

CASE 208-AM-26

PRELIMINARY MEMORANDUM

June 4, 2026

Petitioner: Timothy Feldkamp

Request: Amend the Zoning Map to change the zoning district designation from the R-3 Two-Family Residence District to the B-2 Neighborhood Business District.

Location: Four lots in the Southeast Quarter of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, with PIN's 30-21-09-176-002, 003, 005 and 007 and commonly known as the properties with addresses of 1201, 1203, 1205 ½ and 1207 ½ East Kerr Ave., Urbana.

Site Area: 3.31 acres

Time Schedule for Development: Currently in use

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

BACKGROUND

The petitioner operates Feldkamp's Towing on the lots to the east of the subject properties. The petitioner acquired the subject properties over the last several years with the goal of using them to expand the vehicle parking area of the towing business on to the subject properties. The Department of Planning and Zoning sent a letter in March 2026 to the petitioner regarding the parking of vehicles in the right-of-way of Ward St and the use of the subject properties for the parking of vehicles associated with the towing business. The letter required the petitioner to submit an application for rezoning the subject properties to B-2 Neighborhood Business if they plan to continue to use the properties for the parking of vehicles.

EXISTING USES

1201 and 1203 Kerr Ave. have single-family dwellings on them near the road that are rented out. The rear of the properties are used for vehicle parking. Re-zoning the properties to B-2 will make the existing dwellings non-conforming uses so they cannot be rebuilt if they are damaged or destroyed.

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 adjacent to the City of Urbana. The City's most recent Comprehensive Plan, Future Land Use Map from 2025 shows the subject property to be in the "Neighborhood 1" future land use category. The "Neighborhood 1" land use designation does not reflect the existing or historical uses of the adjacent uses like the existing towing company or auto salvage yard.

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	Existing Residential- Proposed Residential and Parking Lot for Towing Company	R-3 Two Family Residence (Proposed rezoning to B-2 Neighborhood Business)
North	Residential	R-3 Two Family Residence
East	Residential / Towing Company	R-3 Two Family District, I-1 Light Industry and I-2 Heavy Industry
West	Residential	R-3 Two Family Residence
South	Sewage Treatment Plant	Urbana CRE Conservation, Recreation, Education

PUBLIC COMMENTS

Notices about the case were sent to surrounding landowners, Urbana Township, City of Urbana, Carroll Prairie Fire Protection District and Urbana Champaign Sanitary District and no comments have been received.

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.

- B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 208-AM-26 by the County Board.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

- C. **A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Change of Use application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.**

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

That the drainage improvements conform to the requirements of the Storm Water Management and Erosion Control Ordinance.

ATTACHMENTS

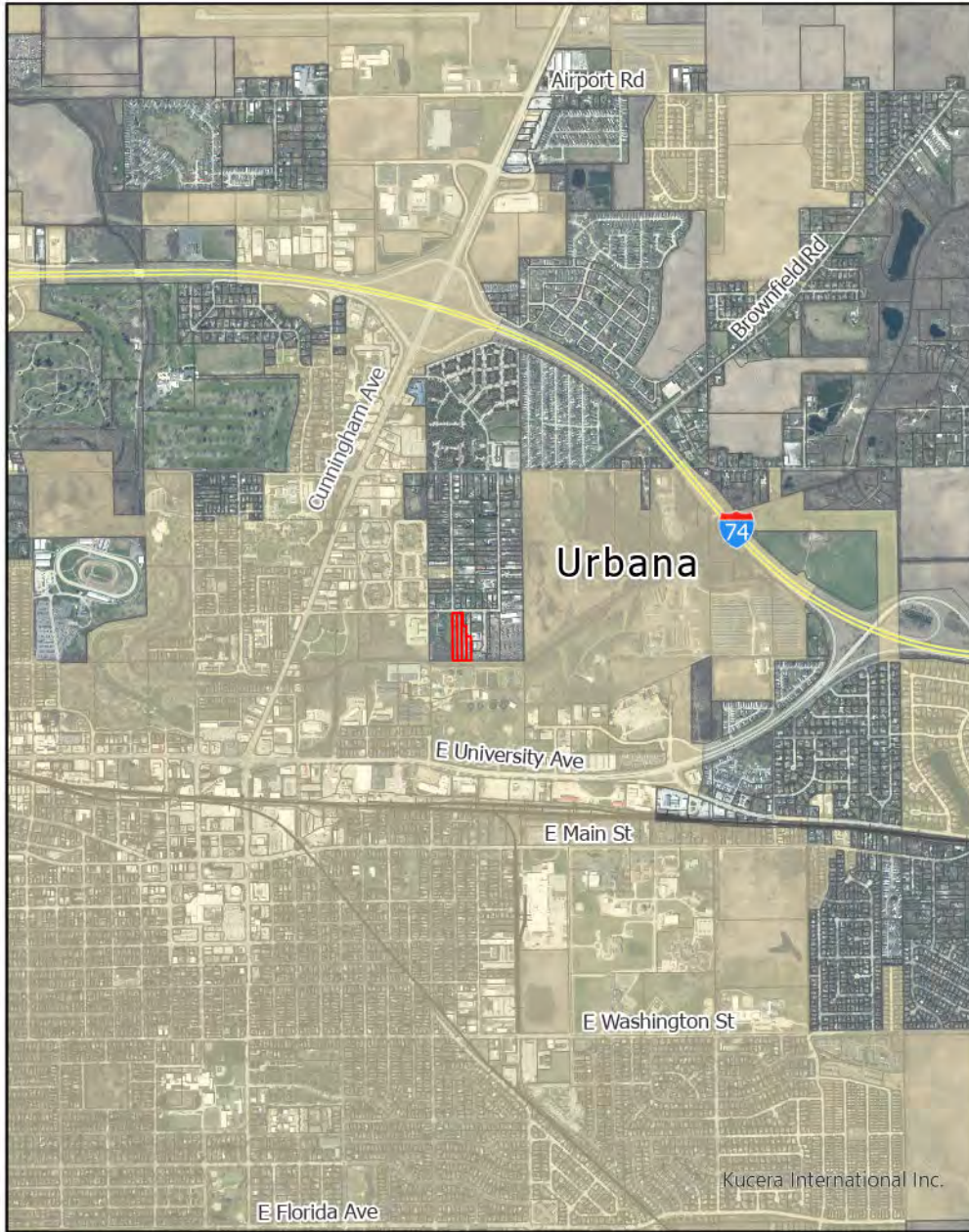
- A Case Maps (Location, Land Use, Zoning)
- B Annotated Aerial Photo 2023 with Site Plan
- C LRMP Land Use Goals, Objectives, and Policies (on ZBA meetings website)
- D LRMP Appendix of Defined Terms (on ZBA meetings website)
- E 1973, 1988 and 2005 Historic Aerials
- F Floodplain Map
- G Site Photos taken June 4, 2026
- H Draft Finding of Fact, and Final Determination for Case 208-AM-26 dated June 11, 2026


Location Map

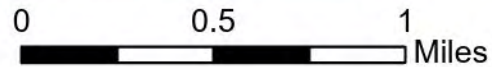
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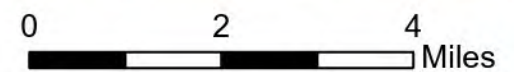
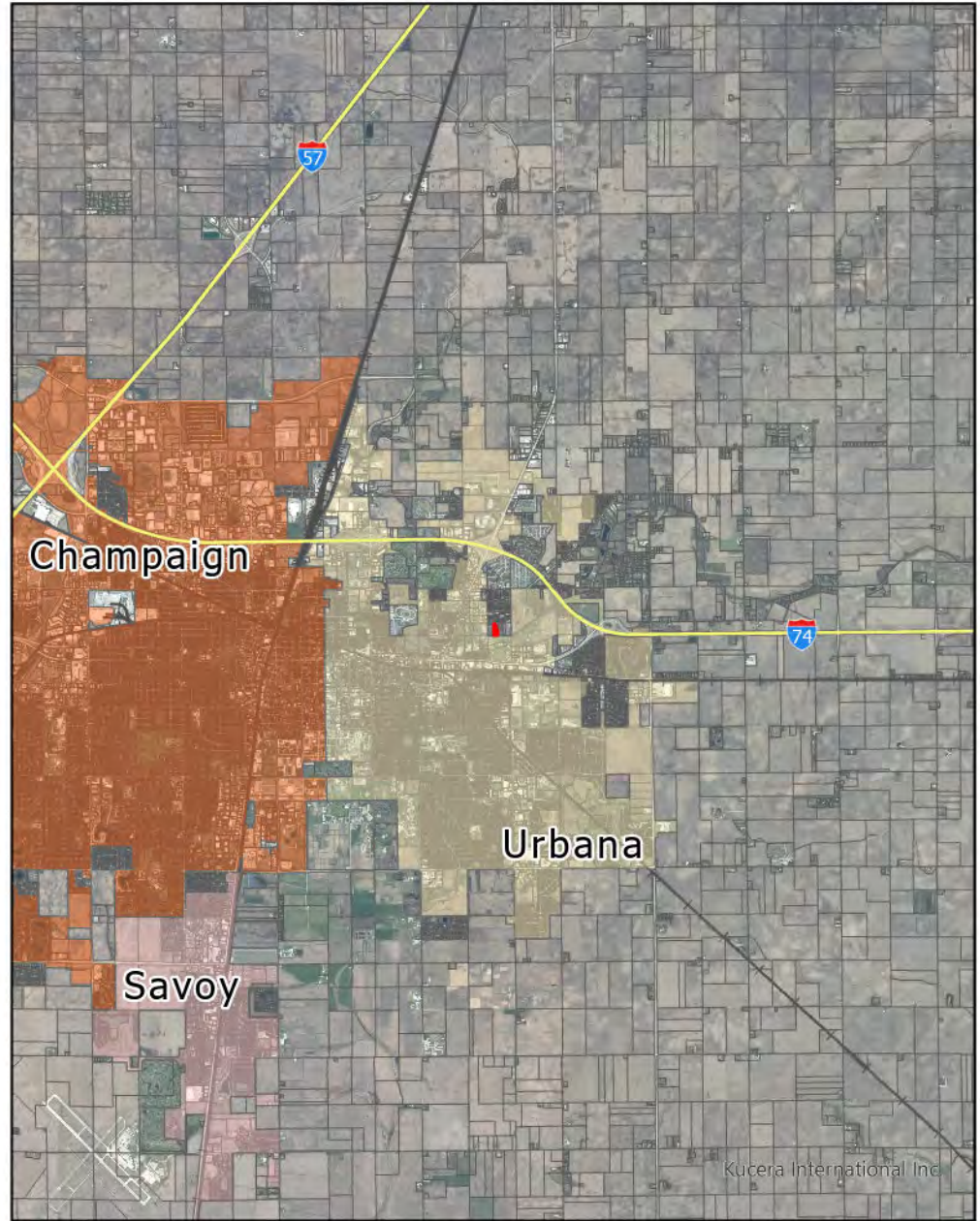
Subject Property



 Subject Parcel



Property location in Champaign County

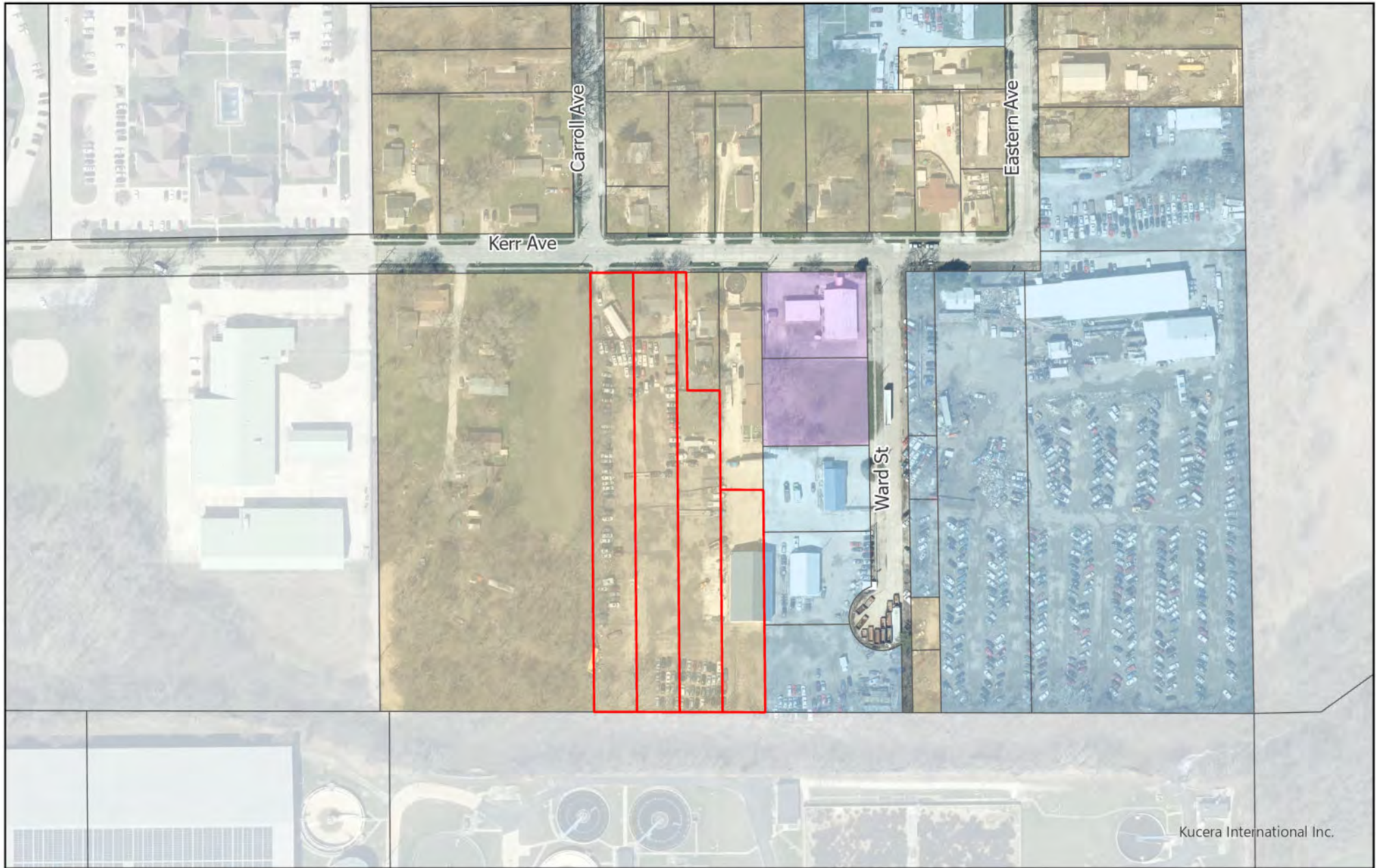


PLANNING & ZONING






Land Use Map

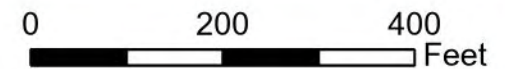
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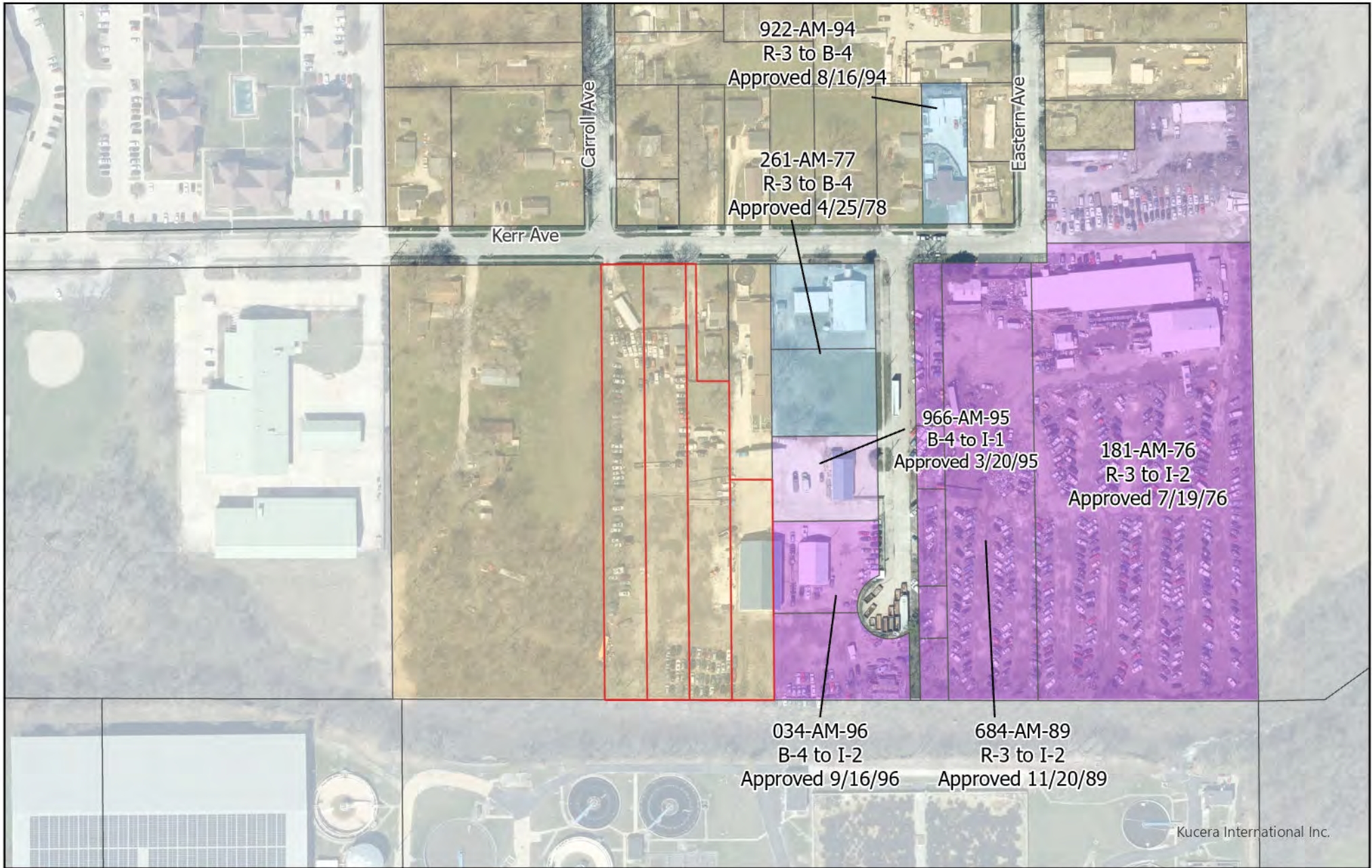


Kucera International Inc.

-  Subject Parcels
-  Commercial
-  City of Urbana
-  Residential
-  Church



Zoning Map
 Case 208-AM-26
 June 11, 2026



- Subject Parcels
- I-1 Light Industry
- B-4 General Business
- City of Urbana
- I-2 Heavy Industry
- R-3 Two Family Residence



Annotated 2023 Aerial w/ Site Plan

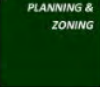
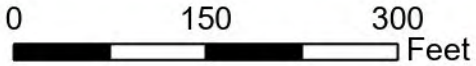
Case 208-AM-26

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Kucera International Inc.

 Subject Property  City of Urbana  Proposed Parking Area



Annotated 1973 Aerial

Case 208-AM-26

June 11, 2026



 Subject Parcels  City of Urbana

0 150 300
Feet

PLANNING &
ZONING

Annotated 1988 Aerial

Case 208-AM-26

June 11, 2026



 Subject Parcels  City of Urbana

0 150 300
Feet


PLANNING &
ZONING

Annotated 2005 Aerial

Case 208-AM-26

June 11, 2026



 Subject Parcels  City of Urbana

0 150 300
Feet

PLANNING &
ZONING

Annotated 2023 Aerial w/ Floodway

Case 208-AM-26

June 11, 2026



 Subject Parcels

 City of Urbana

 Flood Zone

0 150 300
Feet

PLANNING &
ZONING

208-AM-26 Site Images



From the intersection of Kerr and Carroll looking south toward subject property



From the intersection of Kerr and Ward looking south toward Feldkamp Towing entrance

208-AM-26 Site Images



From Ward St. looking southwest toward Feldkamp Towing



From Ward St. looking toward subject properties

208-AM-26 Site Images



From Ward St. looking toward subject properties



From Kerr looking west across subject properties

PRELIMINARY DRAFT

208-AM-26

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

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

Date: ***{June 11, 2026}***

Petitioner: **Timothy Feldkamp**

Request: **Amend the Zoning Map to change the zoning district designation from the R-3 Two-Family Residence District to the B-2 Neighborhood Business District.**

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 11, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the owner of the subject property.
2. The subject property is four lots in the Southeast Quarter of the Northwest Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township, with PIN's 30-21-09-176-002, 003, 005 and 007 and commonly known as the properties with addresses of 1201, 1203, 1205 ½ and 1207 ½ East Kerr Ave., Urbana.
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 adjacent to the City of Urbana. The City's most recent Comprehensive Plan, Future Land Use Map from 2025 shows the subject property to be in the "Neighborhood 1" 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 did not provide a response
5. Regarding comments by the petitioner, when asked on the petition what other circumstances justify the rezoning the petitioner has indicated: **"Identified areas are currently residential. We have 3 connecting lots 901, 903 and 905 Ward Street that are zoned I-1 and I-2. We have operated a towing business on those 3 lots for approximately 30 years. Over time the company has experienced growth as well as the cities and county we serve. Re-zoning 1201, 1203, 1205 ½, and 1207 ½ E. Kerr Ave. to B-2 would allow us additional storage and parking space. We would not need to make any changes to the property or add any structures. It would allow us to use space as we have been for many years without being in violation of county ordinances."**

GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY

6. Land use and zoning on the subject properties and in the vicinity are as follows:
 - A. The subject properties are currently zoned R-3 Two Family Residence and were previously used for residential and are currently used for residential and a parking lot for Feldkamp's Towing.
 - B. Land to the north of the subject property is zoned R-3 Two Family Residence and is in use as residential.

- C. Land to the south of the subject properties is in the City of Urbana and is zoned CRE Conservation Recreation Education District and is in use as a Champaign Urbana Sanitary District sewage treatment plant.
 - D. Land to the east of the subject properties is zoned R-3 Two Family District, I-1 Light Industry and I-2 Heavy Industry and is in use as residential, and as the office and equipment buildings for Feldkamp's Towing.
 - E. Land to the west of the subject property is zoned R-3 Two Family District and is in use as residential.
7. Previous zoning cases in the vicinity include the following:
- A. Case 180-AM-76 was a request to rezone an approximately 5.25-acre tract east of Ward St. and south of Kerr Ave. from R-3 to I-2 Heavy Industry and was approved by the County Board on November 21, 1989. The property is currently the Macks Auto Recycling facility.
 - B. Case 261-AM-77 was a request to rezone an approximately 3.5-acre tract east of the subject properties and south of Kerr Ave. from R-3 to B-4 General Business and was approved by the County Board on April 25, 1978. The property is the Feldkamp Towing facility and the New Life Fellowship Church.
 - C. Case 684-AM-89 was a request to rezone an approximately 2.8-acre tract east of Ward St. and south of Kerr Ave. from R-3 to I-2 Heavy Industry and was approved by the County Board on July 20, 1976. The property is currently the Macks Auto Recycling facility.
 - D. Case 966-AM-95 was a request to rezone an approximately .5-acre tract east of the subject properties and west of Ward St. from B-4 to I-1 Light Industry and was approved by the County Board on March 21, 1995. The property is currently the Feldkamp Towing office.
 - E. Case 034-AM-96 was a request to rezone an approximately 1-acre tract east of the subject properties and west of Ward St. from B-4 to I-2 Heavy Industry and was approved by the County Board on September 17, 1996. The property is currently the Feldkamp Towing facility.
8. Previous Zoning Use Permits issued for the property are as follows:
- A. ZUPA 198-01-01 was approved November 25, 1988, for the for the placement of a mobile home on 1201 Kerr Ave
 - B. ZUPA 099-19-04 was approved April 23, 2019, for a detached storage shed for personal storage on 1207 ½ Kerr Ave.
9. Regarding the site plan and proposed operations of the subject property:
- A. The petitioner is not proposing any additional construction on the subject properties.
 - B. The property at 1201 Kerr Ave. currently has a manufactured home near Kerr Ave. and the area south of the home is used for parking towed vehicles.

- C. The property at 1203 Kerr Ave. has a single-family home with a detached garage near Kerr Ave. and the area south of the home and garage is used for parking towed vehicles.
- D. The property at 1205 ½ Kerr Ave. has no structures and is used for parking towed vehicles.
- E. The property at 1207 ½ Kerr Ave. has a storage shed for personal use of the petitioner in conjunction with his residence on the property to the north with address 1207 Kerr Ave.
- F. The petitioner is proposing to keep the existing homes on the subject properties as non-conforming structures and continue to rent them with the understanding that they cannot be rebuilt if they are damaged or destroyed.

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 R-3 Two Family Residence DISTRICT is intended to provide areas for SINGLE FAMILY detached DWELLINGS, set on medium sized building LOTS and is intended for application within or adjoining developed areas where community facilities exist.
 - (2) The B-3, Highway Business DISTRICT is intended to provide areas for commercial establishments which primarily serve the needs of motorists and are intended for application only adjacent to major thoroughfares in 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 11 types of uses authorized by right in the R-3 District and there are 69 types of uses authorized by right in the B-2 District:
 - a. The following 5 uses are authorized by right in the R-3 District and are not authorized at all in the B-2 District:
 - (a) Dwelling, single family;
 - (b) Dwelling, two family;
 - (c) Elementary school, Jr. High School or High School
 - (d) Country club or golf course;
 - (e) Country club clubhouse;
 - b. The following 6 uses are authorized by right in both the R-3 District and B-2 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) Church, temple, or church related temporary uses on church property;
 - (e) Public park or recreational facility;

- (f) Battery energy storage system, Tier-1;
- c. The following 57 uses are authorized by right in the B-2 District and not at all in the R-3 District:
 - (a) Minor Rural Specialty Business;
 - (b) Greenhouse (not exceeding 1,000 sf);
 - (c) Garden shop;
 - (d) Institution of an Educational, Philanthropic or Eleemosynary Nature;
 - (e) Parking garage or lot;
 - (f) Telegraph office;
 - (g) Motor bus station;
 - (h) Barber shop;
 - (i) Beauty shop;
 - (j) Reducing salon;
 - (k) Dressmaking shop;
 - (l) Laundry and/or dry-cleaning pick-up;
 - (m) Millinery shop;
 - (n) Self-service laundry;
 - (o) Shoe repair shop;
 - (p) Tailor and pressing shop;
 - (q) Diaper service establishment;
 - (r) Clothing repair and storage;
 - (s) Medical and dental clinic
 - (t) Roadside produce sales stand;
 - (u) Adult use cannabis cultivation center;
 - (v) Adult use cannabis craft grower;
 - (w) Medical and dental clinic;
 - (x) Roadside produce sales stand;
 - (y) Banks, savings and loan associations;
 - (z) Insurance and real estate offices;
 - (aa) Professional office;
 - (bb) Meat and fish market;
 - (cc) Supermarket or grocery store;
 - (dd) Bakery (less than 2,500 sf);
 - (ee) Dairy store;
 - (ff) Delicatessen;
 - (gg) Confectionery store;
 - (hh) Retail liquor store;
 - (ii) Locker, cold storage for individual use;
 - (jj) Hardware store;
 - (kk) Electrical or gas appliance sales and service;
 - (ll) Apparel shop;
 - (mm) Shoe store;
 - (nn) Jewelry store;
 - (oo) Stationary-gift shop-art supplies;
 - (pp) Florist;

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- (qq) Newsstand-bookstore;
 - (rr) Tobacconist;
 - (ss) Variety-drygoods store;
 - (tt) Music store;
 - (uu) Drugstore;
 - (vv) Photographic studio and equipment sales and service;
 - (ww) Antique sales and service;
 - (xx) Pet store;
 - (yy) Bicycle sales and service;
 - (zz) Sporting good sales and service;
 - (aaa) Lawnmower sales and service;
 - (bbb) Bait sales
 - (ccc) Billiard room;
 - (ddd) Christmas tree sales lot; and
 - (eee) Temporary uses.
- d. The following 7 uses are authorized by right in the B-2 District but requires a Special Use Permit in the R-2 District:
- (a) Municipal or government building;
 - (b) Township highway maintenance garage;
 - (c) Police station or fire station;
 - (d) Library, museum, or gallery;
 - (e) Telephone exchange;
 - (f) Private kindergarten or Day Care facility; and
 - (g) Private Indoor Recreational Development.
- (2) There are 12 types of uses authorized by Special Use Permit (SUP) in the R-2 District (including the 7 uses authorized by right in the B-2 District, see above) and 10 types of uses authorized by SUP in the B-2 District:
- a. The following 2 uses may be authorized by SUP in both the R-3 District and B-2 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) Electrical substation;
- b. The following 3 uses may be authorized by Special Use Permit in the R-3 District and not at all in the B-2 District:
- (a) Boarding house;
 - (b) Residential planned unit development
 - (c) Artificial lake of 1 or more acres;
- c. The following 7 uses may be authorized by SUP in the B-2 District and not at all in the R-3 District:
- (a) Motor bus station;
 - (b) Artist studio;
 - (c) Restaurant (indoor service only);
 - (d) Minor automobile repair (all indoors);

- (e) Gasoline service station;
 - (f) Automotive accessories (new) and
 - (g) PV solar array (County Board SUP).
- d. There are no uses authorized by Special Use Permit in the B-2 District that are not authorized at all in the B-4 District.

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 was notified of the proposed zoning change, 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 adjacent to the municipal boundary of the City of Urbana.
- C. Objective 5.1 states, “**Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by new *urban development* in or adjacent to existing population centers.**”

The proposed rezoning will ***NOT IMPEDE*** Objective 5.1 because of the following:

- (1) Policy 5.1.3 states, “**The County will consider municipal extra-territorial jurisdiction areas that are currently served by or that are planned to be served by an available public sanitary sewer service plan as contiguous urban growth areas which should develop in conformance with the relevant municipal comprehensive plans. Such areas are identified on the Future Land Use Map.**”

The proposed rezoning will ***NOT IMPEDE*** Policy 5.1.3 for the following reasons:

- a. The City of Urbana Comprehensive plan calls for this area to be Neighborhood 1 with the following definition: “These neighborhoods consist primarily of single houses, with some duplexes, and may include low-intensity, small businesses and institutional uses.
 - b. The Neighborhood 1 Comprehensive Plan designation does not reflect the existing or historical uses of the adjacent uses like the existing towing company or auto salvage yard.
- D. The proposed amendment will ***NOT IMPEDE*** the achievement of Objective 5.2 or 5.3.

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	Existing Residential-Proposed Residential and Parking Lot for Towing Company	R-3 Two Family Residence (Proposed rezoning to B-2 Neighborhood Business)
North	Residential	R-3 Two Family Residence
East	Residential / Towing Company	R-3 Two Family District, I-1 Light Industry and I-2 Heavy Industry.
West	Residential	R-3 Two Family Residence
South	Sewage Treatment Plant	Urbana CRE Conservation, Recreation, Education

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, including residential, light and heavy industrial uses on adjacent properties.
- (3) In 1973 the properties appeared to be used for residential and contained a number of vehicles that are assumed to be inoperable.
- (4) The vehicles were mostly removed over the years, and the properties were primarily residential with commercial and industrial uses on nearby properties.

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.

PRELIMINARY DRAFT

- E. **LaSalle factor: The suitability of the subject property for the zoned purposes.**
Regarding this factor:
- (1) The proposed parking lot is an allowed use in the proposed B-2 Neighborhood Business District.
 - (2) It is adjacent to light and heavy industrial uses.
- 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 properties have primarily been unused at the back of residential properties since they were cleaned up in the 1970's and 1980's.
- 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 and it's adjacent to their existing towing business.
- H. **Sinclair factor: The extent to which the use conforms to the municipality's (Champaign County's and City of Urbana'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 2025 shows the subject property to be in the "Neighborhood 1" future land use category which does not accurately reflect the existing and historical land uses of the nearby properties.
- I. Overall, the proposed map amendment **IS CONSISTENT** with the LaSalle and Sinclair factors.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

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 subject property has ample space surrounding the existing residential buildings and no new construction is planned.

- 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 as the property has been used as a parking lot for the towing business since before 2023 and no complaints have been received.
 - (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.

A Special Condition has been added to ensure conformance with the Champaign County Stormwater and Erosion Control Ordinance.

- 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.

PRELIMINARY DRAFT

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 buildings conform to the requirements of the Zoning Ordinance, and no new construction is proposed.

- 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 properties have not been used for agriculture since before the adoption of the Champaign County Zoning Ordinance.
 - (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.
- (1) The subject property does not contain any natural features.

(2) A small portion of 1201 and 1203 Kerr are in the floodway of the Saline Branch Drainage Ditch.

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 properties have not been used for agriculture since before the adoption of the Champaign County Zoning Ordinance.

(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 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.

B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 208-AM-26 by the County Board.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

C. **A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and**

approved as part of the Change of Use application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.

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

That the drainage improvements conform to the requirements of the Storm Water Management and Erosion Control Ordinance.

DOCUMENTS OF RECORD

1. Petition for Zoning Map Amendment received April 21, 2026
2. Preliminary Memorandum dated June 4, 2026, for Case 208-AM-26 with attachments:
 - A Case Maps (Location, Land Use, Zoning)
 - B Annotated Aerial Photo 2023 with Site Plan
 - C LRMP Land Use Goals, Objectives, and Policies (on ZBA meetings website)
 - D LRMP Appendix of Defined Terms (on ZBA meetings website)
 - E 1973, 1988 and 2005 Historic Aerials
 - F Floodplain Map
 - G Site Photos taken June 4, 2026
 - H Draft Finding of Fact, and Final Determination for Case 208-AM-26 dated June 11, 2026

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **June 11, 2026**, 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, including residential, light and heavy industrial uses on adjacent properties.
 - B. 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.
 - 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 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 meets the requirements of the Zoning Ordinance.
- 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 and a Special Condition has been added to ensure conformance with the Champaign County Stormwater and Erosion Control Ordinance (see Item 23. D).
- E. The rezoning would achieve Purpose 2.0 (i) of the Ordinance. Establishing the B-2 District at this location will help classify, regulate, and restrict the location of the uses authorized in the B-2 District (see Item 23.G.).

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

- 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.

- B. **A Change of Use Permit shall be applied for within 30 days of the approval of Case 208-AM-26 by the County Board.**

The above special condition is required to ensure the following:

The establishment of the proposed use shall be properly documented as required by the Zoning Ordinance.

- C. **A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Change of Use application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.**

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

That the drainage improvements conform to the requirements of the Storm Water Management and Erosion Control 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 208-AM-26** *{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 for any future construction on the property.**
- B. A Change of Use Permit shall be applied for within 30 days of the approval of Case 208-AM-26 by the County Board.**
- C. A complete Storm Water Drainage Plan that conforms to the requirements of the Storm Water Management and Erosion Control Ordinance shall be submitted and approved as part of the Change of Use application, and all required certifications shall be submitted prior to issuance of the Zoning Compliance Certificate.**

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

SIGNED:

ATTEST:

Cynthia Cunningham, Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date