



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, City Planner/Director

DATE: June 16, 2005

SUBJECT: An Ordinance Approving a Special Use Permit to establish a *Residential Planned Unit Development (PUD)* within the R-4, Medium Density Multiple-Family Residential Zoning District located at 1801 North Lincoln Avenue (Plan Case No. 1938-SU-05).

Description

Capstone Development Corporation is requesting Special Use Permit approval to establish a Residential Planned Unit Development (PUD) on a 9.57-acre tract of property located at 1801 North Lincoln Avenue. Capstone proposes to develop 208 residential condominium units in three separate buildings at the site along with a clubhouse with pool and leasing office. There is also potential for future incorporation of a modest amount of commercial space into the complex.

Issues

The issue is whether the proposed Special Use Permit to establish a PUD for the requested proposal meets the criteria set forth in the Zoning Ordinance and should therefore be granted. A Special Use Permit for a similar project at this site was granted in 2004. Please refer to the Case Memorandum to the Plan Commission dated June 10, 2005 for additional discussion of issues.

Background

In August 2004 the Urbana City Council approved a rezoning of this property from B-3, General Business to R-4, Multi-Family Residential along with a Special Use Permit for a Residential PUD. The Special Use Permit was granted to Hills for College, LLC for 136 residential condominiums in 17 separate buildings. Hills College, LLC did not start construction on their project and is now under contract to sell the property to Capstone Development Corporation. Capstone is a residential developer that has built similar projects near college campuses. In 1997 Capstone developed University Commons Apartments at 1307 North Lincoln Avenue.

Capstone proposes to establish a new Special Use Permit approval for the property. Since the site plan proposal differs from the Special Use Permit approval granted last year, Capstone is required to apply for a new permit and receive approval from the Urbana Plan Commission and City Council. Attached to this memorandum is the full application and site plan submitted by the applicant. These materials describe the project and offer a conceptual layout of the buildings, the parking areas, open space, access drives, etc.

The site is located on North Lincoln Avenue in an area that has a mix of land uses and zoning. Overall, the North Lincoln Avenue corridor can be described as a commercial corridor with a number of hotels, convenience service uses, and retail uses. It has been designated by the University of Illinois as its primary entryway to the campus. The area also contains large-scale multi-family residential developments with Melrose Apartments, University Commons and the Atrium Apartments. The corridor also contains some remaining small-scale light industrial uses. The 2005 Comprehensive Plan identifies the property as most appropriate for multi-family residential uses and includes an annotation of “Multi-Family Condominiums, Approved 2004”.

Please refer to the Case Memorandum to the Plan Commission dated June 10, 2005 for additional background information and zoning history of the site.

Description of Proposal

Capstone is proposing a total of 208 condominium units in a mixture of two, three and four bedroom units (see site plan map for breakdown). Two larger three-story buildings would mirror each other on the west side of site and would each contain 76 units. A third three-story building would front Lincoln Avenue and contain 56 units along with a centrally located clubhouse and office / leasing area. The parking is evenly distributed throughout the site and provided at a rate of approximately one space per bedroom. Overall the project will have a density of 21.7 units per acre, with 48.2% of the site being provided as open space as identified in the Urbana Zoning Ordinance. The construction cost of the project is estimated to be \$18,000,000.

With the encouragement of City staff, Capstone has been considering development options that would include commercial uses along the Lincoln Avenue frontage with residential condominiums to the west end of the site. Commercial uses on the site would take advantage of the location near the interstate and would help to fulfill demand to support the project residents, neighboring residents and visitors to the area. Because Capstone Development Corporation is not a commercial builder, they have been consulting with commercial developers about potential development partnerships. At this time they do not have such a partnership and wish to request approval for residential uses on the entire site. This approval will allow Capstone to exercise their purchase option for the site. However, the site has been designed in a way that would allow the building fronting Lincoln Avenue to contain either residential or commercial uses. Also, the provisions of the Urbana PUD Ordinance allow up to 10% of the overall site to be used for neighborhood business commercial purposes without the requirement to rezone to a commercial zoning classification. Allowance for shared parking will be another key component for the success of commercial uses at this site. Staff will continue to work with Capstone to encourage the development of some commercial uses along the Lincoln Avenue frontage.

An initial review of the conceptual site plan indicates that the proposal should not have difficulty meeting the development regulations of the Urbana Zoning Ordinance. Some minor adjustments to the plan may be necessary to accommodate traffic and fire truck access considerations. It appears that the site can be developed meeting the technical requirements of parking, setbacks, floor area ratio and open space ratios. Stormwater will be managed within the regional detention basin located just north of Kenyon Road and south of the Interstate 74. This basin was designed and developed with the expectation that this site would eventually be developed. With the regional basin already established, there is no requirement for on-site detention. The developer will be required to pay a pre-determined drainage fee in the amount of approximately \$147,000 in order to utilize the basin.

Requirements for a Special Use Permit

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following three criteria:

- 1. That the proposed use is conducive to the public convenience at that location.*
- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.*
- 3. That the proposed use conforms to the applicable regulations and standards and preserves the essential character of the district in which it shall be located.*

The proposed use is convenient to the public convenience at this location because it will provide residential opportunities in close proximity to the University of Illinois and along the corridor designated as the “Gateway to Campus”. The proposed use is proposed to be designed and operated in a manner that meets the development requirements of the Urbana Zoning Ordinance and will be appropriate for the R-4 Zoning District and general area. The development will be located in close proximity to other similar residential development including Campus Connection (formerly Melrose Apartments) and University Commons Apartments.

Summary of Findings

1. In August 2004, the Urbana City Council approved a Special Use Permit to allow a Residential Planned Unit Development on the site for Hills for College, LLC. The proposal by Capstone Development Corporation revises this site plan approval and is consistent with the original goals of its approval.
2. The site is currently zoned R-4, Multi-Family Residential which allows a Residential Planned Unit Development with the granting of a Special Use Permit.
3. The proposed Special Use Permit is consistent with the 2005 Comprehensive Plan designation of the site for multi-family residential (with annotation for “Multi-Family Condominiums”).

4. The proposed site plan indicating 208 total units distributed within three separate buildings along with associated parking and open space is found to be compliant with the provisions for a Special Use Permit in that it will be generally conducive to the public convenience at this location; it will not be injurious to the public or district in which it is located; and it will meet the applicable standards of the Urbana Zoning Ordinance.
5. The proposed site plan for the Residential Planned Unit Development appears to meet the development regulations of the R-4, Medium Density Multiple Family Residential Zoning District as described in the Urbana Zoning Ordinance.
6. The development is designed in a manner that could accommodate some commercial uses along the Lincoln Avenue frontage. The provisions of the PUD ordinance allows up to 10% of the site to be used for commercial purposes. Although the approval is for residential uses, the developer and City of Urbana will continue to coordinate on the possibility of attracting commercial uses at this location.

Options

The Urbana City Council has the following options in this case:

1. Approve the Special Use Permit request.
2. Approve the Special Use Permit request with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.
3. Deny the request for the Special Use Permit.

Fiscal Impacts

Development of the project will result in significant tax benefits to the City and other taxing bodies due to increased assessed valuation and property tax revenues (see attached spreadsheet). Development of the site would not result in additional unforeseen public infrastructure costs since roads, sewers and regional drainage improvements have previously been provided.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends APPROVAL of the Special Use Permit by the Urbana City Council with the following conditions of approval:

1. The development shall be constructed in substantial conformance to the site plan layout submitted as part of the application and attached hereto. Any substantial changes to the layout (with the exception of those resulting from compliance with

other conditions set forth herein) shall require additional review and approval from the Urbana Plan Commission and Urbana City Council.

2. The design and appearance of the buildings shall be in substantial conformance to the photographs and illustrations submitted for the project and attached hereto. This includes the use of brick material on the exterior of the buildings as depicted in the attached photographs.
3. Should the developer elect to utilize the provisions of the Planned Unit Development Ordinance within the Urbana Zoning Ordinance and incorporate commercial uses into the development, a revised site plan may be reviewed and approved by the Zoning Administrator provided the revised site plan generally conforms to the spirit and intent of the original approval. Should the Zoning Administrator determine that the proposed changes substantially change the overall site plan, the case may be referred back the Urbana Plan Commission and Urbana City Council for reconsideration of the original Special Use Permit approval.
4. The required stormwater detention for development of the site shall be accommodated within the Kenyon Road / I-74 Regional Detention Basin. Prior to development of the site, the regional detention drainage fee, as stipulated in the 1998 Berns, Clancy and Associates report, must be paid. The drainage fee is a special assessment which runs with the land and will not be waived. This payment shall be in the amount of \$147,290. This figure is derived from the amount established in the 1998 Berns, Clancy and Associates report plus a calculated 3% annual interest / inflation factor.
5. The developer shall prepare an access detail plan showing alignment of the project driveway with Kettering Park Drive, sufficient queuing length, and turn lane designation (left only and right only exits), subject to the review and approval of the City Engineer.
6. The developer shall prepare a landscape plan for the property consistent with the requirements of the Urbana Zoning Ordinance and subject to the review and approval of the Zoning Administrator and City Arborist.
7. The developer shall remove the abandoned driveway at the south end of the site and replace it with barrier curb.
8. The developer shall modify the site plan as necessary to allow sufficient fire truck access and circulation on the site.

The Plan Commission is scheduled to hold a public hearing on the application on June 16, 2005. A summary of the testimony from this hearing and the Plan Commission recommendation will be presented to Council on June 20, 2005. This schedule will accommodate adjustments to the City Council calendar for the month of July without causing a delay in the case.

Attachments: Exhibit A, Location Map
Exhibit B, Zoning map
Exhibit C, 2005 Comprehensive Plan Map #3
Exhibit D, Aerial Photo
Exhibit E, Additional Photos
Exhibit F, Petition for Special Use Permit
Exhibit G, Spreadsheet of tax projections
Exhibit H, Proposed Site Plan for Condominiums

Cc: Caleb Phillips, Capstone Development Corporation
431 Office Park Drive
Birmingham, AL 35223

Chris Billing, Berns, Clancy and Associates

ORDINANCE NO. 2005-06-086

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(Request by Capstone Development Corporation to Establish a Residential Planned Unit Development (PUD) in the R-4, Medium Density Multiple Family Residential Zoning District / 1801 North Lincoln Avenue - Plan Case No. 1938-SU-05)

WHEREAS, Capstone Development Corporation has submitted a request to consider a Special Use Permit for a Residential Planned Unit Development at 1801 North Lincoln Avenue; and

WHEREAS, the application submitted by Capstone Development Corporation under Plan Case No. 1938-SU-05 identifies the intended development of a multi-family residential condominium project that includes 208 condominiums situated within three separate buildings to be built along with a clubhouse with pool and leasing office and developed under a unified development plan attached hereto; and

WHEREAS, all applicable development regulations are to be met by the petitioner, including those involving setbacks, drainage, and vehicular access considerations; and

WHEREAS, after due publication, a public hearing was held by the

Urbana Plan Commission on June 16, 2005 concerning the petition filed by the petitioner in Plan Case No. 1938-SU-05; and

WHEREAS, on June 16, 2005, the Urbana Plan Commission voted XX ayes and XX nays to forward the case to the Urbana City Council with a recommendation to approve/deny the request for a Special Use Permit; and

WHEREAS, in order to minimize the impact of the proposed development on surrounding properties specific conditions of approval are hereby imposed as permitted under the requirements of the Urbana Zoning Ordinance and identified in Section 1 below; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public.

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

Section 1. A Special Use Permit is hereby approved to allow the establishment of a *Residential, Planned Unit Development* on the subject 9.57-acre parcel at 1801 North Lincoln Avenue with the following conditions upon approval:

1. The development shall be constructed in substantial conformance to the site plan layout submitted as part of the application and attached hereto. Any substantial changes to the layout (with the exception of those resulting from compliance with other conditions set forth herein) shall require additional review and approval from the Urbana Plan Commission and Urbana City Council.
2. The design and appearance of the buildings shall be in substantial conformance to the photographs and illustrations submitted for the project and attached hereto. This includes the use of brick material on the exterior of the buildings as depicted in the attached photographs.
3. Should the developer elect to utilize the provisions of the Planned Unit Development Ordinance within the Urbana Zoning Ordinance and incorporate commercial uses into the development, a revised site plan may be reviewed and approved by the Zoning Administrator provided the revised site plan

generally conforms to the spirit and intent of the original approval. Should the Zoning Administrator determine that the proposed changes substantially change the overall site plan, the case may be referred back the Urbana Plan Commission and Urbana City Council for reconsideration of the original Special Use Permit approval.

4. The required stormwater detention for development of the site shall be accommodated within the Kenyon Road / I-74 Regional Detention Basin. Prior to development of the site, the regional detention drainage fee, as stipulated in the 1998 Berns, Clancy and Associates report, must be paid. The drainage fee is a special assessment which runs with the land and will not be waived. This payment shall be in the amount of \$147,290. This figure is derived from the amount established in the 1998 Berns, Clancy and Associates report plus a calculated 3% annual interest / inflation factor.
5. The developer shall prepare an access detail plan showing alignment of the project driveway with Kettering Park Drive, sufficient queuing length, and turn lane designation (left only and right only exits), subject to the review and approval of the City Engineer.

6. The developer shall prepare a landscape plan for the property consistent with the requirements of the Urbana Zoning Ordinance and subject to the review and approval of the Zoning Administrator and City Arborist.
7. The developer shall remove the abandoned driveway at the south end of the site and replace it with barrier curb.
8. The developer shall modify the site plan as necessary to allow sufficient fire truck access and circulation on the site.

LEGAL DESCRIPTION:

Lot 3, Melrose of Urbana First Subdivision, Urbana, Champaign County, Illinois.

PERMANENT PARCEL #: 91-21-06-476-010

LOCATED AT: 1801 North Lincoln Avenue

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this ____ day of _____, 2005.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this ____ day of _____, 2005.

Laurel Lunt Prussing, Mayor

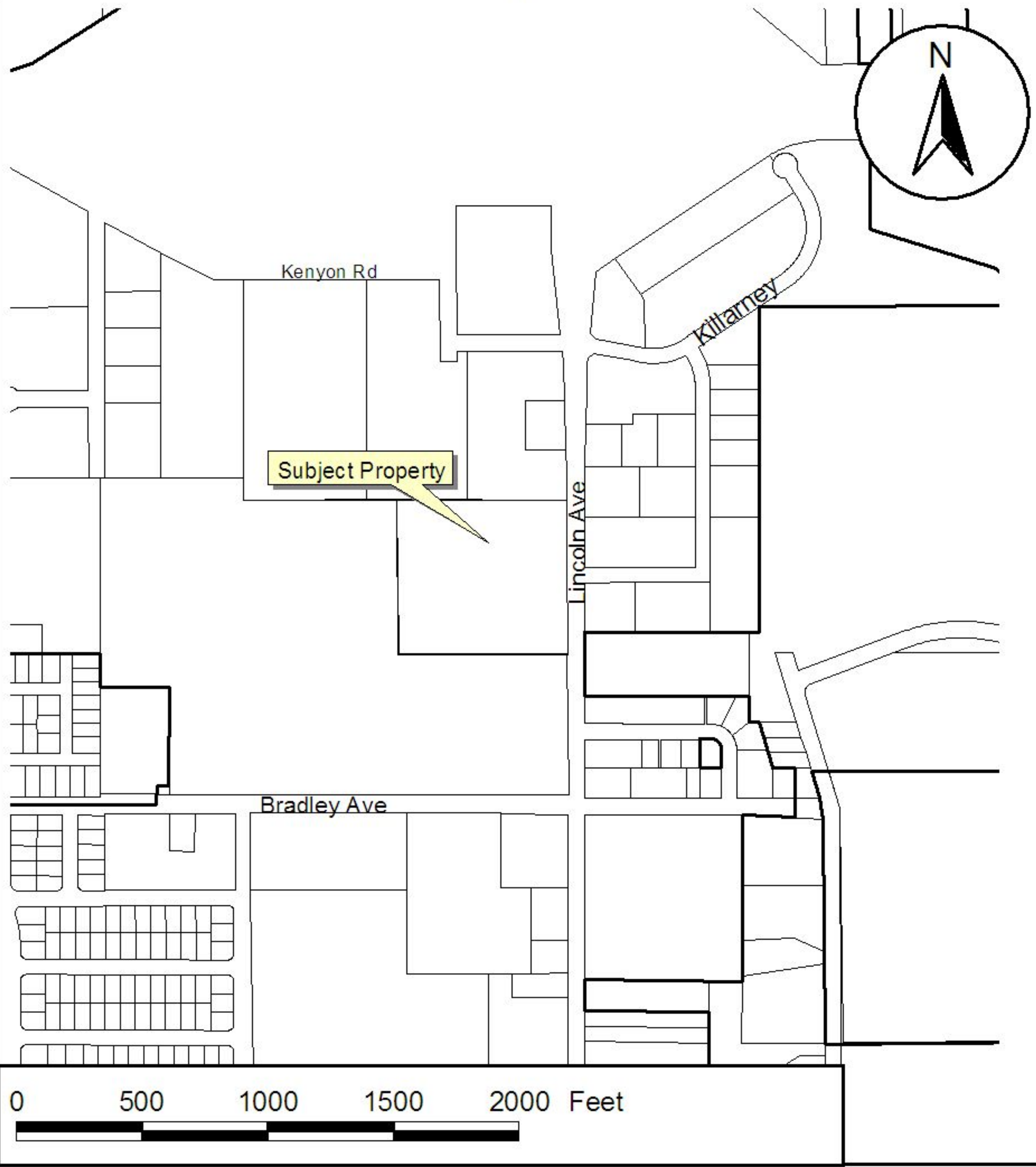
CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 2005, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "An Ordinance Approving A Special Use Permit (Request by Capstone Development Corporation to Establish a Residential Planned Unit Development (PUD) in the R-4, Medium Density Multiple Family Residential Zoning District / 1801 North Lincoln Avenue - Plan Case No. 1938-SU-05)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2005, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

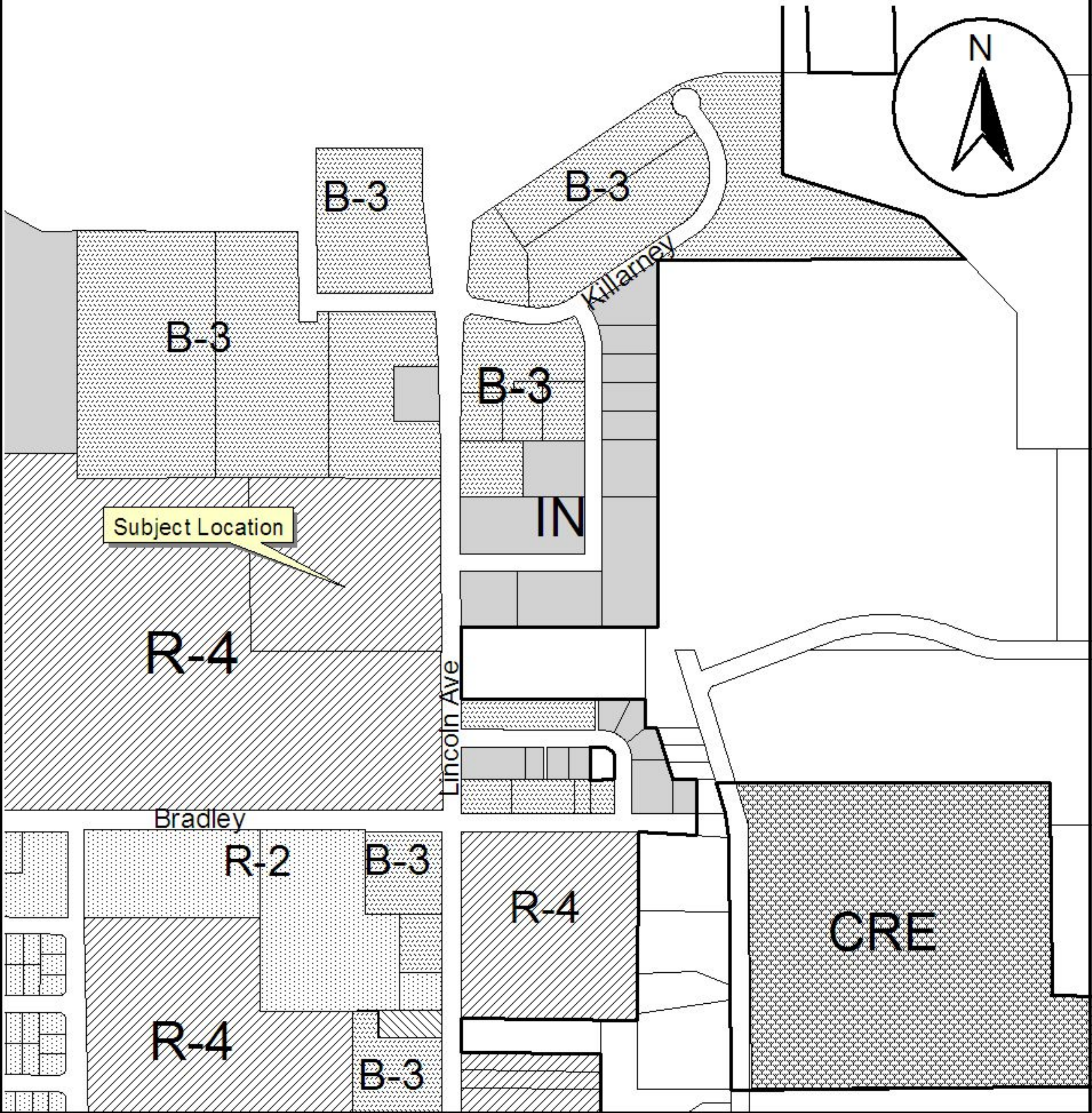
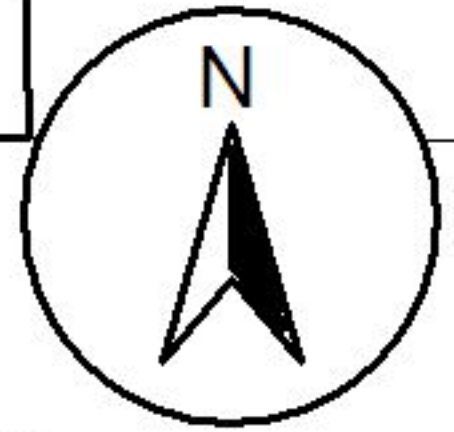
DATED at Urbana, Illinois, this _____ day of _____, 2005.

Exhibit "A": Location Map



Plan Case: 1938-SU-05
Allow construction and sale of the Capstone Quarters
condominium development
Petitioner: Capstone Development Corp.
1801 N. Lincoln Ave
R-4 Residential Zoning District
Prepared 5/24/05 by Community Development Services - rkg

Exhibit "B": Zoning Map



0 500 1000 1500 2000 Feet

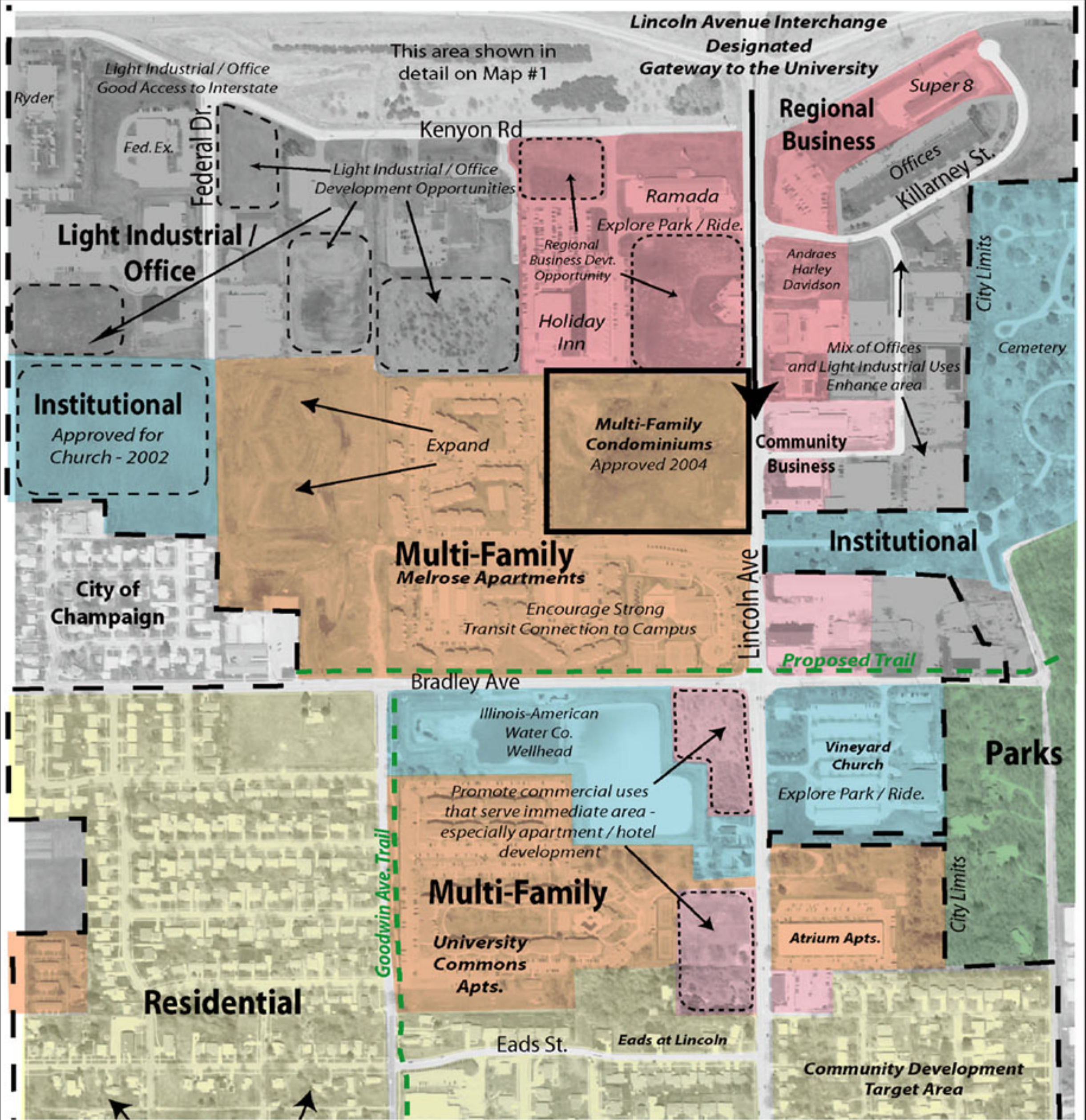


Plan Case: 1938-SU-05
 Allow construction and sale of the Capstone Quarters
 condominium development
 Petitioner: Capstone Development Corp.
 1801 N. Lincoln Ave
 R-4 Residential Zoning District
 Prepared 5/23/05 by Community Development Services - rkg

R-2 Single Family Residential
 R-3 Single- and Two-Family Residential
 R-4 Medium Density Multiple Family Residential
 CRE Conservation - Recreation - Education
 IN Industrial

EXHIBIT "C" : Future Land Use

Map 3 of Comprehensive Plan
Future Land Use Maps



Plan Case: 1938-SU-05

Allow construction and sale of the Capstone Quarters condominium development

Petitioner: Capstone Development Corp.

1801 N. Lincoln Ave

R-4 Residential Zoning District

Prepared 5/24/05 by Community Development Services - rkg

Exhibit "D" : Aerial Photo



Plan Case: 1938-SU-05
Allow construction and sale of the Capstone Quarters
condominium development
Petitioner: Capstone Development Corp.
1801 N. Lincoln Ave
R-4 Residential Zoning District
Prepared 5/24/05 by Community Development Services - rkg













Capstone Student Condos

North Lincoln

Project Cost = \$18,000,000

Est. Assessed Value = \$12,000,000

Est. EAV = \$4,000,000

Est. Property Tax Revenue by Taxing Body

Taxing Body	05 Rate	Tax Rev
School	4.4758	\$179,032
Park	0.7463	\$29,852
Twtnship	0.1988	\$7,952
City	1.3120	\$52,480
County	0.7981	\$31,924
Forest	0.0839	\$3,356
Parkland	0.4847	\$19,388
MTD	0.2677	\$10,708
Health	0.1126	\$4,504
Total	8.4799	\$339,196

