

CASE 181-AM-25

PRELIMINARY MEMORANDUM

December 4, 2025

Petitioner: Vaishali Patel of Pranam MAA LLC and Fred Otten

Request: Amend the Zoning Map to change the zoning district designation from the I-1 Light Industry Zoning District to the B-4 General Business District.

Location: A .51-acre parcel in the Southwest Quarter of the Southwest Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, on the south side of University Ave. and more commonly known as 2205 E. University Ave., Urbana, Illinois.

Site Area: 0.51 acres

Time Schedule for Development: As soon as possible

Prepared by: **Charlie Campo**, Zoning Officer
John Hall, Zoning Administrator
Trevor Partin, Associate Planner

BACKGROUND

The existing building was constructed for use as an HVAC repair business. An HVAC repair business occupies a portion of the building along with a counseling clinic. The petitioners seek to rezone the property from I-1 Light Industry to B-4 General Business to allow the establishment of a video gaming business in the vacant portion of the building. The most similar principal use from the Champaign County Zoning Ordinance is “Private Indoor Recreational Facility” which is not allowed in the current I-1 Light Industry Zoning District, so a Map Amendment to B-4 General Business is needed. The proposed use would be allowed by right in the B-4 District. This change would also bring the existing counseling clinic use into conformance with the Ordinance.

EXTRATERRITORIAL JURISDICTION

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, a municipality with zoning. Zoned municipalities have protest rights in Map Amendment cases. Notice of the public hearing was sent to the city. The subject property is within 100 ft. of the City of Urbana. The City’s most recent Comprehensive Plan Map from 2005 shows the subject property to be in the “Community Business” land use area.

The subject property is located within Urbana Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights in Map Amendment cases.

EXISTING LAND USE AND ZONING

Table 1. Land Use and Zoning Summary

Direction	Land Use	Zoning
Onsite	HVAC Repair, Counseling Clinic	I-1 Light Industry (Proposed rezoning to B-4 General Business)
North	Neighborhood Business, Multi Family Res.	B-2 Neighborhood Business, R-5 Manufactured Home Park
East	HVAC Repair	I-1 Light Industry
West	Propane Sales and Service	I-2 Heavy Industry
South	Railroad Right-of-Way	I-1 Light Industry, I-2 Heavy Industry

PUBLIC COMMENTS

Notices about the case were sent to surrounding landowners, Urbana Township, City of Urbana, Edge Scott Fire Protection District and Saline Branch Drainage District and no comments have been received.

PARKING

Parking requirements differ based on the uses that occupy the building. A detailed floor plan will be required as part of a Zoning Use Permit for a change of use for a new tenant to occupy the building. A variance could be required if the site can not meet the parking requirements based on the Zoning Ordinance.

DECISION POINTS

Staff analysis indicates that the proposed Zoning Map amendment and potential use appear to be generally compatible with surrounding land uses and the Champaign County Land Resource Management Plan Goals, Objectives, and Policies adopted by the County Board on April 22, 2010.

Staff has recommended affirmative findings for all decision points for the LRMP Goals, Objectives, and Policies, LaSalle and Sinclair Factors, and Purpose of the Zoning Ordinance which are denoted by text in ***BOLD ITALICS***. The Board can revise any of these recommended findings.

PROPOSED SPECIAL CONDITIONS

- A. **A Zoning Use Permit and applicable fees shall be required for any future construction on the property.**

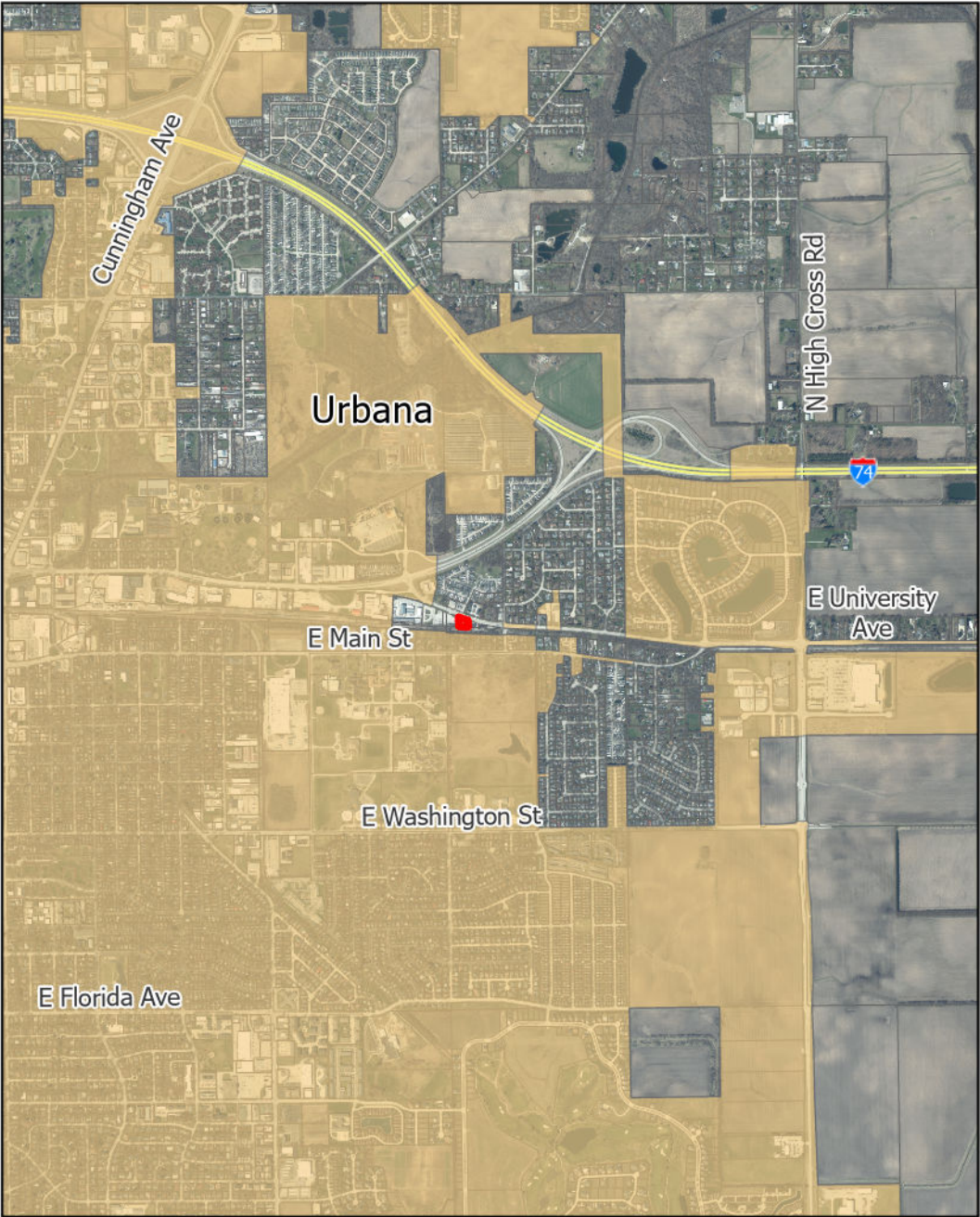
The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

ATTACHMENTS

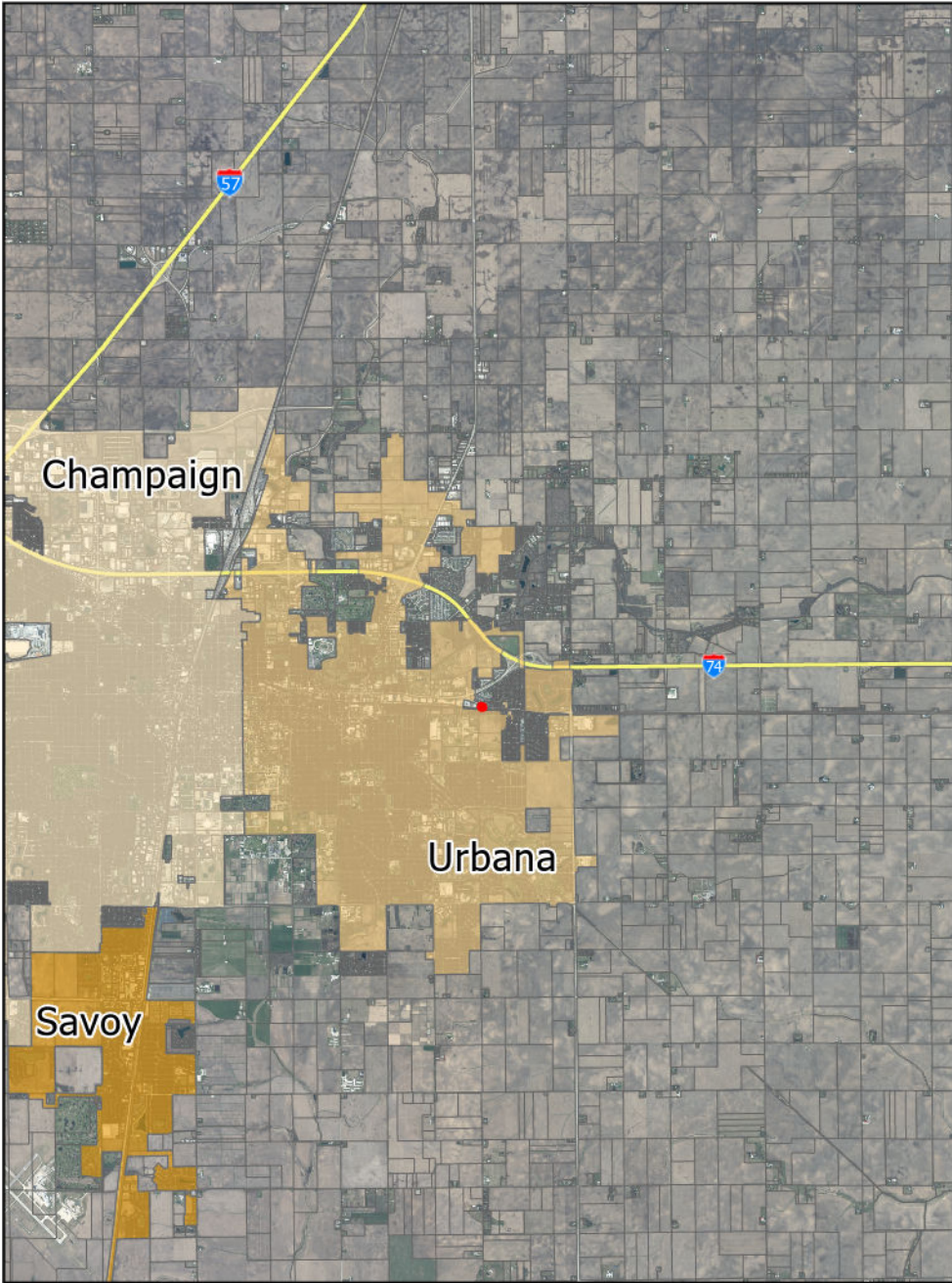
- A Case Maps (Location, Land Use, Zoning)
- B Annotated Aerial Photo 2023
- C Annotated Aerial Photo 1988 and 1973
- D LRMP Land Use Goals, Objectives, and Policies (on ZBA meetings website)
- E LRMP Appendix of Defined Terms (on ZBA meetings website)
- F Site Plan received October 30, 2025
- G Site Photos taken December 4, 2025
- H Draft Finding of Fact, and Final Determination for Case 181-AM-25 dated December 11, 2025

Location Map
Case 181-AM-25
December 11, 2025



 Subject Parcel

0 0.5 1 Miles



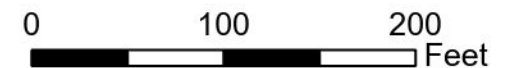
0 2 4 Miles



	Subject Parcel		Residential		Fire Station
	Commercial		Manufactured Home Park		City of Urbana



Zoning Map
Case 181-AM-25
December 11, 2025



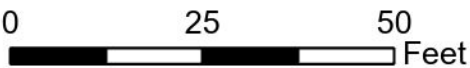


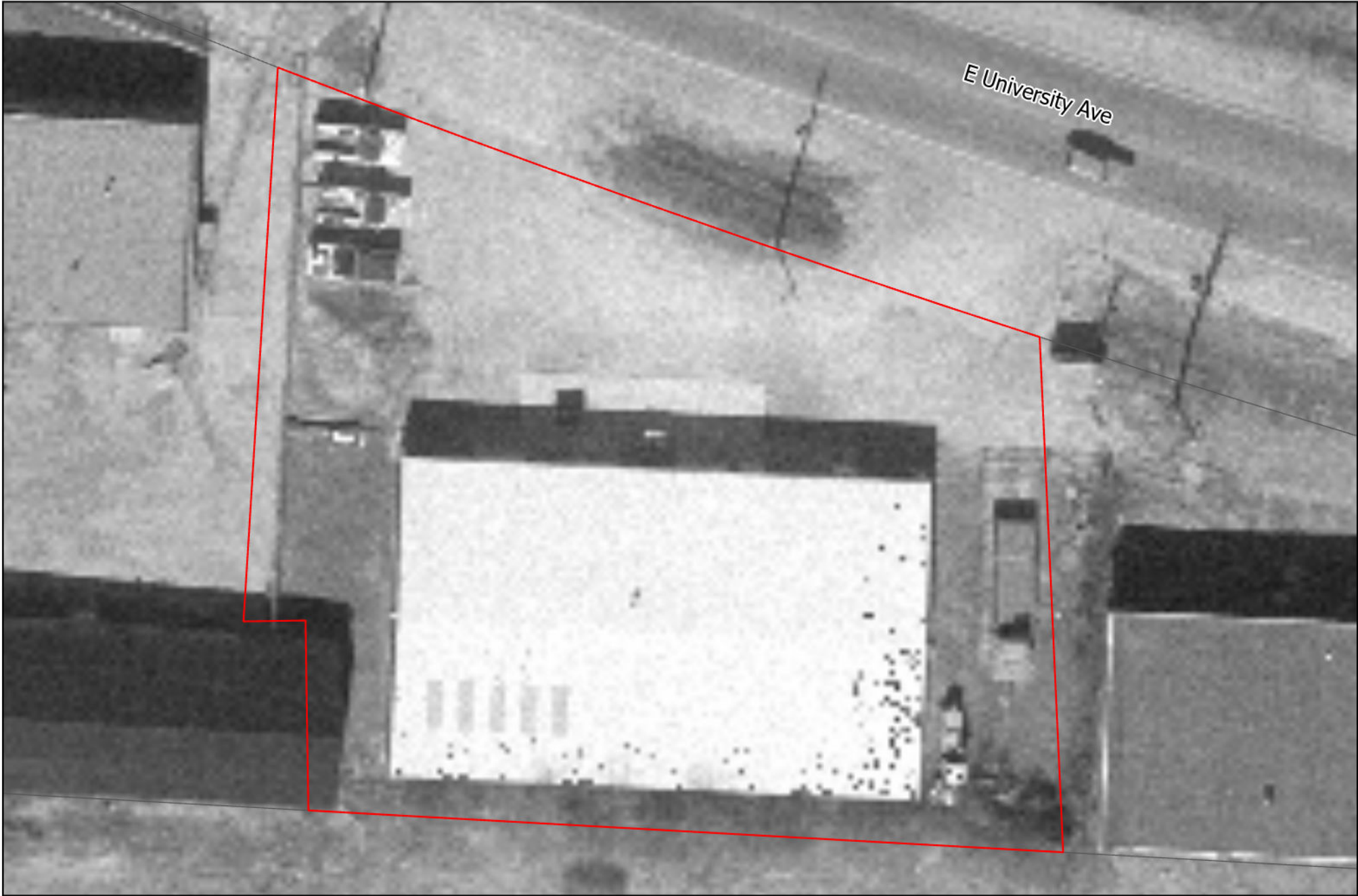
 Subject Parcel



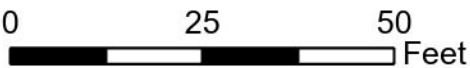


 Subject Parcel





 Subject Parcel



RECEIVED

OCT 30 2025

CHAMPAIGN CO. P & Z DEPARTMENT



Kucera International Inc., Champaign County GIS Consortium

This map was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGISC member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this map is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this map and information contained herein. The use of this map constitutes acknowledgement of this disclaimer.

181-AM-25 Site Images



From Dale Ln. looking south across University Ave. to Subject Property



From West entrance of Subject Property looking east along University Ave.

181-AM-25 Site Images



From east entrance of Subject Property looking northwest across University Ave.



From the east side of building looking south to adjacent rail line.

181-AM-25 Site Images



From west driveway looking north toward building.



From east driveway looking northeast across University Ave.

PRELIMINARY DRAFT

181-AM-25

**FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals**

Final Determination: ***{RECOMMEND ENACTMENT / RECOMMEND DENIAL}***

Date: ***{December 11, 2025}***

Petitioners: **Vaishali Patel of Pranam MAA LLC and Fred Otten**

Request: **Amend the Zoning Map to change the zoning district designation from the I-1 Light Industry District to the B-4 General Business Zoning District.**

Table of Contents

Finding of Fact.....	2 - 9
Land Resource Management Plan Goals, Objectives, and Policies	9 - 12
LaSalle and Sinclair Factors.....	12 – 14
Purpose of the Zoning Ordinance	14 – 17
Special Conditions	16
Documents of Record	17
Case 181-AM-25 Summary Finding of Fact.....	18 - 19
Case 181-AM-25 Final Determination	20

FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 11, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. Petitioner Vaishali Patel is leasing a portion of the property from Fred Otten who owns the subject property.
2. The subject property is a .51-acre parcel in the Southwest Quarter of the Southwest Quarter of Section 10, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, on the south side of University Ave. and more commonly known as 2205 E. University Ave., Urbana, Illinois.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
 - A. The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, a municipality with zoning. Zoned municipalities have protest rights in Map Amendment cases. Notice of the public hearing was sent to the city.
 - (1) The subject property is within 100 feet of the City of Urbana. The City's most recent Comprehensive Plan, Future Land Use Map from 2005 shows the subject property to be in the "Community Business" future land use category.
 - B. The subject property is located within Urbana Township, which does not have a Planning Commission. Townships with Plan Commissions have protest rights in Map Amendment cases.
4. Regarding comments by petitioners, when asked on the petition what error in the present Ordinance is to be corrected by the proposed change, the petitioner has indicated: **"A great business opportunity with busy street. The street as a hub of activity that has driven consistent customer volume. The locations high visibility and vehicle and foot traffic as a primary competitive advantage. Unique offering and superior service will allow to capture more customers. Highly visible corner that catches the eye of drivers and pedestrians."**
5. Regarding comments by the petitioner, when asked on the petition what other circumstances justify the rezoning the petitioner has indicated: **"This spot would focus on its potential uses and the income opportunities for the property owner through rental. This vacant space presents an excellent business opportunity waiting to be realized. Repurpose this unused area to generate a new and significant revenue stream. Underutilized facility offers a blank canvas for innovative business ideas."**

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. Land use and zoning on the subject property and in the vicinity are as follows:
 - A. The subject property is currently zoned I-1 Light Industry and is currently in use as an HVAC repair facility and a counseling clinic.
 - B. Land to the north of the subject property across University Avenue is zoned B-2 Neighborhood Business and R-5 Manufactured Home Park and is in use as neighborhood business and high density residential.

- C. Land to the south of the subject property is zoned I-1 Light Industry and I-2 Heavy Industry and is in use as a railroad right-of-way.
 - D. Land to the east of the subject property is zoned I-1 Light Industry and is in use as an HVAC repair facility.
 - E. Land to the west of the subject property is zoned I-2 Heavy Industry and is in use as a propane sales and service facility.
7. Previous zoning cases on the subject property and in the vicinity include the following:
- A. Case 377-V-80 was a variance request (approved) in 1980 to allow a 9 ft. rear yard for the currently existing building on the subject property.
 - B. Case 482-S-83 was a Special Use Permit request (approved) in 1983 to allow the expansion of the Edge Scott FPD station.
 - C. Case 606-V-87 was a variance request (approved) in 1987 to allow a commercial building with the following:
 - (1) A front yard of 68 feet in lieu of the minimum required 85 feet.
 - (2) A front yard of 1 foot in lieu of the minimum required 10 feet.
 - (3) A rear yard of 3 feet in lieu of the minimum required 20 feet.
 - D. Case 687-V-89 was a variance request (approved) in 1989 to allow an addition with the following:
 - (1) A front yard of 78 feet in lieu of the minimum required 85 feet.
 - E. Cases 869-AM-17 and 870-S-17 were a Map Amendment and a Special Use Permit request (approved) in 2017 to allow the expansion of an existing manufactured home park.
 - F. Case 122-V-23 was a variance request (approved) in 2023 for a wall sign with an area of 48 sq. ft. in lieu of the maximum allowed area of 20 sq. ft.
8. Previous Zoning Use Permits issued for the property are as follows:
- A. ZUPA 144-80-02 was approved July 1, 1980, for the construction of the existing 6000 sq. ft. building.
 - B. ZUPA 144-80-03 was approved June 5, 1980, for the demolition of the previous structures on the subject property.
9. Regarding the site plan and proposed operations of the subject property:
- A. The petitioner is not proposing any additions to the existing 6,000 sf building on the property.
 - B. The petitioner proposes to operate an HVAC repair facility, counseling clinic and gaming parlor in three separate storefronts in the existing building.

GENERALLY REGARDING THE EXISTING AND PROPOSED ZONING DISTRICTS

10. Regarding the existing and proposed zoning districts:
 - A. Regarding the general intent of zoning districts (capitalized words are defined in the Ordinance) as described in Section 5 of the Ordinance:
 - (1) The I-1 Light Industry DISTRICT is established to provide for storage and manufacturing USES not normally creating a nuisance discernable beyond its PROPERTY lines.
 - (2) The B-4 General Business DISTRICT is intended to accommodate a range of commercial USES and is intended for application only adjacent to the urbanized areas of the COUNTY.
 - B. Regarding the different uses that are authorized in the existing and proposed zoning districts by Section 5.2 of the Ordinance:
 - (1) There are 86 types of uses authorized by right in the I-1 District and there are 117 types of uses authorized by right in the B-4 District:
 - a. The following 29 uses are authorized by right in the I-1 District and are not authorized at all in the B-4 District:
 - (a) Grain storage elevator and bins;
 - (b) Wholesale produce terminal;
 - (c) Country club or golf course;
 - (d) Country club clubhouse;
 - (e) Riding stable;
 - (f) Seasonal hunting or fishing lodge;
 - (g) Theatre, outdoor;
 - (h) Aviation sales, service or storage;
 - (i) Pet cemetery;
 - (j) Dairy products manufacturing, processing and packaging;
 - (k) Wool, cotton, silk and man-made fiber manufacturing;
 - (l) Manufacturing and processing wearing apparel and related finished products manufacturing;
 - (m) Miscellaneous finished products manufacturing including home products, canvas products, decorative textiles, luggage, umbrellas, and similar products;
 - (n) Electrical and electronic machinery, equipment and supplies manufacturing;
 - (o) Engineering, laboratory, scientific and research instruments, manufacturing;
 - (p) Mechanical measuring and controlling instruments manufacturing;
 - (q) Optical instruments and lenses manufacturing;
 - (r) Surgical, medical, dental and mortuary instruments and supplies manufacturing;
 - (s) Photographic equipment and supplies manufacturing;
 - (t) Watches, clocks and clockwork operated devices manufacturing;
 - (u) Household and office furniture manufacturing;
 - (v) Building paper, paper containers, and similar products manufacturing;

- (w) Theoretical and applied research development and prototype light manufacturing of the following: drugs, chemicals, food products, rubber and petroleum products, light weight fabricated metal products, electronic and electrical products, physical and aerospace sciences, wood and wood products, non-electrical machinery, textiles, glass and ceramic products;
 - (x) Non-profit or governmental educational and research agencies;
 - (y) Jewelry, costume jewelry, novelties; silverware and plated ware manufacturing and processing;
 - (z) Musical instruments and allied products manufacturing;
 - (aa) Office and artists materials manufacturing (except paints, inks, dyes and similar products);
 - (bb) Signs and advertising display manufacturing; and
 - (cc) Pre-existing industrial uses (existing prior to October 10, 1973;
- b. The following 49 uses are authorized by right in both the I-1 District and B-4 District:
- (a) Subdivisions of three lots or less;
 - (b) Subdivisions totaling more than three lots or with new streets or private accessways;
 - (c) Agriculture; including customary accessory uses;
 - (d) Commercial greenhouse;
 - (e) Greenhouse (not exceeding 1,000 sf);
 - (f) Plant Nursery;
 - (g) Municipal or government building;
 - (h) Police station or fire station;
 - (i) Public park or recreational facility;
 - (j) Parking garage or lot;
 - (k) Telephone exchange;
 - (l) Telegraph office;
 - (m) Railway station;
 - (n) Motor bus station;
 - (o) Truck terminal;
 - (p) Drycleaning establishment;
 - (q) Laundry and/or drycleaning pick-up;
 - (r) Millinery shop;
 - (s) Diaper service establishment;
 - (t) Clothing repair and storage;
 - (u) Farm equipment sales and service;
 - (v) Feed and grain (sales only);
 - (w) Artist studio;
 - (x) Business office (footnote 4 lists applicability in I-1);
 - (y) Vocational, trade or business school;
 - (z) Major automobile repair (all indoors);
 - (aa) Minor automobile repair (all indoors);
 - (bb) Gasoline service station;
 - (cc) Automobile washing facility;

PRELIMINARY DRAFT

- (dd) Building material sales (excluding concrete or asphalt mixing);
 - (ee) Fuel oil, ice, coal, wood (sales only);
 - (ff) Monument sales (excludes stone cutting);
 - (gg) Heating, ventilating, air conditioning sales and service;
 - (hh) Bait sales;
 - (ii) Outdoor commercial recreational enterprise (except amusement park);
 - (jj) Commercial fishing lake;
 - (kk) Veterinary hospital (footnote 12 limits applicability in B-4);
 - (ll) Wholesale business;
 - (mm) Warehouse;
 - (nn) Self-storage warehouses, providing heat and utilities to individual units;
 - (oo) Self-storage warehouses, not providing heat and utilities to individual units;
 - (pp) Christmas tree sales lot;
 - (qq) Off-premises sign;
 - (rr) Temporary uses;
 - (ss) Contractors facilities (with no outdoor storage nor outdoor operations)
 - (tt) Contractors facilities (with outdoor storage nor outdoor operations)
 - (uu) Agricultural drainage contractor facility with no outdoor storage and/or outdoor operations;
 - (vv) Agricultural drainage contractor facility with outdoor storage and/or outdoor operations; and
 - (ww) Small scale metal manufacturing shop.
- c. The following 68 uses are authorized by right in the B-4 District and not at all in the I-1 District:
- (a) Hotel – no more than 15 lodging units;
 - (b) Hotel – over 15 lodging units;
 - (c) Rural specialty business, minor;
 - (d) Rural specialty business, major;
 - (e) Institution of an educational philanthropic or eleemosynary nature;
 - (f) Church, temple, or church related temporary uses on church property;
 - (g) Township highway maintenance garage;
 - (h) Library, museum or gallery;
 - (i) Barber shop;
 - (j) Beauty shop;
 - (k) Reducing salon;
 - (l) Dressmaking shop;
 - (m) Self-service laundry;
 - (n) Shoe repair shop;
 - (o) Tailor and pressing shop;
 - (p) Mortuary or funeral home;
 - (q) Medical and dental clinic;
 - (r) Roadside produce sales stand;
 - (s) Banks, savings and loan associations;
 - (t) Insurance and real estate offices;

- (u) Professional office;
- (v) Private kindergarten or day care facility;
- (w) Meat and fish market;
- (x) Restaurant (indoor service only);
- (y) Supermarket or grocery store;
- (z) Drive-in restaurant;
- (aa) Tavern or night club;
- (bb) Bakery (less than 2,500 sf);
- (cc) Dairy store;
- (dd) Delicatessen;
- (ee) Confectionery store;
- (ff) Retail liquor store;
- (gg) Locker, cold storage for individual use;
- (hh) Automobile, truck trailer and boat sales room (all indoors);
- (ii) Automobile or trailer sales area (open lot);
- (jj) Automotive accessories (new);
- (kk) Hardware store;
- (ll) Electrical or gas appliance sales and service;
- (mm) Department store;
- (nn) Apparel shop;
- (oo) Shoe store;
- (pp) Jewelry store;
- (qq) Stationary-gift shop-art supplies;
- (rr) Florist;
- (ss) Newsstand-bookstore;
- (tt) Tobacconist;
- (uu) Variety-drygoods store;
- (vv) Music store;
- (ww) Drugstore;
- (xx) Photographic studio and equipment sales and service;
- (yy) Furniture store – office equipment sales;
- (zz) Antique sales and service;
- (aaa) Used furniture sales and service;
- (bbb) Pet store;
- (ccc) Bicycle sales and service;
- (ddd) Pawn shop;
- (eee) Sporting good sales and service;
- (fff) Lawnmower sales and service;
- (ggg) Billiard room;
- (hhh) Bowling alley;
- (iii) Dancing academy or hall;
- (jjj) Lodge or private club;
- (kkk) Private indoor recreational development;
- (lll) Theatre, indoor;
- (mmm) Commercial fishing lake;
- (nnn) Auction house (non-animal); and
- (ooo) Sexually oriented businesses.

PRELIMINARY DRAFT

- d. The following use is authorized by right in the B-4 District but requires a Special Use Permit in the I-1 District:
 - (a) Radio or television station.
- (2) There are 20 types of uses authorized by Special Use Permit (SUP) in the I-1 District (including the 1 use authorized by right in the B-4 District, see above) and 13 types of uses authorized by SUP in the B-4 District:
 - a. The following 6 uses may be authorized by SUP in the both the I-1 District and B-4 District:
 - (a) Adaptive reuse of government buildings for any use permitted by right in B-1, B-2, B-3, B-4, B-5 and I-1;
 - (b) Private or commercial transmission and receiving towers (including antennas) over 100 feet in height;
 - (c) Electrical substation;
 - (d) Heliport-restricted landing areas;
 - (e) Amusement park
 - (f) PV Solar Array.
 - b. The following 13 uses may be authorized by Special Use Permit in the I-1 District and not at all in the B-4 District:
 - (a) Artificial lake of 1 or more acres;
 - (b) Water treatment plant;
 - (c) Public fairgrounds;
 - (d) Airport;
 - (e) Restricted landing areas;
 - (f) Heliport/helistops;
 - (g) Slaughter houses;
 - (h) Stadium or coliseum;
 - (i) Gas turbine peaker;
 - (j) Big wind turbine tower (1-3 big wind turbine towers);
 - (k) Gasoline and volatile oils storage up to and including 80,000 gallon capacity in the aggregate;
 - (l) Gasoline and volatile oils storage up to and including 80,000 gallons but no more than 175,000 gallon capacity in the aggregate; and
 - (m) Liquefied petroleum gas storage.
 - c. The following use may be authorized by SUP in the B-4 District and not at all in the I-1 District:
 - (a) Hospital.
 - d. The following 6 uses may be authorized by SUP in the B-4 District and by right in the I-1 District:
 - (a) Bakery (more than 2,500 sf);
 - (b) Kennel;
 - (c) Recycling of non-hazardous materials (all storage and processing indoors);
 - (d) Contractors facilities with outdoor storage and/or outdoor operations;

- (e) Agricultural drainage contractor facility with outdoor storage and/or outdoor operations; and
- (f) Light assembly.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

11. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
 - A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

“It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows...”
 - B. The LRMP defines Goals, Objectives, and Policies as follows:
 - (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
 - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.”

REGARDING RELEVANT LRMP GOALS & POLICIES

(Note: bold italics typeface indicates staff’s recommendation to the ZBA)

12. LRMP Goal 1 is entitled “Planning and Public Involvement” and states:

Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.

Goal 1 is always relevant to the review of the LRMP Goals, Objectives, and Policies in land use decisions, but the proposed rezoning will ***NOT IMPEDE*** the achievement of Goal 1.

13. LRMP Goal 2 is entitled “Governmental Coordination” and states:

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 has two objectives and three policies. The proposed amendment will ***NOT IMPEDE*** the achievement of Goal 2.

14. LRMP Goal 3 is entitled “Prosperity” and states:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 has three objectives and no policies. The proposed amendment ***WILL HELP ACHIEVE*** Goal 3 for the following reasons:

- A. The three objectives are:
 - (1) Objective 3.1 is entitled “Business Climate” and states: Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.
 - (2) Objective 3.2 is entitled “Efficient County Administration” and states: “Champaign County will ensure that its regulations are administered efficiently and do not impose undue costs or delays on persons seeking permits or other approvals.”
 - (3) Objective 3.3 is entitled “County Economic Development Policy” and states: “Champaign County will maintain an updated Champaign County Economic Development Policy that is coordinated with and supportive of the LRMP.”
- B. Although the proposed rezoning is ***NOT DIRECTLY RELEVANT*** to any of these objectives, the proposed rezoning will allow the Petitioner to establish a mix of business uses that could benefit Champaign County’s business climate; therefore, the proposed rezoning can be said to ***HELP ACHIEVE*** Goal 3.

- 15. LRMP Goal 4 is entitled “Agriculture” and states:
Champaign County will protect the long-term viability of agriculture in Champaign County and its land resource base.

Goal 4 has 9 objectives and 22 policies. The proposed amendment will ***NOT IMPEDE*** the achievement of Goal 4.

- 16. LRMP Goal 5 is entitled “Urban Land Use” and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

Goal 5 has 3 objectives and 15 policies. The proposed amendment will ***NOT IMPEDE*** the achievement of Goal 5 for the following reasons:

- A. The Land Resource Management Plan defines “urban land use” as generally any land use that is connected and served by a public sanitary system and “urban development” is defined as the construction, extension, or establishment of a land use that requires or is best served by a connection to a public sanitary system.
- B. The subject property is within the Contiguous Urban Growth Area (CUGA) of the City of Urbana. The CUGA is defined in the Land Resource Management Plan as unincorporated land within the County that meets one of the following criteria:

- (1) Land designated for urban land use on the future land use map of an adopted municipal comprehensive land use plan, intergovernmental plan or special area plan, and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so).
 - a. The subject property is served by sanitary sewer.
 - b. The City of Urbana is aware of the proposed development, and no comments have been received.
- (2) Land to be annexed by a municipality and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so); or
 - a. The subject property is served by sanitary sewer.
- (3) Land surrounded by incorporated land or other urban land within the County.
 - a. The subject property is approximately 100 ft. from the municipal boundary of the City of Urbana.

17. LRMP Goal 6 is entitled “Public Health and Safety”, and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. The proposed amendment will **NOT IMPEDE** the achievement of Goal 6.

18. LRMP Goal 7 is entitled “Transportation” and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 has 2 objectives and 7 policies. The proposed amendment will **NOT IMPEDE** the achievement of Goal 7.

19. LRMP Goal 8 is entitled “Natural Resources”, and states as follows:

Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.

Goal 8 has 9 objectives and 36 policies. The proposed amendment will **NOT IMPEDE** the achievement of Goal 8.

20. LRMP Goal 9 is entitled “Energy Conservation”, and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

Goal 9 has five objectives and five policies. The proposed amendment will **NOT IMPEDE** the achievement of Goal 9.

21. LRMP Goal 10 is entitled “Cultural Amenities”, and states as follows:

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 has one objective and one policy. The proposed amendment will **NOT IMPEDE** the achievement of Goal 10.

GENERALLY REGARDING THE LASALLE FACTORS

22. In the case of *LaSalle National Bank of Chicago v. County of Cook*, the Illinois Supreme Court reviewed previous cases and identified six factors that should be considered in determining the validity of any proposed rezoning. Those six factors are referred to as the *LaSalle* factors. Two other factors were added in later years from the case of *Sinclair Pipe Line Co. v. Village of Richton Park*. The *Champaign County Zoning Ordinance* does not require that map amendment cases be explicitly reviewed using all of the *LaSalle* factors, but it is a reasonable consideration in controversial map amendments and any time that conditional zoning is anticipated. The proposed map amendment compares to the *LaSalle* and *Sinclair* factors as follows:

- A. ***LaSalle* factor: The existing uses and zoning of nearby property.** Table 1 summarizes the land uses and zoning of the subject property and nearby properties.

Table 1. Land Use and Zoning Summary		
Direction	Land Use	Zoning
Onsite	HVAC Repair and Counseling	I-1 Light Industry (Proposed rezoning to B-4 General Business)
North	Neighborhood Business/ Residential	B-2 Neighborhood Business R-5 Manufactured Home Park
East	HVAC Repair	I-1 Light Industry
West	Propane Sales and Service	I-2 Heavy Industry
South	Railroad ROW	I-1 Light Industry, I-2 Heavy Industry

- B. ***LaSalle* factor: The extent to which property values are diminished by the particular zoning restrictions.** Regarding this factor:
- (1) It is impossible to establish values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - (2) This area has a mix of land uses, and the subject property has been an HVAC repair facility and counseling clinic for many years.

- C. **LaSalle factor: The extent to which the destruction of property values of the plaintiff promotes the health, safety, morals, and general welfare of the public.** Regarding this factor:

There has been no evidence submitted regarding property values. The proposed rezoning should not have a negative effect on the public health, safety, morals and welfare.

- D. **LaSalle factor: The relative gain to the public as compared to the hardship imposed on the individual property owner.** Regarding this factor:

- (1) The gain to the public of the proposed rezoning is positive because it will provide a service to Champaign County residents for which there is a demand.

- E. **LaSalle factor: The suitability of the subject property for the zoned purposes.** Regarding this factor:

- (1) The existing HVAC Repair, and Counseling Clinic and proposed Video Gaming Parlor are allowed uses in the proposed B-4 General Business District.
- (2) The site has been a commercial development since prior to the adoption of the Champaign County Zoning Ordinance.

- F. **LaSalle factor: The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.** Regarding this factor:

- (1) The subject property has been an HVAC repair facility and counseling clinic for many years. A portion of the building is currently vacant.

- G. **Sinclair factor: The need and demand for the use.** Regarding this factor:

The petitioner believes that the location of the subject site will be convenient to serve their customers.

- H. **Sinclair factor: The extent to which the use conforms to the municipality's (Champaign County's) comprehensive planning.**

- (1) The proposed rezoning and proposed use should not have a detrimental effect on the adjacent properties.
- (2) The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.
- (3) The City's most recent Comprehensive Plan, Future Land Use Map from 2005 shows the subject property to be in the "Community Business" future land use category.

- I. Overall, the proposed map amendment **IS CONSISTENT** with the LaSalle and Sinclair factors.

23. The proposed amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

This purpose is directly related to the limits on building coverage and the minimum yard requirements in the Ordinance. The existing building received one variance for the rear yard requirement, and the petitioner is not proposing any changes to the building.

- B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

- (1) It is not clear whether the proposed rezoning will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
- (2) The proposed rezoning and existing development should not have a detrimental effect on the adjacent properties.
- (3) The requested map amendment will help ensure the value of the subject property by allowing continued use of the property.

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public streets.

The proposed rezoning is not likely to significantly increase traffic, but no Traffic Impact Assessment has been done.

- D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or floodwaters.

The petitioner is not proposing any changes to the site.

- E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

- (1) Regarding public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
- (2) Regarding public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.

- F. Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance. The existing building received one variance for the rear yard requirement, and the petitioner is not proposing any changes to the building.

- G. Paragraph 2.0 (i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0 (j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0 (k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0 (l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed use and adjacent uses, and that the special conditions adequately mitigate any problematic conditions.

- H. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or remodeling of existing buildings, structures, or uses in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

This purpose is directly related to maintaining compliance with the Zoning Ordinance requirements for the district and the specific types of uses and the proposed use will have to be conducted in compliance with those requirements.

- I. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban uses.

(1) The existing development is surrounded by the City of Urbana.

(2) The subject property has had industrial zoning since the adoption of the Zoning Ordinance on October 10, 1973.

PRELIMINARY DRAFT

(3) The proposed rezoning and proposed use will not take any land out of production.

- J. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The subject property does not contain any natural features.

- K. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The proposed rezoning and the proposed use will not require the development of public utilities or transportation facilities.

- L. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

(1) The subject property has had industrial zoning since the adoption of the Zoning Ordinance on October 10, 1973.

(2) The proposed rezoning and proposed use will not take any land out of production.

- M. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed rezoning will not hinder the development of renewable energy sources.

REGARDING SPECIAL CONDITIONS OF APPROVAL

24. Proposed special conditions of approval:

- A. **A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

DOCUMENTS OF RECORD

1. Petition for Zoning Map Amendment received August 30, 2025
2. Preliminary Memorandum dated December 4, 2025, for Case 181-AM-25 with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Annotated Aerial Photo 2025
 - C Annotated Aerial Photo 1973
 - D LRMP Land Use Goals, Objectives, and Policies (on ZBA meetings website)
 - E LRMP Appendix of Defined Terms (on ZBA meetings website)
 - F Site Plan received October 30, 2025
 - G Site Photos taken December 3, 2025
 - H Draft Finding of Fact, and Final Determination for Case 181-AM-25 dated December 11, 2025

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **December 11, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 3:
 - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow the Petitioner to establish a mix of business uses that could benefit Champaign County's business climate.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE** Goal 3 Prosperity.
 - B. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
 - Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 4 Agriculture
 - Goal 5 Urban Land Use
 - Goal 6 Public Health and Public Safety
 - Goal 7 Transportation
 - Goal 8 Natural Resources
 - Goal 9 Energy Conservation
 - Goal 10 Cultural Amenities
 - C. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:
 - A. This area has a mix of land uses, and the subject property has been an HVAC repair facility and counseling clinic for many years.
 - B. It is impossible to establish property values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - C. The gain to the public of the proposed rezoning is positive because it will provide a service to Champaign County residents for which there is a demand.
 - D. The site has been a commercial development since prior to the adoption of the Champaign County Zoning Ordinance.
 - E. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.

3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
- A. The rezoning would achieve Purpose 2.0 (a), (e), (f), (g) and (h) to secure adequate light, air, and safety from fire and other dangers as well as limiting height, setback bulk of buildings and intensity of use because the existing building received four variances for building and parking setbacks and fence location and height and the petitioner is not proposing any changes to the site.
 - B. The rezoning would achieve Purpose 2.0 (b), by conserving the value of the subject property by allowing continued use of the property. (See Item 23. B).
 - C. The rezoning would achieve Purpose 2.0 (c) to lessen and avoid congestion in the public streets because the proposed rezoning is not likely to significantly increase traffic (see Item 23. C).
 - D. The rezoning would achieve Purpose 2.0 (d) of the Ordinance to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters because the petitioner is not proposing any changes to the site (see Item 23. D).
 - E. The rezoning would achieve Purpose 2.0 (i) of the Ordinance. Establishing the I-1 District at this location will help classify, regulate, and restrict the location of the uses authorized in the B-4 District (see Item 23.G.).

4. **THE SPECIAL CONDITION IMPOSED HEREIN IS REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

- A. **A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County recommends that:

The Zoning Ordinance Amendment requested in **Case 181-AM-25** ***{BE ENACTED / NOT BE ENACTED}*** by the County Board in the form attached hereto.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date