



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

MEMORANDUM

TO: The Urbana Plan Commission

FROM: Rob Kowalski, AICP, Planning Manager

DATE: August 15, 2003

SUBJECT: Plan Case No. 1862-M-03: Request to rezone a 76.20-acre tract of property at the southeast corner of Route 130 and Route 150 from IN, Industrial to B-3, General Business.

Introduction

The Urbana Zoning Administrator has submitted a request to rezone 76.20 acres of property at the southeast corner of IL-Route 130 and IL-Route 150 from IN, Industrial to B-3, General Business. The owner of the property intends to market the parcel for business purposes and requires a business zoning classification in order to foster such development on the tract. At this time there is no official developer for the property although it is anticipated that a major retailer may develop a portion of the parcel. The request is submitted by the Zoning Administrator with the full consent of the property owner.

The Urbana Zoning Ordinance does not permit most business uses in the IN, Industrial Zoning District. The Zoning Ordinance states that the IN, Industrial zone is intended to provide areas for manufacturing and industrial uses. The IN, Industrial zone does not allow uses other than industrial in order to minimize potential conflict between incompatible uses.

Background

The property is located within the corporate limits of the City of Urbana and is currently used for agricultural purposes. The industrial zoning classification was assigned to the parcel upon annexation in 1994 because of its proximity to the then active Conrail railroad tracks along the north side of the parcel. At one time these tracks traversed Urbana and connected to the Canadian National Railroad in northwest Urbana. Today, the tracks have been removed and the railroad is considered abandoned in this section. There are current efforts to convert the right-of-way to a bicycle trail system that would link Urbana and Danville. Considering the changes in

the railroad and the changing development patterns in the area, this location is no longer considered desirable for the development of industrial uses.

Adjacent Land Uses and Zoning Designations

Surrounding the site are industrial/office uses to the west (Post Office, Warehouse), agricultural uses to the east and south, and residential uses to the north. There is industrial zoning to the west across High Cross Road, agricultural zoning to the south and east and residential zoning to the north. The site is also in close proximity to residential subdivisions such as Beringer Commons to the northwest and the Scottswood Subdivision to the west. There currently is commercial zoning at the northwest corner of the intersection.

COMPREHENSIVE PLAN DESIGNATION, ZONING, AND LAND USE TABLE

Direction	Comprehensive Plan	Zoning	Land Uses
Site	Industrial	IN, Industrial, City of Urbana	Agricultural
North	Residential	AG-2, Agricultural, Champaign County	Single-Family Residential
East	Industrial	AG-2, Agricultural, Champaign County	Agricultural
South	Industrial	AG-2, Agricultural, Champaign County	Agricultural
West	Industrial	IN, Industrial, City of Urbana	Office, Light Industrial

Issues and Discussion

Changing Conditions in the Area

The High Cross Road corridor is beginning to experience a change in land use and development interest. Urbana’s neighboring towns to the east and south of St. Joeseeph, Ogden, Royal, Sidney, Homer, and Philo have all experienced a population growth from the 1990 to 2000 Census which directly contributes to more travel demands on the state routes of 130 and 150. In Urbana, the developing subdivisions of Stone Creek, Savannah Green, Fairway Estates, Lincolnwood and Beringer Commons have also increased activity in the area. In the mid 1990s the Post Office constructed a new facility on Tatman Court and additional office/warehouse uses have been established in the East Urbana Industrial Park. Pending development will create more jobs in the East Urbana Industrial Park.

Prior to this development, the property at the southeast corner of Route 150 and Route 130 was planned for industrial development and was zoned accordingly. It was considered appropriate for industrial development because although the parcel is not situated with convenient interstate access for truck traffic, it was located in an area that had the potential for rail access. The owner attempted to market the property to industrial uses over the years with no success. The subsequent removal of the Conrail railroad tracks further signified the unlikelihood that the parcel would be developed for industrial uses. Further, the growth of residential subdivisions in close proximity to the site call into question the appropriateness of intense industrial uses that could potentially be detrimental to the quality of life of nearby residents.

Urbana Comprehensive Plan Update

City staff has actively been working on the update to the 1982 Comprehensive Plan. At this time the Comprehensive Plan Steering Committee has begun closely examining different areas of the city and one and one-half mile extraterritorial jurisdictional area to consider what changes should be made to the current future land use map. It is anticipated that staff will propose future land uses in close proximity to the High Cross Road corridor that show further expansion of compact and contiguous residential development of Savannah Green and Fairway Estates, as well as new retail and commercial uses to serve these new developments and visitors to the area. Currently there are limited commercial opportunities in close proximity to the existing and developing subdivisions to the east such as Scottswood, Beringer Commons and Edgewood as well as the residential areas to the northeast north of Interstate 74. The site is located two to three miles from the Sunnycrest retail center. This downzoning and future planning for additional commercial land uses in the area create the potential for more business opportunities in Urbana that will attract nearby residents rather than encouraging them to shop outside the community.

The update to the Comprehensive Plan has included a number of public input opportunities to date. These opportunities included seven neighborhood workshops, a door-to-door survey of approximately 360 homes, and nine different focus groups. One of the overriding comments in each of these public input efforts was the fact that Urbana needs more commercial opportunities for the convenience of residents and the financial success of the city. City staff has recognized that one of the obstacles to fostering commercial growth is inconsistent zoning on certain parcels. The zoning of this parcel as industrial when it no longer contains the amenities desirable for industrial development and does contain the necessary attributes for commercial development is a prime example.

The Comprehensive Plan along with the IL-Route 130 Corridor Plan (scheduled to commence in September 2003) will address strategies for developing High Cross Road in a manner that is accessible for pedestrians, bicyclists, transit users and motorists. This area offers better opportunities for accommodating these groups since it is south of the interstate and more contiguous with existing and developing neighborhoods.

Comprehensive Plan Goals, Objectives and Policies

The proposed Zoning Map amendment should be considered in light of other goals, objectives and policies contained in the 1982 Comprehensive Plan. The following goals and policies of the 1982 Urbana Comprehensive Plan relate to this case:

Objective 1.410

Promote the redevelopment and conservation of urbanized areas.

Goal 3.100

To organize and develop land uses and adjacent properties in a balanced and mutually compatible manner relative to the functional needs of the City.

Goal 3.110

Promote development in the City and surrounding unincorporated areas in a manner which minimizes conflicting land uses and/or adjacent development.

Goal 4.100

To increase sources of municipal revenues required to continue providing existing and future increased levels of municipal services.

Objective 4.100

Increase the proportion of land uses which produce municipal revenues equal to, or in excess of, the cost of required services.

Policy 4.111

Promote mixtures of compatible uses, improvements in services and facilities, aesthetics and public convenience, in existing commercial and industrial developments.

Policy 4.113

Facilitate expansion plans of local businesses, commercial and industrial concerns.

Goal 6.100

To increase and diversify the tax base of the City of Urbana.

Objective 6.110

Encourage the promotion of commercial and industrial development which is compatible with the character, environment, and resources of the community.

Policy 6.112

Support rezoning petitions for land that has been identified as having the greatest potential within the parameters of the Plan for commercial and industrial development.

The La Salle National Bank 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 proposed downzoning from IN, Industrial to B-3, General Business would be generally consistent with existing industrial and commercial zoning designations in the vicinity. The site is located at the intersection of two primary state routes of IL-130 and IL-150. The proposed zoning classification is appropriate considering its location. Commercial uses would serve nearby residential areas and office workers.

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 zoned for industrial and the value it would have if it were rezoned to commercial to permit the proposed use.

The owner of the property has unsuccessfully attempted to market the property for industrial purposes for close to two years. The elimination of the rail access and the difficulty of serving the site with heavy industrial truck traffic diminishes the value of the property as zoned industrial.

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 on the value of the property. Therefore, any discussion pertaining to property values must be considered speculative and inconclusive.

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

3. *The extent to which the ordinance promotes the health, safety, morals or general welfare of the public.*

The downzoning of the property from industrial zoning to commercial zoning will eliminate a large number of permitted uses that would be objectionable and incompatible to nearby residential areas, thus protecting the health, safety, morals and general welfare of the public.

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

Development of the property with an incompatible, heavy industrial use could result in a significant quality of life cost to the public in the area. The site is currently undeveloped which does not contribute to the communities' tax base as well as a commercial development would. The proposed downzoning could contribute to the welfare of the community by offering the development of commercial uses that would offer convenient access to goods and services. Overall, the proposal serves the community better than property zoned industrial.

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.

As stated above, this property is located in an area that is ideal for commercial zoning. The specific feature for this property is its location at two major state routes. The property can be developed for commercial purposes in a manner that will not result in added expenses for the City of Urbana because it is currently adequately served by existing infrastructure including roads, sewers, utilities, fire and police protection, etc.

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

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

The property has never been developed. Over the years the owner has actively marketed the property to industrial users with no success due to the elimination of the rail access and the inadequate access for heavy, industrial truck traffic.

Summary of Staff Findings

1. The existing industrial zoning is no longer appropriate due to the elimination of the rail access to the site and the inability to effectively serve the site with heavy industrial truck traffic.
2. The proposed B-3, General Business zoning represents a downzoning from the existing IN, Industrial zoning classification and will result in elimination of a number of potentially incompatible land uses that are permitted in the IN, Industrial zoning district.

3. The proposed downzoning to the B-3, General Business zoning district would allow for the commercial development of the property which would be a benefit to the community and contribute to the tax revenues of the city.
4. The proposed B-3, General Business zoning district for the subject site would be consistent with the current commercial and industrial zoning in the general vicinity.
5. The proposed commercial zoning classification would be consistent with current drafts of the Comprehensive Plan Update being considered by the Comprehensive Plan Steering Committee and the public.
6. The site is located at the intersection of state routes IL-130 and IL-150 which makes it appropriate for commercial zoning in terms of access.
7. The proposed rezoning would not be detrimental to the public health, safety or general welfare and would be a benefit to the public because it will create the opportunity for commercial uses in close proximity to residential areas.
8. The proposed rezoning appears to generally meet the LaSalle Case criteria.

Options

The Plan Commission has the following options for recommendations to the City Council. In Plan Case 1862-M-03, the Plan Commission may:

- a. forward this case to City Council with a recommendation for approval of the downzoning from IN, Industrial to B-3, General Business.
- b. forward this case to City Council with a recommendation for denial of the downzoning from IN, Industrial to B-3, General Business.

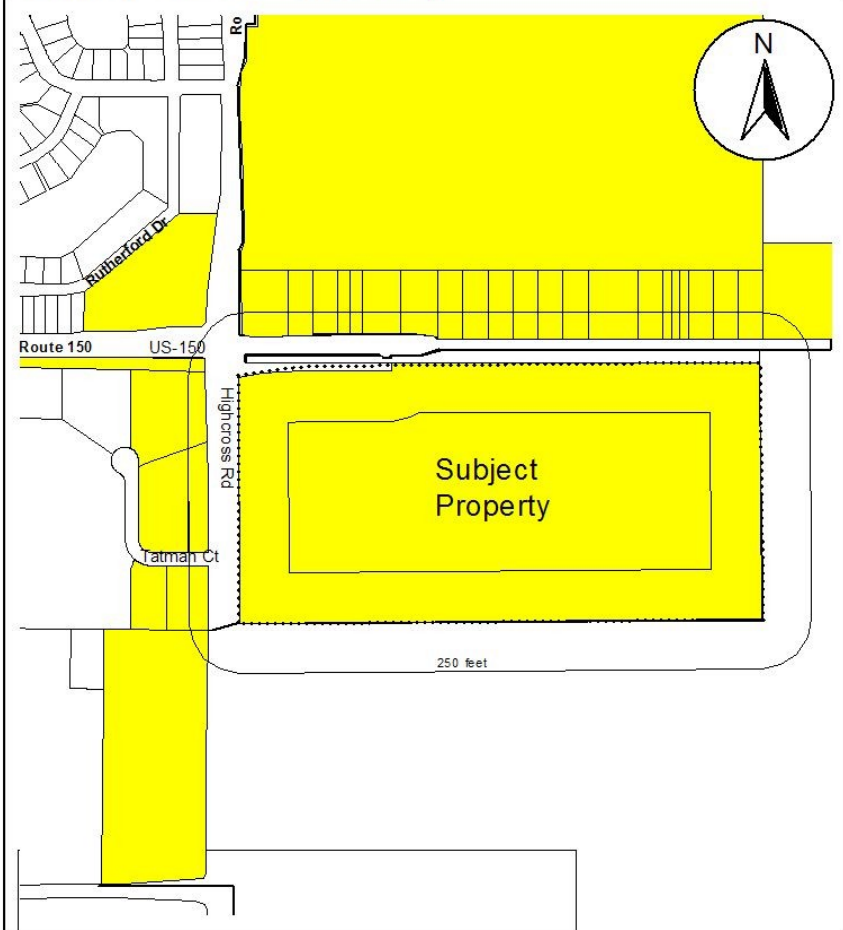
Staff Recommendation

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 that the Plan Commission forward Plan Case No. 1862-M-03 to the Urbana City Council with a recommendation for APPROVAL.**

c: Wilmer Otto

Attachments: Exhibit A, Location Map
 Exhibit B, Zoning Map
 Exhibit C, Existing Land Use Map
 Exhibit D, Future Land Use Map
 Exhibit E, Aerial Photo
 Exhibit F, IN, Industrial Zoning District Summary
 Exhibit G, B-3, General Business Zoning District Summary
 Exhibit H, Petition for Zoning Map Amendment
 Exhibit I, Letter to Surrounding Property Owners

Exhibit "A": Location Map

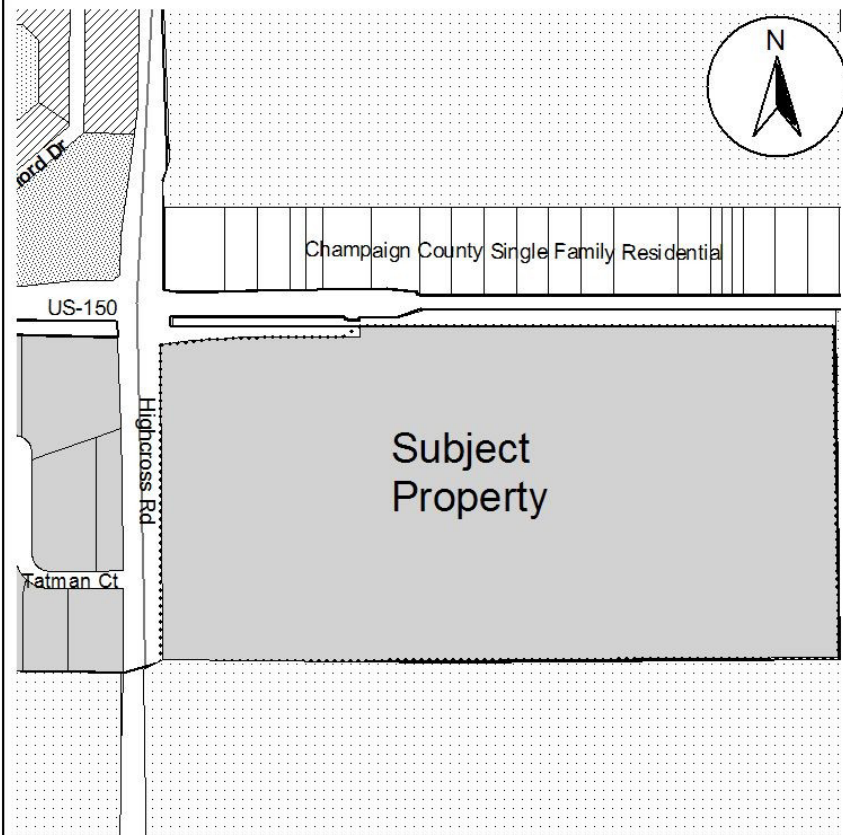


1862-M-03
Southeast corner of Route 150 and Route 130
Rezoning from IN to B-3

— City Boundary
- - - - - Subject Property

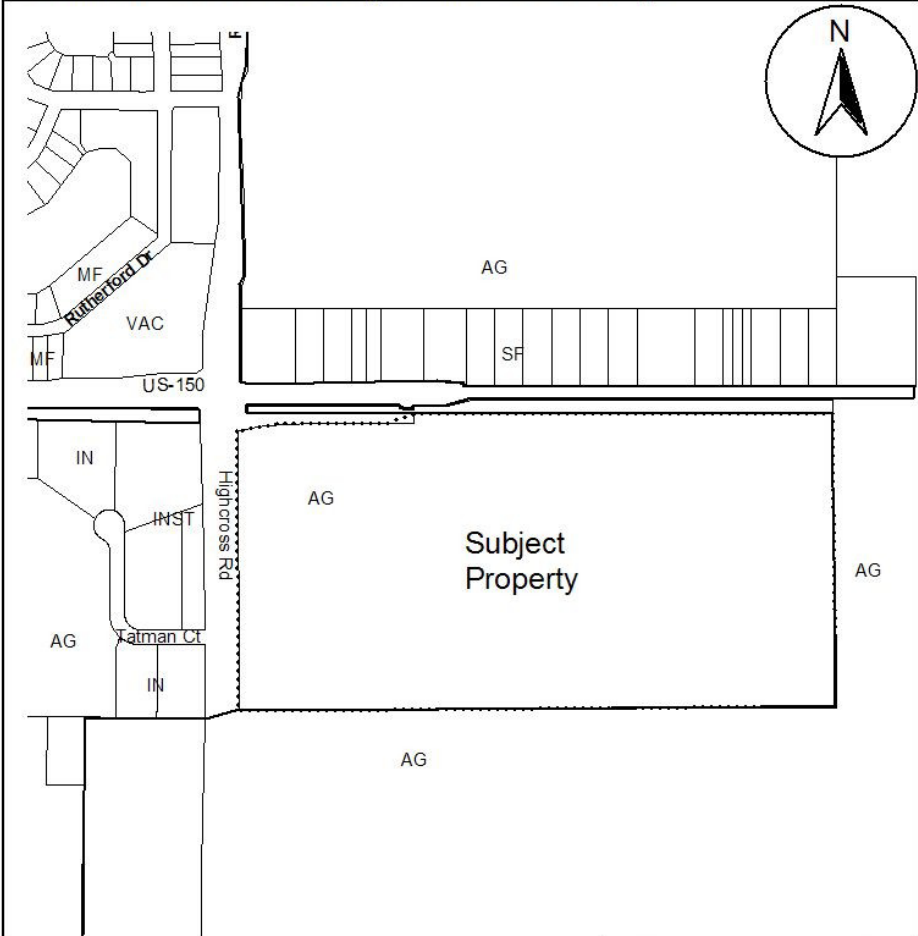
Prepared August 4, 2003 by Community Development Services - JK

Exhibit "B": Zoning Map



<p>0 500 1000 1500 Feet</p>	<ul style="list-style-type: none"> Subject Property □ City Boundary ▨ R2 - Single Family ▩ R4 - Medium Density Multiple-Family ▧ B1 - Neighborhood Business ■ IN - Industrial □ AG - Agriculture
	<p>1862-M-03 Southeast corner of Route 150 and Route 130 Rezoning from IN to B-3</p> <p><small>Prepared August 4, 2003 by Community Development Services - lk</small></p>

Exhibit "C": Existing Land Use Map



0 500 1000 1500 Feet

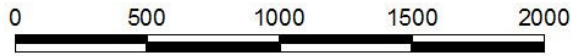
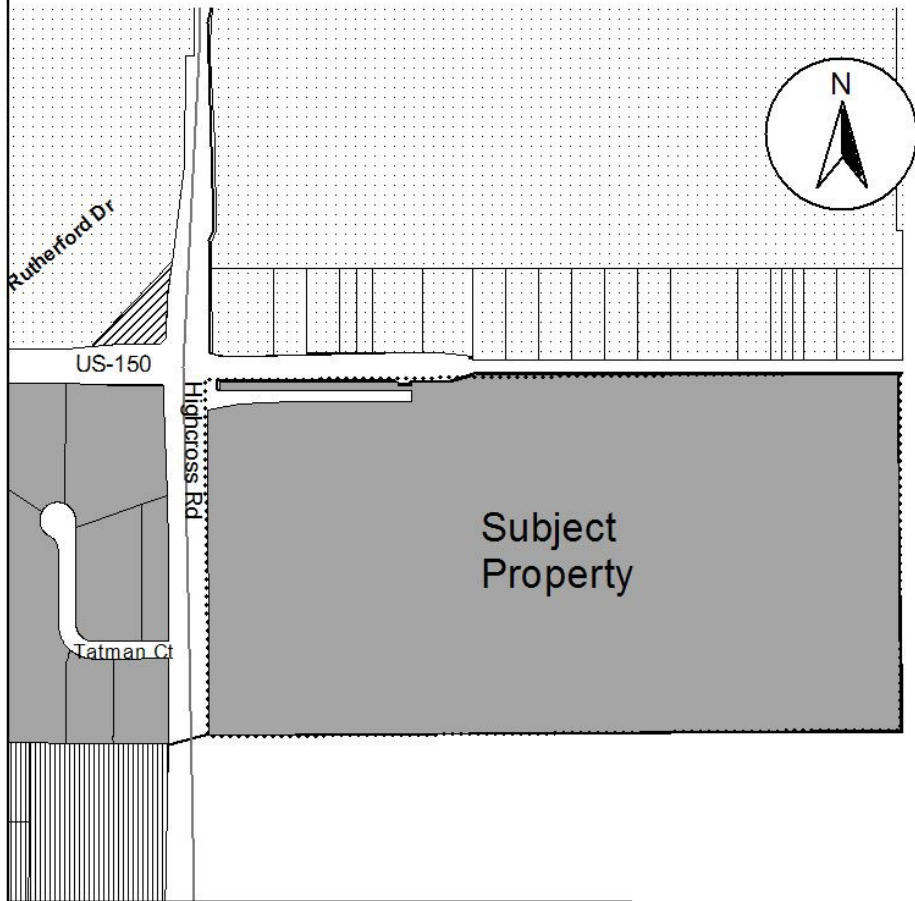






1862-M-03
 Southeast corner of Route 150 and Route 130
 Rezoning from IN to B-3

Prepared August 4, 2003 by Community Development Services - lk

- SF - Single Family Residence
- MF - Multi- Family Residence
- AG - Agricultural
- VAC - Vacant
- IN - Industrial
- INST - Institutional

Exhibit "D": Future Land Use Map



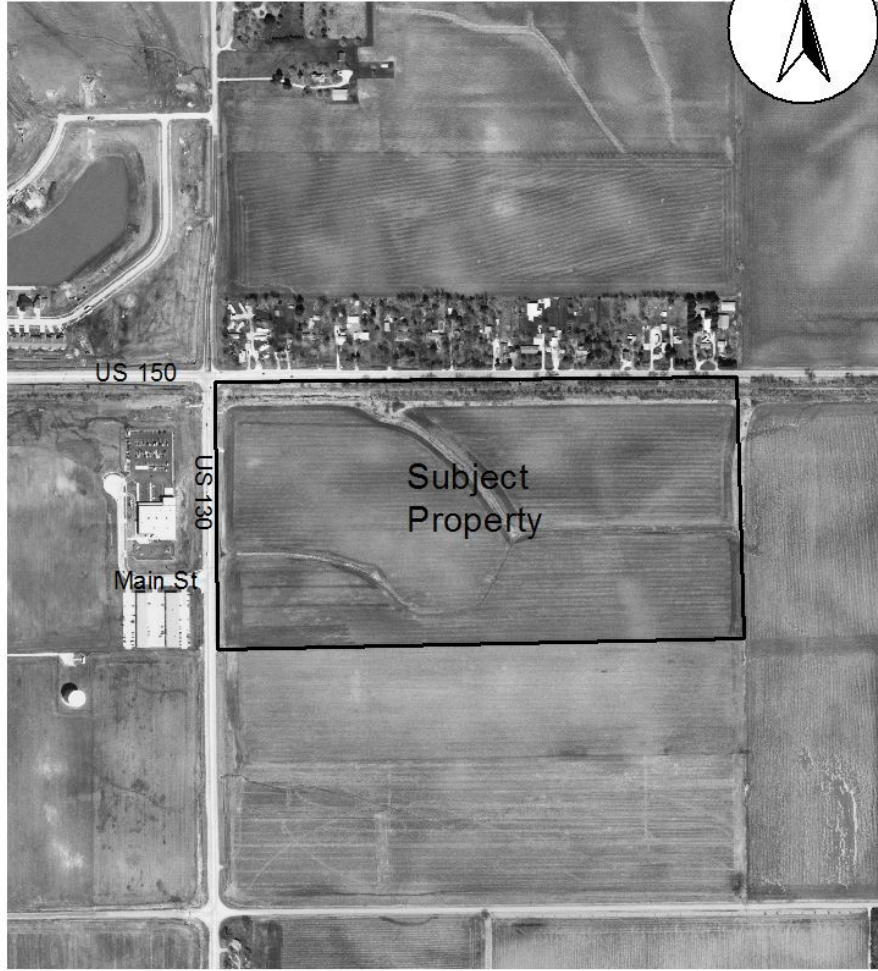
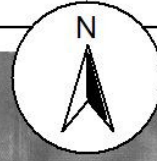
- Feet
-  Commercial
 -  Residential
 -  Institutional
 -  Industrial



1862-M-03
Southeast corner of Route 150 and Route 130
Rezoning from IN to B-3

Prepared August 4, 2003 by Community Development Services - IK

Exhibit "E": Aerial Photo



1862-M-03
Southeast corner of Route 150 and Route 130
Rezoning from IN to B-3

Prepared August 4, 2003 by Community Development Services - IK



IN INDUSTRIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The IN Industrial District is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obstruction on or by adjoining uses and districts. Light industrial uses, which are unlikely to cause undesirable effects, are permitted by right; more intensive industrial uses which may have wider reaching environmental effects are permitted as special uses, which provide the Urbana Plan Commission and City Council the opportunity to review the uses and impose needed conditions. In order to minimize conflict among incompatible uses, most non-industrial uses are not allowed in the IN Industrial District."

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

PERMITTED USES:

Public and Quasi-Public Facilities -

Electrical Substation

Municipal or Government Building

Parking Garage or Lot

Police or Fire Station

Public Park

Telephone Exchange

Utility Provider

Commercial Transportation Uses -

Railroad Yards and Railroad Freight Terminal

Truck Terminal /Truck Wash

Residential Uses-

Multiple-Unit, Common-Lot-Line Dwelling

Resource Production and Agricultural Uses –

Agriculture, Cropping

Business Uses - Personal Services

Ambulance Service

Medical Carrier Service

Agricultural

Farm Chemicals and Fertilizer Sales Including Incidental Storage and Mixing of Blended Fertilizer

Business Uses - Business, Private Educational and Financial Services

Professional and Business Office

Check Cashing Service

Bank or Savings and Loan Association

Express Package Delivery Distribution Center

Business Uses - Food Sales and Services

Wholesale Produce Terminal

Business Uses - Vehicular Sales and Services

Auto/ Truck repair, major and minor

Gasoline and Service Station

Public Maintenance and Storage Garage

Towing Service

Truck Stop

IN Zoning District Summary cont.

Business Uses - Retail Trade

Fuel Oil, Ice, Coal, Wood (Sales Only)

Photographic Studio and Equipment Sales and Service

Business Uses - Miscellaneous

Aviation Sales, Service or Storage
Building Materials Sales (All Indoor Excluding Concrete or Asphalt Mixing)
Construction Yard
Contractor Shop and Show Room
Heat, Ventilating, and Air Conditioning Sales and Services

Kennel
Lawn Care and Landscaping Service
Mail Order Businesses
Radio or TV Studio
Warehouse
Wholesale Business

Industrial Uses -

Bookbinding

Building Paper, Paper Containers and Similar Products Manufacturing
Confectionery Products Manufacturing and Packaging
Electrical and Electronic Machinery, Equipment and Supplies Manufacturing
Engineering, Laboratory, Scientific and Research Instruments Manufacturing
Grain Mill Products Manufacturing and Packaging
Household and Office Furniture Manufacturing
Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing
Manufacturing and Processing of Athletic Equipment and Related Products
Manufacturing and Processing Wearing Apparel and Related Finished Products Manufacturing
Mechanical Measuring and Controlling Instruments Manufacturing
Miscellaneous Finished Products Manufacturing Including Home Products, Canvas Products, Decorative Textiles, Luggage, Umbrellas and Similar Products
Motion Picture Production Studio
Musical Instruments and Allied Products Manufacturing
Non-Profit or Governmental, Educational and Research Agencies
Office and Artists Materials Manufacturing (Except Paints, Inks, Dyes and Similar Products)
Optical Instruments and Lenses Manufacturing
Photographic Equipment and Supplies Manufacturing
Printing and Publishing Plants for Newspapers, Periodicals, Books, Stationery, and Commercial Printing
Signs and Advertising Display Manufacturing
Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing
Theoretical and Applied Research, Development and Prototype Light Manufacturing of the following:
 Drugs, Chemicals, Food Products, Rubber and Petroleum Products, Light Fabricated Metal Products, Electrical Products, Physical and Aerospace Sciences, Wood and Wood Products, Non-electrical Machinery, Textiles, Glass Ceramic Products
Watches, Clocks and Clockwork Operated Devices Manufacturing
Wool, Cotton, Silk and Man-Made Fiber Manufacturing
Electronics and Related Accessories-Applied Research and Limited Manufacturing, Light Assembly Manufacturing (50,000 gross sq. ft. or less) Light Assembly and Manufacturing (More than 50,000 sq. ft.)

SPECIAL USES:

Public and Quasi-Public Facilities –

Penal or Correctional Institution

Commercial Transportation Uses –

Heliport

Business Uses -

All Other Industrial Uses not specified herein
Convenience Shopping Center/Commercial PUD
General Shopping Center/Commercial PUD

Industrial PUD
Slaughterhouses

IN Zoning District Summary cont.

CONDITIONAL USES:

Public and Quasi-Public Facilities -
Public or Commercial Sanitary Landfill
Sewage Treatment Plant or Lagoon

Radio or Television Tower and Station
Water Treatment Plant

Commercial Transportation Uses -
Air Freight Terminal

Motor Bus Station

Resource Production and Agricultural Uses -
Artificial Lake of one (1) or more acres
Mineral Extraction, Quarrying, Topsoil Removal
and Allied Activities

Business Uses - Personal Services
Dry Cleaning or Laundry Establishment

Agricultural -
Farm Equipment Sales and Service
Grain Storage Elevator and Bins

Livestock Sales Facility and Stockyards

Business Uses - Business, Private Educational and Financial Services
Private Kindergarten or Day Care Facility

Vocational, Trade or Business School

Business Uses - Vehicular Sales and Services
Automobile, Truck, Trailer or Boat Sales
Automobile Washing Facility

Automobile Salvage Yard (Junkyard)

Business Uses - Miscellaneous
Commercial Breeding Facility
Veterinary Hospital-Large Animal

Warehouse, Self-Storage Facility
Veterinary Hospital-Small Animal.

DEVELOPMENT REGULATIONS IN THE IN DISTRICT

ZONE	MIN LOT SIZE	MIN OR AVERAGE WIDTH	MAX HEIGHT	MAX FAR	MIN OSR	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD
IN	10,000	90'	none	1.00	none	25'	none	none

FAR= FLOOR AREA RATIO
OSR= OPEN SPACE RATIO

IN Zoning District Summary cont.

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

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

Revised 4/12/02



B-3 GENERAL BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The B-3 General Business District is intended to provide areas for a range of commercial uses wider than that of B-1 Neighborhood Business but at a lower intensity than B-4 Central Business, meeting the general business needs of the City."

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

PERMITTED USES:

Public and Quasi-Public Facilities-

Church or Temple	Police or Fire Station
Electrical Substation	Public Park
Hospital or Clinic	Public Library, Museum or Gallery
Institution of an Educational, Philanthropic or Eleemosynary Nature	Telephone Exchange
Municipal or Government Building	University or College
Principle Use Parking Garage or Lot	Utility Provider

Commercial Transportation Uses-

Motor Bus Station

Residential Uses -

Bed and Breakfast Inn	Home for Adjustment
Bed and Breakfast, Owner Occupied	Hotel or Motel
Community Living Facility, Category II	Multi-family Dwelling
Community Living Facility, Category III	Multiple-Unit Common-Lot-Line Dwelling

Resource Production and Agricultural Uses -

Commercial Greenhouse	Greenhouse (not exceeding 1,000 sq.ft.)
Garden Shop	

Business Uses - Personal Services-

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

B-3 Zoning District Summary cont.

Business Uses - Adult Entertainment

Adult Entertainment Uses

Business Uses - Agricultural

Farm Equipment Sales and Service
Feed and Grain (Sales Only)

Roadside Produce Sales Stand

Business Uses - Business, Private Educational and Financial Services

Bank or Savings And Loan Association
Check cashing Service
Copy and printing service
Packaging and Mailing Service

Professional and Business Office
Vocational, Trade or Business School

Business Uses - Food Sales and Services

Bakery (Less than 2,500 sq.ft.)
Cafe
Confectionery Store
Convenience Store
Fast-food Restaurant
Locker or Cold Storage for Individual Use

Meat and Fish Market
Restaurant
Retail Liquor Sales
Supermarket or Grocery Store
Tavern or Night Club

Business Uses-

Vehicular Sales and Service

Automobile, Truck, Trailer or Boat Sales
Automobile Washing Facility
Automobile/Truck Repair, Major
Automobile/Truck Repair, Minor
Automobile Accessories (New)

Gasoline and Service Station
Mobile Home Sales
Public Maintenance and Storage Garage

Business Uses-

Retail Trade

Antique or Used Furniture Sales and Service
Apparel Shop
Art and Craft Stores and Studios
Bicycle Sales and Service
Bookstore
Department Store
Drugstore
Appliance Sales and Service
Electronic Sales and Services
Florist
Fuel Oil, Ice, Coal, Wood (Sales Only)
Furniture Store-Office Equipment Sales
Hardware Store
Jewelry Store
Monument Sales (Excludes Stone Cutting)
Music Store
Pet Store
Photographic Studio and Equipment Sales and Service
Shoe Store
Sporting Goods
Stationery-Gift Shop-Art Supplies
Tobacconist

Variety-Dry Goods Store
Video Store

B-3 Zoning District Summary cont.

Business Uses - Recreational

Bait Sales
Billiard Room
Bowling Alley
Dancing School
Indoor Theater
Lodge or Private Club

Outdoor Commercial Recreation Enterprise
(Except Amusement Park)
Athletic Training Facility, Nonresidential
Athletic Training Facility, Residential
Miniature Golf
Driving Range
Private Indoor Recreational Development

Business Uses - Miscellaneous

Auction Sales (Non-Animal)
Radio or TV Studio
Lawn Care and Landscaping Service
Mail Order Business (less than 10,000 square
feet)
Mail Order Business (greater than 10,000 square
feet)

Heating, Ventilating, Air Conditioning Sales and
Service
Building Material Sales (All Indoors Excluding
Concrete or Asphalt Mixing)
Contractor Shop and Show Room
Wholesale Business

SPECIAL USES:

Public and Quasi-Public Facilities –

Penal or Correctional Institution

Business Uses-

Convenience Shopping Center/Commercial PUD
Towing Service

General Shopping Center/Commercial PUD
Truck Stop

Business Uses - Miscellaneous

Warehouse, Self Storage Facility

CONDITIONAL USES:

Public and Quasi-Public Facilities –

Radio or Television Tower and Station

Residential Uses –

Home for the Aged; Nursing Home

Resource Production and Agricultural Uses –

Plant Nursery

Business Uses -

Crematory

Private Kindergarten or Day Care Facility
Veterinary Hospital-Small Animal

B-3 Zoning District Summary cont.

Industrial Uses -

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

DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT

ZONE	MIN LOT SIZE	MIN OR AVERAGE WIDTH	MAX HEIGHT	MAX FAR	MIN OSR	MIN FRONT YARD	MIN SIDE YARD	MIN REAR YARD
B-3	6,000	60'	none	4.00	none	15'	10'	10'

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

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

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Community Development Services Department
400 South Vine Street
Urbana, IL 61801
(217) 384-2440
(217) 384-2367 fax
www.city.urbana.il.us

Revised 5/07/02



PLAN COMMISSION
Michael Pollock - Chair

TO: Rob Kowalski, Planning Manager
City of Urbana
Community Development Department – Planning Division
400 South Vine Street
Urbana, IL 61801
Phone (217) 384-2440 FAX (217) 384-2367

PETITION FOR ZONING MAP AMENDMENT

DO NOT WRITE IN THIS SPACE

FOR OFFICE USE ONLY

Date Petition Filed: August 1, 2003 Plan Case No. 1862-M-03
Date set for Public Hearing: August 21, 2003 Dates(s) of Public Hearing _____
Date Legal Notice Published: August 6, 2003 Newspaper: News-Gazette
Date Adjacent Property Owners Notified: _____
Fee Paid: N/A Receipt No. N/A Amount: N/A Date: N/A
Comments: (Indicate other actions such as continuances): _____

Recommendation by Plan Commission _____ Date _____
Action by City Council _____ Date _____

1. Name of Petitioner(s): Zoning Administrator, City of Urbana
2. Address: 400 South Vine Street, Urbana, IL 61801
3. Telephone: 217-384-2440
4. Name and address of Owner(s) (if different from Petitioner(s)): Wilmer Otto, Conrail Railroad for abandoned piece of property along U.S. Route 150
5. Telephone: (217) 268-3051 (Otto)
6. Location of Subject Parcel: SE corner of Route 150 and Route 13/High Cross Road
7. Tax Parcel ID# : 91-21-14-100-003

8. Legal Description, attach additional sheets if necessary. (Note this petition cannot be processed unless an accurate legal description of the subject parcel(s) is provided).

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY ILLINOIS.

9. Area of Property (width) **approx. 1,275 feet x (depth) 2,600 feet = 76.20 acres.**

10. Present use of Property **Agricultural**

11. Present Zoning of Property: **IN, Industrial**

12. Proposed use of Property: **General Business**

13. Proposed Zoning: **B-3, General Business**

14. Present Comprehensive Plan Designation: **Heavy Industrial**

How does this request conform to the Comprehensive Plan? **The requested change would be compatible with the intent of the Comprehensive Plan because it would be a less intense land use designation than Heavy Industrial. The 1993 Extraterritorial Jurisdictional Area Plan identifies a variety of proposed land uses along the High Cross Road corridor including Commercial, Industrial and Office. A General Business zoning classification would meet the intent of the plan.**

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

There is currently no error on the Urbana Zoning Map. The property is identified with a classification of IN, Industrial. The property was zoned industrial with the intent that it could be served by rail which is no longer available to the site.

16. What changed or changing conditions warrant the approval of this Map Amendment? **The property was designated industrial zoning because of it's former proximity to the CSX Railroad on the north side of the property. It was anticipated that this rail service would serve the property for industrial purposes. Since this classification was designated for the property, the rail service has been discontinued and the rail service**

to the property is no longer possible making the land more suitable for an alternative land use classification.

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

The property is suitable for the proposed zoning because it would be less intense than the current industrial zoning classification and would result in less impact to adjacent properties. The property is located on two major state routes which also make commercial development appropriate.

18. What other circumstances justify the zoning map amendment? **The rezoning of the property to a less intense, commercial zoning district will help to achieve many goals of the City of Urbana by providing increased opportunity for commercial development to serve the residents of the community and increase the tax base.**

19. Time schedule for development: (if applicable) _____

20. Additional exhibits submitted by the petitioner _____

WHEREFORE, the petitioner prays that this petition be heard by the Urbana Plan Commission and the petition for change of zoning be granted.

Respectfully submitted this 1st day of **August, 2003**

Signature of Petitioner _____
Elizabeth H. Tyler, Zoning Administrator, City of Urbana

STATE OF ILLINOIS)
) SS
CHAMPAIGN COUNTY)

I, _____, being first duly sworn on oath, deposes and says, that he is the same person named in and who subscribed the above and foregoing petition, that he has read the same and knows the contents thereof, and that the matters and things set forth are true in substance and in fact as therein set forth.

Subscribed and sworn to me this _____ day of _____ 2003.

Notary Public

seal

Petitioner's Attorney **Steve Holz**

Address: **400 South Vine Street, Urbana, IL 61801**

Phone: **384-2465**



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division
400 S. Vine
Urbana, IL 61801
(217) 384-2440

August 6, 2003

NOTICE OF PUBLIC HEARING IN REGARD TO A PROPOSED REZONING

Dear Property Owner:

A public hearing will be held by the Urbana Plan Commission on **Thursday, August 21, 2003 at 7:30 P.M.** in the Urbana City Council Chambers, at which time and place the Commission will consider a request to rezone a 76.20-acre tract of property from IN, Industrial to B-3, General Business. The subject property is located at the southeast corner of Route 150 and Route 130. Please see the attached map for additional property location information. The Urbana Zoning Ordinance defines the two zoning districts as follows:

The IN Industrial District is intended to provide areas for manufacturing and industrial uses, where they will have the necessary services and facilities, and minimize obstruction on or by adjoining uses and districts.

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.

You have been sent this notice because you are a nearby property owner. The Urbana Plan Commission welcomes your comments at the public hearing, or in writing if received prior to the hearing. If you have any specific questions about the request, please do not hesitate to contact me.

Sincerely,

Rob Kowalski
Planning Manager

Persons with disabilities needing services or accommodations for this hearing should contact the Community Development Services Department at 384-2440, or the City of Urbana's Americans with Disabilities Act Coordinator at 384-2466, or TTY 384-2360. If you have any questions concerning this request, please contact my office at (217) 384-2440.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES
Planning Division
400 S. Vine
Urbana, IL 61801
(217) 384-2440

August 1, 2003

C-U News Gazette
Classified Section
Legal Publications
300 W. Main Street
Urbana, IL 61801
Phone 351-5336
FAX 351-5291, Diane, legal notices

Dear Diane:

Please publish the attached legal notice once on August 6, 2003. Please send the invoice or bill for the publication fee and certificates of publication as follows:

Invoice or bill and Certificate of Publication to:

**Phyllis D. Clark, City Clerk
City of Urbana
400 South Vine Street
Urbana, IL 61801**

One certificate of publication to the following individual:

Rob Kowalski, AICP, Planning Manager
Community Development Services
400 S. Vine Street
Urbana, IL 61801
(217) 384-2440

If you have any questions, please call me at 384-2440.

Sincerely,

Rob Kowalski, AICP
Planning Manager

LEGAL PUBLICATION

Plan Case No. 1862-M-03

NOTICE OF PUBLIC HEARING IN REGARD TO A PROPOSED REZONING

NOTICE IS HEREBY GIVEN to all interested persons that a public hearing will be held by the Plan Commission of the City of Urbana, Illinois, on **Thursday, August 21, 2003 at 7:30 P.M.** in the Urbana City Council Chambers, 400 S. Vine Street, Urbana, Illinois, at which time and place the Commission will consider a request in Plan Cases 1862-M-03.

Plan Case 1862-M-03 is a request to rezone 76.20 acres of property at the southeast corner of Route 150 and Route 130 from IN, Industrial to B-3, General Business.

LEGAL DESCRIPTION:

The North Half of the Northwest Quarter of Section 14, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County Illinois.

Detailed information on this case is available at the City of Urbana Community Development Services Department, 400 South Vine Street, Urbana, Illinois 61801. The case is subject to change during the public hearing process.

All persons desiring to be heard for or against said request may appear at said meeting and be heard thereon. Persons with disabilities needing services or accommodations for this hearing should contact the Community Development Services Department at 384-2440 or the City of Urbana's American with Disabilities Act Coordinator at 384-2466 or TTY at 384-2360.

Dated: August 1, 2003

URBANA PLAN COMMISSION

By: Michael Pollock, Chairperson