



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members
FROM: John A. Schneider, MPA, Director, Community Development Services Department
DATE: January 17, 2019
SUBJECT: **An Ordinance Amending the Urbana Zoning Map** (Rezoning 502 and 504 S. Broadway Avenue to B-4, Central Business District – Plan Case 2354-M-18)

Introduction

The Zoning Administrator requests a Map Amendment to rezone two City-owned parcels in downtown Urbana to the B-4, Central Business Zoning District. The changes would match the future land use designation of “Central Business” attributed to the parcels in the 2005 Comprehensive Plan. The parcels are located at 502 and 504 South Broadway Avenue. They are zoned R-6, High Density Multiple-Family Residential and are currently used as parking lots.

The City of Urbana and Brinshore Development are working together to redevelop all of the City-owned parcels between Illinois Street and California Avenue into an arts-centered affordable housing development.¹ Rezoning the two parcels to match the B-4 zoning of the remaining City-owned parcels along Illinois Street would help facilitate the proposed development.

On January 10, 2019, the Plan Commission held a public hearing on this case, which at the time included a request to rezone 202 East California Avenue as well. One person spoke in favor of the rezoning, and one person spoke against it. After discussion, the Plan Commission voted unanimously (six ayes to zero nays) to recommend to the Urbana City Council that 502 and 504 South Broadway Avenue be rezoned to the B-4 district, but to deny the request to rezone 202 East California Avenue.

As a result of the Plan Commission recommendation and additional analysis indicating that the development could proceed without rezoning 202 East California Avenue, the Zoning Administrator has revised the request to rezone only the parcels at 502 and 504 South Broadway Avenue to B-4.

Discussion

The proposed arts-centered project would include an apartment building with six artist live-work units on the ground floor and an arts and cultural center to be operated by the City’s Arts & Culture program. The project would also include nine “tiny homes.” While the residential uses would be allowed under the existing zoning, rezoning to B-4 would allow the proposed arts center by right. It would also allow for more flexibility in site design, since the B-4 district does not require any yards (“setbacks”) or any minimum amount of parking.

The existing zoning designations are holdovers from the uses that existed on the properties prior to their conversion into parking lots. There is no good rationale for leaving the two parcels on Broadway

¹ See www.urbanaininois.us/urbanaartsdevelopment for more information.

Avenue zoned as is, even if the proposed development does not come to fruition. The parcels were identified in the 2005 Comprehensive Plan as “Central Business” and the rezoning request would align the zoning with the Comprehensive Plan. As discussed in the “Plan Commission” section below, leaving 202 East California Avenue zoned R-4 would still allow the proposed development to be built, so rezoning that parcel is not necessary at this time.

Rezoning Summary Table

Address	Proposed Rezoning	Land Use	Future Land Use	Owner	Reason for Rezoning
502 and 504 South Broadway Avenue	R-6 to B-4	Parking	Central Business	City	Match future land use; make consistent w/ surroundings. Facilitate redevelopment.

Current Zoning and Future Use Table

PROPERTIES	Zoning	Land Use	Future Land Use
Subject Properties	R-6	Parking Lot	Central Business
North	B-4	Parking/ Shopping Mall	Central Business
East	B-4	Commercial	Central Business
South	B-3	Commercial	Central Business
West	B-4	Commercial	Central Business

Rezoning 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 used to evaluate the legal validity of a zoning classification for a particular property. In addition to the six La Salle Criteria, the court developed two more factors in the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. Together, all eight factors are discussed below to compare the current zoning to the proposed zoning.

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

Rezoning to the B-4 district would be compatible with the zoning and land uses of the areas surrounding all of the parcels in this request (see Exhibit A). To the north is Lincoln Square Mall, and to the west, south, and east are business and residential uses.

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

(This is the difference in the value of the neighboring properties with the current zoning of the subject properties, compared to the estimated value of the neighboring properties if the subject properties are zoned B-4, Central Business.)

² Please note that the Urbana City Planning Division staff are not professional appraisers and that a professional appraiser has not been consulted regarding the impact on the value of the property. Any discussion pertaining to property values must be considered speculative and inconclusive.

Rezoning the parcels to B-4 would allow for a variety of commercial and residential uses to be built on them, while the current zoning limits the parcels to residential uses. It is uncertain whether surrounding property values would be affected by the change in zoning, but it is unlikely that rezoning would diminish the value of surrounding properties. The rezoning would make it more likely that the parcels are redeveloped in some way, which may increase nearby property values.

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

The proposed rezoning would not harm the health, safety, morals, or general welfare of the public as the uses and development form allowed under the B-4 zoning are appropriate for this site and consistent with the surrounding uses.

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

The rezoning would allow the potential for the proposed arts center, which would be beneficial to the public. In addition, the B-4 district would make affordable housing more likely for these parcels, since the B-4 district has more flexible development regulations than the current zoning. More affordable units would be beneficial to the public.

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

The properties are well-suited for central business-type uses, which would be allowed by rezoning to B-4. Given the surroundings of each of the parcels, the B-4 district is highly appropriate and was contemplated by the Central Business future land use designation in the 2005 Comprehensive Plan. If the proposed redevelopment takes place, the artist spaces, residences, and arts center will be highly compatible with the surrounding area. Specifically, the lower-density single-family units would be sited along California Avenue, across from residential uses, while the higher-density apartment units would be located along Broadway Avenue at Illinois Street.

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 parcel at 202 East California has been a parking lot since the 1970s or 1980s, while the parcels on Broadway Avenue have been parking lots for at least seven years. Rezoning to B-4 would make the properties more likely to be redeveloped into a productive use than with their current zoning designations.

7. *The community's need for more of the proposed use.*

The Comprehensive Plan includes the provision of affordable housing as a goal, and that sentiment has been echoed during recent community discussions of proposed developments. The Comprehensive Plan also includes an objective to expand the City's creative community by promoting arts-related uses and events. The proposed rezoning would support a development that would contribute to each of these stated community goals/objectives. City staff often receive input from the public stating that Urbana needs more affordable housing and more space for artists. A dedicated space for an arts and cultural center would be a welcome addition to Downtown Urbana.

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

In the 2005 Comprehensive Plan, the parcels were identified as "Central Business." At that time, these parcels were being used for housing and parking, but it was recognized that in the future the parcels would best be suited for central business-type uses.

Plan Commission Meeting

The Plan Commission held a public hearing on the Special Use Permit request at the January 10, 2019, meeting. The Plan Commission discussed the proposed tiny homes; the public alley; the option to rezone some, but not all, of the parcels; and parking (see Exhibit E for draft meeting minutes).

Steve Beckett, owner of the commercial property at 508 South Broadway, spoke in support of the rezoning. Mr. Beckett expressed some concerns about the proposed development, and how it may affect parking for the Market at the Square, property values, and the public alley³.

Marlene Book, a nearby resident, spoke in opposition to the rezoning. Ms. Book expressed concerns about parking, the total number of units proposed for the site, whether the market can support more housing, property values, and a desire to keep the neighborhood "peaceful."

After discussion, the Plan Commission voted six ayes to zero nays to recommend **approval** of the request to rezone 502 and 504 South Broadway Avenue to B-4 and **denial** of the request to rezone 202 East California Avenue, in order to retain the current parking and development regulations for the latter property. Denying the rezoning of 202 East California Avenue would have no effect on the development proposed for that lot. R-4 zoning allows tiny homes, and the proposed site plan meets all of the requirements of the R-4 district.

Summary of Findings

1. The Zoning Administrator has submitted a petition for a multipart map amendment to the Urbana Zoning Map for three properties: 502 and 504 South Broadway Avenue and 202 East California Avenue.
2. The initial request was to rezone all three properties from their current designations to B-4, Central Business, to match the future land use designations in the Urbana Comprehensive Plan. The Zoning Administrator has revised the request to rezone only the properties at 502 and 504 South Broadway Avenue.
3. The proposed zoning map amendment would correct inconsistencies in the Zoning Map.
4. The proposed zoning map amendment is consistent with the 2005 Urbana Comprehensive Plan.
5. The proposed zoning map amendment generally meets the rezoning criteria.
6. The Plan Commission voted unanimously (six to zero) to forward the case to City Council with a recommendation for approval of the rezoning request for 502 and 504 South Broadway Avenue and denial of the rezoning request for 202 East California Avenue.

³ Mr. Beckett was concerned that the alley might be closed if the proposed development is built, however, other properties are accessed from the alley, the proposed development would be accessed from the alley, and the developer has not requested that the alley be vacated.

Options

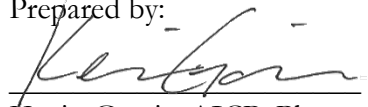
The City Council has the following options in Plan Case No. 2354-M-18:

1. Approve the requests;
2. Approve some of the requests, and deny others;
3. Deny the requests.

Recommendation

At its January 10, 2019, meeting, the Plan Commission voted with six ayes and zero nays to recommend that City Council APPROVE the requests to rezone 502 and 504 South Broadway Avenue and to DENY the request to rezone 202 East California Avenue. The Zoning Administrator has revised the application to withdraw the request to rezone 202 East California Avenue and to only request the rezoning of 502 and 504 South Broadway Avenue to B-4.

Prepared by:



Kevin Garcia, AICP, Planner II

Attachments:

- Exhibit A: Location and Existing Land Use Map
- Exhibit B: Zoning Map
- Exhibit C: Future Land Use Map
- Exhibit D: Zoning Description Sheets for R-6, R-4, and B-4 Districts
- Exhibit E: Draft Minutes from January 10, 2019 Plan Commission

Exhibit A: Location & Existing Land Use Map



Case: 2354-M-18
 Subject: Rezoning
 Location: 502/504 South Broadway Avenue
 Petitioner: Zoning Administrator

 Subject Property

Exhibit B: Zoning Map



Case: 2354-M-18
 Subject: Rezoning
 Location: 502/504 S. Broadway Ave.
 Petitioner: Zoning Administrator










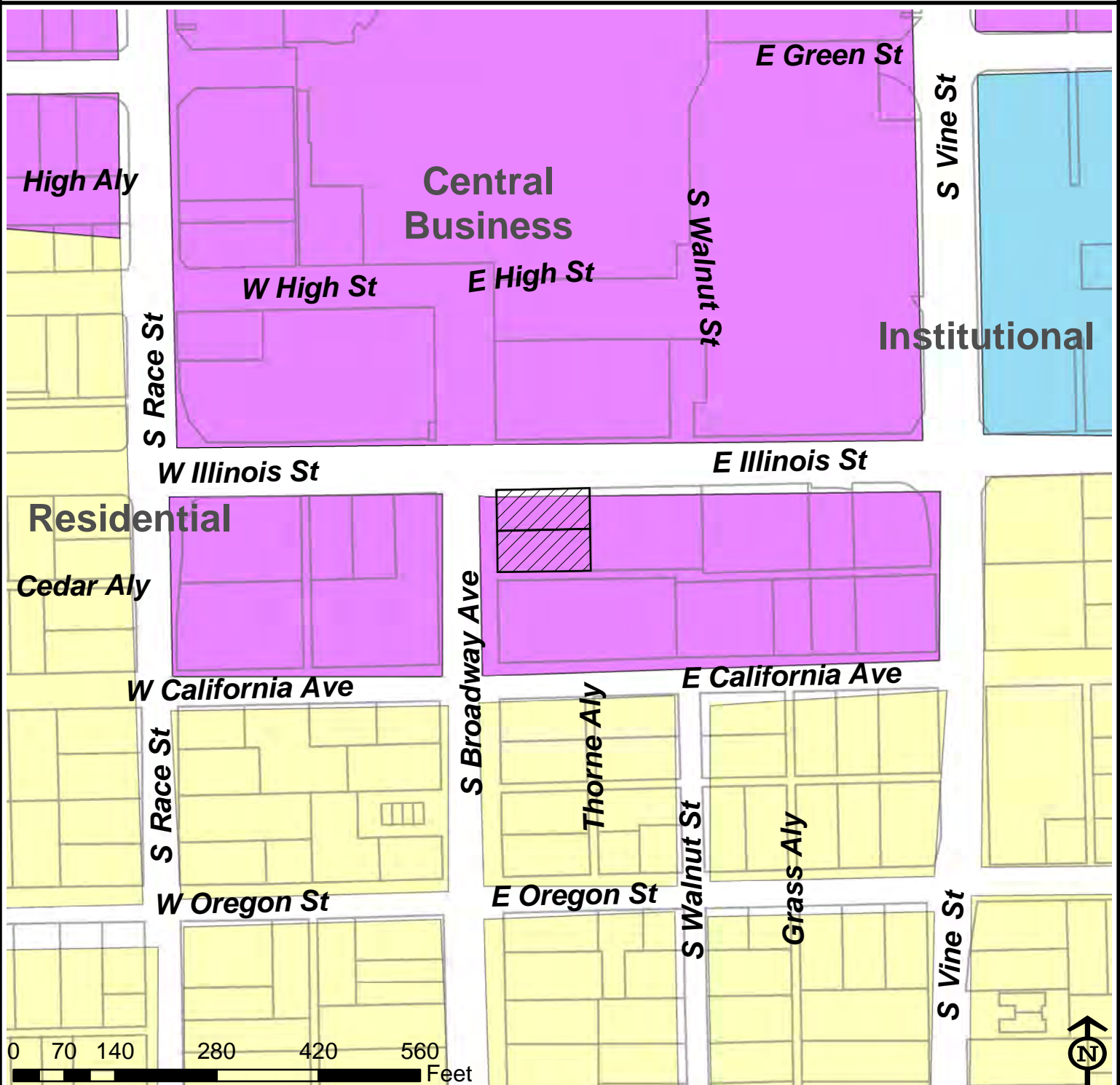
	B-3		R-2		R-5
	B-4		R-3		R-6
	MOR		R-4		Subject Property

Exhibit C: Future Land Use Map



Case: 2354-M-18
 Subject: Rezoning
 Location: 502/504 South Broadway Avenue
 Petitioner: Zoning Administrator



-  Subject Property
-  Residential
-  Central Business
-  Institutional

Exhibit D: Zoning Description Sheets



R-6 – 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-6 Zoning District is as follows:

"The R-6, High Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at densities ranging up to high."

The following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-6 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
Lodge or Private Club

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
Methadone Treatment Facility
Municipal or Government Building
Park

Residential

Assisted Living Facility
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, Transitional Home, Category I and II
Dwelling, Two-Unit Common-Lot-Line***
Nursing Home

SPECIAL USES:

Public and Quasi-Public

Hospital or Clinic
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 Planned Unit Development (*See Section XIII-3*)

Exhibit D: Zoning Description Sheets

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Business – Professional and Financial Services

Professional and Business Office

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Public and Quasi-Public

Electrical Substation

Business – Personal Services

Mortuary

Residential

Bed and Breakfast, Owner Occupied

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-6 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) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-6	6,000	60	See Note ¹⁵	1.40	0.25	15	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote¹⁵ – In the R-6 and R-6B Districts, the maximum height is twice the distance from the street centerline to the face of the building.

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

City of Urbana

Community Development Services Department

400 South Vine Street, Urbana, Illinois 61801

(217) 384-2440 phone / (217) 384-2367 fax

www.urbanaininois.us

Exhibit D: Zoning Description Sheets



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, Transitional Home, Category I
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 Planned Unit Development (*See Section XIII-3*)

Exhibit D: Zoning Description Sheets

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
 Dwelling, Transitional Home, Category II
 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) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-4	6,000	60	35 ¹⁷	0.50 ¹⁴	0.35	15 ⁹	5	10

FAR = Floor Area Ratio

OSR = Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

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 Section 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 Section VI-5.D.1. (*Ordinance No. 9596-58, 11-20-95*) (*Ordinance No. 9697-154*) (*Ordinance 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.

Footnote¹⁷ – Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.

Exhibit D: Zoning Description Sheets

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

City of Urbana
Community Development Services Department
400 South Vine Street, Urbana, Illinois 61801
(217) 384-2440 phone / (217) 384-2367 fax
www.urbanaininois.us

Exhibit D: Zoning Description Sheets



B-4 – CENTRAL BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

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

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

PERMITTED USES:

Agriculture

Garden Shop
Plant Nursery or Greenhouse

Business - Adult Entertainment

Adult Entertainment Uses

Business - Food Sales and Services

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

Business - Miscellaneous

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

Business - Personal Services

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

Business - Professional and Financial Services

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

Business - Transportation

Motor Bus Station

Business - Vehicular Sales and Service

Automobile Accessories (*New*)

Exhibit D: Zoning Description Sheets

PERMITTED USES Continued:

Business - Recreation

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

Business - Retail Trade

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

Industrial

Microbrewery

Public and Quasi-Public

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

Residential

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

Exhibit D: Zoning Description Sheets

SPECIAL USES:

Business - Miscellaneous

Shopping Center – Convenience
Shopping Center – General

Public and Quasi-Public

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

PLANNED UNIT DEVELOPMENT USES:

Business - Miscellaneous

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

CONDITIONAL USES:

Agriculture

Feed and Grain (*Sales Only*)

Business – Miscellaneous

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

Business – Transportation

Taxi Service

Business – Vehicular Sales and Service

Automobile/Truck Repair
Gasoline Station

Public and Quasi-Public

Nonprofit or Governmental, Educational and
Research Agencies

Residential

Assisted Living Facility
Dormitory
Nursing Home

Industrial

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

Table V-1 Notes:

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

Exhibit D: Zoning Description Sheets

DEVELOPMENT REGULATIONS IN THE B-4 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
B-4	2,000	20	None ³	9.00	None	None	None	None ¹⁸

FAR= Floor Area Ratio

OSR= Open Space Ratio

Footnote¹ – See Section VI-5 and Section VIII-4 for further information about required yards.

Footnote³ – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.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.

Footnote¹⁸ – In the B-4, B-4E and IN-2 Districts, if the property is adjacent to a residential district, a ten foot rear buffer is required, in accordance with Table VI-3.

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

City of Urbana

Community Development Services Department

400 South Vine Street, Urbana, Illinois 61801

(217) 384-2440 phone or (217) 384-2367 fax

www.urbanaininois.us

Exhibit E: Draft Plan Commission Minutes

January 10, 2019

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: January 10, 2019

TIME: 7:00 P.M.

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

MEMBERS PRESENT: Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, Daniel Turner, Chenxi Yu

MEMBERS ABSENT: Barry Ackerson, Nancy Ouedraogo, Jonah Weisskopf

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Marcus Ricci, Planner II; Teri Andel, Administrative Assistant II; Scott Tess, Environmental Sustainability Manager

OTHERS PRESENT: Chad Beckett, Steve Beckett, Rick Beyers, Marlene Book, Mike Friend, Karen Fresco, Stacy Gloss, Drew Hopkins, Gayle Silvers, Chad Tady (via audio)

NEW PUBLIC HEARINGS

Plan Case No. 2354-M-18 – A request by the City of Urbana to rezone three parcels totaling approximately 0.653 acres located at 502-504 South Broadway Avenue and 202 East California Avenue from R-4 (Medium Density Multiple Family Residential) and R-6 (High Density Multiple Family Residential) to B-4 (Central Business) Zoning District.

Chair Fitch opened the public hearing for this case.

Kevin Garcia, Planner II, presented the staff report for the proposed map amendment. He began by noting the location and zoning of the three subject properties. He talked about a proposed arts-centered, affordable housing project that would be developed if the proposed rezoning request were approved. He reviewed the LaSalle National Bank criteria and the Sinclair Pipeline Company factors and how they relate to the proposed rezoning. He read the options of the Plan Commission and presented City staff's recommendation for approval.

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

Exhibit E: Draft Plan Commission Minutes

January 10, 2019

Mr. Hopkins stated that tiny homes are described as single-family dwellings; however, single-family structures are not permitted by right or with a conditional or special use permit in the B-4 (Central Business) Zoning District. He asked for clarification. Mr. Garcia replied that there would be multiple tiny home units on one lot, so it would be considered multi-family. Lorrie Pearson, Planning Manager, added that they used the layman term “*single family*” so people would understand it to be an individual dwelling unit.

Mr. Fell inquired as to how big the tiny homes would be. Mr. Garcia explained that City staff had only seen a conceptual site plan. A tiny home is around 450 or 500 square feet in size. Mr. Fell expressed concern about tiny homes not meeting the current building code. Ms. Pearson assured him that the developer would be required to construct each unit to meet the building code.

Mr. Fell wondered if the alley would be vacated. Mr. Garcia said that he was unaware of any plans and that it was not germane to the rezoning request. Ms. Pearson added that the topic of vacating the alley had not been mentioned in any of the preliminary discussions they have had with the developer.

Ms. Billman questioned whether the Plan Commission could place a condition on the approval of the rezoning request to ensure that the lower density single-family residential units would be sited along California Avenue. Mr. Garcia said no. The rezoning request is the only thing up for discussion. Ms. Pearson added that since the properties are owned by the City of Urbana, the City would have a strong interest in how they are constructed.

Mr. Fell inquired if the Plan Commission had the option to rezone one parcel and not all of them. Mr. Garcia said yes. However, part of the reason to rezone the three parcels is to have them match the Future Land Use designation in the Comprehensive Plan. Planning staff has been working towards cleaning up the zoning throughout the City.

Mr. Fell asked why the City was not proposing to rezone the two lots to the east of 202 East California Avenue as well. Mr. Garcia explained that those two properties were not owned by the City of Urbana. Staff could approach the owner of each property to see if they would be willing to rezone their lots. Ms. Pearson noted that another reason for requesting the properties to be rezoned to B-4 was the lack of a parking requirement. It is common for an affordable housing development to have less of a need for parking, and there is a parking lot located immediately adjacent to the subject properties.

Chair Fitch reviewed the procedure for a public hearing. He opened the hearing for public input.

Steve Beckett approached the Plan Commission to speak. He mentioned that he and his wife are trustees of Beckett Property Trust and beneficial owners of the property located at 508 South Broadway. Their property is immediately west of the subject property at 202 East California Avenue and immediately south of 502-504 South Broadway Avenue. He stated that he supports the concept of rezoning these properties so that all the properties (including his) are zoned the same. However, he was unsure of whether the proposed tiny house development would be compatible and concerned about the impact of the proposed development on the value of his property. He mentioned that no one had talked to him and his wife about the proposed development. He also expressed concern about the vacation of the alley as it provides access to the backside of their parking lot. Vacating the public alley would hurt his business. In addition, the proposed development would heavily impact the parking needs for the Farmer’s Market.

Exhibit E: Draft Plan Commission Minutes

January 10, 2019

Marlene Book approached the Plan Commission to speak. She shared many of the concerns of Mr. Beckett. She did not understand how they planned to locate 44 units on the three subject properties. Parking is a real concern in this area. She believed this type of development would have a negative impact on the property values of the neighboring properties. She would like her peaceful neighborhood to remain peaceful.

There was no additional input, so Chair Fitch closed the public input portion and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins stated that he was inclined to consider the idea of only rezoning the two parcels along Broadway Avenue. It would be sufficient to enable the proposed development to move forward. One effect of doing so would be to retain parking requirements for anything built on California Avenue and to meet the parking needs of the Farmer's Market.

Ms. Billman believed that City staff was being too optimistic about the low need for parking. So, she agreed about not rezoning 202 East California Avenue to keep the existing parking lot. She asked if the alley would be vacated. Ms. Pearson replied that there had been no request to do so. There are other property owners who take access from the alley, and the proposed developer planned to take access off the alley.

Mr. Fell asked if the developer would be applying for a planned unit development or would he/she be able to build by right. Mr. Garcia answered that the developer would be able to build by right.

Chair Fitch stated that he would be inclined to support a motion to rezone only the properties at 502-504 South Broadway Avenue.

Mr. Fell commented that it is possible for the developer to design the proposed development without creating a parking issue. Since the Plan Commission has no jurisdiction on how to govern how the developer develops the lot at 202 East California Avenue, he was leaning towards supporting the rezoning of the other two properties and not this one.

Mr. Hopkins reiterated that this is a rezoning case. The proposed development has not come into fruition yet so the Plan Commission should only focus on the proposed map amendment. He moved that the Plan Commission forward Case No. 2354-M-18 to the City Council with a recommendation of approval to rezone 502-504 South Broadway Avenue and of denial to rezone 202 East California Avenue. Ms. Billman seconded the motion. Roll call on the motion was as follows:

Ms. Billman	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Turner	-	Yes	Ms. Yu	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that this case would be forwarded to City Council on January 22, 2019.

ORDINANCE NO. 2019-01-009

AN ORDINANCE AMENDING THE URBANA ZONING MAP

(Rezoning 502 and 504 S. Broadway Avenue to B-4, Central Business District – Plan Case 2354-M-18)

WHEREAS, the Urbana Zoning Administrator has petitioned the City of Urbana ("City") to rezone 502 and 504 South Broadway Avenue to B-4, Central Business; and

WHEREAS, the Plan Commission held a public hearing on such application at 7:00 p.m. on Thursday, January 10, 2019, in Plan Case No. 2354-M-18; and

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

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

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

WHEREAS, the City Council finds that the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

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

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

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

Section 1.

The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties:

The subject properties to be rezoned from R-6, High Density Multiple-Family Residential to B-4, Central Business are more accurately described as follows:

Tract 1: 502 South Broadway Avenue, R-6 to B-4:

Lot 2, except the North 6 feet thereof, of William C. Beck's Addition to the Town, now City, of Urbana, as per plat recorded in Deed Record "F" at Page 500, in Champaign County, Illinois,
and

The vacated alley lying between Lots 1 and 2 of William C. Beck's Addition to the Town, now City of Urbana, as per plat recorded in Deed Record "F" at Page 500, as vacated by Ordinance recorded September 11, 2002 as Document 2002R29784, in Champaign County, Illinois.

P.I.N.: 91-21-17-253-001

AND

Tract 2: 504 South Broadway Avenue, R-6 to B-4:

Lot 3 of William C. Beck's Addition to the Town, now City, of Urbana, as per plat recorded in Deed Record "F" at Page 500, in Champaign County, Illinois,
and

The vacated alley lying between Lots 3 and 4 of William C. Beck's Addition to the Town, now City, of Urbana, as per plat recorded in Deed Record "F" at page 500, as vacated by Ordinance recorded September 11, 2002 as Document 2002R29784, in Champaign County, Illinois.

P.I.N.: 92-21-17-253-002

Section 2.

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

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

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, _____.

Diane Wolfe Marlin, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ____ day of _____, _____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled: **(Rezoning Multiple Properties to B-4, Central Business District / Plan Case No. 2354-M-18)** which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ____ day of _____, _____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

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

(SEAL)

Charles A. Smyth, City Clerk