



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

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

**TO:** The Urbana Plan Commission

**FROM:** Kevin Garcia, AICP, Planner II

**DATE:** September 14, 2017

**SUBJECT:** Plan Case 2312-M-17: A request by the Cunningham Children's Home of Urbana to rezone one parcel totaling approximately 3.86 acres from R-4, Medium Density Multiple-Family Residential Zoning District to B-3, General Business Zoning District, located at 1303 Cunningham Avenue.

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### Introduction

Cunningham Children's Home has submitted an application to rezone a 3.86 acre parcel at the southwest corner of Cunningham Avenue and Country Club Drive/Perkins Road from R-4, Medium Density Multiple Family Residential Zoning District to B-3, General Business Zoning District. The parcel is currently vacant. It contains a small, wooded parking area that once held information to welcome visitors to Urbana, but has not been used for that purpose since 2005.

The parcel is identified as desirable for business use in the 2005 Urbana Comprehensive Plan, which also identified the area to the west as an area for the expansion of the Cunningham Children's Home. The Cunningham Children's Home is now ready to both expand into that area and to rezone and sell the parcel in question for business use.

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.

### Background

Between 1976 and 2005, the property was used as a welcome area for visitors to Urbana, with the City holding a long-term lease from Cunningham Children's Home for that purpose. With the increasing availability of information on the internet, by 2005 there was no longer a need for a welcome area and the use was discontinued, but the lease remained in effect. On September 5, 2017, the Urbana City Council voted to enter into an agreement with Cunningham Children's Home to terminate the long-term lease. As part of that agreement, the Cunningham Children's Home has agreed to plant one tree on its property for every tree that is removed from the subject property once it is developed. There are several mature trees on site, including a former Legacy Tree that was delisted on September 11, 2017 by the Urbana Tree Commission.

## Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The area proposed for rezoning is at the northeast corner of the Cunningham Children’s Home campus. It is currently vacant. It is zoned R-4. The area to the west, also owned by Cunningham Children’s Home, is also zoned R-4. The remainder, or southern portion, of the Cunningham Children’s Home property is zoned R-5. To the north is an apartment complex, zoned R-5, and the El Toro Loco restaurant, zoned B-3. To the east is the Northgate Plaza shopping center, zoned B-3, which contains a variety of businesses. Exhibits A, B and C provide more details on the zoning and land uses for the larger surrounding area.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	R-4, Medium Density Multiple-Family Residential	Vacant	Community Business
North	B-3, General Business; R-5, Medium High Density Multiple-Family Residential	Restaurant (El Toro Loco); Apartments	Community Business; Multi-Family Residential
South	R-5, Medium High Density Multiple-Family Residential	Cunningham Children’s Home	Institutional
East	B-3, General Business	Northgate Plaza	Community Business
West	R-4, Medium Density Multiple Family Residential	Vacant; Planned expansion of Cunningham Children’s Home	Institutional, with note: “Expansion of Cunningham Children’s Home”

## Comprehensive Plan

The 2005 Urbana Comprehensive Plan identifies the future land use for the site as “Community Business,” supporting the current request to rezone the property to B-3, General Business. The Comprehensive Plan also identifies the area to the west as an area for future expansion of the Cunningham Children’s Home. The Cunningham Children’s Home is now ready to expand their campus into that area and would like to sell the subject property for business use. Both the sale of the subject property for business use and the expansion of the Cunningham Children’s Home would meet the Comprehensive Plan’s vision for the area.

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.”

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

**Goal 18.0 Promote infill development.**

**Goal 24.0 Enhance Urbana’s commercial areas.**

Objectives

24.1 Use a variety of economic development tools to improve and redevelop Urbana’s existing commercial areas.

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

Objectives

25.1 Provide a sufficient amount of land designated for various types of community and regional commercial uses to serve the needs of the community.

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

The proposed rezoning would contribute to meeting several of these goals by promoting infill growth along an established commercial corridor on Cunningham Avenue.

**Discussion**

The site is well suited for business uses, being located along the Cunningham Avenue commercial corridor, and having been identified for future business uses in the Comprehensive Plan.

**The La Salle Criteria**

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

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

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

Properties to the north and east are zoned for general business and high density residential uses, and are used as such. The proposed rezoning is highly compatible with these uses. The property to the south and west is owned and used by the Cunningham Children’s Home, which is actively seeking to sell the subject property for business uses. Cunningham Children’s Home would not want to create an incompatible use adjacent to their property and has stated that it would impose covenants on the subject property to ensure any business use is consistent with the Home’s Methodist mission.

*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-4, Medium Density Multiple-Family Residential compared to*

*the value it would have if it were rezoned to B-3, General Business.*

The property value is undoubtedly diminished by the R-4 zoning compared to its value as a B-3 zoned property. The current R-4 zoning designation limits the property to mostly residential uses, which may not be desirable along Cunningham Avenue in this location. Rezoning to B-3 would allow for a greater array of business uses and would help to meet the vision of the 2005 Urbana Comprehensive Plan, which foresaw business uses along Cunningham Avenue.

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 proposed zoning would not harm the health, safety, morals, or general welfare of the public. It would allow for the development of business uses that could serve the community at large and the nearby residential areas.

The existing zoning is inconsistent with the future land use identified in the Comprehensive Plan. The existing zoning is a barrier to developing the property for business uses, as the owner desires. The proposed rezoning would eliminate this hardship by allowing such uses.

*5. The suitability of the subject property for the zoned purposes.*

*The issue here is whether there are certain features of the property which favor the type and intensity of uses permitted in either the current or the proposed zoning district.*

The property is located along Cunningham Avenue, a major commercial corridor in Urbana, which would support additional commercial uses. The property is vacant. The location and vacancy indicate that the site is suitable for business development, which is called for in the 2005 Urbana Comprehensive Plan.

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

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

The property to be rezoned has been vacant since 2005. Prior to that time, it had only been used as a welcome area.

## Summary of Staff Findings

1. Cunningham Children's Home filed a petition to amend the Urbana Zoning Map for 1303 Cunningham Avenue from R-4, Medium Density Multiple-Family Residential Zoning District to B-3, General Business Zoning District.
2. The subject property is located on the southwest corner of Cunningham Avenue and East Country Club Road/Perkins Road.
3. The 2005 Urbana Comprehensive Plan future land use map designates the future land use of the property as "Community Business," and the proposed rezoning is consistent with this future land use type.
4. The zoning change would facilitate the development of this infill site.
5. The proposed rezoning would generally conform to the LaSalle Criteria.
6. The subject property is appropriate for general business uses due to its location along Cunningham Avenue, a major commercial corridor in Urbana.

## Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case 2312-M-17:

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 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. 2312-M-17 to the City Council with a recommendation to **APPROVE** the proposed Zoning Map Amendment.

Attachments:

Application

Exhibit A: Location and Existing Land Use Map

Exhibit B: Existing Zoning Map

Exhibit C: Future Land Use Map

Exhibit D: Zoning Description Sheets for R-4 and B-3 Districts

cc: Cunningham Children's Home



# Application for Zoning Map Amendment

## PLAN COMMISSION

### APPLICATION FEE - \$175.00

The Applicants are responsible for paying the cost of legal publication fees. Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant is billed separately by the News-Gazette.

#### DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 08-18-2017 Plan Case No. 2312-M-17  
 Fee Paid - Check No. 24443 Amount \$175.00 Date 08-18-2017  
24461 \$25.00 08-28-2017

### PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

#### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Cunningham Children's Home of Urbana, Illinois** Phone: **217-367-3728**

Address (street/city/state/zip code): **1301 N. Cunningham Ave., Urbana, IL 61801**

Email Address: **dholmer@cunninghamhome.org**

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

#### 2. OWNER INFORMATION

Name of Owner(s): **Cunningham Children's Home of Urbana, Illinois** Phone: **217-367-3728**

Address (street/city/state/zip code): **1301 N. Cunningham Ave., Urbana, IL 61801**

Email Address: **mlivingston@cunninghamhome.org**

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: **1303 N. Cunningham Ave., Urbana, IL 61801**

PIN # of Location: **91-21-09-101-001 and part of 91-21-08-229-001, Lot 1**

Lot Size: **3.86 acres**

Current Zoning Designation: **R4 Medium Density Multiple Family Residential**

Proposed Zoning Designation: **B3 General Business**

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

Proposed Land Use: **Commercial Retail Auto Parts Supply Store**

Present Comprehensive Plan Designation: **Community Business**

How does this request conform to the Comprehensive Plan? *Would conform with Comprehensive Plan by changing from Residential to Business*

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

**3.86 acres in a sub of the NE ¼ Section 8 and W ½ NW ¼ Section 19-19-9, aka W T Weber Estate, Champaign County, Illinois. (Per Whitsitt & Associates 3-2017 Appraisal P. 4)**

#### 4. CONSULTANT INFORMATION

**Name of Architect(s):** IGW Architecture, Scot Wachter Phone: 217-328-1391

Address *(street/city/state/zip code):* 114 West Main Street, Urbana, IL 61801

Email Address: [swachter@IGWarchitecture.com](mailto:swachter@IGWarchitecture.com)

**Name of Engineers(s):** Berns, Clancy and Associates BCA Phone: 217-384-1144

Address *(street/city/state/zip code):* 405 E. Main St., Urbana, IL 61801

Email Address: [cbillings@BCA.com](mailto:cbillings@BCA.com)

**Name of Surveyor(s):** Ed Clancy, P.E., L.S. BCA Phone: 217-384-1144

Address *(street/city/state/zip code):* 405 E. Main St., Urbana, IL 61801

Email Address: [eclancy@BCA.com](mailto:eclancy@BCA.com)

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

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

Email Address:

**Name of Attorney(s):** Francis Jahn, Meyer Capel Phone: 217-352-1800

Address *(street/city/state/zip code):* 306 W. Church St., Champaign, IL 61820

Email Address: [fjahn@meyercafel.com](mailto:fjahn@meyercafel.com)

#### 5. REASONS FOR MAP AMENDMENT:

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

**There are no known existing errors.**

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

**The owner desires to sell 3.86 Acres of Part 4 and a portion Lot 1 to a commercial buyer.**

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

**The City of Urbana has included this property in their long term development comprehensive plan as potentially commercially zoned for future development.**

What other circumstances justify the zoning map amendment

**Adjacent property along Cunningham Avenue is primarily Business use.**

Time schedule for development *(if applicable)*

**Time is of the essence as there is a current offer to purchase the 3.86 acres.**

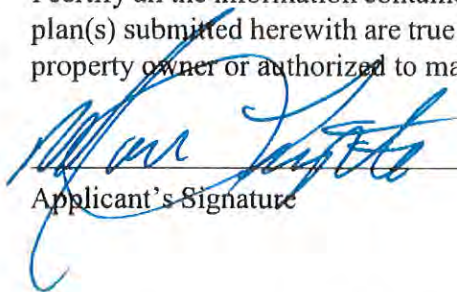
Additional exhibits submitted by the petitioner.

***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.

  
Applicant's Signature

8-17-17  
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 A: Location & Existing Land Use Map

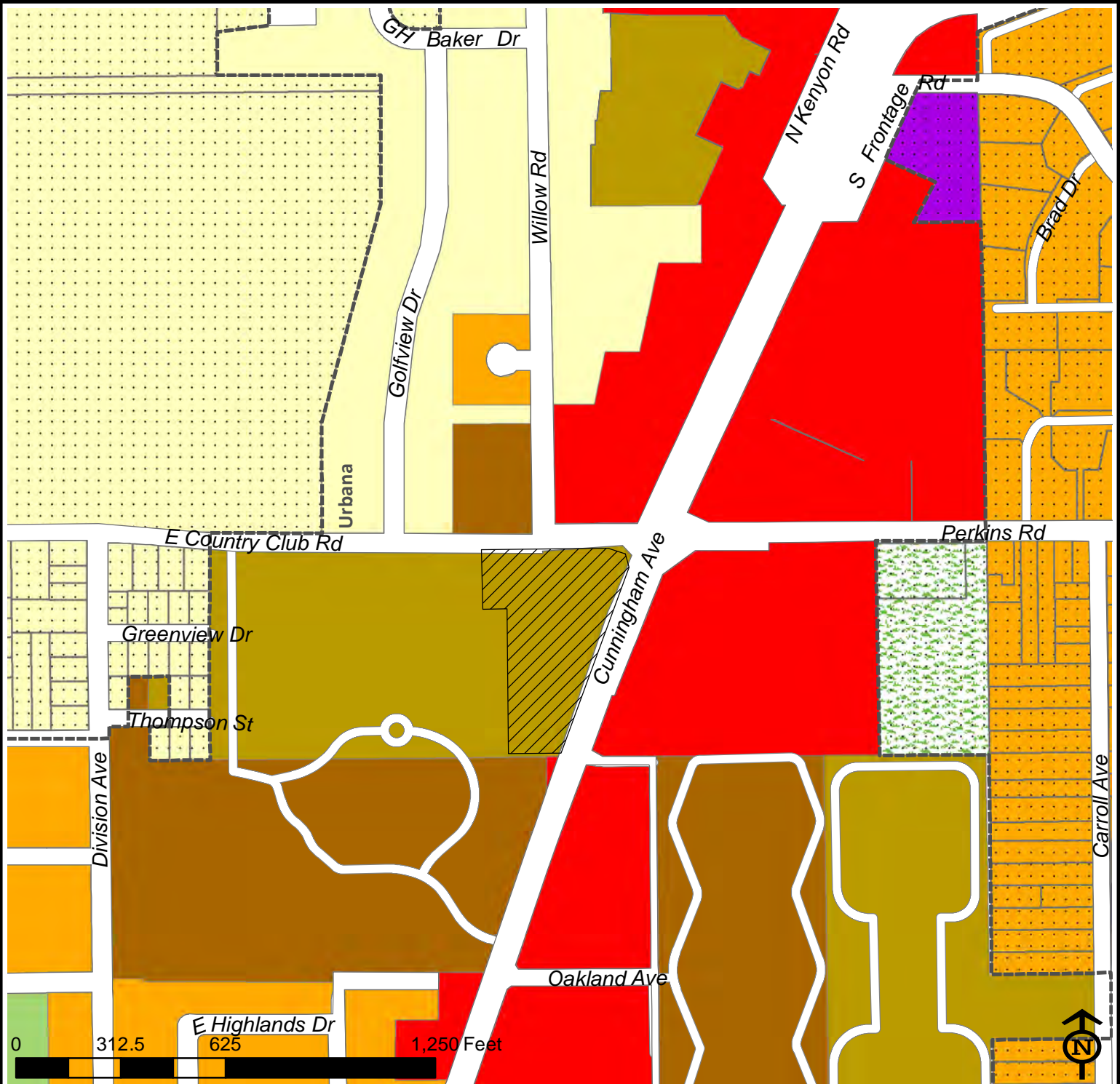


Case: 2312-M-17  
 Subject: Rezoning  
 Location: 1303 Cunningham Avenue  
 Petitioner: Cunningham Children's Home

 Subject Property



# Exhibit B: Zoning Map

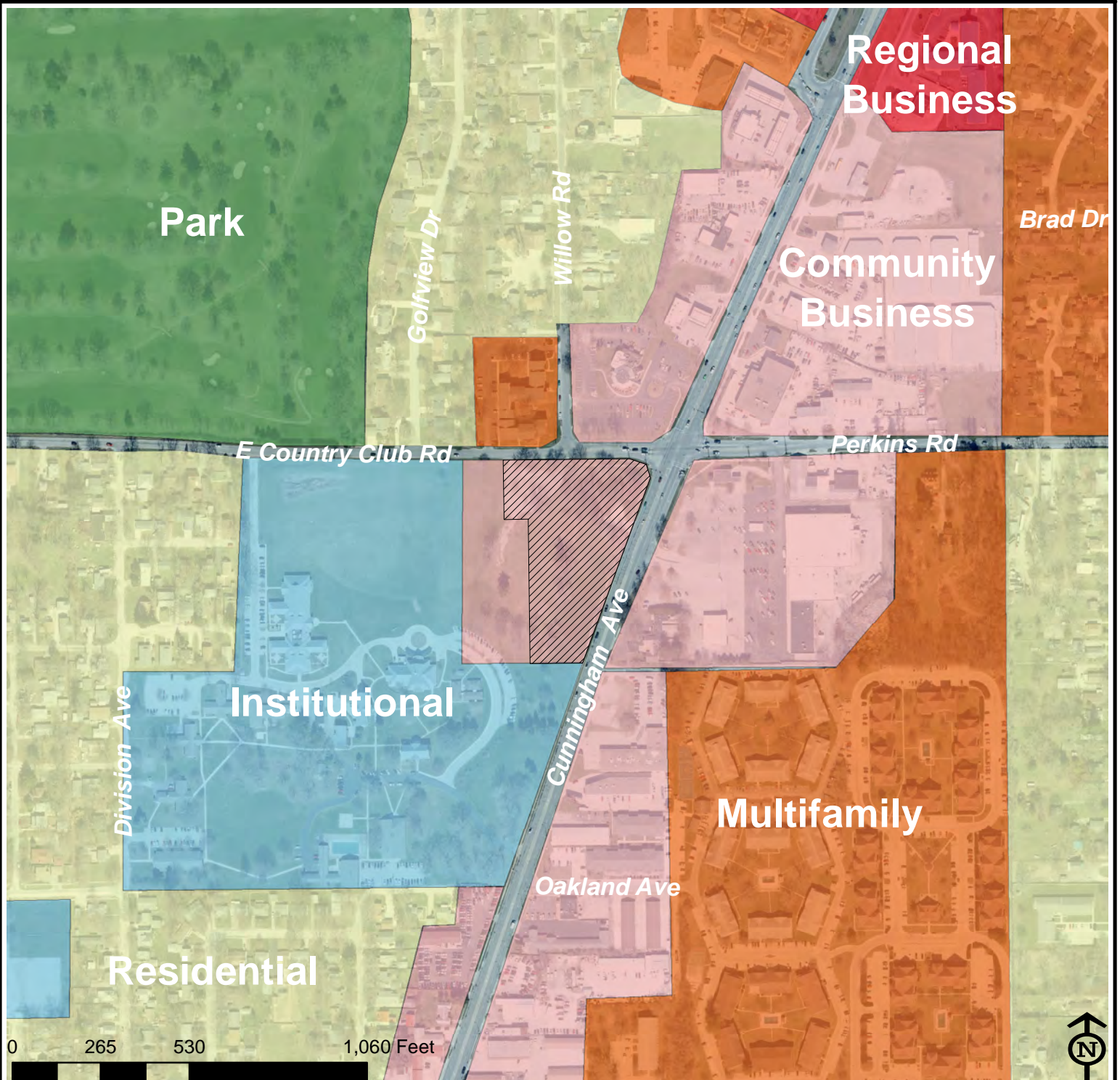


Case: 2312-M-17  
 Subject: Rezoning  
 Location: 1303 Cunningham Avenue  
 Petitioner: Cunningham Children's Home








- |     |               |                  |
|-----|---------------|------------------|
| B3  | R4            | R-1 (County)     |
| CRE | R5            | R-3 (County)     |
| R1  | AG-1 (County) | City Boundary    |
| R3  | B-4 (County)  | Subject Property |



# Exhibit C: Future Land Use Map



Case: 2312-M-17  
 Subject: Rezoning  
 Location: 1303 Cunningham Avenue  
 Petitioner: Cunningham Children's Home

- |   |                          |   |                  |
|---|--------------------------|---|------------------|
|  | Residential              |  | Institutional    |
|  | Multi-Family Residential |  | Park             |
|  | Regional Business        |  | Subject Property |
|  | Community Business       |   |                  |



## R-4 – MEDIUM DENSITY MULTIPLE-FAMILY ZONING DISTRICT

### ZONING DESCRIPTION SHEET

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

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

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-4 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

#### PERMITTED USES:

##### Agriculture

Agriculture, Cropping

##### Business - Recreation

Country Club or Golf Course

##### Public and Quasi-Public

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

##### Residential

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

#### SPECIAL USES:

##### Business – Professional and Financial Services

Professional and Business Office

##### Residential

Dwelling, Home for Adjustment

##### Public and Quasi-Public

Police or Fire Station  
Principal Use Parking Garage or Lot

#### PLANNED UNIT DEVELOPMENT USES:

##### Business – Miscellaneous

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

##### Residential

Residential PUD (*See Section XIII-3*)

**CONDITIONAL USES:**

**Agriculture**

Artificial Lake of One (1) or More Acres

**Public and Quasi-Public**

Electrical Substation

**Business – Miscellaneous**

Day Care Facility (*Non-Home Based*)

**Residential**

Assisted Living Facility  
Bed and Breakfast, Owner Occupied  
Nursing Home

**Business - Recreation**

Lodge or Private Club

Table V-1 Notes:

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

**DEVELOPMENT REGULATIONS IN THE R-4 DISTRICT**

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) <sup>1</sup>	MIN SIDE YARD (in feet) <sup>1</sup>	MIN REAR YARD (in feet) <sup>1</sup>
R-4	6,000	60	35 <sup>17</sup>	0.50 <sup>14</sup>	0.35	15 <sup>9</sup>	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>9</sup>** – In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, as required in Sec. VI-5.D.1. In the R-2, R-3, R-4, R-5, R-7, and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater, but no more than 25 feet, as required in Sec. VI-5.D.1. (Ordinance No. 9596-58, 11-20-95) (Ordinance No. 9697-154) (Ordinance No. 2001-03-018, 03-05-01)

**Footnote<sup>14</sup>** – In the R-4 District, the maximum floor area ratio may be increased to 0.70, provided that there is a minimum of 2,000 square feet of lot area per dwelling unit.

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



## 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

**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  
 Hotel or Motel

**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*)\*\*\*\*

**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

**Public and Quasi-Public**

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

**Residential**

Assisted Living Facility  
Nursing Home

Table V-1 Notes:

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

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

**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 <sup>7f</sup>	5 <sup>7</sup>	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.

**NOTE:**

¶ *Section VIII.4.F.5* – In the B-3 Zoning District, parking may locate in the required side yard setback (up to within 18 inches of the property line per Section VII-4.G) if the zoning District adjacent to the setback is designated B-1, B-2, B-3, B-3U B-4, B-4E, IN-1 or MIC and if the adjacent area is also used for parking.

¶¶ *Section VIII.4.F.6* – Parking in the B-2, B-3, B-3U, IN-1 and IN-2 Zoning District shall be permitted to encroach 10 feet into the required front yard if the buffer yard requirements set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

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

**City of Urbana**

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