



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, PhD, Director

DATE: July 20, 2006

SUBJECT: Updated Staff Report for:

Plan Case No. 2006-A-07: Annexation agreement for an approximately 0.15-acre tract of property at 306 East Thompson Street / Matthew Varble Parcel

Plan Case No. 2004-M-06: Request to rezone an approximately 0.15-acre tract of property at 306 East Thompson Street from Champaign County R-2, Single Family Zoning District to City, R-4, Medium Density Multiple-Family Zoning District upon annexation.

Background

At the July 17, 2006, Urbana City Council meeting, it was decided to provide staff additional time to review a proposed annexation agreement with Matthew Varble for 306 East Thompson Street.

Annexation Agreement

The annexation agreement has been amended from the original agreement in several ways. Article I, Section 3, entitled “Zoning”, has been reworded to allow the City to retain the right to process a City initiated rezoning in the area.

Article II, Section 3, entitled “Amendments”, has been removed to allow the City to take action on the subject property without amending the annexation agreement.

Article I, Section 6, entitled “Inspection”, has been reworded to require that all issues identified in the property maintenance code inspection must be addressed prior to annexation, and that those issues will be outlined in an attachment to the agreement.

The proposed zoning for the subject property contained in the agreement is now R-4, Medium Density Multiple Family Residential. This change is a result of the input received at the public hearings at both Plan Commission and City Council as well as at the request of the petitioner.

The City Attorney has confirmed that this change in proposed zoning would fall within the purview of the original public hearings before Plan Commission and City Council and does not require additional public hearings. The Zoning Description Sheets for the R-4 and R-5 zoning districts are attached for comparison purposes.

Zoning and Land Use Table

The following is a summary of surrounding zoning and land uses for the subject site:

Location	Zoning	Existing Land Use	2005 Comprehensive Plan – Future Land Use
Subject Property	County R-2, Single Family Residential	Multi-Family Residential	Residential
North	County R-2, Single Family Residential	Single-Family Residential	Residential
South	City R-5, Medium High Density Multiple Family Residential and County R-2 Single Family Residential	Single-Family Residential and Institutional	Residential and Institutional
East	City R-4, Medium Density Multiple Family Residential and County R-2 Single Family Residential	Single-Family Residential and Institutional	Residential and Institutional
West	City R-5, Medium High Density Multiple Family Residential, County R-2 Single Family Residential, and County R-1 Single Family Residential	Single and Two-Family Residential	Residential

Proposed Rezoning

The property is currently zoned County R-2, Single-Family Residential, and upon annexation, the property would be zoned City R-4, Medium Density Multiple-Family Residential. The proposed R-4 zoning will make the existing structure legally conforming. The 2005 Comprehensive Plan identifies the area as “Residential” which is generally consistent with the proposed rezoning.

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.*

The proposed zoning will allow for a transitional area between the more intense zoning district and uses in the City of Urbana and the less intense zoning and uses in unincorporated Champaign County. The surrounding areas are developed as a mixture of single family and duplex residential uses, along with the institutional use of the Cunningham Children’s home, which includes structures used for multi-family residential purposes.

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

A direct conversion from County to City zoning would create an inconsistency in zoning for the subject property. The existing structure would not be permitted in the R-2 Zoning District that a direct conversion from County to City zoning would provide. This rezoning will help maintain and potentially improve property values.

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

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

The R-4 zoning designation will allow the existing structure to be legally conforming while providing a transitional area between the more intensely zoned areas in the City and the less intensely zoned areas outside the City. This transitionally zoned area will protect the single family and duplex units in the unincorporated area to the north of the subject property from the potentially higher intensities that the R-5 zoning of the properties currently in the City possess.

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

The proposed rezoning would ensure that the subject property provides a buffer between the intensity of the City R-5 zoning of the properties currently in the City and the County R-2 zoning of the properties currently in the County. At the same time, the current Multi-family use will

become consistent with the zoning regulations of the proposed City R-4 zoning district. Zoning the property as such would ensure that the appropriate regulations are applied to the property.

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

The subject property is already developed as apartments, which is consistent with the R-4 district. Any future development or redevelopment would be subject to all the applicable development standards of the Zoning Ordinance.

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.*

The subject property is currently not vacant, and the owner has made no claims that the current zoning has caused vacancies or underutilization of the property.

Summary of Findings

1. Based on current revenue and expense data, including calls for police service to the subject property, the proposed annexation could potentially have a negative impact on the City's tax base and level of municipal services provided elsewhere in the City.
2. The proposed annexation is not within a targeted annexation area, has no larger, strategic significance from an annexation perspective.
3. The proposed R-4, Medium Density Multiple-Family Residential Zoning District would be generally consistent with the current land use of the subject property and provide a transitional area between the more intense zoning district and uses in the City of Urbana and the less intense zoning and uses in unincorporated Champaign County.
4. The proposed R-4, Medium Density Multiple-Family Residential Zoning District would be generally consistent with the future land use designation of the 2005 Urbana Comprehensive Plan.
5. The proposed rezoning would not be detrimental to the public health, safety or general welfare, and would allow regulatory consistency with the surrounding area.
6. The proposed rezoning appears to generally meet the LaSalle Case criteria.
7. The Plan Commission voted 7 ayes to 0 nays to forward a recommendation of denial to the City Council.

Options

The City Council has the following options. In Plan Case 2006-A-07 / 2004-M-06, the City Council may:

- a. Approve the proposed annexation agreement, including a zoning designation of R-4, Medium Density Multiple-Family Residential for the site; or
- b. Approve the proposed annexation agreement, including a zoning designation of R-4, Medium Density Multiple-Family Residential for the site, subject to changes. (Note that the property owner would have to agree to any recommend changes); or
- c. Deny the proposed annexation agreement.

Fiscal Impact

Per the original fiscal analysis, based on Champaign County Assessor information, the market value of the property is \$79,058 and the equalized value is \$26,350. Based on Urbana's current tax rate, the City will realize approximately \$350 annually in tax revenues. It should be noted that the transfer of ownership will provide on opportunity to re-assess the property. Assuming the assessed value will be 75% of the sales price of \$198,000, the City can expect approximately \$850-\$900 in annual tax revenues.

Additionally, based on the City of Urbana's current budget, a rough per capita revenue and expense analysis can also be performed. Assuming that five people live in the building, and those people generate City revenue and expenses comparable to other City of Urbana residents, the assessed market value of the property will need to be approximately \$288,000 for the City to break even on the annexation.

At this point, it is impossible to predict the future police call load or the demand for public services at the subject property, however, if the trend from the last one and a half years is indicative of what is to come, then the cost to provide police service to the property will outweigh the potential tax revenues generated by the annexation.

While it is staff's hope that the subject property will be a safe and productive part of the community, the fact that this property could potentially be a drain on City resources has prompted staff to recommend not moving forward with this annexation agreement and annexation at this time.

Recommendations

In Plan Case 2006-A-07 / 2004-M-06 staff recommends **DENIAL** of the proposed annexation agreement as presented based on the fiscal impact analysis above.

In Plan Case 2006-A-07 / 2004-M-06, at their July 6, 2006 meeting, the Plan Commission voted 7 ayes to 0 nays to forward a recommendation of **DENIAL** to the City Council based on the proposed zoning of R-5.

Prepared By:

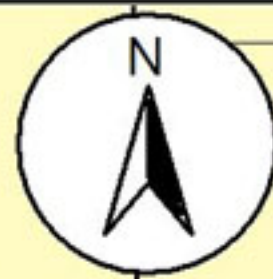
Tom Carrino, Economic Development Manager

Attachments: Exhibit A: Location Map
 Exhibit B: Zoning Map
 Exhibit C: Existing Land Use Map
 Exhibit D: Future Land Use Map
 Exhibit E: Aerial Map
 Exhibit F: Draft Annexation Agreement
 Exhibit G: Annexation Agreement Ordinance
 Exhibit H: R-4 Zoning Description Sheet
 Exhibit I: R-5 Zoning Description Sheet

CC: Jeffrey Tock
 Harrington & Tock
 P.O. Box 1550
 Champaign, Illinois 61824-1550

 Matthew Varble
 1708 Nancy Beth Dr.
 Champaign, Illinois 61822-7388

Exhibit A: Location Map



Country Club Rd

Division Av

E Thompson Dr

Subject Property

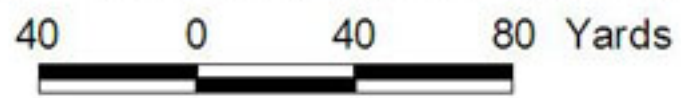
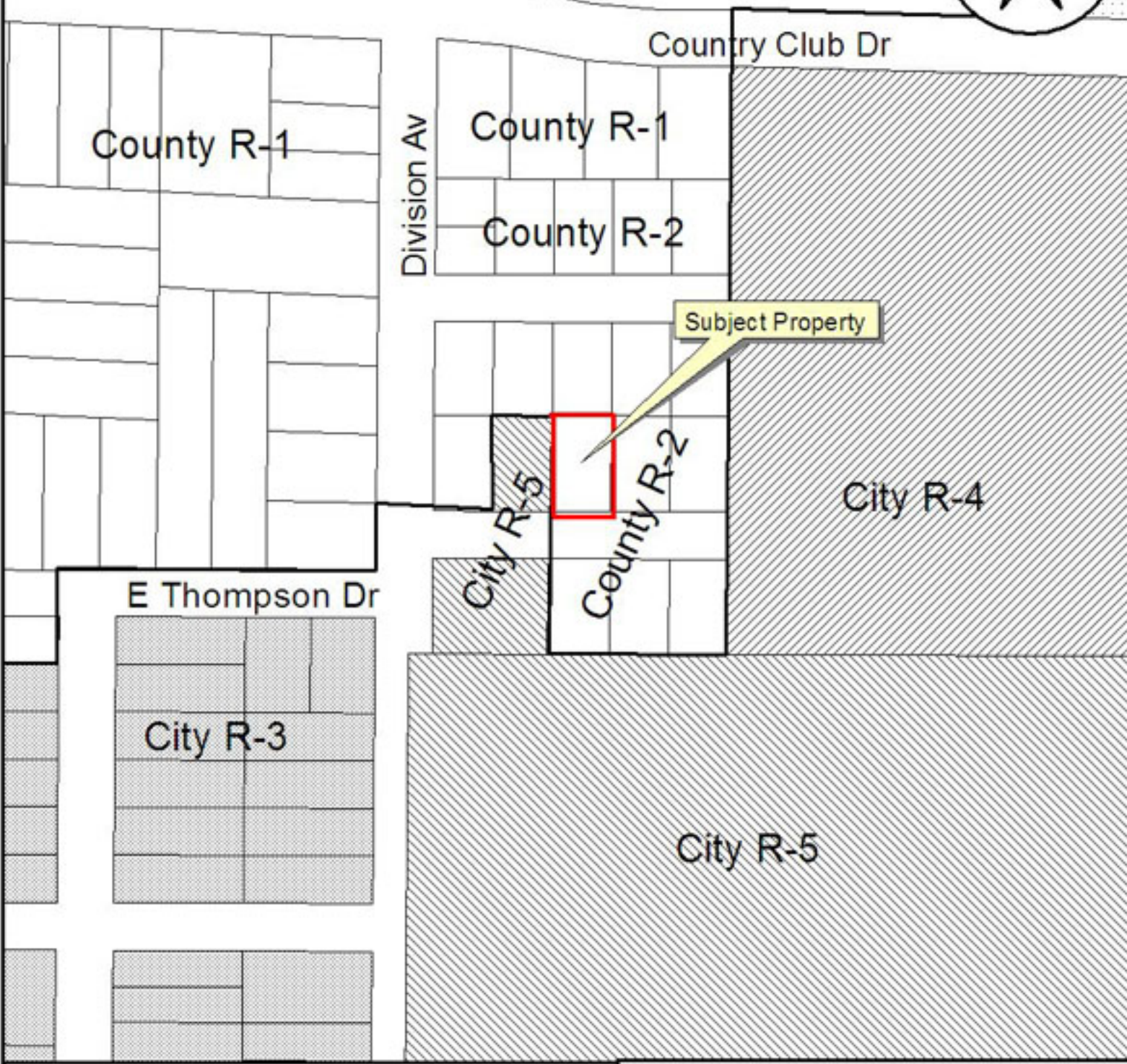
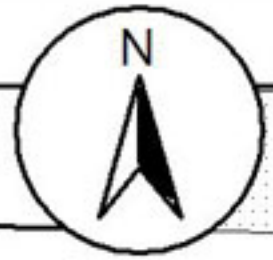
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Plan Case: 2006-A-07
Petitioner: Matthew Varble
Location: 306 E. Thompson, 30-21-08-227-011
Description: Annexation Agreement for 306 E. Thompson

Prepared 6/12/2006 by Community Development Services - rkb

Exhibit B: Zoning Map

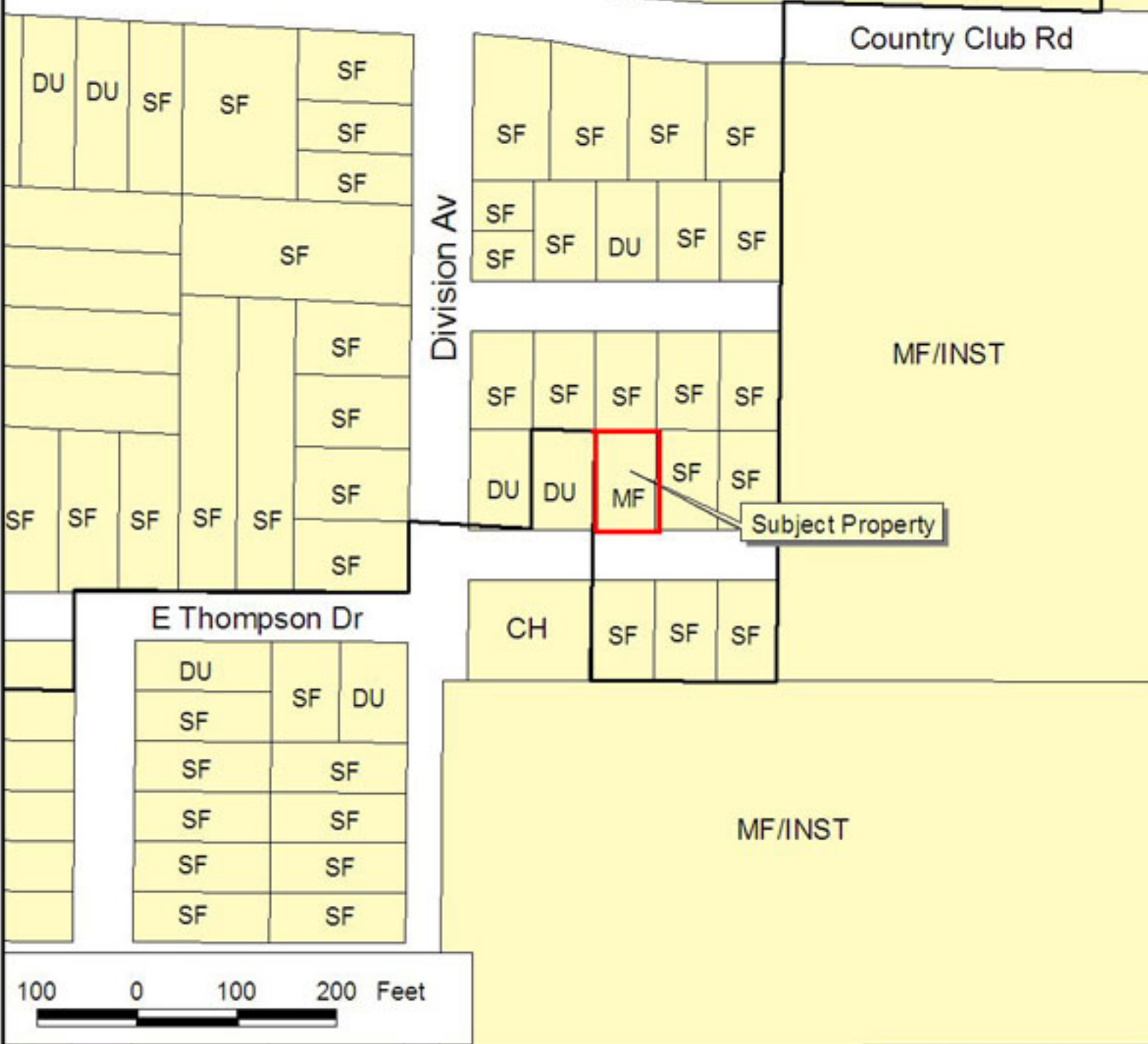


- City R3 - Single- and Two-Family
- City R4 - Medium Density Multiple-Family
- City R5 - Medium High Density Multiple-Family
- County R-1 - Single Family Residence



Plan Case: 2006-A-07
Petitioner: Matthew Varble
Location: 306 E. Thompson, 31-21-18-227-011
Description: Annexation Agreement for 306 E. Thompson

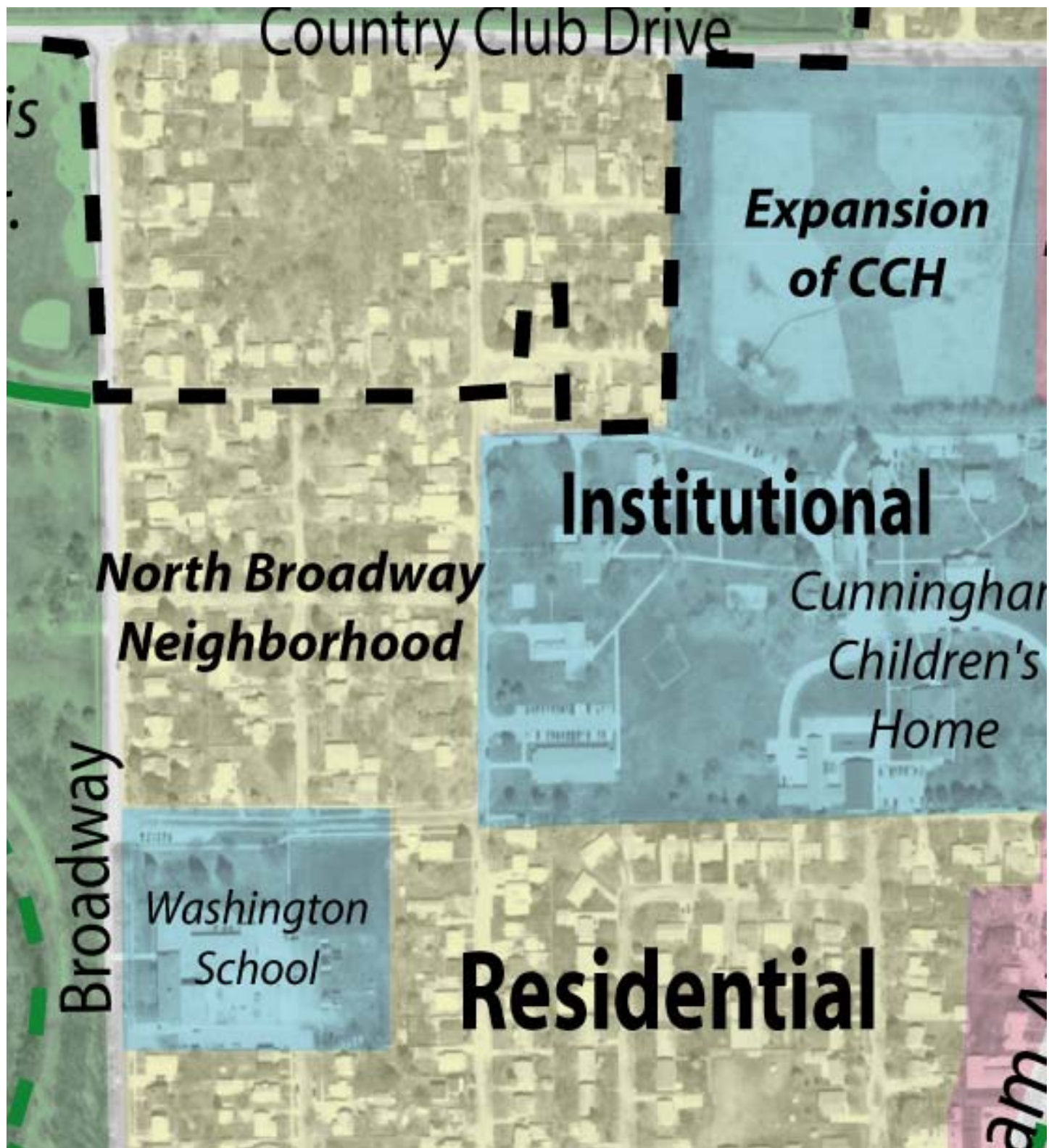
Exhibit C: Existing Land Use Map



Plan Case: 2006-A-07
 Petitioner: Matthew Varble
 Location: 306 E. Thompson, 31-21-08-227-011
 Description: Annexation Agreement for 306 E. Thompson

- City Boundary
- SF - Single Family
- DU - Duplex
- MF - Multi Family
- CH - Church
- INST - Institutional

Exhibit D: Future Land Use Map



Plan Case: 2006-A-07
Petitioner: Matthew Varble
Location: 306 E. Thompson, 30-21-08-227-011
Description: Annexation Agreement for 306 E. Thompson

Exhibit E: Aerial Map



Plan Case: 2006-A-07
Petitioner: Matthew Varble
Location: 306 E. Thompson, 30-21-08-227-011
Description: Annexation Agreement for 306 E. Thompson

Prepared 6/13/2006 by Community Development Services - rkb

Annexation Agreement

(306 East Thompson Street / Matthew Varble)

THIS Agreement is made and entered into by and between the **City of Urbana**, Illinois, (hereinafter sometimes referred to as the "Corporate Authorities" or the "City") and **Matthew Varble** (hereinafter referred to as the "Owner"). The effective date of this Agreement shall be as provided in Article III, Section 6.

WITNESSETH:

WHEREAS, this Agreement is made pursuant to and in accordance with the provisions of Section 11-15.1-1 et seq., of the Illinois Municipal Code (65 ILCS 5/11-15.1-1); and

WHEREAS, Matthew Varble is the Owner of record of a certain parcel of real estate located at 306 East Thompson Street, the legal description of which real estate is set forth in Exhibit A attached hereto and referenced herein as "the tract"; and

WHEREAS, the attached map, labeled Exhibit B, is a true and accurate representation of the tract to be annexed to the City of Urbana under the provisions of this agreement; and

WHEREAS, the tract is contiguous to the City of Urbana and may be immediately annexed; and

WHEREAS, the tract is currently zoned R-2, Single-Family Residential in Champaign County and the City and the Owners find it necessary and desirable that the tract be annexed to the City with a zoning classification of R-54, Medium ~~High~~-Density Multiple Family Residential, under the terms and provisions of the Urbana Zoning Ordinance in effect upon the date of annexation, as amended, and subject to the terms and conditions set forth in this Agreement; and

WHEREAS, the Corporate Authorities find annexation of the tract as described herein as R-54, Medium ~~High~~-Density Multiple Family Residential generally reflects the goals, objectives and policies set forth in the City's 2005 Urbana Comprehensive Plan, as amended from time to time; and

WHEREAS, the Owner desires to have the aforementioned real estate annexed to the City of Urbana upon certain terms and conditions hereinafter set forth in this Agreement.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

ARTICLE I. REPRESENTATIONS AND OBLIGATIONS OF THE OWNER

The Owner agrees to the following provisions:

Section 1. Ownership and Annexation. The Owner represents that the Owner is the sole record Owner of the property described in Exhibit A and that the Owner shall, within thirty (30) days of the approval of this agreement cause the tracts to be annexed to the City of Urbana by filing a legally sufficient annexation petition with all required signatures thereon, all in accordance with Illinois Statutes.

The Owner further agrees that the substance of this Section of the Annexation Agreement shall be included in any sales contract for the sale of any portion of the subject property. If the subject tract is to be platted for subdivision, the Owner agrees that the substance of this provision regarding annexation shall be included in the subdivision covenant and such will constitute a covenant running with the land. The Owner agrees for itself, successor and assigns, and all other persons intended herein to be obligated to consent to annexation, to cooperate in signing or joining in any petition for annexation for the subject tract and that mandamus would be an appropriate remedy in the event of refusal so to do, and, if the City has to resort to Court proceedings to enforce this obligation, the City shall be entitled to recover reasonable attorney's fees. The Parties agree that nothing in this section shall preclude the voluntary annexation of the subject tract or any portion thereof earlier than would otherwise be required.

Section 2. Authority to Annex. The Owner agrees and hereby stipulates that the City, by its approval, execution or delivery of this Agreement does not in any way relinquish or waive any authority it may have to annex the tract in the absence of this Agreement.

Section 3. Zoning. The Owner acknowledges that upon annexation, the tract will be rezoned from Champaign County R-2, Single-Family Residential Zoning District to City R-45, Medium High-Density Multiple-Family Residential Zoning District. ~~The Owner agrees that, unless changed upon the initiative of the Owner, the said City zoning classifications for said tract shall remain in effect for the term of this Agreement, subject to the right of the Corporate Authorities to amend the Zoning Ordinance text even if such amendment affects the tract.~~ The Owner agrees to use the tract only in compliance with the Urbana Zoning Ordinance and this agreement as such may be amended from time to time.

Section 4. Land Uses. The Owner agrees that the uses of the tract shall be limited to those allowed within the R-54, Medium High-Density Multiple-Family Residential Zoning District.

Section 5. Building Code Compliance. The Owner agrees to cause all new development, construction, remodeling or building additions on said tracts to be in conformance with all applicable City of Urbana codes and regulations including building, zoning and subdivision codes.

Section 6. Inspection. As per Urbana’s city-wide systematic property maintenance code compliance inspection program, the Owner agrees to ~~permit~~ allow a property maintenance code inspection prior to annexation to ensure that the existing site and structure are in conformance with all applicable current City of Urbana codes and regulations including building, zoning and subdivision codes. Any ~~immediate health or life safety threats must be brought into compliance immediately. The City will require verification that all immediate health and life safety threats are brought into compliance prior to processing an annexation for the subject property.~~ Any items found not to be in conformance with the applicable current City of Urbana codes and regulations ~~that are not immediate health or life safety threats will~~ must be addressed to the satisfaction of the Urbana Building Official ~~within 30 days of the date when~~ prior to the adoption of an ordinance officially annexing the subject property ~~is officially being annexed~~ into the City of Urbana. Items to be addressed prior to the adoption of an ordinance officially annexing the subject property into the City of Urbana are attached as Exhibit C.

Section 7. Amendments Required. The Owner shall take no action or omit to take action during the term of this Agreement which action or omission, as applied to the tract, would be a breach of this Agreement, without first procuring a written amendment to this Agreement duly executed by the Owner and the City. Said action includes petitioning for a county rezoning of said tracts without written amendment to this Agreement.

ARTICLE II. REPRESENTATIONS AND OBLIGATIONS OF THE CORPORATE AUTHORITIES

The Corporate Authorities agree to the following provisions:

Section 1. Annexation. The Corporate Authorities agree to annex said tract subject to the terms and conditions outlined in this Agreement, when properly and effectively requested to do so, by submission of a legally sufficient petition from the Owner, by enacting such ordinances as may be necessary and sufficient to legally and validly annex said tract to the City.

Section 2. Zoning. The Corporate Authorities agree to annex the tract with a zoning classification of R-54, Medium ~~High~~-Density Multiple-Family Residential.

~~**Section 3. Amendments.** The City shall take no action nor omit to take action during the term of this Agreement which act or omission, as applied to the tract, would be a breach hereof, without first procuring a written amendment to this Agreement duly executed by the Owner, or the Owner’s successors or assigns, of the portion of the tract which is directly the subject of the amendment.~~

ARTICLE III: GENERAL PROVISIONS

Section 1. Term of this Agreement. This Agreement shall be binding upon the parties hereto, and their respective successors and assigns, for a full term of twenty (20) years

commencing as of the effective date of this Agreement as provided by the Illinois State Statutes, unless other provisions of this Agreement specifically apply a different term. To the extent permitted thereby, it is agreed that, in the event the annexation of subject tract under the terms and conditions of this Agreement is challenged in any court proceeding, the period of time during which such litigation is pending shall not be included in calculating said twenty-year term. By mutual agreement, the term of this Agreement may be extended.

If this Agreement imposes any obligation, restraint, or burden (hereinafter called collectively "obligation") on the Owner or the Owner's successors or assigns, which obligation extends beyond the termination date of this Agreement, such obligation may be released by the Urbana City Council enacting an Ordinance releasing such obligation by a majority vote of all Alderpersons then holding office and the recording of such Ordinance in the Champaign County Recorder's Office, Champaign County, Illinois.

Section 2. Covenant running with the land. The terms of this Agreement constitute a covenant running with the land for the life of this Agreement unless specific terms are expressly made binding beyond the life of this Agreement. Furthermore, the terms herein are hereby expressly made binding upon all heirs, grantees, lessees, executors, assigns and successors in interest of the Owner as to all or any part of the tracts, and are further expressly made binding upon said City and the duly elected or appointed successors in office of its Corporate Authorities.

~~**Section 3. Binding Agreement upon parties.**~~ The Corporate Authorities and Owner agree that no party will take action or omit to take action during the term of this Agreement which act or omission as applied to the tracts would be a breach of this Agreement without first procuring a written amendment to this Agreement duly executed by the Owner and the City.

Section 43. Enforcement. The Owner and Corporate Authorities agree and hereby stipulate that any party to this Agreement may, by civil action, mandamus, action for writ of injunction or other proceeding, enforce and compel performance of this Agreement or the party not in default may declare this Agreement null and void in addition to other remedies available. Upon breach by the Owner, the City may refuse the issuance of any permits or other approvals or authorizations relating to development of the tract.

Section 54. Severability. If any provision of this Agreement is rendered invalid for any reason, such invalidation shall not render invalid other provisions of this Agreement which can be given effect even without the invalid provision.

Section 65. Effective Date. The Corporate Authorities and Owner intend that this Agreement shall be recorded in the Office of the Champaign County Recorder with any expenses for said recording to be paid by the Corporate Authorities. The effective date of this Agreement shall be the date it is recorded; or if not recorded for any reason, the effective date shall be the date the Mayor signs the agreement on behalf of the City.

IN WITNESS WHEREOF, the Corporate Authorities and Owner have hereunto set their hands and seals, and have caused this instrument to be signed by their duly authorized officials and the corporate seal affixed hereto, all on the day and year written below.

Corporate Authorities
City of Urbana:

Owner:

Laurel Lunt Prussing
Mayor

Matthew Varble

Date

Date

ATTEST:

ATTEST:

Phyllis D. Clark
City Clerk

Notary Public

Date

Date

Exhibit A

Legal Description

Lot 17 in Country Club Manor Subdivision, as per Plat recorded in Plat Book "F" at Page 309, situated in Champaign County, Illinois.

PIN No.: 30-21-08-227-011

Exhibit B

Map of Tract

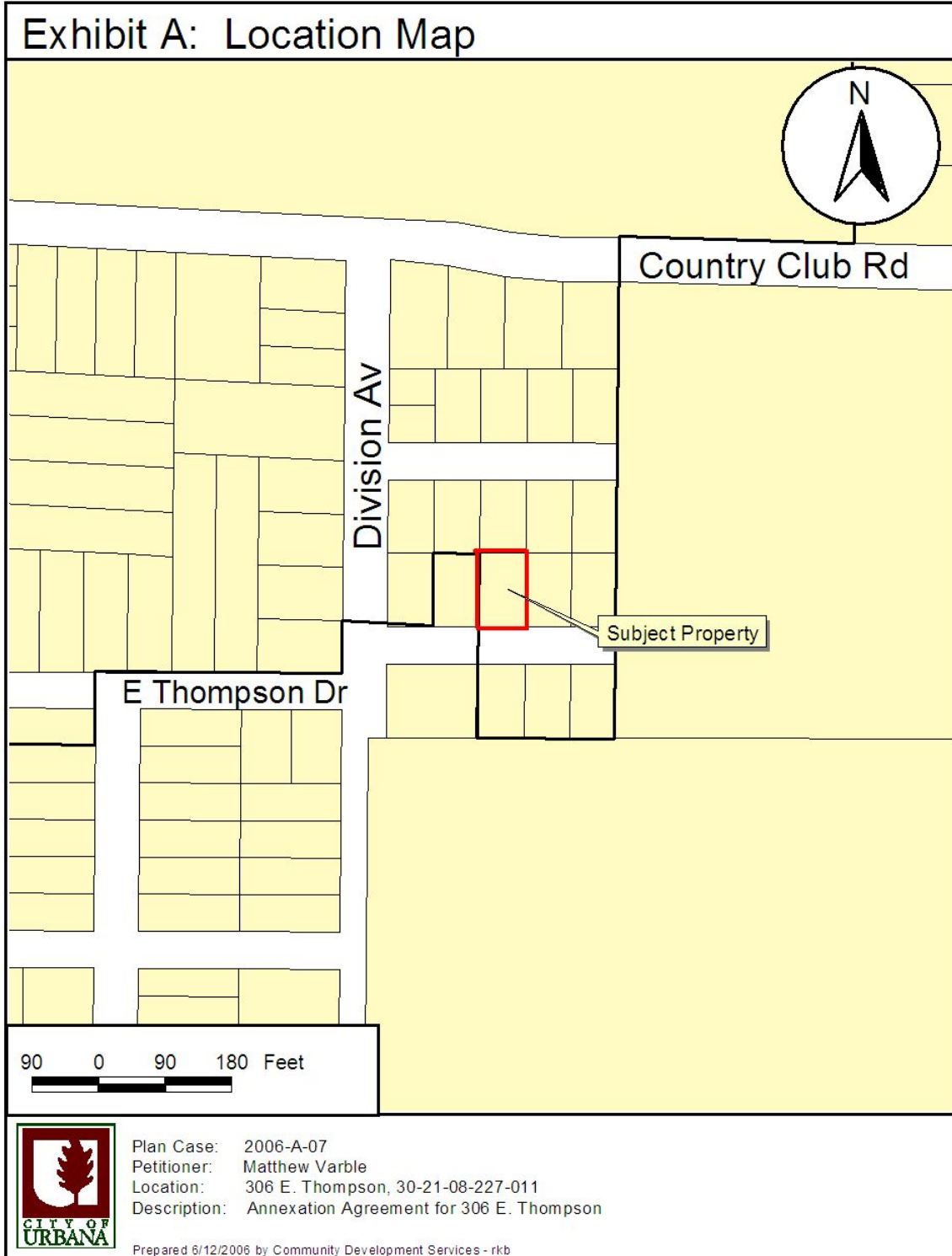


Exhibit C

Property Maintenance Code Inspection Report

ORDINANCE NO. 2006-07-097

An Ordinance Approving and Authorizing the Execution of an Annexation Agreement

(306 East Thompson Street / Matthew Varble)

WHEREAS, an Annexation Agreement between the City of Urbana, Illinois and Matthew Varble has been submitted for the Urbana City Council's consideration, a copy of which is attached; and,

WHEREAS, said agreement governs a tract totaling approximately ±0.15 acres located at 306 East Thompson Street and said tract is legally described as follows:

Lot 17 in Country Club Manor Subdivision, as per Plat recorded in Plat Book "F" at Page 309, situated in Champaign County, Illinois.

PIN No.: 30-21-08-227-011

WHEREAS, The City Clerk of Urbana, Illinois, duly published notice on the 3rd day of July, 2006 in the News-Gazette, a newspaper of general circulation in the City of Urbana, that a public hearing would be held with the City Council of Urbana on the matter of the proposed Annexation Agreement and the proposed rezoning of the tract; and

WHEREAS, the City of Urbana, Illinois also mailed notice of the public hearing to each of the Trustees of the Eastern Prairie Fire Protection District on the matter; and

WHEREAS, on the 17th day of May, 2006, the Urbana City Council held a public hearing on the proposed Annexation Agreement; and

WHEREAS, prior to the aforesaid public hearing held by the Urbana City Council, after due and proper notice, a public hearing was held before the Urbana Plan Commission on the 6th day of July, 2006, to consider the proposed Annexation Agreement and the rezoning from Champaign County R-2, Single-Family Residential Zoning District to the City R-5, Medium High Density

Multiple Family Residential Zoning District upon annexation in Plan Case No. 2006-A-07 and 2004-M-06; and

WHEREAS, the Urbana City Council has determined that the proposed Annexation Agreement is in general conformance with the goals and objectives of the City of Urbana's Official Comprehensive Plan; and,

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed annexation agreement will not negatively impact the City of Urbana and would be in the best interests of the City of Urbana and its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annexation Agreement between the City of Urbana, Illinois and Matthew Varble, a copy of which is attached and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver, and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Annexation Agreement, for and on behalf of the City of Urbana, Illinois.

Section 3. The City Clerk is directed to record a certified copy of this Ordinance and the Annexation Agreement herein approved, as amended, with the Recorder of Deeds of Champaign County, Illinois.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of two-thirds of the members of the Corporate Authorities of the City of Urbana, Illinois, then holding office, at a regular meeting of said Council.

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of _____, 2006, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving and Authorizing the Execution of an Annexation Agreement (306 East Thompson Street/Matthew Varble)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2006, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2006.



R-4 – MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL 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 and Conditional Uses in the R-4 District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Agriculture, Cropping

Business - Recreation

Country Club or Golf Course

Public and Quasi-Public

Church or Temple

Institution of an Educational, Philanthropic or
Eleemosynary Nature

Municipal or Government Building

Public Elementary, Junior High School or
Senior High School

Public Library, Museum or Gallery

Public 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

Public and Quasi-Public

Police or Fire Station

Principal Use Parking Garage or Lot

Residential

Dwelling, Home for Adjustment

Residential PUD

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Business - Recreation

Athletic Training Facility, Residential
Lodge or Private Club

Public and Quasi-Public

Electrical Substation

CONDITIONAL USES CONTINUED:

Residential

Bed and Breakfast, Owner Occupied
 Home for the Aged
 Nursing Home

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)	MIN SIDE YARD (in feet)	MIN REAR YARD (in feet)
R-4	6,000	60	35	0.5¹⁴	0.35	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)

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

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



R-5 – MEDIUM HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the R-5 Zoning District is as follows:

"The R-5, *Medium High Density Multiple-Family Residential District* is intended to provide areas for multiple-family dwellings at densities ranging up to medium high."

The following is a list of the Permitted Uses, Special Uses and Conditional Uses in the R-5 District. Permitted Uses are allowed by right. Special Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Agriculture, Cropping

Business - Recreation

Country Club or Golf Course
Lodge or Private Club

Public and Quasi-Public

Church or Temple
Institution of an Educational, Philanthropic or Eleemosynary Nature
Municipal or Government Building
Public Elementary, Junior High School or Senior High School
Public Library, Museum or Gallery
Public 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, Home for Adjustment
Dwelling, Multifamily
Dwelling, Multiple-Unit Common-Lot-Line
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

Hospital or Clinic
Methadone Treatment Facility
Police or Fire Station
Principal Use Parking Garage or Lot

Residential

Residential PUD

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Business – Personal Services

Mortuary

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Business – Professional and Financial Services

Professional and Business Office

CONDITIONAL USES CONTINUED:

Business - Recreation

Athletic Training Facility, Residential

Residential

Bed and Breakfast, Owner Occupied

Public and Quasi-Public

Electrical Substation

DEVELOPMENT REGULATIONS IN THE R-5 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-5	6,000	60	35	0.90	0.30	15⁹	5	5

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)

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

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