FEET OF LOT 4 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE

# Exhibit F: Burch Zoning Map Amendment Application

(continued)

LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

TRACT 7:

THE SOUTH 66 FEET OF THE EAST HALF OF LOT 4 OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS, EXCEPTING THEREFROM THAT PART OF THE LAND DEDICATED TO THE CITY OF URBANA IN DEDICATION OF RIGHT OF WAY FOR PUBLIC ROAD PURPOSES RECORDED OCTOBER 25, 2011 AS DOCUMENT NO. 2011R22066.

TRACT 8:

THE WEST 94 FEET OF THE EAST 144 FEET OF LOT 1 OF A SUBDIVISION OF LOT 2 OF HOOPER AND PARK'S ADDITION TO THE CITY OF URBANA, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

Tract 9:

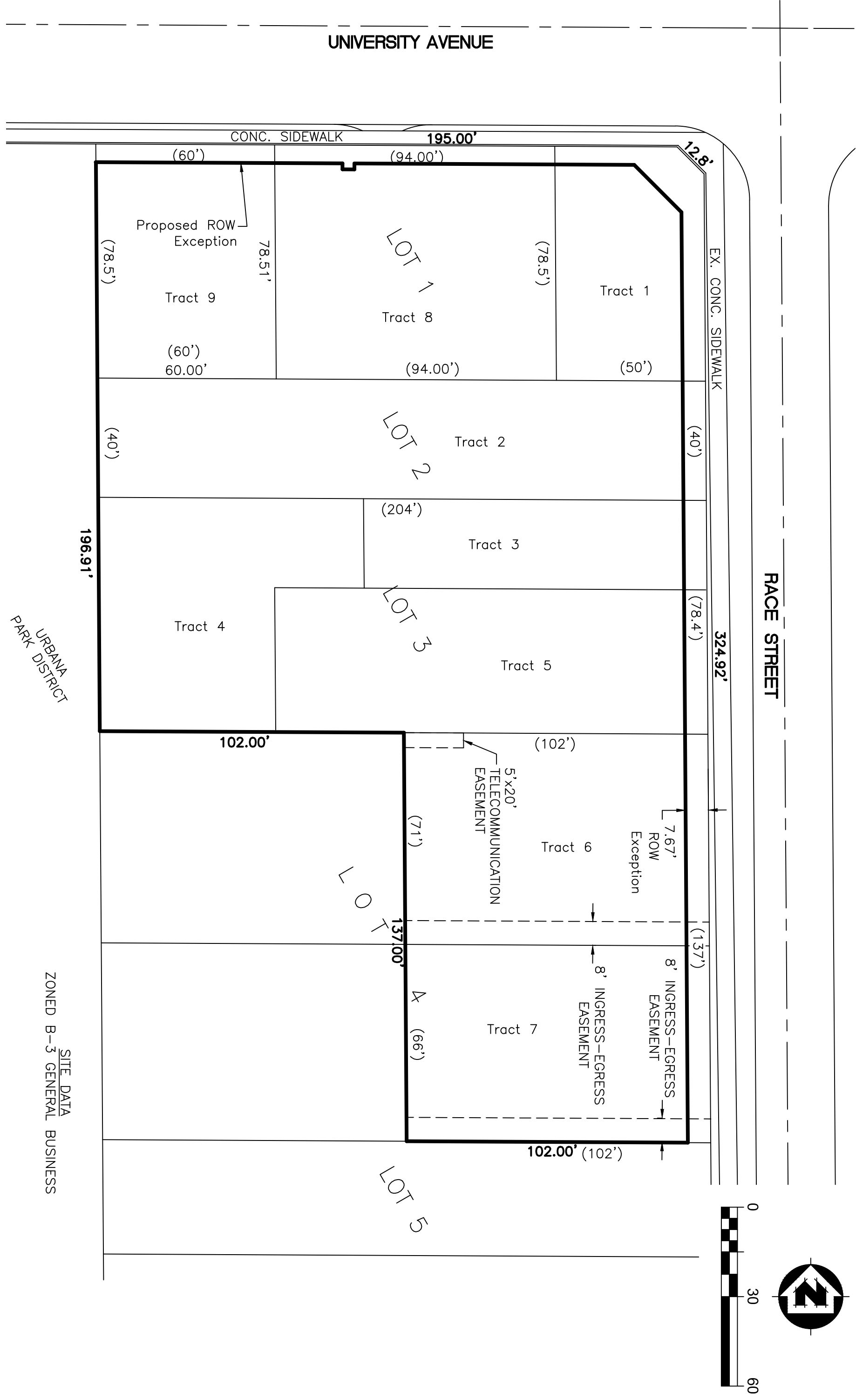
THE WEST 60 FEET OF LOT 1 EXCEPT THE NORTH 33 FEET OF A SUBDIVISION OF OUTLOT 2 OF HOOPER AND PARK'S ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "A" AT PAGE 40, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS.

*Excepting therefrom the following parcel conveyed to the People of the State of Illinois:*

A part of Lot 1 of Charles F. Loeb's First Addition to the City of Urbana, recorded in Plat Book "L", Page 26, situated in Champaign County, Illinois more particularly described as follows:

Commencing at the southwest corner of Lot 1 and the northerly right of way line of University Avenue, said point is located 49.78 feet northerly of and normal to the centerline of FAP Route 808 / US 150 (University Avenue) and is monumented with a 1" Iron Pipe (Found 0.07 feet North); thence along said northerly right of way line and said Lots southerly line, N 89°11'48" E [Bearings based on Illinois State Plane Coordinates, East Zone NAD 83(2011) Epoch 2010] a distance of 63.06 feet to the Point of Beginning for this description, said point is monumented with a Mag Nail w/Washer stamped #3885 (Set); thence leaving said line, N 03° 56' 57" W a distance of 5.33 feet to a Mag Nail w/Washer stamped #3885 (Set); thence, N 52° 20' 22" E a distance of 36.78 feet to said northerly right of way line, said point is monumented with a Mag Nail w/Washer stamped #3885(Set); thence along said northerly right of way line, S32°49'40" W a distance of 16.07 feet to a point; thence continuing along said northerly right of way line, S 51° 33' 41" W a distance of 22.93 feet to the southerly line of said Lot; thence along said northerly right of way line and the southerly line of said Lot, S 89° 11' 48" W a distance of 2.08 feet to the Point of Beginning, containing 169 square feet (0.004 Ac), more or less.

# Exhibit F: Burch Zoning Map Amendment Application



PROJECT NO.:	13205000	SCALE:	AS SHOWN	NO.:		DATE:	
PROJECT DATE:	SEP 2018	DRAWN BY:	CBP	CHECKED BY:	DEA		
F.B.:							
PILOT DATE:	9/26/18	UNIVERSITY AVENUE PROJECT	13205000	13205000	13205000	13205000	13205000
<b>EXHIBIT</b>							
<b>MSA</b>							
ENGINEERING   ARCHITECTURE   SURVEYING FUNDING   PLANNING   ENVIRONMENTAL 201 W Springfield Avenue, Champaign IL 61820 (217) 352-6976 www.msa-ps.com © MSA Professional Services, Inc.							
203 WEST UNIVERSITY AVENUE SURVEY JAMES BURCH CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS							
SITE DATA ZONED B-3 GENERAL BUSINESS							
OVERALL EXHIBIT							
FIG. NO.:	13205000						
SHEET:	1 OF 1						

# Exhibit G: Logue Zoning Map Amendment Application



## Application for Zoning Map Amendment

## PLAN COMMISSION

**The application fee must accompany the application when submitted for processing.** Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be 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): **Bridget Logue and Mary Corlin** Phone: 217-649-1906  
Address (street/city/state/zip code): **406 N Lake Street Urbana IL**  
Email Address: **bridgetlogue@att.net**  
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **Owner**

#### 2. OWNER INFORMATION

Name of Owner(s): **Bridget Logue and Mary Corlin** Phone:  
Address (street/city/state/zip code): **406 N Lake Street Urbana IL 61801**  
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: **406 N Lake Street Urbana IL 61801**  
PIN # of Location: **91-21-08-451-006**  
Lot Size: **71 x 102**  
Current Zoning Designation: **B-3**  
Proposed Zoning Designation: **B-4**  
Current Land Use (vacant, residence, grocery, factory, etc): **residence**  
Proposed Land Use: **Part of a larger restaurant development**  
Present Comprehensive Plan Designation: **Central Business**

# Exhibit G: Logue Zoning Map Amendment Application

How does this request conform to the Comprehensive Plan? *It would make the zoning consistent with Comprehensive Plan*  
Legal Description *(If additional space is needed, please submit on separate sheet of paper):*

**See attached Warranty Deed**

## 4. CONSULTANT INFORMATION

**Name of Architect(s):** Scott Kunkel, JSM Management **Phone:** 217-359-5828

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

Email Address:

**Name of Engineers(s):** David Atchley MSA Professional Services **Phone:** 217-403-3361

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

Email Address: [datchley@msa-ps.com](mailto:datchley@msa-ps.com)

**Name of Surveyor(s):** David Atchley MSA Professional Services **Phone:** 217-403-3361

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

Email Address: [datchley@msa-ps.com](mailto:datchley@msa-ps.com)

**Name of Professional Site Planner(s):** David C Crow **Phone:** 217-202-3887

Address *(street/city/state/zip code):* 805 E Perkins Rd, Urbana, IL 61802

Email Address: [dcrow@ecisg.com](mailto:dcrow@ecisg.com)

**Name of Attorney(s):** Tim S Jefferson **Phone:** 217-352-7661

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

Email Address: [tsjeffer@rosklaw.com](mailto:tsjeffer@rosklaw.com)

## 5. REASONS FOR MAP AMENDMENT:

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

**There is technically no correction, but it will make it more consistent with the Comprehensive Plan**

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

**The owners recognize that downtown is expanding north**

# Exhibit G: Logue Zoning Map Amendment Application

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

**Because of the general business designation in the current comprehensive plan**

What other circumstances justify the zoning map amendment

**By being adjacent to B-4 zoning and a part of an over all development plan**

Time schedule for development *(if applicable)*

**Immediate, start this year**

Additional exhibits submitted by the petitioner.


**Survey diagram**

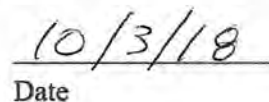
***NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.***

***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

  
Date

## PLEASE RETURN THIS FORM ONCE COMPLETED TO:

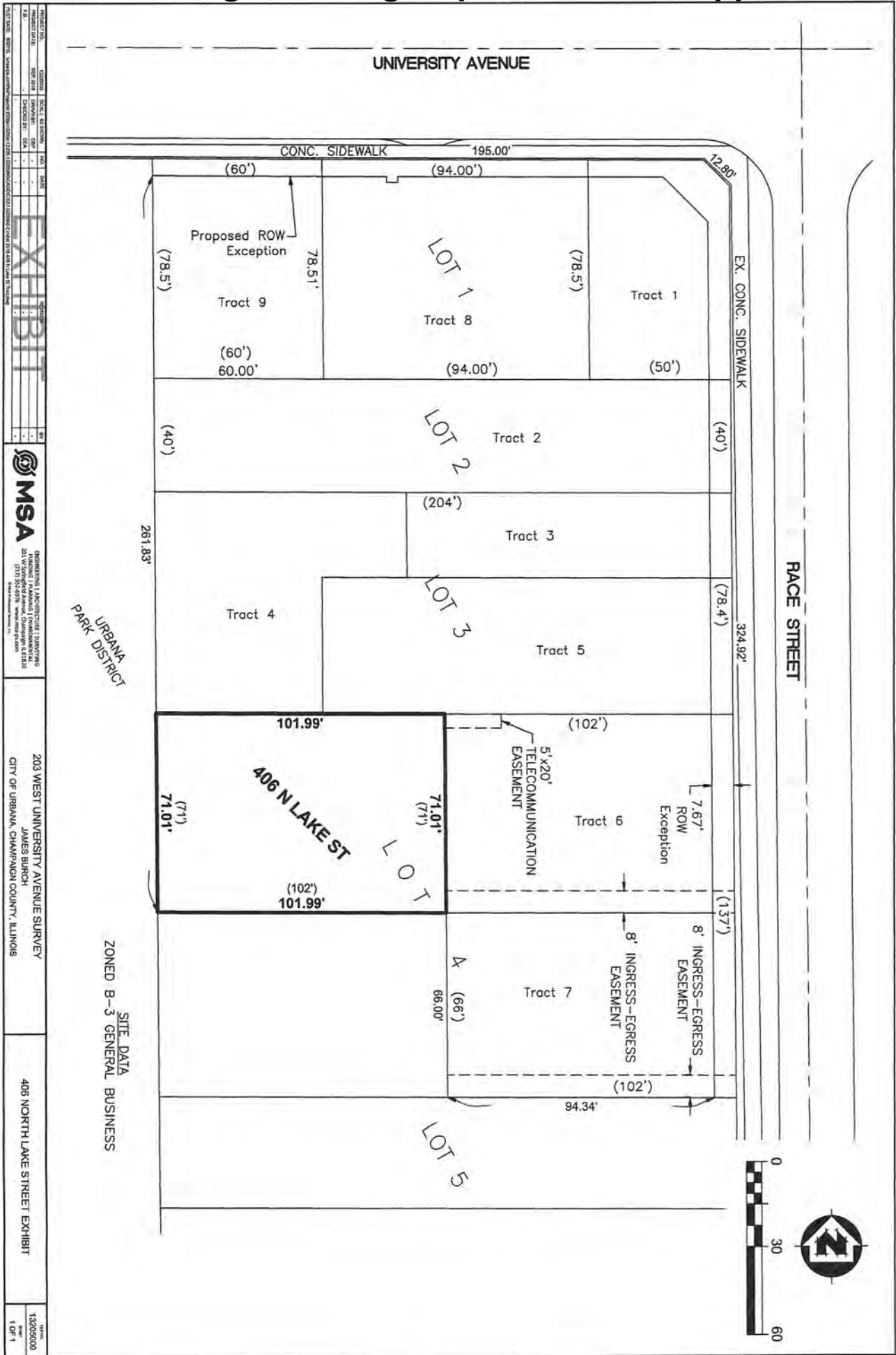
City of Urbana  
Community Development Department Services  
Planning Division  
400 South Vine Street, Urbana, IL 61801  
Phone: (217) 384-2440  
Fax: (217) 384-2367







# Exhibit G: Logue Zoning Map Amendment Application



PROJECT NO.	1209003	SCALE	AS SHOWN	NO.	DATE
DATE	12/15/2023	BY	JAMES BURCH	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	01	NO.	DATE
OWNER	JAMES BURCH	REVISION	02	NO.	DATE
DESIGNER	MSA	REVISION	03	NO.	DATE
CHECKER	JAMES BURCH	REVISION	04	NO.	DATE
DATE	12/15/2023	REVISION	05	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	06	NO.	DATE
OWNER	JAMES BURCH	REVISION	07	NO.	DATE
DESIGNER	MSA	REVISION	08	NO.	DATE
CHECKER	JAMES BURCH	REVISION	09	NO.	DATE
DATE	12/15/2023	REVISION	10	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	11	NO.	DATE
OWNER	JAMES BURCH	REVISION	12	NO.	DATE
DESIGNER	MSA	REVISION	13	NO.	DATE
CHECKER	JAMES BURCH	REVISION	14	NO.	DATE
DATE	12/15/2023	REVISION	15	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	16	NO.	DATE
OWNER	JAMES BURCH	REVISION	17	NO.	DATE
DESIGNER	MSA	REVISION	18	NO.	DATE
CHECKER	JAMES BURCH	REVISION	19	NO.	DATE
DATE	12/15/2023	REVISION	20	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	21	NO.	DATE
OWNER	JAMES BURCH	REVISION	22	NO.	DATE
DESIGNER	MSA	REVISION	23	NO.	DATE
CHECKER	JAMES BURCH	REVISION	24	NO.	DATE
DATE	12/15/2023	REVISION	25	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	26	NO.	DATE
OWNER	JAMES BURCH	REVISION	27	NO.	DATE
DESIGNER	MSA	REVISION	28	NO.	DATE
CHECKER	JAMES BURCH	REVISION	29	NO.	DATE
DATE	12/15/2023	REVISION	30	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	31	NO.	DATE
OWNER	JAMES BURCH	REVISION	32	NO.	DATE
DESIGNER	MSA	REVISION	33	NO.	DATE
CHECKER	JAMES BURCH	REVISION	34	NO.	DATE
DATE	12/15/2023	REVISION	35	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	36	NO.	DATE
OWNER	JAMES BURCH	REVISION	37	NO.	DATE
DESIGNER	MSA	REVISION	38	NO.	DATE
CHECKER	JAMES BURCH	REVISION	39	NO.	DATE
DATE	12/15/2023	REVISION	40	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	41	NO.	DATE
OWNER	JAMES BURCH	REVISION	42	NO.	DATE
DESIGNER	MSA	REVISION	43	NO.	DATE
CHECKER	JAMES BURCH	REVISION	44	NO.	DATE
DATE	12/15/2023	REVISION	45	NO.	DATE
PROJECT NAME	406 N LAKE ST	REVISION	46	NO.	DATE
OWNER	JAMES BURCH	REVISION	47	NO.	DATE
DESIGNER	MSA	REVISION	48	NO.	DATE
CHECKER	JAMES BURCH	REVISION	49	NO.	DATE
DATE	12/15/2023	REVISION	50	NO.	DATE

13020000  
1 OF 1

BOOK 1170 PAGE 743

Associated Abstract Co. - 17 Taylor - Champaign, Illinois 61820 - Phone 356-0501

DOCUMENT NO. CL 8517001-1 Addn # 3372

**WARRANTY DEED - Joint Tenancy**

For Recorder's Certificate Only

STATE OF ILLINOIS }  
CHAMPAIGN COUNTY } SS  
Filed for record in the Recorder's Office  
of said county

SEP 13 1978 - 11:11 AM

Recorded in Book 1170  
of Page 743 on Page 743

*Robert C. Martin*  
Recorder of Deeds

THE GRANTOR, CAROL A. LEIGHTON, a divorced  
person, not since remarried

of the City Urbana of Champaign, in the County  
of Champaign, and State of Illinois

for and in consideration of Ten Dollars (\$10.00) and other good and  
valuable consideration in hand paid CONVEY and WARRANT to  
the GRANTEEES. BRIDGET A. LOGUE & MARY K. CORLIN

of the City Champaign of Champaign County of Champaign, and State  
of Illinois, not in TENANCY IN COMMON, but in JOINT TENANCY, the following described  
real estate, to-wit:

The North 71 feet of Lot 4 of a Subdivision of Outlot 2 of Hooper and  
Park's Addition of Jutlots to the City of Urbana, except the east  
102 feet thereof, together with the right of ingress and egress over  
the South 8 feet of the North 71 feet of the East 102 feet of said  
Lot 4, as created by instrument recorded November 15, 1927 in Book 208  
at page 185, all situated in the City of Urbana, in Champaign County,  
Illinois

- Subject to:
- (1) Real estate taxes for the year 1978 and subsequent years;
  - (2) Covenants, conditions, restrictions and easements apparent or of record;
  - (3) All applicable zoning laws and ordinances;

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

To Have and to Hold, the above granted premises unto the said Grantees forever, not in TENANCY IN COMMON,  
but in JOINT TENANCY.

Dated this 24<sup>th</sup> day of AUGUST, 19 78

*Carol A. Leighton*  
Carol A. Leighton

STATE OF ILLINOIS }  
CHAMPAIGN COUNTY } SS

I, the undersigned, a Notary Public in and for said County and State  
aforesaid, DO HEREBY CERTIFY, that CAROL A. LEIGHTON, a divorced  
person, not since remarried  
personally known to me to be the same person, whose name is  
subscribed to the foregoing instrument, appeared before me this day in  
person and acknowledged that she signed, sealed and delivered the said  
instrument as her free and voluntary act, for the uses and purposes  
therein set forth, including the waiver of the right of homestead.

Given under my hand and Notarial Seal, this 24<sup>th</sup>  
day of August, A.D. 1978.

*Robert W. Finfrook*  
ROBERT W. FINFROCK Notary Public



Deed Prepared By: <u>FINFROCK LAW OFFICES</u> <u>Robert W. Finfrook</u> <u>103 North Race Street</u> <u>Urbana, IL 61801</u> <u>(217) 367-2022</u>	Sand Tax Bill To: <u>Bridget A. Logue &amp; Mary K. Corlin</u> <u>406 N. LAKE</u> <u>URBANA, IL 61801</u>
Exempt under provisions of Paragraph _____, Section 4, Real Estate Transfer Tax Act.	Date _____ Signature _____ Buyer, Seller or Representative



# Exhibit G: Logue Zoning Map Amendment Application

## QUITCLAIM DEED

THE GRANTOR, Mary K. Corlin, a divorced person not since remarried, of the City of Urbana, County of Champaign, and State of Illinois, for and in consideration of Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby CONVEY and QUITCLAIM to the GRANTEE, Bridget A. Logue, of the County of Champaign, State of Illinois, the following described real estate:

Tract I: The North 71 feet of Lot 4 of a Subdivision of Outlot 2 of Hooper and Park's Addition of Outlots to the City of Urbana, except the East 102 feet thereof, as per plat recorded in Plat Book "A" at page 40, situated in the City of Urbana, in Champaign County, Illinois.

Tract II: The right of ingress and egress over the South 8 feet of the North 71 feet of the East 102 feet of said Lot 4, as created by instrument recorded November 15, 1927 in Book 208 at Page 185, as Document No. 217937, situated in the City of Urbana, in Champaign County, Illinois.

Commonly known as 406 North Lake, Urbana, IL 61801

Permanent Index No. 91-21-08-451-006 (Cunningham Township);

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Dated this 7<sup>th</sup> day of May, 1991.



Mary K. Corlin

This Document Prepared by:

J. Michael Kirtley, Esq.  
KIRTLEY-PAVIA-MARSH  
Attorneys at Law  
A Professional Corporation  
123 West Main Street, Suite 200  
Post Office Box 987  
Urbana, IL 61801  
(217) 328-0123

Send Future Tax Bills to:

Bridget A. Logue  
406 North Lake  
Urbana, IL 61801

# Exhibit G: Logue Zoning Map Amendment Application

STATE OF ILLINOIS     )  
                                  )   SS  
COUNTY OF CHAMPAIGN   )

I, the undersigned, a Notary Public, in and for the County in the State aforesaid, DO HEREBY CERTIFY THAT Mary K. Corlin, a divorced person not since remarried, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth, including the waiver of the right of Homestead.

Given under my hand and Notarial Seal this 7<sup>th</sup> day of MAY, 1991.

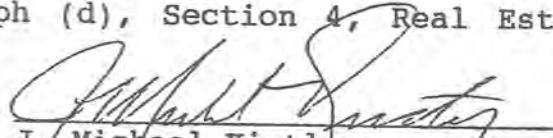
  
Notary Public



Exempt under provisions of Paragraph (d), Section 4, Real Estate Transfer Act.

Date: 5/7/91

Signature:

  
J. Michael Kirtley

After Recording Return To:

Bridget A. Logue  
406 North Lake  
Urbana, IL 61801

## Exhibit H: Communications

RECEIVED OCTOBER 15, 2018, 12:20 PM VIA EMAIL:

Dear Marcus,

Thank you for talking with Urbana Park District administrative and planning staff regarding an upcoming zoning hearing scheduled for October 18, 2018. I wanted to pass on several concerns the Urbana Park District staff have about the proposed zoning change request for the properties located at/near 406 North Lake Street, Urbana, IL. As you know from the brief meeting we had, Leal Park is a critical link in our “Downtown to Crystal Lake Park” planning effort. Future connections are being planned for with the proposed extension of the Kickapoo Rail Trail into downtown Urbana. Leal Park and the existing path will be a critical linkage in any extended KRT to help provide trail based services.

The UPD installed a new bicycle/pedestrian path earlier this fall in the park to serve as a critical connection to downtown, Carle Hospital, Crystal Lake Park and to other neighborhood areas near the Boneyard Crossing/Griggs Street. It is now uncertain if the upgraded path connection in the park will have any exterior linkages due to the proposed redevelopment and the uncertainties of any future development in the adjacent areas near the park. The properties in question are located directly east of historic Leal Park.

Below are some brief bullet points regarding the District’s concerns regarding the proposed zoning and redevelopment plan. It would appear that the first step in this overall redevelopment process is to get the land rezoned. While the District is not able to determine how the land will be rezoned, developed and/or operated—we wanted to at least make the city and zoning administrators aware of our concerns:

- Changes in zoning – from B3—to B4 may have unintended consequences;
- Changes in land use from residential to commercial – transition from residential to commercial strip/loss of neighborhood scale/sense of place;
- Increased traffic – cars and delivery trucks; UPD is concerned about any changes/impacts to the Race Street bicycle/pedestrian plan;
- Safety crossing Race Street and/or University Avenue bike, ped, auto....with increased traffic and in/out flow;

## Exhibit H: Communications

- Loss of 2 historic trees/landscape. Concerns for both “Big Grove” oak trees is what prompted the Legacy Tree Program in Urbana to be created; one (1) of the other historic oak trees has already been cut down for no reason;
- Increase in light/glare – “dark skies near parks for wildlife benefits”; light and glare are detrimental to bird nesting and other wildlife patterns;
- Personal safety issues – increased crime/sense of security;
- Noise – additional noise with cars, building functions, drive-up window speakers, car/truck deliveries at all hours; noise disturbances may cause local residents to not use Leal Park for relaxation;
- Drainage/runoff/on-site detention; concerns of where the water will be stored/managed?
- Parking impacts; adding dense parking areas near a historic park;
- Screening/fencing/modifying impacts to Leal Park – the UPD would be forced to add fencing and screening to mitigate development impacts;
- Historic Leal Park/Greek Revival Cottage impacts – change of neighborhood character;
- Garbage/Garbage collection with large trucks/dumpster’s drift of debris;
- Smells – garbage, food, grease, smoke;
- Signage impacts – degrading visual quality of area;
- Character of architecture and design elements should avoid conflicts with historic facilities, park and trees;
- Concerns about conflicts with Downtown/Boneyard Crossing/KRT/Crystal Lake corridor; Careful attention to safety, design standards, and compatible uses needed.

The Urbana Park District would be happy to talk with any city staff/zoning commissioners regarding our concerns. I do not think any UPD staff are available to attend the October 18, 2018 zoning hearing but, our office wanted to forward our concerns going forward. Please let me know if you have any other questions and/or need additional information.

Sincerely,

Timothy A. Bartlett  
Executive Director of Parks and Recreation  
Urbana Park District

# Exhibit I: Draft Plan Commission Meeting Minutes

## MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

**DRAFT**

**DATE:** October 18, 2018

**TIME:** 7:00 P.M.

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

---

**MEMBERS PRESENT:** Barry Ackerson, Jane Billman, Tyler Fitch, Nancy Ouedraogo, Daniel Turner, Chenxi Yu

**MEMBERS ABSENT:** Andrew Fell, Lew Hopkins, Jonah Weisskopf

**STAFF PRESENT:** John Schneider, Director of Community Development; Marcus Ricci, Planner II; Lily Wilcock, Planner I; Teri Andel, Administrative Assistant II

**OTHERS PRESENT:** David Atchley, Milo Black, Nila Blair, Allen Booth, Mary Ann Bunyan, David Crow, John Kiser, Bridget Logue, Gina Pagliuso, Paul Tatman

---

## COMMUNICATIONS

- Letter from Tim Bartlett of the Urbana Park District regarding Plan Case Nos. 2353-M-18 and 2355-M-18

## NEW PUBLIC HEARINGS

**Plan Case No. 2353-M-18 – A request by Sarah M. Burch, Trustee for the James W. Burch III, Declaration of Trust dated May 17, 1996, to rezone nine parcels totaling approximately 1.19 acres generally located at 408 North Lake Street AND 403, 405, 407, 409, 411 and 413 North Race Street, AND 203 and 205 West University Avenue from B-3 (General Business) to B-4 (Central Business) Zoning District.**

**Plan Case No. 2355-M-18 – A request by Bridget Logue to rezone an approximately 0.166-acre parcel located at 406 North Lake Street from B-3 (General Business) to B-4 (Central Business) Zoning District.**

Chair Fitch opened the public hearing for these two cases together.

# Exhibit I: Draft Plan Commission Meeting Minutes

Marcus Ricci, Planner II, presented the staff report to the Plan Commission. He began by noting a correction in the first paragraph on Page 1 of the written staff report. Mary Logue should be corrected to Bridget Logue, who is the owner of 406 North Lake Street. Exhibit A shows where the subject properties to be rezoned are located. He gave a brief background on each of the proposed properties, noting the zoning, existing land use and Future Land Use designation of each as well as for the surrounding adjacent properties.

Another correction he noted was to Criterion 2 of the *LaSalle National Bank* criteria in the written staff report. The B-4, Central Business, Zoning District allows fewer business uses than the B-3, General Business, Zoning District allows. He stated the purpose of the B-3 and B-4 Zoning Districts and noted the regulatory differences between them. He reviewed the *LaSalle National Bank* and the *Sinclair* criteria and how they pertain to the proposed rezoning requests. He noted the letter that City staff received from the Urbana Park District. He read the options of the Plan Commission for each case and presented City staff's recommendations for approval of each case. He noted the applicants were available to answer questions.

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Mr. Ackerson inquired about the possible impact on the neighboring Urbana Park District property to the west if the properties are rezoned to B-4. Mr. Ricci responded that there are 137 possible uses in the B-3 Zoning District of which 114 are permitted by right. The B-4 Zoning District only has 129 possible uses of which 100 are permitted by right. He noted that this does not mean that 114 possible uses in B-4 are the same uses permitted in the 137 total uses in B-3. One use may be allowed in the B-4, but not allowed at all in the B-3.

Mr. Ackerson wondered how this would affect the plans for the Kickapoo Rail Trail connection. Mr. Ricci did not believe there would be any different impacts from the B-3 Zoning District compared to those from the B-4 Zoning District.

Ms. Billman asked if the City traffic engineers weighed in on the proposed rezoning requests. Mr. Ricci explained that a traffic impact analysis would be required of the developer when any proposed use(s) would be submitted. He noted that the Illinois Department of Transportation (IDOT) is performing safety and road improvements along University Avenue, which includes taking four and a half feet of land from each parcel along University Avenue for additional right-of-way. This will make it more difficult to redevelop those parcels individually.

Mr. Turner asked if the main motivation to rezone to the B-4 Zoning District was the elimination of setback requirements. Mr. Ricci replied that the main motivation for the rezoning requests was to bring the properties closer to their Future Land Use designation of Central Business. The practical development benefits that come from the B-4 Zoning District are the elimination of yard setbacks. There would still be a visibility triangle analysis at Race Street and University Avenue that would limit how close development could occur near the property lines. There is also the elimination of parking requirements; however, in some recent cases involving the B-4 Zoning District, parking was more of a market driven requirement than a City requirement. One other requirement is a potential change in storm water management plan requirements. Public Works Department staff have determined that there is sufficient sanitary and storm sewer capacity in this area for the slate of uses that would be possible in the B-4 Zoning District.



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Mr. Turner asked if rezoning the properties to B-4 would bring some of the lots into conformity with regards to their size. Mr. Ricci said this was correct. Four of the proposed lots are smaller than the B-3 Zoning District would normally allow to be created. Mr. Turner questioned if it were possible to reconfigure the lots. Mr. Ricci answered yes, an owner could submit a minor or major development request to reconfigure those lots into a single lot, but it would not be required to reconfigure: a large development could simply straddle the existing property lines. In this case, it would be treated as a “zoning lot”.

Mr. Turner inquired if there were any immediate plans for development of the proposed lots. Mr. Ricci deferred the question to the applicant.

Chair Fitch reviewed the procedure for a public hearing and opened the hearing for public input. He invited the petitioner to speak.

Paul Tatman approached the Plan Commission to speak on behalf of the applicant for Plan Case No. 2353-M-18. He mentioned that he was a former partner with Jim Burch until he passed away. He stated that they have some potential interest in redeveloping the proposed lots, but does not yet have a contract to do so.

Mr. Turner questioned how the proposed rezoning would help in the redevelopment of the site. Mr. Tatman answered that with IDOT making improvements to University Avenue and installing 10-foot sidewalks, they are taking land away from the owner. With this loss and the 17-foot setback requirement in the B-3 Zoning District, they would lose about 30 feet to develop on. Parking is important for one of the potential users of a new development, so they would need as much land as possible to develop on.

David Crow approached the Plan Commission to speak on behalf of the applicant for Plan Case No. 2355-M-18. He said that everything Mr. Tatman testified also applies to 406 North Lake Street.

Mr. Ackerson inquired about access to the 406 North Lake Street property. Mr. Crow explained that there is an easement across another property to access 406 North Lake Street.

Mr. Ackerson asked if 406 North Lake Street was just one piece of the plan to develop one use on all of the subject properties. Mr. Crow said that was correct.

Nila Blair approached the Plan Commission to speak. She stated that she lives at 406 North Lake Street with the applicant, and has since 1985. She talked about the history of the area. She understood both sides of rezoning the proposed lots. She has witnessed the expansion of business in the area pushing the residential owners out, but she also welcomes change. While Leal Park is beautiful, she does not notice many people enjoying it. No one is going to build single-family homes on the proposed lots.

Gina Pagliuso approached the Plan Commission to speak in opposition. She stated that she was not so much opposed to the area being zoned for business as she is opposed to the elimination of the setbacks. If it does become one big lot, then we could end up with a building right next to the sidewalk. She expressed concern about the impact on Leal Park and what would happen to Lake Street. The Greek Revival Cottage, which is a National Register Landmark, is located in Leal

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Park. Rezoning to B-4 would change all of the development requirements. The developer will have to do a lot of architectural surveying because the proposed lots used to be a cemetery. She would hate to see a shopping center with a zero lot line be developed right up against the park. She used to live at 205 West University Avenue, so she has an emotional tie to this area. She does visit the park regularly.

With no further input from the audience, Chair Fitch closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Mr. Turner commented that the B-4 zone would require less parking and less setback so it would actually create more walkability, which is something that the City wants to promote. He had mixed emotions because it has been zoned for business for a long time but nothing has really happened, and the rezoning may help facilitate the improvements made to the area around Boneyard Creek. He planned to vote in favor of the proposed rezoning requests.

Mr. Ackerson stated that he would have preferred if a representative from the Urbana Park District would have been able to attend. He felt the person who lives in the area to have a very powerful testimony. He was trying to figure out what the negative impact would be because one can have a park in the middle of high-density business areas. He had concerns about the impact on the connection to the Kickapoo Rail Trail, but he had not heard anything that would keep the trail from being developed. So, he was leaning towards approval to make the subject properties become more consistent with the Future Land Use designation of Central Business. This is an area of town that needs redevelopment.

Chair Fitch commented that he understood the Park District's concern about the elimination of setback requirements because there would be no buffering for Leal Park. He believed this could be negotiated between the Urbana Park District and the developer. He felt that the Plan Commission had set a precedent in Plan Case No. 2352-M-18 where the Comprehensive Plan designates the land to be Central Business. The proposed rezoning requests in Plan Case No. 2353-M-18 and 2355-M-18 also call for the City to rezone to bring the subject properties into conformance with the plan. He planned to vote in favor of approving the rezoning requests.

Ms. Billman expressed concern with traffic. It is a sharp turn at the corner of University Avenue and Race Street, but she trusts the City's Traffic Engineering staff. She believed that traffic would limit the business use to be developed on the subject lots.

Ms. Billman moved that the Plan Commission forward Plan Case No. 2353-M-18 to the City Council with a recommendation for approval. Mr. Turner seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Turner	-	Yes	Ms. Yu	-	Yes
Mr. Ackerson	-	Yes	Ms. Billman	-	Yes

The motion passed by unanimous vote.

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Ms. Billman moved that the Plan Commission forward Plan Case No. 2355-M-18 to the City Council with a recommendation for approval. Mr. Turner seconded the motion. Roll call on the motion was as follows:

Ms. Ouedraogo	-	Yes	Mr. Turner	-	Yes
Ms. Yu	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes	Mr. Fitch	-	Yes

The motion passed by unanimous vote.

Mr. Ricci noted that both cases would be forwarded to the City Council on Monday, November 5, 2018.