



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Plan Commission

FROM: Rebecca Bird, Planner II

DATE: March 15, 2013

SUBJECT: Plan Case 2205-M-13: 906, 908, and 910 W Church Street; 701 and a portion of 705 N Lincoln Avenue; and 905, 907, and 909 W Hill Street; A request by Howard Wakeland to rezone an area totaling approximately 1.3 acres from R-2, Single-Family Residential Zoning District to B-2, Neighborhood Business Arterial Zoning District.

Introduction and Background

Howard Wakeland has submitted an application to rezone a portion of a block of properties bounded by Hill Street to the north, Lincoln Avenue to the east, and Church Street to the south from R-2, Single-Family Residential Zoning District to B-2, Neighborhood Business Arterial Zoning District. The subject properties are located at 906, 908, and 910 W Church Street; 701 and a portion of 705 N Lincoln Avenue; and 905, 907, and 909 W Hill Street. Four of the lots contain single-family houses and four lots are vacant. The area totals approximately 1.267 acres. The applicant is the owner of all of the subject properties.



Pursuant to the Urbana Zoning Ordinance, the Plan Commission may either recommend approval or denial of the proposed rezoning request to City Council for final action.

Related Plan Cases

Plan Case No. 2185-M-12

In June 2012, the applicant submitted an application to rezone the subject properties along with other properties comprising the whole block bounded by Hill Street to the north, Lincoln Avenue to the east, and Church Street to the south from R-2, Single-Family Residential to B-3U, General Business – University District. On October 18 and November 8, 2012, the Urbana Plan Commission held a public hearing regarding the proposed rezoning and recommended that the City Council approve B-2, Neighborhood Business – Arterial District rather than B-3U zoning by a vote of five ayes and two nays. At the public hearing, the owner of 703 N Lincoln Avenue, one of the properties included in the application but not owned by the applicant, expressed his opposition to the application to rezone the properties to B-3U, but said that he would not necessarily oppose a rezoning of the adjacent properties to B-2, Neighborhood Business – Arterial. For procedural reasons, the applicant withdrew his application for B-3U zoning prior to City Council action and expressed an interest in reapplying for B-2 zoning.

Plan Case No. 2195-M-12

In November 2012, the applicant submitted a revised application for the whole block from R-2 to B-2. The Plan Commission held a public hearing on December 20, 2012. The applicant was the only member of the public to speak at the public hearing. Following the public hearing, the Plan Commission recommended that the City Council approve B-2 zoning for the subject properties by a vote of five ayes to zero nays. The City Council considered the application at their January 22, 2013 meeting. Eleven members of the public opposed the application and one spoke in support. The owner of 903 W Hill Street, one of the two properties included in the application but not owned by the applicant, spoke in opposition to the application and said that she intended to keep her property in single-family residential use. During discussion, the City Council expressed concerns regarding the appropriateness of the B-2 district for this area because of the two properties included in the application which are owner-occupied homes. In addition, Councilmembers expressed concern about the impact of commercial uses adjacent to the single-family neighborhood surrounding the subject properties on the west and north. Following consideration, the City Council unanimously defeated the application. The difference between this application and the current application is that the current application does not include the two properties not owned by the applicant and the properties that are located between them.

Plan Case 2068-M-08

In May 2008, the applicant submitted a similar rezoning application involving nine properties on the block bounded by Hill Street to the north, Lincoln Avenue to the east, and Church Street to the south. The Plan Commission held a public hearing on May 22, 2008. The petition was withdrawn by the applicant subsequent to the public hearing.

Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The subject properties front on Church and Hill Streets and Lincoln Avenue. All of the properties included in the application are currently zoned R-2, Single-Family Residential. The other properties located in the same block as the subject properties but not included in the application are also zoned R-2, Single-Family Residential. North of the subject properties are single-family homes on Hill Street. Further north along Lincoln Avenue is a commercial building with a

Family Video store, and a medical supply and office use, which is zoned B-1, Neighborhood Business. The block further north contains an apartment building and a vacant nursing home. Directly south of the subject properties is an Illinois American Water Co. water treatment plant zoned Light Industrial/Office. There are single-family homes owned by The Carle Foundation directly across Lincoln Avenue from the subject property, and across Lincoln Avenue from the water treatment plant is the western edge of the Carle Hospital campus.

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	R-2, Single-Family Residential	Single-family homes Vacant lots	Community Business
North	R-2, Single-Family Residential	Single-family homes	Community Business
South	IN-1, Light Industrial	Undeveloped lot owned by Illinois American Water	Community Business
East	R-2, Single-Family Residential	Single-family homes	Residential
West	R-2, Single-Family Residential	Single-family homes	Residential

Comprehensive Plan

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

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

Future Land Use Map No. 3 of the 2005 Comprehensive Plan includes the following notation for the properties on the west side of the Lincoln Avenue corridor between University Avenue and King Park: “Promote community business that can serve University population and immediate neighborhood.”

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

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

Goal 15.0 Encourage compact, contiguous and sustainable growth patterns.

Objectives

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

Goal 17.0 Minimize incompatible land uses.

Objectives

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

17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

Goal 18.0 Promote infill development.

Objectives

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

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

Objectives

25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.

25.4 Find new locations for commercial uses and enhance existing locations so Urbana residents can fulfill their commercial and service needs locally.

Discussion

The existing R-2, Single-Family Residential zoning is intended to provide areas for single-family detached dwellings at a low density. The subject properties were platted in 1947 (as J. Templeton’s Subdivision and Marshall’s Addition) and developed with single-family homes. Four of the eight lots are now vacant. The petitioner is proposing to rezone the subject properties to B-2, Neighborhood Business Arterial. According to the Urbana Zoning Ordinance, the B-2 Zoning District is intended to “provide areas of limited size along arterial streets in close proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide for areas for new high density residential uses. These business and residential uses may occur in the same structure.”

To minimize the impact of commercial development on adjacent residential uses, the Urbana Zoning Ordinance requires screening or a buffer area between properties zoned R-2 and B-2 per Section VI-6. In addition, Section VIII-3 requires screening of off-street parking which directly

adjoins a residential zoning district or use. In this case, development of the lots adjacent to 903 W Hill Street and 703 N Lincoln Avenue would require buffer yards of 10 feet for both the wise and rear yards and a landscaping buffer for the side yard consisting of a solid 6-foot high wood or masonry fence and a landscape buffer with a minimum depth of 5 feet for the rear yards.

The B-2 (Neighborhood Business – Arterial) zoning district would be consistent with the Comprehensive Plan designation for the area. B-2 zoning permits single-family residences by right and would thus allow any properties that are not redeveloped to remain as is or to undergo improvements as single-family homes. The following table outlines the development regulations and purposes for the B-2 district. In addition, Zoning Description Sheets that outline permitted uses in both the R-2 and B-2 districts can be found in Exhibit D.

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum FAR	Minimum OSR	Required Yards (In Feet) ¹		
						Front	Side	Rear
B-2	6,000	60	35³	1.50⁴	0.15	15	10	15
<p>The B-2 Zoning District is intended to provide areas of limited size along arterial streets in close proximity to low density residential areas for a limited range of basic commercial trade and personal services. This district is also intended to provide for areas for new high density residential uses. These business and residential uses may occur in the same structure.</p>								

As indicated by the development regulations, the B-2 Zoning District would allow for higher intensity development than what is currently in the area. On one hand, the N. Lincoln Avenue corridor, from University Avenue north to Hill Street, is a transition area. A mixed-use, office/retail development was constructed at the southwest corner of Lincoln and University Avenues a few years ago that acts as a “gateway” to the University campus. In addition, Carle Hospital is currently constructing a new Heart and Vascular Center on the west side of their campus. An expansion of their emergency room is planned for the future. From this perspective, allowing commercial development on the subject lots seems appropriate.

On the other hand, however, the location of the two single-family properties on the block that are not owned by the petitioner creates an awkwardly shaped development lot that would essentially isolate or separate those single-family homes from the rest of the surrounding single-family neighborhood.

The La Salle Criteria

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

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

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

The existing zoning is compatible with the single-family residential neighborhood to the east, north, and west of the subject lots. However, the immediate neighborhood contains a mix of land uses and zoning. While the property directly north of the subject properties is zoned R-2, the lots fronting on Lincoln Avenue in the block north of the subject properties are zoned B-1, Neighborhood Business and are used for commercial purposes. Illinois American Water Company is located to the south and is zoned IN-1, Light Industrial/Office. There are single-family homes that are zoned R-2, Single-Family Residential to the west and across Lincoln Avenue to the east. The residential properties directly east of the subject properties are owned by The Carle Foundation and are shown in the City's Development Agreement with Carle and in the City's Crystal Lake Area Plan as a potential future expansion area for the hospital, although the agreement also requires that Carle replace any housing unit-for-unit that they remove. If future Development Agreements and Zoning Map amendments are made in conformance with these plans, the subject properties would be located across Lincoln Avenue from a medical institutional campus.

The subject block fronts on Lincoln Avenue, which is a Minor Arterial street. For arterials, closely spaced driveways are undesirable from a traffic and traffic safety perspective. Single-family driveways backing out onto a busy street are undesirable and can be hazardous. The applicant's previous applications might have removed several single-family driveways that currently back out on to Lincoln Avenue. With the reconfiguration of the subject properties, the applicant is now requesting rezoning of only one lot with frontage on Lincoln Avenue (but no driveway on Lincoln Avenue) instead of all four properties in the block as in his previous application. This can be considered an advantage to the properties not owned by the petitioner, but a weakness to the application as B-2, Neighborhood Business – Arterial is intended to provide areas for commercial uses along arterial streets. The current application includes only one property with frontage on Lincoln Avenue. This would most likely result in a type of commercial or multi-family residential development that would have a low impact on the surrounding properties as it would have little visibility from a major street.

With the new mixed-use retail/office building at the southwest corner of Lincoln and University Avenues and the intensification of the Carle Hospital Campus, this portion of Lincoln Avenue is redeveloping into a higher intensity commercial and institutional corridor, providing for development opportunities particularly along the west side. The proposed zoning is compatible with this shift and with the designation of the development patterns in the 2005 Urbana Comprehensive Plan. Rezoning the properties to B-2 would create a zoning transition between an industrial property and a single-family neighborhood.

However, as the rezoning would allow development at a higher intensity than is currently permitted, this would present a conflict with the two properties located on the block that are not owned by the petitioner. The owners of 903 W Hill Street and 703 N Lincoln Avenue have both stated their intent to keep their properties as they are—owner-occupied single-family homes.

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

This is the difference in the value of the property as R-2, Single-Family Residential and the value it would have if it were rezoned to B-2, Neighborhood Business Arterial.

Under the current zoning, the subject properties are essentially limited to use as single-family dwellings at a low density. The proposed rezoning to B-2 would permit single-family residences by right, so the existing homes would not become non-conforming. The petitioner states that the proposed zoning change will allow the subject properties to be developed to enhance and support the expansion of the Carle Campus Plan, the proposed development of the medical corridor, and the proposed development at University and Lincoln Avenues that will serve as an entrance to the University of Illinois. In addition, the petitioner states that the proposed rezoning is consistent with the upgrading of area properties and more intensive use of property in the area that is becoming increasingly more business oriented. The proposed rezoning would allow the petitioner to redevelop the site for a broader range of uses and at a higher intensity. Therefore, the property values of the subject properties should logically increase. In particular, the properties that are now vacant lots would logically increase the most in value as it is unlikely that new single-family residences would be constructed on them due to their location (adjacent to an industrial use and fronting on Lincoln Avenue). It is also likely that the properties that are not included in this application but are located in the same block (those fronting on Hill Street and Lincoln Avenue which includes the two properties in the block that are not owned by the petitioner) would increase in value as commercial property, but would decrease in value as single-family residences. The owners of 903 W Hill Street and 703 N Lincoln have expressed their intent to keep their properties as single-family residences.

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

3. *The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. (see No. 4 below)*

4. *The relative gain to the public as compared to the hardship imposed on the individual property owner.*

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 existing R-2, Single-Family Residential zoning is intended to provide areas for single-family detached dwellings at a low density. The restrictions inherent in having the whole block zoned R-2 offer protection for any properties in the block that are in single-family residential use. This is particularly relevant for the two properties not owned by the petitioner. The current zoning also offers some protection to the single-family neighborhood west of the subject properties.

However, the proposed rezoning would allow for a wider mix of uses at a higher density on the site, which would encourage redevelopment which could strengthen the City's tax base. In theory, allowing for a mix of both residential and commercial uses could allow development of the subject properties to

transition or step down uses toward the single-family uses to the west on Hill Street Court. But, due to the configuration of the subject lot as a development site and as there would be single-family residential uses and zoning to both the east and west of the subject properties, this would not practically work.

The current zoning on the subject lots that are currently vacant is a hardship on the applicant. Three of the vacant lots are adjacent to an industrial use and the fourth fronts on Lincoln Avenue. The viability of developing new single-family housing on these lots is unlikely.

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 generally located along Lincoln Avenue. Lincoln Avenue is a major north-south corridor in Urbana and serves as an important route from I-74 to the University of Illinois. The site is also located in close proximity to the University Avenue-Lincoln Avenue intersection where more intensive land uses are promoted by existing zoning and land uses, and by the designated future land use of the area in the Comprehensive Plan. Redevelopment is currently occurring in the area that is intensifying the existing uses. In light of this redevelopment pattern, development of the subject properties to a higher intensity seems appropriate. However, this development would negatively impact the remaining single family residential properties on the block by separating them from the single-family neighborhood to the west, of which they are currently a part.

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.

There are four vacant lots among the subject properties which seem unlikely to be developed under the current single-family residential zoning. The houses were demolished in 1979, 1995, 2002, and 2007.

Summary of Staff Findings

1. The City of Urbana received a petition to amend the Urbana Zoning Map for the subject properties from R-2, Single-Family Residential to B-2, Neighborhood Business – Arterial.
2. The subject properties are generally located in the 700 block of N. Lincoln Avenue, west of N. Lincoln Avenue between Hill Street and Church Street. The subject properties are 906, 908, and 910 W Church Street; 701 and a portion of 705 N Lincoln Avenue; and 905, 907, and 909 W Hill Street. The applicant owns all eight properties.

3. The 2005 Urbana Comprehensive Plan future land use map designates the future land use of these properties as “Community Business,” which is consistent with the B-2, Neighborhood Business – Arterial zoning district.
4. The proposed rezoning would generally conform to the LaSalle Criteria, in particular as it would allow commercial development on property which is currently vacant and therefore increase the City of Urbana’s tax base.
5. The subject properties are appropriate for commercial zoning due to their location on Lincoln Avenue, a north-south arterial that is a major gateway to the University of Illinois campus.
6. The B-2 zoning district has development standards and allowable uses that are appropriate adjacent to a single-family residential neighborhood.
7. The proposed rezoning to B-2, Neighborhood Business – Arterial would continue to allow for single-family homes to be permitted by right.
8. The proposed rezoning to B-2, Neighborhood Business – Arterial would have a positive effect on the City’s tax base.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case 2205-M-13:

1. Forward this case to City Council with a recommendation for approval of the rezoning request as presented herein; or
2. Forward this case to City Council with a recommendation for approval of a portion, but not all, of the area; or
3. Forward this case to City Council with a recommendation for denial of the rezoning request. If the Plan Commission finds the application is inconsistent with the criteria and denies the application, the Plan Commission should provide the reasons for denial.

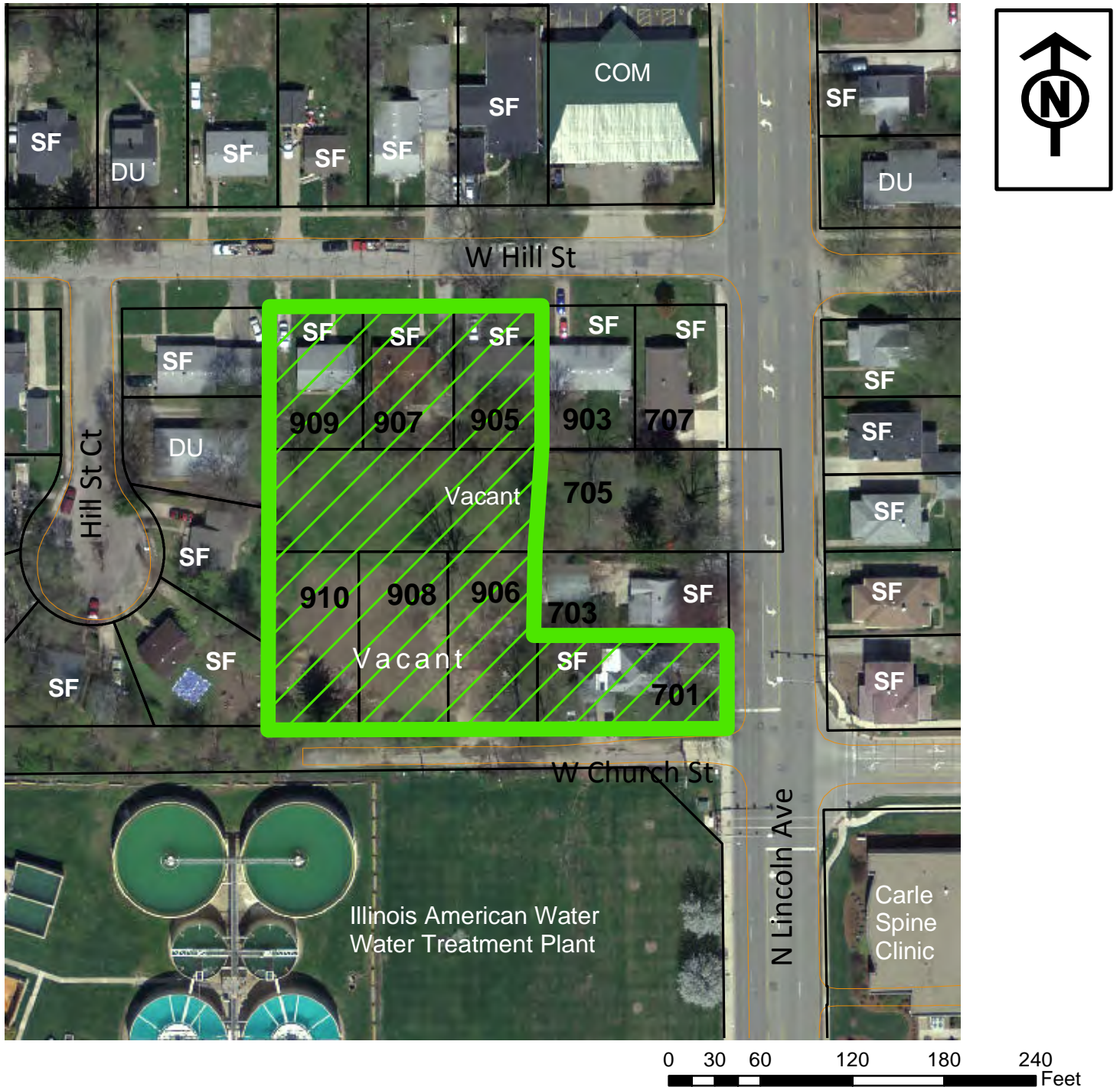
Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends the Plan Commission forward Case No. 2205-M-13 to the City Council with a recommendation for **APPROVAL** of B-2, Neighborhood Business – Arterial zoning.

Attachments:	Exhibit A:	Location and Existing Land Use Map
	Exhibit B:	Existing Zoning Map
	Exhibit C:	Future Land Use Map
	Exhibit D:	Zoning Description Sheets
	Exhibit E:	Petition for Zoning Map Amendment

CC: Howard Wakeland; Steven Wegman, steven.wegman@amwater.com; Keon Conerly, 703 N Lincoln Ave; Judy Conerly, 502 GH Baker Dr; Viola Bradley, 903 W Hill St

EXHIBIT A: Location & Existing Land Use Map



Case: 2205-M-13
 Subject: Application to rezone properties from R2 to B2
 Location: 906, 908, 910 W Church Street; 701 & portion of 705 N Lincoln Avenue; & 905, 907, 909 W Hill Street
 Petitioner: Howard Wakeland


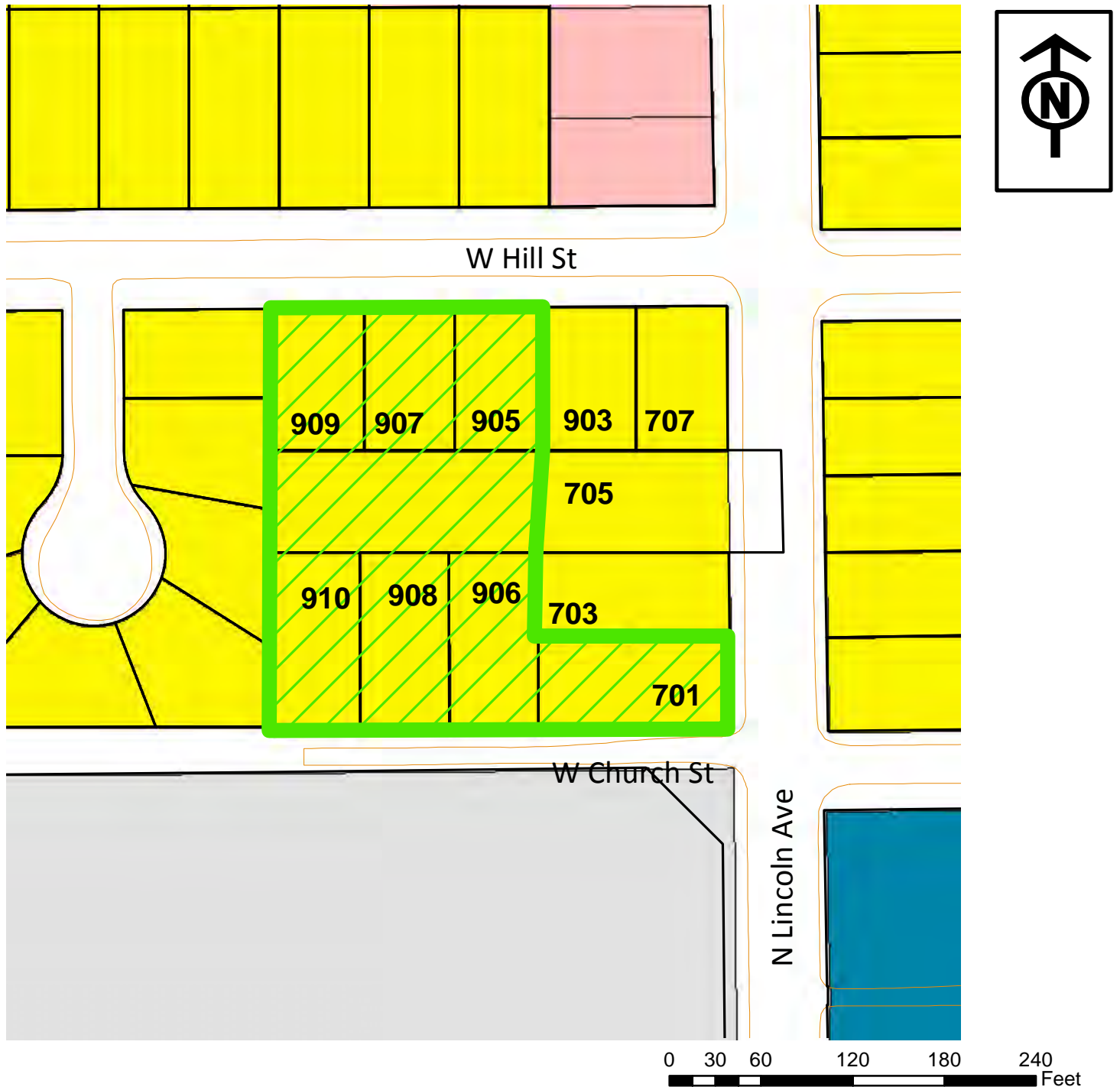
-  Subject Properties
- SF Single-Family Residence
- DU Duplex
- COM Commercial
- Vacant Vacant Lot

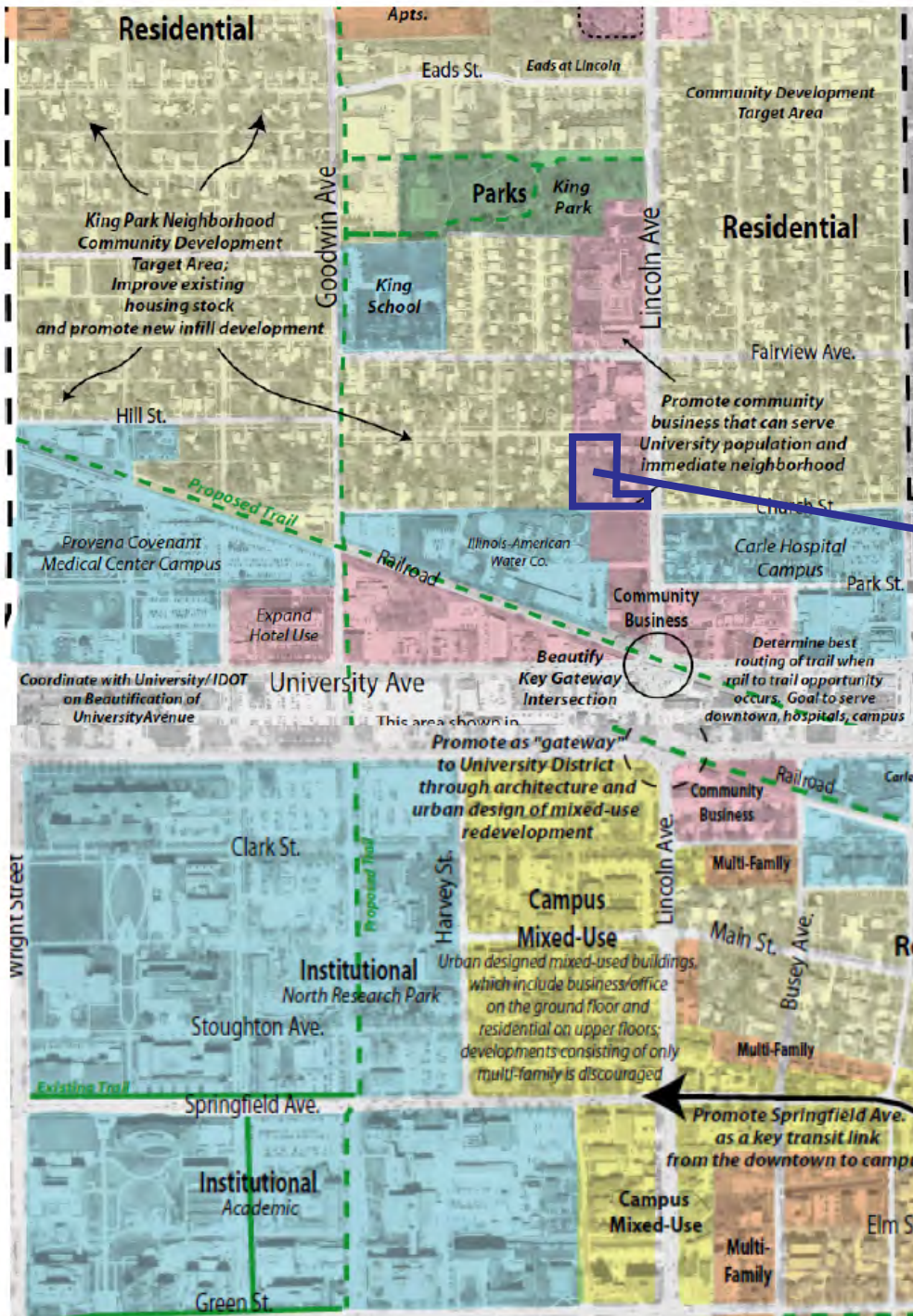
EXHIBIT B: Existing Zoning Map



Case: 2205-M-13
 Subject: Application to rezone properties from R2 to B2
 Location: 906, 908, 910 W Church Street; 701 & portion of 705 N Lincoln Avenue; & 905, 907, 909 W Hill Street
 Petitioner: Howard Wakeland

- Subject Properties
- R2
- B1
- MIC
- IN-1

EXHIBIT C: Future Land Use Map



Subject Properties

Source: Future Land Use Maps #3 & 8
2005 Urbana Comprehensive Plan



Case: 2205-M-13
 Subject: Application to rezone properties from R2 to B2
 Location: 906, 908, 910 W Church Street; 701 & portion of 705 N Lincoln Avenue; & 905, 907, 909 W Hill Street
 Petitioner: Howard Wakeland

Prepared 3/15/13 by Community Development Services - rlb



R-2 – SINGLE FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

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

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-2 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Agriculture, Cropping

Business - Recreation

Country Club or Golf Course

Public and Quasi-Public

Elementary, Junior High School or Senior High School
Park

Residential

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

SPECIAL USES:

Public and Quasi-Public

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

PLANNED UNIT DEVELOPMENT USES:

Residential

Residential Planned Unit Development

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Business - Recreation

Lodge or Private Club

Public and Quasi-Public

Municipal or Government Building

Residential

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

DEVELOPMENT REGULATIONS IN THE R-2 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet)	MIN SIDE YARD (in feet)	MIN REAR YARD (in feet)
R-2	6,000¹³	60¹³	35¹⁷	0.40	0.40	15⁹	5	10

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

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. (Ord. No. 9596-58, 11-20-95)(Ord. No. 9697-154) (Ord. 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.

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



B-2 – NEIGHBORHOOD BUSINESS-ARTERIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

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

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

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

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-2 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Garden Shop

Business - Food Sales and Service

Bakery (*Less than 2,500 square feet*)

Café or Deli

Confectionery Store

Convenience Store

Meat and Fish Market

Restaurant

Supermarket or Grocery Store

Business - Miscellaneous

Mail-order Business –

(*10,000 square feet of gross floor area or less*)

Business - Personal Services

Barber/ Beauty Shop

Dry Cleaning or Laundry Establishment

Health Club/ Fitness

Laundry and/or Dry Cleaning Pickup

Massage Therapist

Mortuary

Pet Care/ Grooming

Self-Service Laundry

Shoe Repair Shop

Tailor and Pressing Shop

Business – Professional and Financial Services

Bank, Savings and Loan Association

Check Cashing Service

Copy and Printing Service

Packaging/ Mailing Service

Professional and Business Office

PERMITTED USES CONTINUED:

Business - Retail Trade

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

Public and Quasi-Public

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

Residential

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

SPECIAL USES:

Public and Quasi-Public

Utility Provider

Business - Miscellaneous

Shopping Center - Convenience

PLANNED UNIT DEVELOPMENT:

Business - Miscellaneous

Commercial Planned Unit Development
Mixed-Use Planned Unit Development

CONDITIONAL USES:

Agriculture

Plant Nursery or Greenhouse

Business – Food Sales and Services

Fast-Food Restaurant
Liquor Store

Business– Miscellaneous

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

Business – Recreation

Lodge or Private Club
Theater, Outdoor

Business – Transportation

Taxi Service

Business – Vehicular Sales and Services

Automobile Accessories (*New*)
Gasoline Station

Industrial

Bookbinding
Confectionery Products Manufacturing and Packaging
Motion Picture Production Studio

Public and Quasi-Public

Electrical Substation

Residential

Dwelling, Multiple-Unit Common-Lot-Line

DEVELOPMENT REGULATIONS IN THE B-2 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet)	MIN SIDE YARD (in feet)	MIN REAR YARD (in feet)
B-2	6,000	60	35³	1.50⁴	0.15	15	10	15

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

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.G.3 and Section VI-5.H.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings. However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

Footnote⁴ – See Section V-7.A of the Zoning Ordinance for further information about the required floor areas of residential and business uses in the B-2 Zoning District.

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

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



Application for Zoning Map Amendment

Plan Commission

APPLICATION FEE - \$175.00

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

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 2/13/13 Plan Case No. 2205-M-13
Fee Paid - Check No. 1333 Amount 175.00 Date 02-13-2013

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): HOWARD WAKELAND Phone: 217-367-8606 HOME
Address (street/city/state/zip code): 1811 N AMBER, URBANA, IL 61802
Email Address: HOWARD@ADVPROPERTIES.COM
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): OWNER

2. OWNER INFORMATION

Name of Owner(s): ADVANTAGE PROPERTIES, LLC Phone: 217-344-0394
Address (street/city/state/zip code): 406 N. LINCOLN, SUITE B, URBANA, IL 61801
Email Address: ADVANTAGE PROPERTIES.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: LINCOLN HILL, LINCOLN & CHURCH
PIN # of Location: 91-21-08-429-012 THRU 014 + 017 THRU 020 + 022
Lot Size: _____
Current Zoning Designation: R1
Proposed Zoning Designation: B2
Current Land Use (vacant, residence, grocery, factory, etc): VACANT & RESIDENCE
Proposed Land Use: MULTI PURPOSE - RESIDENTIAL & COMMERCIAL.

Present Comprehensive Plan Designation:

How does this request conform to the Comprehensive Plan? IN AGREEMENT WITH FUTURE C.P.

Legal Description: LOTS 91-21-08-429-

012, 013, 014, 1/2 OF 017, 018, 019, 020, 022

4. CONSULTANT INFORMATION

Name of Architect(s): NONE

Phone:

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

Email Address:

Name of Engineers(s): HOWARD WAKELAND (PE/ILL) Phone:

Address (street/city/state/zip code): 1811 A, AMBER, URBANA, IL 61802

Email Address: HOWARD @ ADU.PROPERTIES.COM

Name of Surveyor(s):

Phone:

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

Email Address:

Name of Professional Site Planner(s): NONE

Phone:

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

Email Address:

Name of Attorney(s): JENNY PARK

Phone:

Address (street/city/state/zip code): MEYER CAPEL
306 W CHURCH, CHAMPAIGN, IL 61826

Email Address: WWW.MEYERCAPEL.COM

5. REASONS FOR MAP AMENDMENT:

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

BUSINESS CHANGE IN THIS SECTION OF CITY

OTHER ZONING CHANGES PROPOSED IN THIS SECTION OF CITY

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

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

LOCATION OF MEDICAL & BUSINESS CHANGES

What other circumstances justify the zoning map amendment? _____

HIGHER LEVEL OF USE

Time schedule for development (if applicable). LONG TERM

Additional exhibits submitted by the petitioner. _____

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.

Howard L. DeLeon

Applicant's Signature

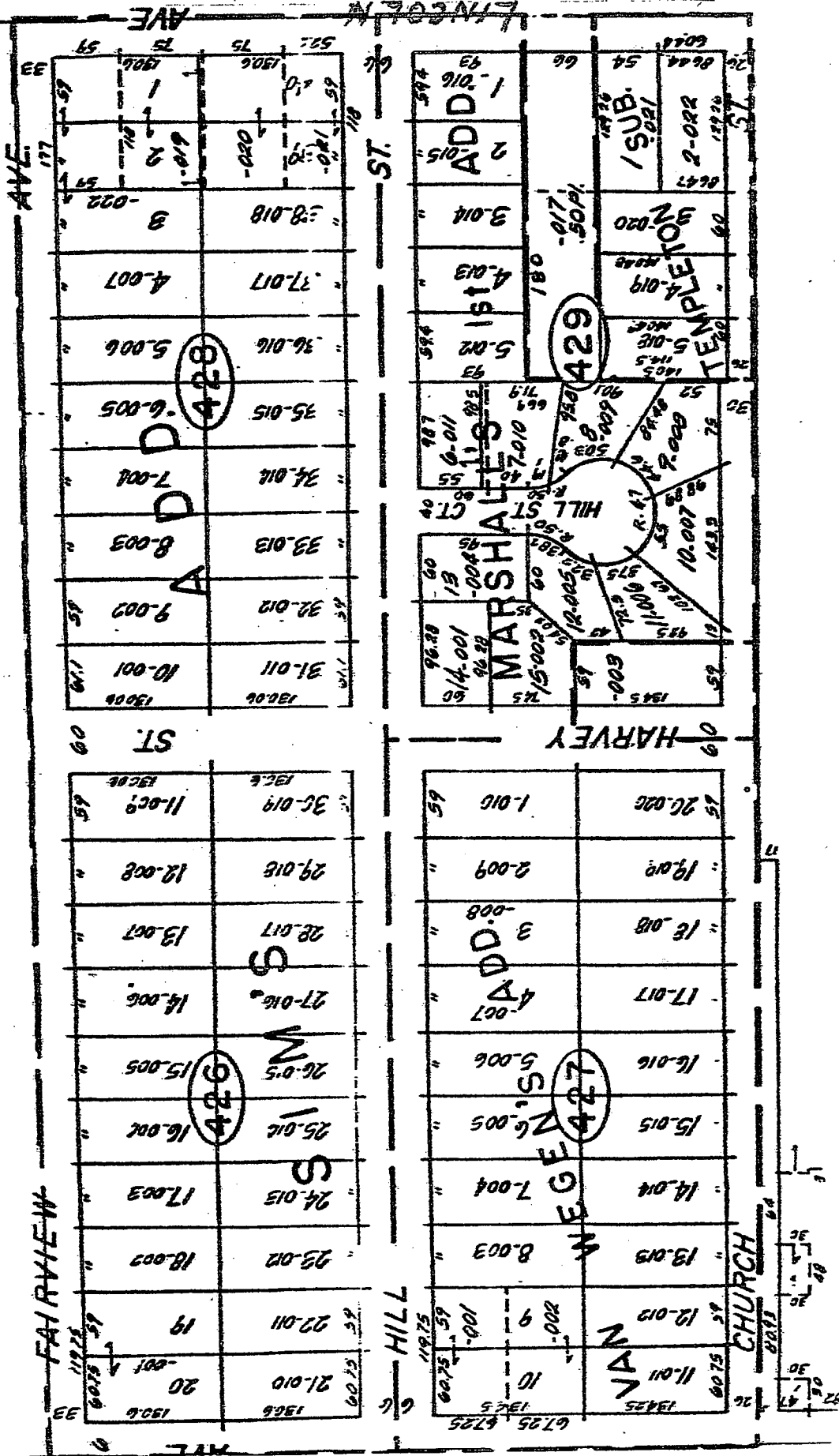
2/13/13

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

21-7D



FAIRVIEW AVE

FAIRVIEW

HILL ST

HILL

HARVEY

CHURCH

Map section showing parcels with lot numbers and acreages:

- Parcel 1: 1.016 AC
- Parcel 2: 2.015 AC
- Parcel 3: 3.014 AC
- Parcel 4: 4.013 AC
- Parcel 5: 5.012 AC
- Parcel 6: 6.011 AC
- Parcel 7: 7.010 AC
- Parcel 8: 8.009 AC
- Parcel 9: 9.008 AC
- Parcel 10: 10.007 AC
- Parcel 11: 11.006 AC
- Parcel 12: 12.005 AC
- Parcel 13: 13.004 AC
- Parcel 14: 14.003 AC
- Parcel 15: 15.002 AC
- Parcel 16: 16.001 AC
- Parcel 17: 17.000 AC
- Parcel 18: 18.000 AC
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- Parcel 20: 20.000 AC
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- Parcel 36: 36.000 AC
- Parcel 37: 37.000 AC
- Parcel 38: 38.000 AC
- Parcel 39: 39.000 AC
- Parcel 40: 40.000 AC
- Parcel 41: 41.000 AC
- Parcel 42: 42.000 AC
- Parcel 43: 43.000 AC
- Parcel 44: 44.000 AC
- Parcel 45: 45.000 AC
- Parcel 46: 46.000 AC
- Parcel 47: 47.000 AC
- Parcel 48: 48.000 AC
- Parcel 49: 49.000 AC
- Parcel 50: 50.000 AC

429

427

428

426

HILL ST

MARSHALLS

1 SUB.

2-022

3-021

4-019

5-018

6-017

7-016

8-015

9-014

10-013

11-012

12-011

13-010

14-009

15-008

16-007

17-006

18-005

19-004

20-003

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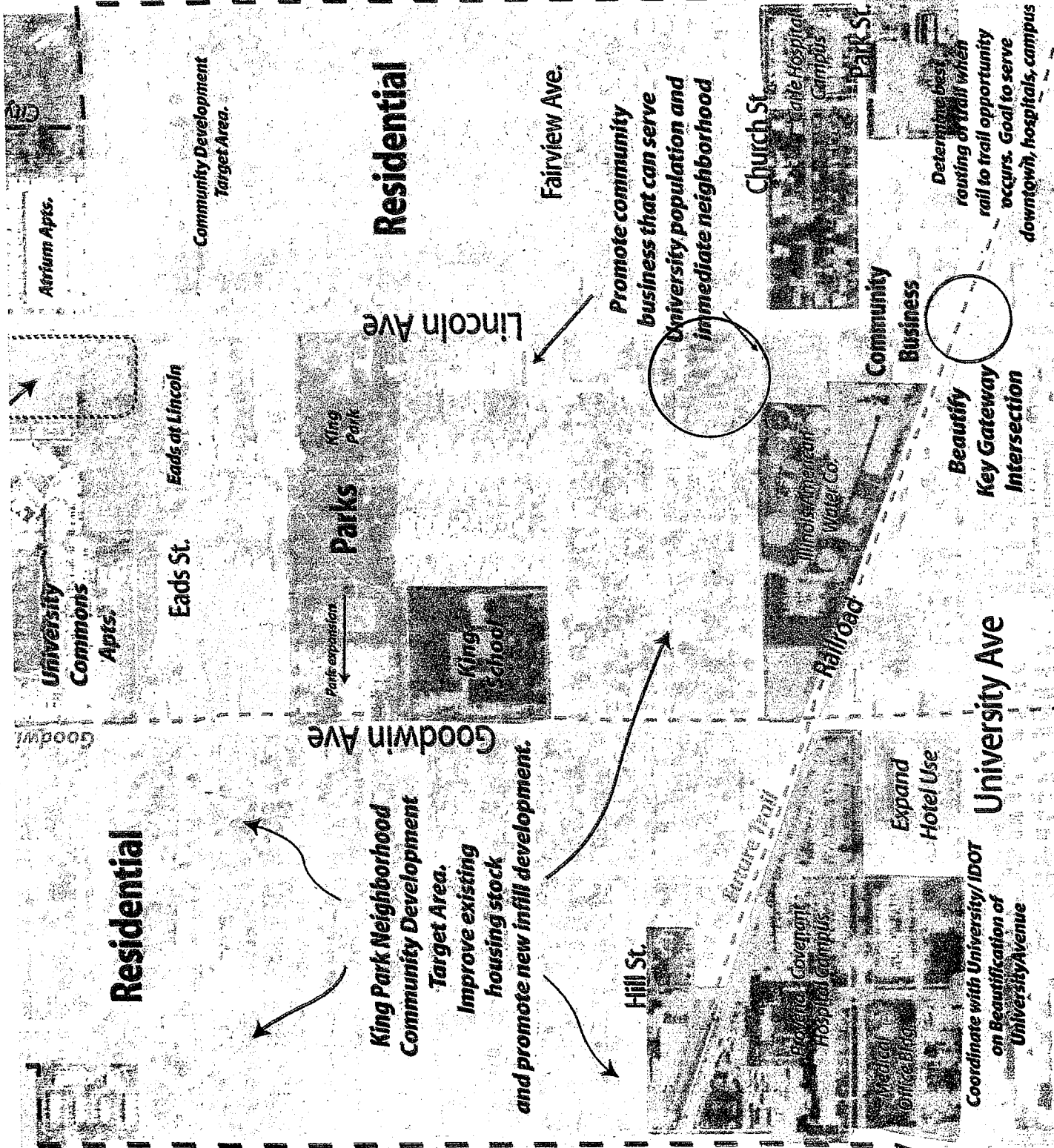
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Residential

**King Park Neighborhood
Community Development
Target Area.**

**Improve existing
housing stock
and promote new infill development.**



**Community Development
Target Area.**

Residential

Fairview Ave.

**Promote community
business that can serve
University population and
immediate neighborhood**

**Community
Business**

**Determine best
routing of trail when
rail to trail opportunity
occurs. Goal to serve
downtown, hospitals, campus**

**Beautify
Key Gateway
Intersection**

University Ave

**Coordinate with University/IDOT
on Beautification of
University Avenue**

Area #3 King Park / Lincoln Avenue