



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, FAICP, Director, Community Development Services

DATE: July 31, 2008

SUBJECT: Plan Case 2078-SU-08: A request by Trammell Crow Company to amend a Special Use Permit to construct Multi-Family Dwellings at 1008, 1010 and 1012 W. University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business Zoning District.

Introduction and Background

Trammell Crow Company has requested to amend their existing Special Use Permit to construct multi-family dwellings at 1008, 1010 and 1012 West University Avenue in the B-3, General Business Zoning District. Table V-1, "Table of Uses", of the Urbana Zoning Ordinance requires a Special Use Permit for multi-family dwellings in the B-3 Zoning District. A Special Use Permit was approved by the Urbana City Council on July 9, 2007, Ordinance No. 2007-07-071, for a proposed five-story, mixed-use building with commercial on the ground floor and four floors of apartments above with interior parking on two levels. (See Exhibit D)

In addition to the Special Use Permit, two major variances were approved for the proposed project. On July 9, 2007 the Urbana City Council approved Ordinance No. 2007-07-072 which involved a major variance to allow a reduction in the side yard setback to 5 feet. Then on November 26, 2007 the Urbana City Council approved Ordinance 2007-11-132 involving a major variance to allow an 11 foot and 11 inch encroachment into the required 22 foot rear yard, including a 3 foot and 1½ inch encroachment of a terrace overhang. (See Exhibit E and F)

The original project included the construction of a five-story building with approximately 9,000 square feet of ground floor retail space, 161 residential units marketed primarily toward university students, and 228 parking spaces under the building on two levels. Unforeseen issues about the unclear location of a property line with an adjoining property and the location of existing utilities and utility easements have prevented the developer from constructing the previously proposed underground parking. This has led to the revision of the originally submitted conceptual plans. The developer has acquired property to provide for the required parking to the west of the original site at 508 North Goodwin Avenue, on land which is currently occupied by Odman-Hecker & Company. Odman-Hecker & Co. is a commercial business that supplies such items as hollow metal door frames, doors, hardware and toilet partitions. Trammell Crow Company currently has an option to

purchase the property at 508 North Goodwin Avenue, which includes a provision that Trammell Crow assist with the relocation of Odman-Hecker. A surface parking lot will be constructed on this property to serve the proposed mixed-use commercial/residential building. Aside from the change in parking, the project will be developed in general conformance with the original development submission.

The Urbana Plan Commission, at their July 24, 2008 meeting, voted 7 ayes and 0 nays to recommend that City Council approve the proposed Special Use Permit in Plan Case 2078-SU-08 with the same two conditions outlined in the Recommendation section of this memo.

Description of the Site

The subject property is located on the north side of University Avenue, the major east-west corridor in central Urbana-Champaign, between the intersections of Lincoln and Goodwin Avenues. University Avenue is also the north boundary of the University of Illinois campus, and both Lincoln and Goodwin Avenues are important routes to campus. The subject property encompasses what is known as 1008, 1010, 1012 West University Avenue and 508 North Goodwin Avenue. (See Exhibit A) According to the application submitted, the subject property consists of approximately 147,245 square feet or 3.4 acres. A vacant retail building and the existing commercial business known as Odman-Hecker & Co. currently occupy the site. The proposed development of the subject property represents an infill development opportunity along the University Avenue corridor.

Adjacent Land Uses and Zoning Descriptions

The area immediately surrounding the subject property to the east, west and south is commercial in nature and is zoned B-3, General Business. Businesses such as Hot Wok, Dos Reales and Durst Cycle are located to the southwest; the Hampton Inn is located to the west; Tri-Color Locksmiths, the Gold Exchange and a used car dealer are located to the east; and restaurants such as Niro's Gyros, Taco Bell and Dairy Queen are located along the south side of University Avenue south of the subject property. To the north of the subject property is a railroad spur, Illinois American Water Company and an Ameren IP substation. The property to the north is zoned IN, Industrial.

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	B-3, General Business	Vacant Commercial Building Commercial - Odman-Hecker	Community Business
North	IN, Industrial	Railway spur right-of-way Illinois American Water Co. Ameren IP substation	Institutional
South	B-3, General Business	Commercial – Restaurants	Campus Mixed-Use
East	B-3 General Business	Commercial - Retail	Community Business
West	B-3, General Business	Commercial – Restaurants, Retail & Hotel	Community Business

Comprehensive Plan Goals, Objectives and Policies

The City of Urbana's 2005 Comprehensive Plan, Future Land Use Map 3, designates the future land use of this property as "Community Business". The adjacent area on the opposite side of University Avenue is designated by Future Land Use Map 8 as "Campus Mixed Use." The map is annotated to say that appropriate development in the area should include: "Urban designed mixed-use buildings, which include business/office on the ground floor and residential on upper floors..."

The Comprehensive Plan's future land use designation for this site is "Community Business" which the Plan defines as:

"Community Business centers are designed to serve the overall community as well as the immediate neighborhood but are less intense than regional commercial centers. Located along principal arterial routes or at major intersections. Community Business centers contain a variety of business and service uses at scales and intensities that make them generally compatible with surrounding neighborhoods. Encourage planned-unit development to create a variety of uses, and to transition intensities to adjoining neighborhoods. Design facilities to permit pedestrian, bicycle, and transit access as well as automobile traffic."

The Comprehensive Plan's future land use designation on the opposite side of University Avenue is for "Campus Mixed-Use", which the plan defines as:

"The Campus Mixed-Use classification is intended for limited areas that are close to campus. These areas promote urban-style private development with a mix of uses that commonly include commercial, office and residential. Design Guidelines shall ensure that developments contain a strong urban design that emphasizes a pedestrian scale with buildings close to the street, wide sidewalks, and parking under and behind structures. The design and density of development should capitalize on existing and future transit routes in the area. Large-scale developments containing only single uses are discouraged within this classification."

The proposed project appears to fit well within both categories in that it is a mixed-use commercial/residential building located along an arterial roadway and provides access to pedestrian, bicycle, and transit facilities. The property's adjacency of uses also allows cross benefits. For instance housing marketed for students can benefit from being located within walking distance of restaurants, retail and the University of Illinois.

Pertinent 2005 Urbana Comprehensive Plan goals and objectives include the following:

Goal 2.0 New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Objectives

- 2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.
- 2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 16.0 Ensure that new land uses are compatible with and enhance the existing community.

Objectives

- 16.1 Encourage a mix of land use types to achieve a balanced growing community.
- 16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

Goal 18.0 Promote infill development.

Objectives

- 18.1 Promote the redevelopment of underutilized property using techniques such as tax increment financing, redevelopment loans/grants, enterprise zone benefits, marketing strategies, zoning incentives, etc.

Goal 19.0 Provide a strong housing supply to meet the needs of a diverse and growing community.

Objectives

- 19.1 Ensure that new residential development has sufficient recreation and open space, public utilities, public services, and *access to commercial and employment centers*.
- 19.2 Encourage residential developments that offer a variety of housing types, prices and designs.

Goal 25.0 Create additional commercial areas to strengthen the city's tax base and service base.

Objectives

- 25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.
- 25.4 Find new locations for commercial uses and enhance existing locations so Urbana residents can fulfill their commercial and service needs locally.

Goal 26.0 Improve the appearance of Urbana's commercial and industrial areas.

Objectives

- 26.2 Promote the beautification of commercial areas especially along University Avenue, Cunningham Avenue, and Philo Road.

Discussion

The petitioner is proposing to develop the subject property with a five-story, mixed-use building similar to what was approved by the Special Use Permit in 2007. The first floor will include 9,000 square foot of retail/commercial space with parking and the remaining four floors will be developed with a total of 161 residential dwelling units that will be targeted primarily toward university students. The proposed bedroom mix is 35 efficiency, 40 one bedroom, and 86 two bedroom units. (See Exhibit H)

In the original proposal submitted in 2007, underground parking was proposed. However, during the engineering design phase of the project, a number of issues were identified that ultimately made it infeasible to provide for the underground parking. The most critical issue being that the actual

location of the property line between the subject property and the property to the southwest (Hot Wok) is in question based on a survey completed by the owner of the Hot Wok property. The dispute in the location of the property line involves a discrepancy of approximately 4 feet on the northern property line of the Hot Wok property. The potential loss of 4 feet of property impacts the developer's ability to construct the previously proposed underground parking for two reasons. First, the developer was required to relocate power poles because of their proximity to the proposed building. With the property line discrepancy, the power poles are partially on the Hot Wok property, and the power company will not move them without the owner's consent. Second, the developer cannot excavate and construct the necessary foundation walls for the underground parking without encroaching on the Hot Wok property. The parties involved are currently in litigation over the property line dispute. In addition to the property line dispute, it was found that there is an 8-inch sanitary sewer that runs through the site for which there is no easement. The developer proposed to accommodate this issue by running the sanitary sewer through the underground parking area suspended from the ceiling. This solution however is not the most desirable from an engineering standpoint.

Because of the issues encountered during the engineering design phase, the developer is proposing to acquire the adjacent property at 508 North Goodwin Avenue to construct a surface parking lot to serve the mixed-use building instead of providing underground parking as previously proposed. This will allow the developer to move forward with the project while eliminating the need to relocate the sanitary sewer and power poles. As proposed, parking will still be provided on the first floor of the mixed-use building behind the building façade along University Avenue. Ninety nine parking spaces will be provided on the first floor of the building and 185 spaces will be provided in the surface parking lot. The developer is proposing to install carports and lighting in the parking areas as shown on the plans in Exhibit H. The proposed surface parking lot has been designed to meet the parking lot and parking space standards of the Urbana Zoning Ordinance.

There will be two access points to the development, one from University Avenue and one from Goodwin Avenue. Vehicles will be able to enter the development from University Avenue and proceed through the parking area on the ground floor of the building to the surface parking lot and then exit onto Goodwin Avenue.

Requirements for a Special Use Permit

According to Section VII-4 of the Urbana Zoning Ordinance, Special Use Permit applications generally must demonstrate that they meet the following three criteria as provided in italics. (Please see Exhibit G for the petitioner's specific response to each question.)

- 1. That the proposed use is conducive to the public convenience at that location.*

The proposed project is conducive to the public convenience in terms of its location and its mixed-use aspect. First, the subject property is located along the main east-west commercial corridor in central Urbana-Champaign, between Goodwin and Lincoln Avenues. In addition, the property is within walking distance of the University of Illinois. Both Goodwin and Lincoln Avenues are major entryways into campus. According to the petitioner, the residential units "will meet the demand for student housing in the community." Its location makes the property within commuting distance for

pedestrians and bicyclists. Second, the project's mixed-use aspect lends itself to shorter trips, less reliance on automotive transportation, and is ultimately more convenient for residents. Finally, providing parking to serve the development is integral to its success.

2. *That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detriment to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.*

Construction of residences within a commercial zoning district introduces a generally less intensive use within a more intensive zoning district. Consequently it would not be injurious or a detriment to the district. The development has been designed with commercial uses fronting on University Avenue that are consistent with the commercial nature of the area. The residential component of this development is well suited for this location due to its proximity to the University of Illinois and its location along a main east-west corridor in central Urbana-Champaign. The proposed parking areas have been located behind the proposed building thereby creating a consistent commercial façade along University Avenue. The surface parking lot has also been designed to minimize impact on adjacent properties. First, a fence will be installed around the perimeter of the surface parking area. Second, a landscape buffer will be provided along Goodwin Avenue as well as shade trees throughout the parking lot. Finally, the majority of the lighting for the surface parking lot will be mounted under the proposed carports. The other proposed lighting fixtures will be full cut-off fixtures to minimize light intrusion on adjacent properties.

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.*

According to the applicant, the proposed development will enhance the general appearance and character of the University Avenue corridor as well as contribute to the economic vibrancy of the area. The project would meet height, floor area ratio, parking, and side and rear yard setback requirements that are generally consistent with standards for commercial development in the B-3 Zoning District as modified by the approved variances. In addition, the proposed surface parking lot conforms to the parking lot and parking space requirements of the Urbana Zoning Ordinance. Providing parking is essential for commercial and residential developments. The proposed surface parking has been located behind the proposed building and adjacent to parking provided for commercial establishments to the south and west. The proposed design of the development with the building façade and proposed commercial uses on the ground floor along University Avenue will help to preserve the commercial nature of University Avenue.

Consideration

City Council should consider the recommendation of the Plan Commission regarding the proposed special use and either approve or deny the Special Use Permit. City Council may impose any conditions or requirements, including but not limited to those recommended by the Plan Commission, which it deems appropriate or necessary in order to accomplish the purposes of the Urbana Zoning Ordinance.

Summary of Findings

1. A Special Use Permit and two major variances were previously approved to allow for the subject site to be developed with a proposed five story, mixed-use building with commercial on the ground floor and four floors of apartments with interior parking on two levels.
2. Due to unforeseen circumstances, the petitioner proposes to provide surface parking at 508 North Goodwin instead of underground parking as originally proposed.
3. The proposed use is conducive to the public convenience as the property is within commuting distance of the University of Illinois for pedestrians and bicyclists. Its mixed use aspect lends itself to shorter trips and less reliance on automotive transportation, and is otherwise convenient for residents.
4. The proposed use will not be unreasonably injurious or detrimental to the district in which it will be located, or otherwise injurious or detrimental to the public welfare because it would introduce a less intensive use in a more intensive zoning district.
5. The proposed development is consistent with the development regulations for non-residential properties in the B-3 Zoning District and therefore preserves the essential character of the district in which it shall be located.
6. The proposed development has been designed so that it is consistent with the commercial nature of University Avenue and to minimize impact on surrounding properties. The proposed building is situated along University Avenue with commercial uses proposed for the ground floor consistent with adjacent commercial properties. Parking for the development will be situated behind the building. The surface parking area will include fencing, landscaping and lighting designed to soften its impact.
7. The proposed development is consistent with the 2005 Urbana Comprehensive Plan in terms of its goals and objectives as well as the future land use designation of the subject property as “Community Business”.
8. At their July 24, 2008 meeting the Urbana Plan Commission, in a vote of 7 ayes and 0 nays, recommend that City Council approve the proposed Special Use Permit in Plan Case No. 2078-SU-08 with the same two conditions outlined in the Recommendation section of this memo.

Options

In Plan Case No. 2078-SU-08 the Urbana City Council has the following options:

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

Recommendation

Based on the analysis and findings presented herein, the Urbana Plan Commission and staff recommend that the Urbana City Council **APPROVE** the Special Use Permit in Plan Case No. 2078-SU-08 with the following conditions:

1. The development shall be constructed in general conformance with the site plan submitted and attached as Exhibit 1 of the draft ordinance approving the Special Use Permit. The Zoning Administrator shall have the power to approve minor changes necessary for the project to comply with City regulations including building, fire, and site development codes.
2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the illustration submitted as part of the Special Use Permit application and as attached in Exhibit 2 of the draft ordinance approving the Special Use Permit. This condition shall include a requirement for masonry construction such as brick, stone, tile and the like whether weight bearing or veneer.

Prepared by:

Lisa Karcher, Planner II

Attachments: Draft Ordinance Approving a Special Use Permit

Exhibit A: Location and Existing Land Use Map
Exhibit B: Existing Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Ordinance No. 2007-07-071 (Special Use Permit)
Exhibit E: Ordinance No. 2007-07-072 (Major Variance for side yard setback)
Exhibit F: Ordinance No. 2007-11-132 (Major Variance for rear yard setback)
Exhibit G: Special Use Permit Application
Exhibit H: Project Plans

Draft Minutes of July 24, 2008 Plan Commission Hearing

cc: Trammell Crow Company
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Dallas, TX 75205

Farnsworth Group
Attn.: Tim Pellegrini
1819 S. Neil Street, Suite F
Champaign, IL 61820

Greg Damico
1002 Galen Drive
Champaign, IL 61821-6925

ORDINANCE NO. 2008-08-080

AN ORDINANCE TO REPEAL ORDINANCE NO. 2007-07-071 AND TO APPROVE A SPECIAL USE PERMIT

(To allow the construction of multi-family dwellings at 1008, 1010 and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business, Zoning District - Plan Case 2078-SU-08 / Trammell Crow Company)

WHEREAS, Trammel Crow Company was granted a Special Use Permit on July 9, 2007 by the Urbana City Council in Ordinance No. 2007-07-071 to allow the construction of multi-family dwellings at 1008, 1010 and 1012 W. University Avenue; and

WHEREAS, unforeseen circumstances have required Trammell Crow Company to redesign the project to include a surface parking lot at 508 N. Goodwin Avenue instead of providing underground parking as originally proposed; and

WHEREAS, Trammell Crow Company has petitioned the City of Urbana for a Special Use Permit to construct multi-family dwellings at 1008, 1010, and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business District; and

WHEREAS, the Urbana Zoning Ordinance, Table V-1, Table of Uses, permits Multi-Family Dwellings in B-3 zoning districts subject to a Special Use Permit; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Community Business"; and

WHEREAS, after due publication, the Urbana Plan Commission on July 24, 2008 held a public hearing concerning the petition and voted 7 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the Special Use Permit application, subject to the conditions as specified in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth herein, is consistent with the requirements of Section VII-4 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; and

WHEREAS, The application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and enhance the character of the zoning district in which it will be located; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to repeal Ordinance No. 2007-07-071 and to enact the text in lieu thereof as described herein.

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

Section 1. Ordinance No. 2007-07-071 is hereby repealed upon the effective date of this Ordinance. The repeal of such Ordinance shall not abrogate or affect any act committed or done or any penalty or forfeiture incurred or any pending litigation or prosecution under such repealed ordinance.

Section 2. In place of said Ordinance herein repealed, a new Ordinance is hereby enacted and a Special Use Permit is hereby approved to allow the use of multi-family dwellings at 1008, 1010, and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business Zoning District with the following conditions upon approval:

1. The development shall be constructed in general conformance with the attached site plan labeled "Exhibit 1". The Zoning Administrator shall have the power to approve minor changes necessary for the project to

2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the attached illustration labeled "Exhibit 2" submitted as part of the Special Use Permit application. This condition shall include a requirement for masonry construction such as brick, stone, tile and the like whether weight bearing or veneer.

LEGAL DESCRIPTION:

The East 135 feet of Lot 1, and all of Lots 9, 11 and 12, in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1008 and 1010 West University Avenue, Urbana, Illinois.

Permanent Index Nos. 91-21-07-431-019, 91-21-07-431-021

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1012 West University Avenue, Urbana, Illinois.

Permanent Index No. 91-21-07-431-007

AND

Lot 1 except the east 135 feet, and also the south 48 feet of the west 134.62 feet thereof, in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 508 North Goodwin Avenue, Urbana, Illinois.

Permanent Index No. 91-21-07-431-023

Section 3. 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).

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

PASSED by the Urbana Corporate Authorities this _____ day of _____, 2008.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2008.

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 _____, 2008, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE TO REPEAL ORDINANCE NO. 2007-07-071 AND TO APPROVE A SPECIAL USE PERMIT (To allow the construction of multi-family dwellings at 1008, 1010 and 1012 W University Avenue to include a parking lot at 508 North Goodwin Avenue in the B-3, General Business, Zoning District - Plan Case 2078-SU-08 / Trammell Crow Company)" 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 _____, 2008, 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 _____, 2008.

(SEAL)

Phyllis D. Clark, City Clerk



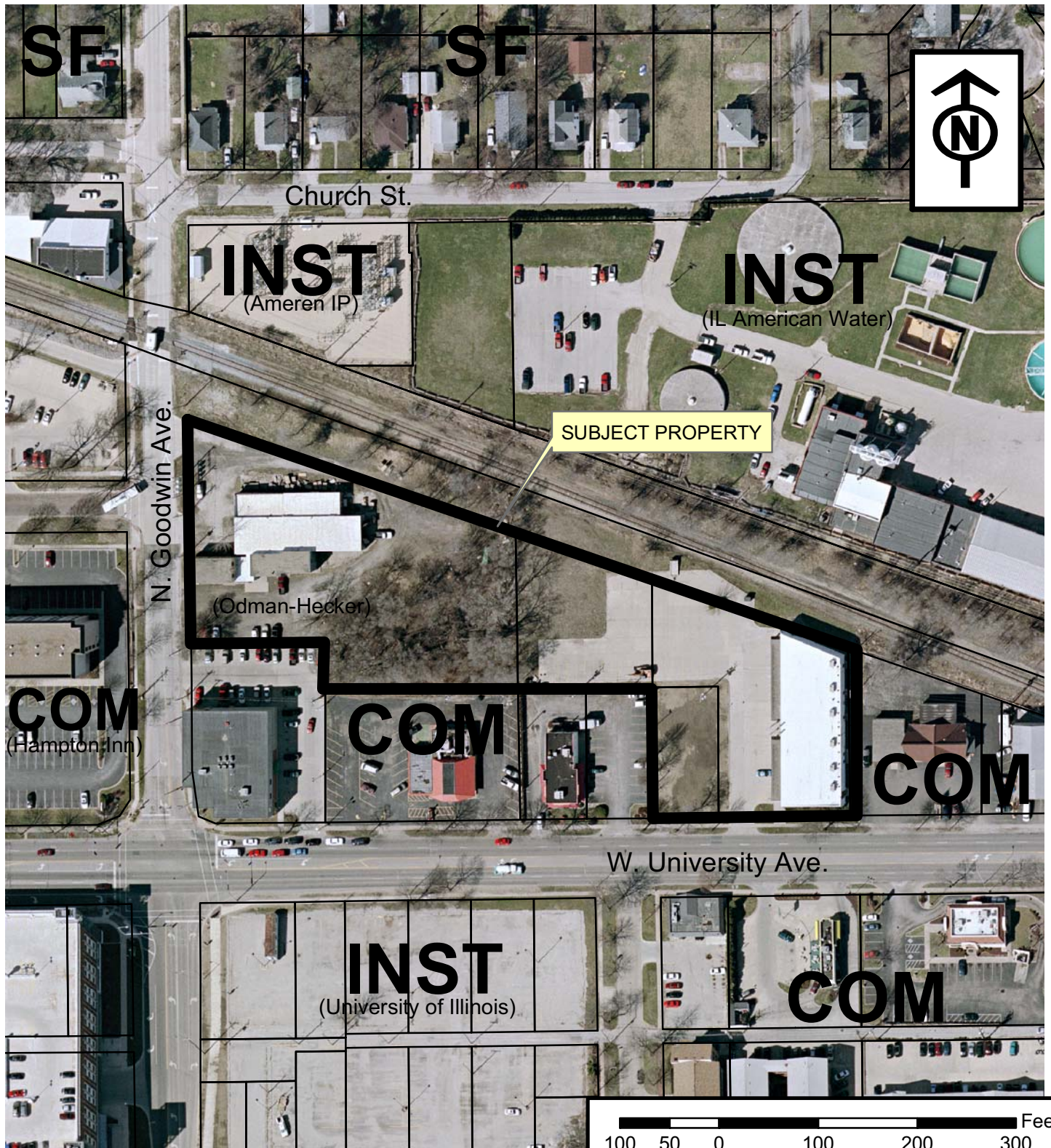
CONCEPTUAL ELEVATION

URBANA STUDENT HOUSING
URBANA, ILLINOIS

FOR TRAMMELL CROW CO. BG
07-16-08 O



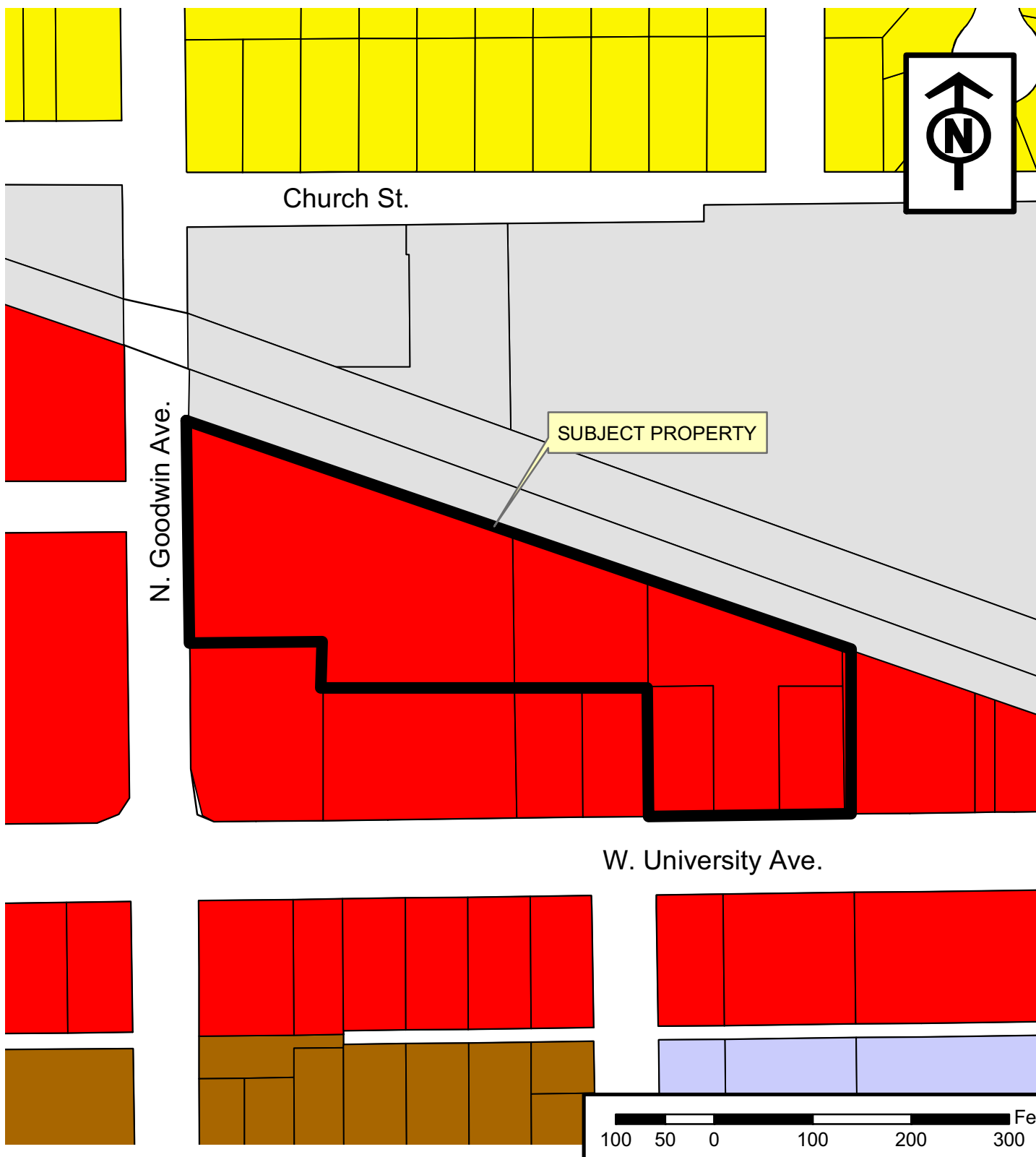
EXHIBIT A: Location and Existing Land Use Map



Plan Case: 2078-SU-08
Petitioner: Trammell Crow Company
Location: 1008, 1010 and 1012 W. University Ave. and 508 N. Goodwin Ave.
Description: Amendment to a Special Use Permit approved by the Urbana City Council on July 9, 2007, for a five-story, mixed-use commercial/residential building. The proposal is to revise the site plan to include surface parking at 508 N. Goodwin Ave.

COM - Commercial
 INST - Institutional
 SF - Single-Family

EXHIBIT B: Existing Zoning Map



Plan Case: 2078-SU-08
Petitioner: Trammell Crow Company
Location: 1008, 1010 and 1012 W. University Ave. and 508 N. Goodwin Ave.
Description: Amendment to a Special Use Permit approved by the Urbana City Council on July 9, 2007, for a five-story, mixed-use commercial/residential building. The proposal is to revise the site plan to include surface parking at 508 N. Goodwin Ave.

Prepared 7/08 by Community Development Services - Ikk






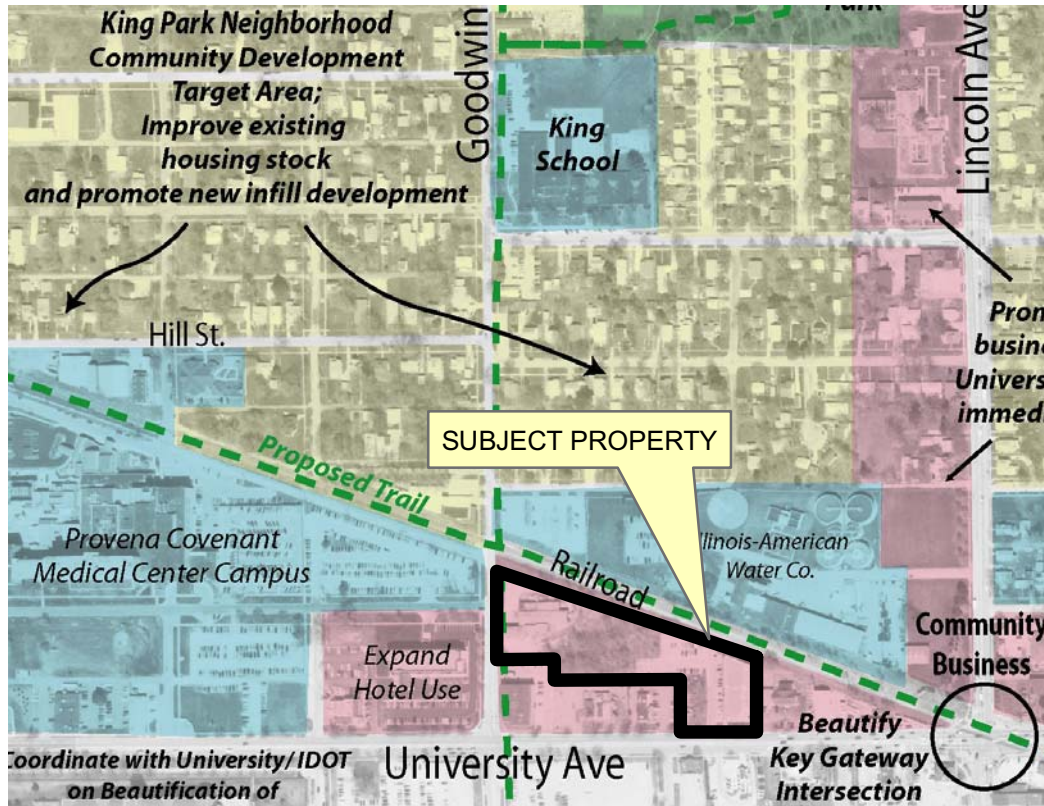
	B3
	B3U
	IN
	R2
	R5

EXHIBIT C: Future Land Use Map

Future Land Use Map #3







Future Land Use Map #8



Plan Case: 2078-SU-08
Petitioner: Trammell Crow Company
Location: 1008, 1010 and 1012 W. University Ave. and 508 N. Goodwin Ave.
Description: Amendment to a Special Use Permit approved by the Urbana City Council on July 9, 2007, for a five-story, mixed-use commercial/residential building. The proposal is to revise the site plan to include surface parking at 508 N. Goodwin Ave.

Prepared 7/08 by Community Development Services - Ikk

	Residential
	Campus Mixed-Use
	Community Business
	Institutional

ORDINANCE NO. 2007-07-071**AN ORDINANCE APPROVING A SPECIAL USE PERMIT**

(To Allow the Construction of Multi-Family Dwellings at 1008, 1010 and 1012 W. University Avenue in the B-3, General Business, Zoning District - Plan Case 2043-SU-07 / Trammell Crow Higher Education Development, Inc.)

WHEREAS, Trammell Crow Higher Education Development, Inc. has petitioned the City of Urbana for a Special Use Permit to construct multi-family dwellings at 1008, 1010, and 1012 West University Avenue in the B-3, General Business District; and

WHEREAS, the Urbana Zoning Ordinance, Table V-1, Table of Uses, permits Multi-Family Dwellings in B-3 zoning districts subject to a Special Use Permit; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Community Business"; and

WHEREAS, after due publication, the Urbana Plan Commission on June 21, 2007 held a public hearing concerning the petition and voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the Special Use Permit application, subject to the conditions as specified in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth herein, is consistent with the requirements of Section VII-4 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; and

WHEREAS, The application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and enhance the character of the zoning district in which it will be located.

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

Section 1. A Special Use Permit is hereby approved to allow the use of multi-family dwellings in the B-3, General Business Zoning District at 1008, 1010, and 1012 West University Avenue with the following conditions upon approval:

1. The development shall be constructed in general conformance with the attached site plan labeled "Floor Concept Plans". The Zoning Administrator shall have the power to approve minor changes necessary for the project to comply with City regulations including building, fire, and site development codes.
2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the attached illustration labeled "Conceptual Elevation" submitted as part of the Special Use Permit application. This condition shall include a requirement for masonry construction.

LEGAL DESCRIPTION:

The East 135 feet of Lot 1, and all of Lots 9, 11 and 12, in John W Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1008 and 1010 West University, Urbana, Illinois.

Permanent Index Nos. 91-21-07-431-019, 91-21-07-431-021, and 91-21-07-431-009

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. Most commonly known as 1012 W. University, Urbana, Illinois.

Permanent Index No. 91-21-07-431-007
AND

Beginning at the Northwest Corner of Lot 1 of John W. Stipes Subdivision, Urbana, Illinois, said point being on the Southerly right-of-way line of the Norfolk and Western Railway Company, proceed thence North 00 degrees 10 minutes 21 seconds East, 21.33 feet along the East line of Goodwin Avenue to the Northerly right-of-way line of the Norfolk and Western Railway Company, said line being coincidental with the Southerly right-of-way line of the Penn Central Railroad; thence South 70 degrees 02 minutes 19 seconds East, 411.00 feet along the Northerly right-of-way line of the Norfolk and Western Railway Company, thence South 68 degrees 01 minutes 28 seconds East 158.13 feet to a point on the Northerly extension of the East line of Lot 9 of John W. Stipes Subdivision; thence South 00 degrees 01 minutes 49 seconds East, 31.50 feet along the Northerly extension of the said East line to the Southerly right-of-way line of the Norfolk and Western Railway Company, also being the Northerly line of John W. Stipes Subdivision; thence North 70 degrees 31 minutes 48 seconds West, 70.39 feet along the Southerly line of said railway company to a point being on the East line of Lot 1 of John W. Stipes Subdivision; thence North 00 degrees 06 minutes 46 seconds West, 21.23 feet along the said East line of Lot 1, being coincidental with the Southerly right-of-way line of Norfolk and Western Railway Company, thence North 70 degrees 31 minutes 49 seconds West, 493.93 feet along the Southerly right-of-way line of said Railroad to the true point of beginning, said property lying contiguous to the West limit of the property conveyed to Consolidated Railway Corporation by deed dated October 15, 1990, lying East of Goodwin Avenue, in Champaign County, Illinois.

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 9th day of July,
2007.

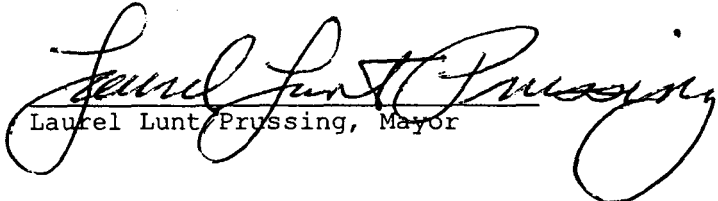
AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 12th day of July,
2007.


Laurel Lunt Prussing, Mayor

[Special Council Meeting]



CONCEPTUAL ELEVATION

URBANA STUDENT HOUSING
URBANA, ILLINOIS

FOR TRAMMELL CROW CO. BG
05-24-07 O



CHAMPAIGN/JURISDICTION		JOB NUMBER		CREATED		DATE	
CHAMPAIGN/JURISDICTION		JOB NUMBER		CREATED		DATE	
UNIT TABULATION	AREA	NO.	%	TOTAL AREA	5/15/07		
E1	430	35	21.74%	15,050			35
A1	598	40	24.84%	23,840			40
B1	850	67	41.61%	36,950			134
B2	809	19	11.80%	16,891			38
TOTAL		161	100.00%	112,731			247

RAILROAD R.O.W.

OPEN TO PARKING BELOW
PLAZA @
2ND FLOOR

AVERAGE UNIT SIZE : 700.19

PARKING @ RETAIL = 97
PARKING @ BASEMENT = 131

TOTAL = 228



SCALE: 1" = 30'

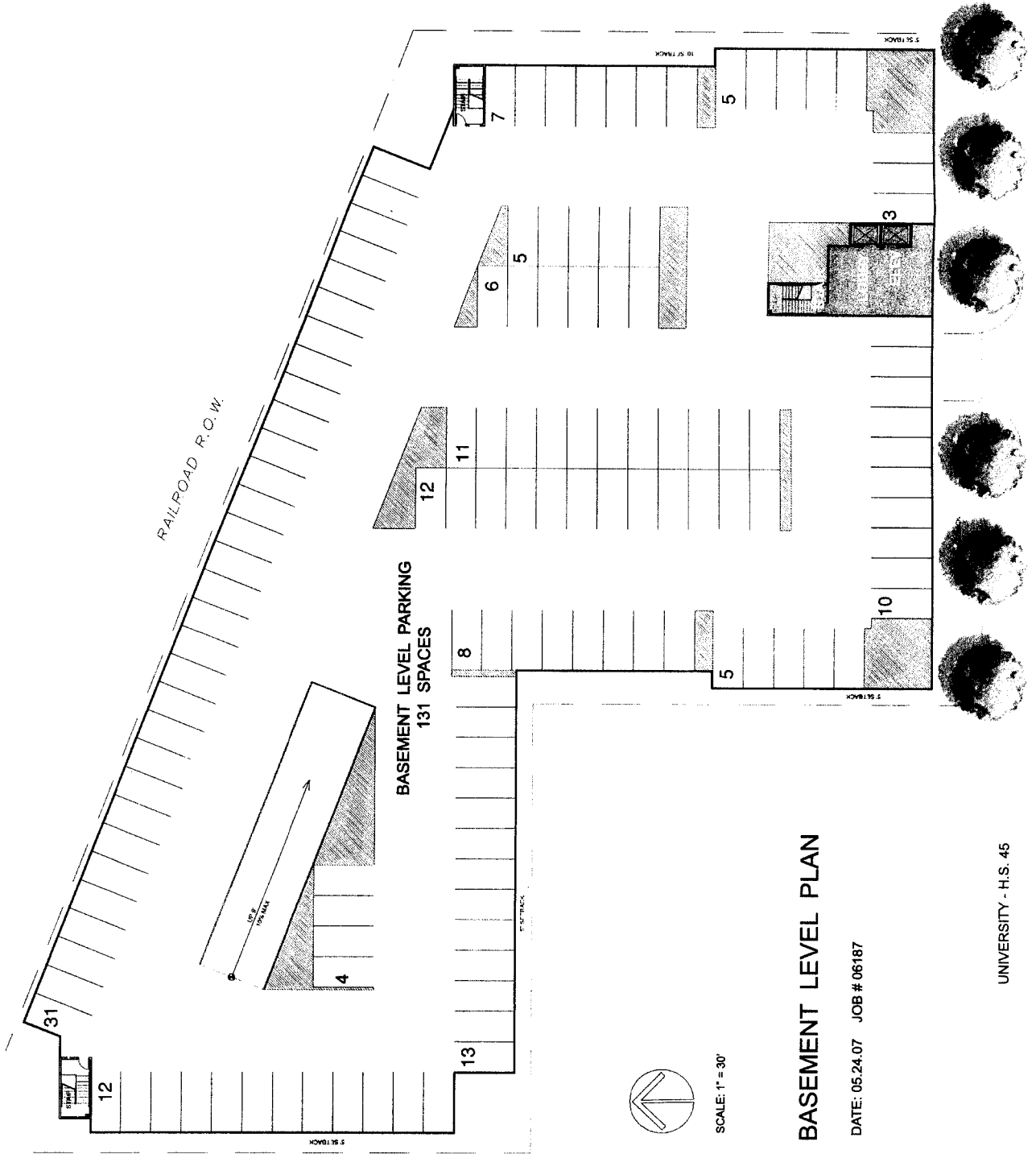
2ND FLOOR CONCEPT PLAN (FLOORS 3 - 5 SIMILAR)

DATE: 05.24.07 JOB # 06187



1ST FLOOR CONCEPT PLAN

DATE: 05.24.07 JOB # 06187



BASEMENT LEVEL PLAN

DATE: 05.24.07 JOB # 06187

SCALE: 1" = 30'

ORDINANCE NO. 2007-07-072**AN ORDINANCE APPROVING A MAJOR VARIANCE**

(To Allow a Reduction in Side Yard Building Setbacks to 5 Feet in the B-3, General Business, Zoning District / 1008, 1010 and 1012 W. University Avenue, Case No. ZBA-2007-MAJ-06, Trammell Crow Higher Education Development, Inc.)

WHEREAS, the Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for major variances where there are special circumstances or conditions with a parcel of land or the structure; and

WHEREAS, Trammell Crow Higher Education Development, Inc. has submitted a petition for a variance to allow a reduction in side yard building setbacks to a minimum of five feet for a mixed commercial/residential building at 1008, 1010 and 1012 W. University Avenue in the B-3, General Business Zoning District.; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA-2007-MAJ-06; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on June 20, 2007 and voted 5 ayes and 0 nays to recommend to the Corporate Authorities approval of the requested variance; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-3.C.2.d of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. The proposed variance will not serve as a special privilege because the irregular shape of the lot poses challenges to efficient use of the property. The variance requested is necessary due to special circumstances relating to the property which represents an infill development opportunity along the important University Avenue corridor.
2. The special circumstances concerning the property are the irregular shape of the site combined with deep setbacks on three sides of the property which significantly reduce the usable area of the site. The practical difficulty in strict compliance would reduce the efficient use of the site and directly effect the economic viability of the development.
3. The variance would allow side yards consistent with the zoning regulations for non-residential properties in the B-3 zoning district and therefore cause no more of a "nuisance" to adjacent properties than a "by right" commercial project.
4. The requested variance will advance the goals and implementation strategies of the 2005 Comprehensive Plan.

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

The major variance request by Trammell Crow Higher Education Development, Inc., in Case #ZBA-2007-MAJ-06, is hereby approved to reduce each side yard property line setback to a minimum of five feet at 1008, 1010 and 1012 West University Avenue in the B-3, General Business Zoning District, in the manner proposed in the application.

The major variance described above shall only apply to the property located at 1008, 1010 and 1012 West University Avenue, Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

The East 135 feet of Lot 1, and all of Lots 9, 11 and 12, in John W Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1008 and 1010 West University, Urbana, Illinois.

Permanent Index Nos. 91-21-07-431-019, 91-21-07-431-021, and 91-21-07-431-009

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. Most commonly known as 1012 W. University, Urbana, Illinois.

Permanent Index No. 91-21-07-431-007

AND

Beginning at the Northwest Corner of Lot 1 of John W. Stipes Subdivision, Urbana, Illinois, said point being on the Southerly right-of-way line of the Norfolk and Western Railway Company, proceed thence North 00 degrees 10 minutes 21 seconds East, 21.33 feet along the East line of Goodwin Avenue to the Northerly right-of-way line of the Norfolk and Western Railway Company, said line being coincidental with the Southerly right-of-way line of the Penn Central Railroad; thence South 70 degrees 02 minutes 19 seconds East, 411.00 feet along the Northerly right-of-way line of the Norfolk and Western Railway Company, thence South 68 degrees 01 minutes 28 seconds East 158.13 feet to a point on the Northerly extension of the East line of Lot 9 of John W. Stipes Subdivision; thence South 00 degrees 01 minutes 49 seconds East, 31.50 feet along the Northerly extension of the said East line to the Southerly right-of-way line of the Norfolk and Western Railway Company, also being the Northerly line of John W. Stipes Subdivision; thence North 70 degrees 31 minutes 48 seconds West, 70.39 feet along the Southerly line of said railway company to a point being on the East line of Lot 1 of John W. Stipes Subdivision; thence North 00 degrees 06 minutes 46 seconds West, 21.23 feet along the said East line of Lot 1, being coincidental with the Southerly right-of-way line of Norfolk and Western Railway Company,

thence North 70 degrees 31 minutes 49 seconds West, 493.93 feet along the Southerly right-of-way line of said Railroad to the true point of beginning, said property lying contiguous to the West limit of the property conveyed to Consolidated Railway Corporation by deed dated October 15, 1990, lying East of Goodwin Avenue, in Champaign County, Illinois.

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).


This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Corporate Authorities of the City of Urbana, Illinois, at a special meeting of said Authorities on the 9th day of July, 2007.

PASSED by the City Council this 9th day of July, 2007.

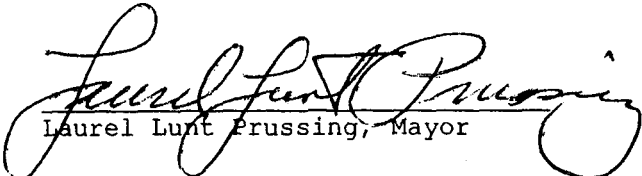
AYES: Barnes, Bowersox, Chynoweth, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 12th day of July, 2007.


Laurel Lunt Prussing, Mayor

[Special Council Meeting]

COPY

ORDINANCE NO. 2007-11-132

AN ORDINANCE APPROVING A MAJOR VARIANCE

(To Allow an 11-Foot, 11-Inch Encroachment Into the Required 22-Foot Rear Yard; Including a 3-Foot, 1½-Inch Encroachment of a Terrace Overhang in the B-3, General Business, Zoning District / 1008, 1010 and 1012 W. University Avenue - Case No. ZBA-2007-MAJ-08, Trammell Crow Higher Education Development, Inc.)

WHEREAS, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for major variances where there are special circumstances or conditions with a parcel of land or the structure; and

WHEREAS, Trammell Crow Higher Education Development, Inc. has submitted a petition for a major variance to allow an 11-foot and 11-inch encroachment into the required 22-foot rear yard, including a 3-foot and 1 ½-inch encroachment of a terrace overhang for a mixed commercial/residential building at 1008, 1010 and 1012 W. University Avenue in the B-3, General Business Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in Case #ZBA-2007-MAJ-08; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on November 14, 2007 and voted 6 ayes and 0 nays to recommend to the Corporate Authorities approval of the requested variance; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-3.C.2.d of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. The proposed variance will not serve as a special privilege. As an infill project on an irregular-shaped lot, the required setbacks are detrimental to redevelopment as anticipated by the Comprehensive Plan and Zoning Ordinance. The variance would allow construction of a project having the same setback allowed "by right" for solely commercial buildings.

2. The variance requested is necessary due to special circumstances relating to the property. Because this is a mixed-use development, increased setback standards are imposed, and this being an infill project on an existing, L-shaped lot provides special circumstances.

3. The reduced rear yard setback will not cause a nuisance to adjacent properties. The rear yard borders a narrow strip of land which cannot be developed as well as a railroad spur right-of-way.

4. The proposed project will advance the goals of the 2005 Comprehensive Plan.

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

The major variance request by Trammell Crow Higher Education Development, Inc., in Case #ZBA-2007-MAJ-08, is hereby approved to allow an 11-foot and 11-inch encroachment into the required 22-foot rear yard, including a 3-foot and 1 1/4-inch encroachment of a terrace overhang at 1008, 1010 and 1012 West University Avenue in the B-3, General Business Zoning District, in the manner proposed in the application.

The major variance described above shall only apply to the property located at 1008, 1010 and 1012 West University Avenue, Urbana, Illinois, more particularly described as follows:

COPY

LEGAL DESCRIPTION:

The East 135 feet of Lot 1, and all of Lots 9, 11 and 12, in John W Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. More commonly known as 1008 and 1010 West University, Urbana, Illinois.

Permanent Index Nos. 91-21-07-431-019, 91-21-07-431-021, and 91-21-07-431-009

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in Plat Book "B" at page 12, situated in Champaign County, Illinois. Most commonly known as 1012 W. University, Urbana, Illinois.

Permanent Index No. 91-21-07-431-007

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).

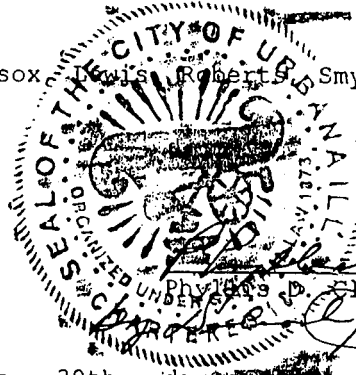
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the Corporate Authorities of the City of Urbana, Illinois, at a special meeting of said Authorities on the 26th day of November, 2007.

PASSED by the City Council this 26th day of November, 2007.

AYES: Barnes, Bowersox, Lewis, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



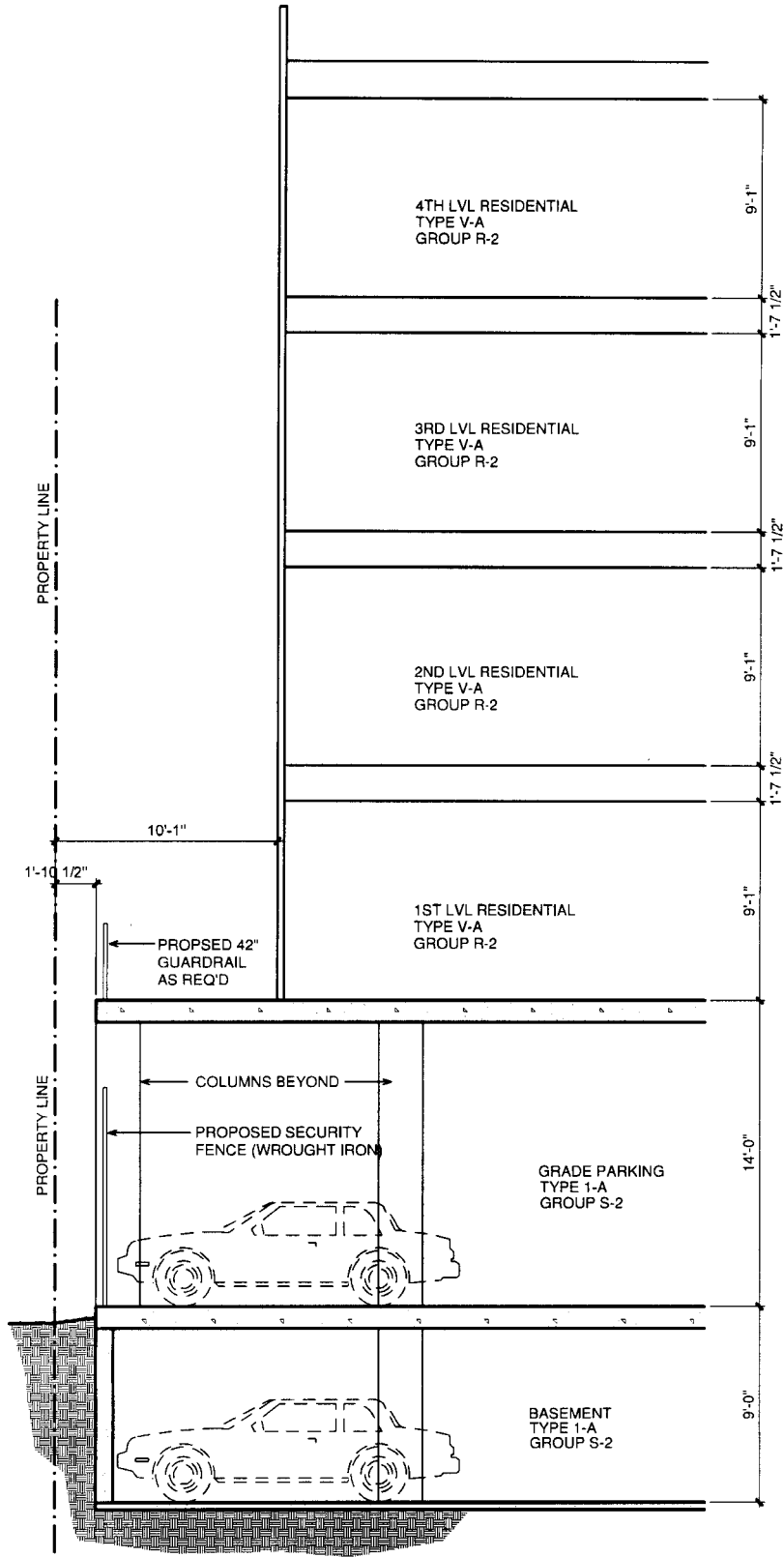
Richard D. Clark
Richard D. Clark, City Clerk

J. Robert...
J. Robert... Deputy Clerk

APPROVED by the Mayor this 30th day of November, 2007.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

[Special Council Meeting]



1 PROPOSED BUILDING SECTION

SCALE 3/16"=1'-0"



Application for Special Use Permit

Plan Commission

APPLICATION FEE - \$150.00

The Applicants are responsible for paying the cost of legal publication fees as well. The fees usually run from \$75.00 to \$125.00. The applicant is billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed _____ Plan Case No. 2078-SU-08
 Fee Paid - Check No. 2769 Amount \$150.00 Date 07-03-2008

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section IV-2 of the Urbana Zoning Ordinance to allow (insert proposed use)

A multi-family residential dwelling as a Special Use in a B-3 General Business District Zoning District

on the property described below.

1. Location of Subject Sites 1010 W University Ave and 508 N. Goodwin Ave, Urbana, IL
2. PIN # of Locations 91-21-07-431-019, 91-21-07-431-021, 91-21-07-431-007, and 91-21-07-431-023
3. Name of Applicant/Petitioner(s) Robert P. Walsh Phone 248-936-6836

Address Trammel Crow Co. 2000 town Center, Southfield, Michigan 48075
 (street/city) (state) (zip)

Property interest of Applicant(s) Owner's Representative
 (owner, contract buyer, etc)

4. Name of Owner(s) TC-MET Urbana, LLC Phone 210-253-6028

Address c/o Trammell Crow Co., 601 NW Loop 410 suite 410 San Antonio, TX 78216
 (street/city) (state) (zip)

If there are additional owners, please attach extra pages to the application.

5. Name of Professional Site Planner(s) Farnsworth Group Phone 217-352-7408
 Address 1819 South Neil Street, Suite F, Champaign, Illinois 61820
 (street/city) (state) (zip)
6. Name of Architect(s) BGO Architects, Inc. Phone 214-520-8878
 Address 4245 N Central Expressway, Suite 300, Dallas, Texas 75205
 (street/city) (state) (zip)
7. Name of Engineers(s) Farnsworth Group Phone 217-352-7408
 Address 1819 South Neil Street, Suite F, Champaign, Illinois 61820
 (street/city) (state) (zip)
8. Name of Surveyor(s) Farnsworth Group Phone 217-352-7408
 Address 1819 South Neil Street, Suite F, Champaign, Illinois 61820
 (street/city) (state) (zip)

If there are additional consultants, please attach extra pages to application.

DESCRIPTION, USE, AND ZONING OF PROPERTY: Attach an additional sheet if necessary

Legal Description See Exhibit A

Addresses : 1008 and 1012 W. University, Urbana, Illinois

506-602 North Goodwin Avenue, Urbana, Illinois

Lot Sizes IRR feet x IRR feet = 74,500 and 72,745 square feet

Zoning Designation B-3

Proposed Use of Property 1 story/service retail building with surface parking lot and 1 story

manufacturing facility with surface parking lot

REASONS FOR REQUEST FOR APPLICATION FOR SPECIAL USE PERMIT

NOTE: The following information must be provided in order to process the application. If additional space is needed, attach extra pages to application.

1. Explain how the proposed use is conducive to the public convenience at the location of the property.

See Exhibit B

2. Explain how 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.

See Exhibit C

3. Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

See Exhibit E

WHEREFORE, petitioner prays that this petition be heard by the Urbana Plan Commission and the Application for Special Use Permit be granted.

Respectfully submitted this 30th day of June, 2008.

Robert P. Walsh
Signature of Applicant

STATE OF ~~ILLINOIS~~ }
Michigan }
CHAMPAIGN COUNTY }
Oakland

I, Kathleen Nantais being first duly sworn on oath, deposes and says, that Robert P. Walsh is the same person named in and who subscribed the above and foregoing petition, that Robert Walsh has read the same and knows the contents thereof, and that the matters and things therein set forth are true in substance and in fact as therein set forth.

Subscribed and sworn to before me this 30 day of June, 2008.

Kathleen M. Nantais
Notary Public

KATHLEEN M. NANTAIS
Notary Public, State of Michigan
County of Macomb
My Commission Expires Dec. 23, 2013
Acting in the County of Oakland
SEAL

Signature of Applicant Robert P. Walsh

Petitioner's Attorney (if applicable) _____

Address c/o Trammell Crow Co., 2000 Town Center, Southfield, Michigan 48075

Telephone 248-936-6836

EXHIBIT A

THE PROPERTY

The East 135 feet of Lot 1, and all of Lots 9,11, and 12 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in plat book "B" at page 12, situated in Champaign County, Illinois.

More commonly known as 1008 and 1010 West University, Urbana, Illinois

Permanent Index Nos. 91-21-07-431-019 and 91-21-07-431-021

AND

Lot 10 in John W. Stipes Subdivision in the City of Urbana, Illinois, as per plat shown in plat book "B" at page 12, situated in Champaign County, Illinois.

More commonly known as 1012 West University, Urbana, Illinois

Permanent Index No. 91-21-07-431-007

AND

Lot 1 except the east 135 feet, and also the south 48 feet of the west 134.62 feet thereof, in the City of Urbana, Illinois, as per plat shown in plat book "B" at page 12, situated in Champaign County, Illinois.

More commonly known as 508 North Goodwin Avenue, Urbana, Illinois.

Permanent Index No. 91-21-07-431-023

EXHIBIT B

The proposed use is a mixed use development consisting of approximately 9,000 square feet of ground floor retail space, 161 residential units targeted primarily toward university students and 161 parking spaces located primarily within the footprint of the proposed building. First floor retail and commercial space is a common use in the surrounding neighborhood and is consistent with the community's long range plan. The retail space will provide local residents and visitors access to quality service oriented retailers and specialty retailers. The residential units will meet the demand for student housing in the community. In general, the development will enhance the vibrancy and general appearance of the University Avenue Corridor by replacing the current obsolete structure with a new mixed use development.

EXHIBIT C

The use will consist of a 5 story building as detailed in the proposed site plan. The project will be developed to institutional real estate investment standards prevalent in the Urbana, Illinois area and will be managed and operated by professional managers. Because of the significant capital investment great care will be taken in the operation of the building. We expect the retail uses will be supportive of the community environment and will be of a quality and nature consistent with new retail space being developed in the greater Urbana area. The residential component will be operated primarily as student housing, a common use present throughout the general neighborhood. The residential component will include many amenities making it a desirable option for university students. The development will be adequately screened and protected from the adjacent railroad tracks, which, are in any event, used on a very infrequent basis.

EXHIBIT D

The proposed development will be in full compliance with the City of Urbana's Zoning ordinance with regard to parking, FAR requirements and height restrictions. It does require a Special Use Permit for multifamily residential use in the B-3 District. In addition a variance has been requested with respect to the side yard setback. Trammell Crow Company has requested the side yard setback to be 5' as approved for non-residential B-3 projects. The proposed residential use is consistent with the city of Urbana's desire for mixed use development that will appropriately utilize already developed parcels allowing the preservation of land in currently undeveloped areas. The residential use above retail development is a widely accepted mixed use model and will not negatively impact the surrounding neighborhood. Residential uses will produce minimal congestion, noise or other negative influences. The retail component will be service and specialty retailing not inconsistent with existing retail development in the area.

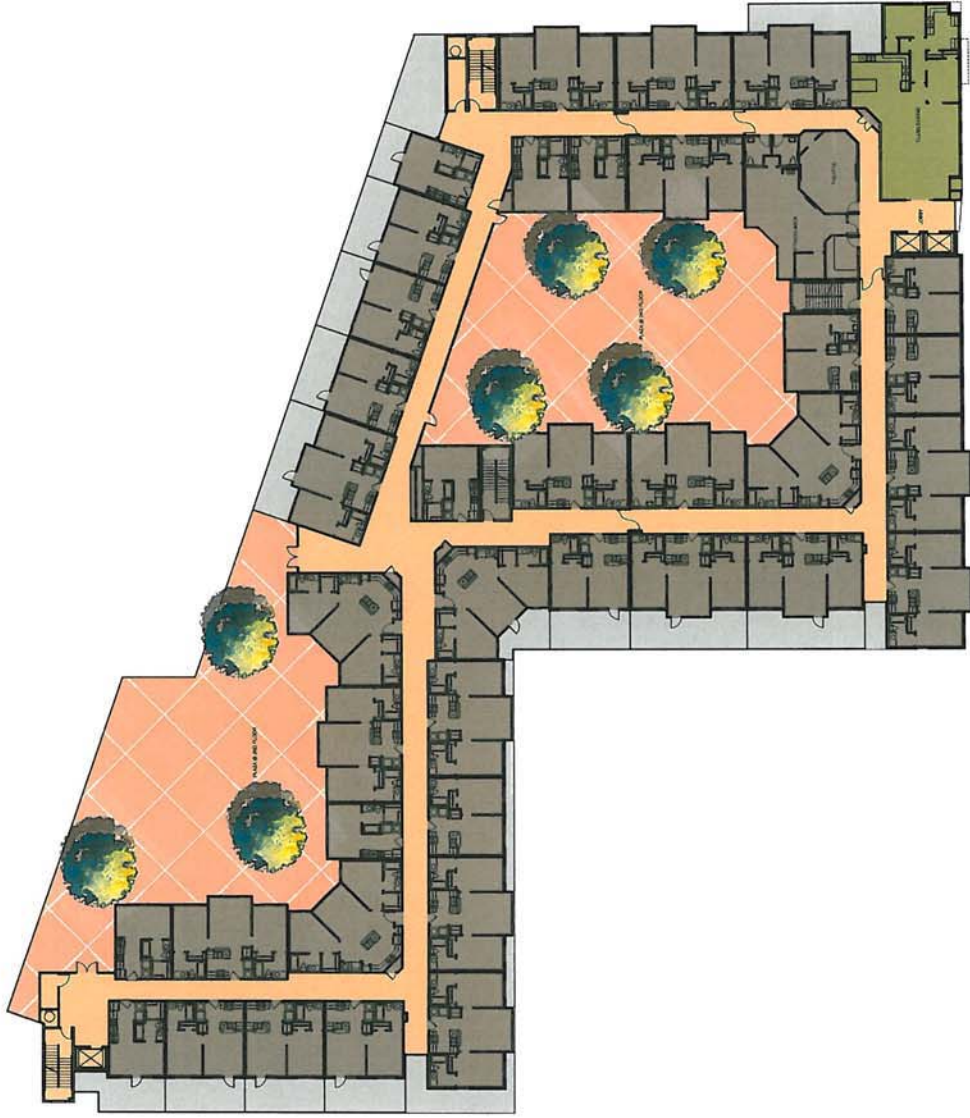


CONCEPTUAL ELEVATION

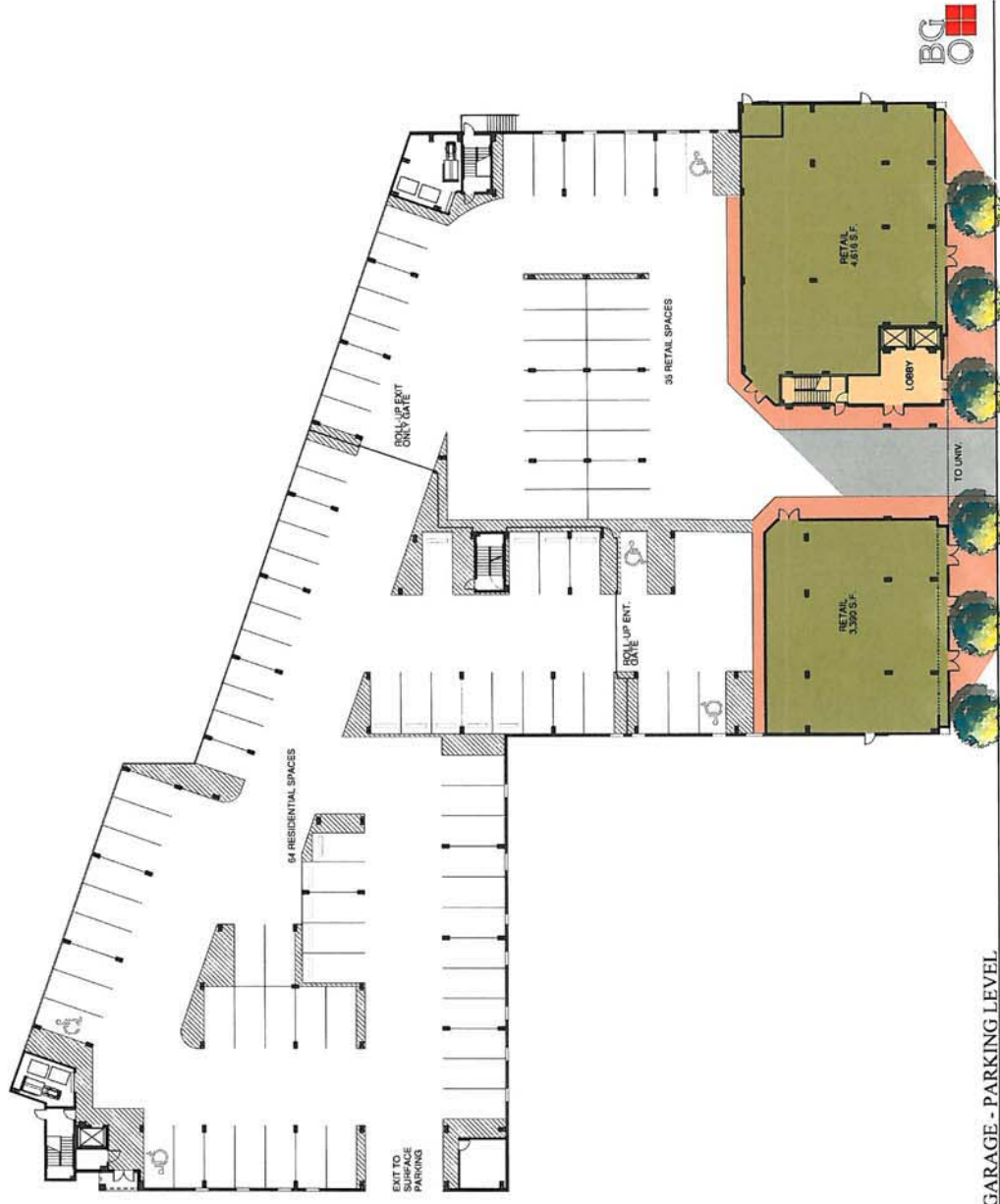
URBANA STUDENT HOUSING
URBANA, ILLINOIS

FOR TRAMMELL CROW CO. BG
07-16-08



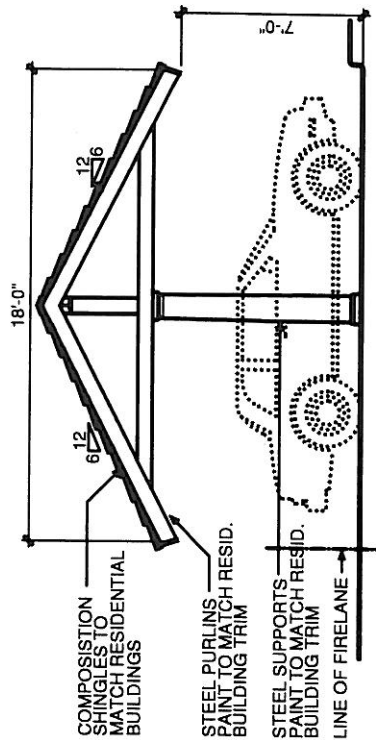


BUILDING RESIDENTIAL FIRST LEVEL. FLOORS 2-4 SIMILAR



GARAGE - PARKING LEVEL





3 CARPORT SECTION

SCALE 1/4"=1'-0"



Figure 1



Figure 2



376 377 378

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: July 24, 2008

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White

MEMBERS EXCUSED: Jane Burris

STAFF PRESENT: Robert Myers, Planning Manager; Lisa Karcher, Planner II; Teri Andel, Planning Secretary

OTHERS PRESENT: Tim Pellegrini; Susan Taylor; Robert Walsh

NEW PUBLIC HEARINGS

Plan Case No. 2078-SU-08: A request by Trammell Crow Company to amend their existing Special Use Permit for a multi-family dwelling development at 1008, 1010 and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue, in the B-3, General Business Zoning District.

Lisa Karcher, Planner II, presented the case to the Plan Commission. She began with a brief introduction of the background and history of the proposed development. She described the proposed site and the surrounding adjacent properties noting their current zoning and land use. She reviewed the proposed site plan and explained the changes from the original site plan submitted in the first special use permit request. She talked about access to the site, retail and residential space, and parking.

Ms. Stake asked if parking would take up more space than the actual building. Using the site plan and the conceptual elevation plan, Ms. Karcher showed that on the first floor, the building is represented by two rectangles on the east end. Commercial space will be located in these two rectangles on the first floor, while the rest of the first floor will be for parking. The residential component of the development will make up the upper floor levels.

Ms. Stake commented that she believes there should not be a parking lot when a building of this size is developed. Parking should be provided for under the building.

Ms. Karcher continued with the staff presentation by discussing the landscape plan. She reviewed the requirements for a special use permit according to Section VII-4 of the Urbana Zoning Ordinance. She read the options of the Plan Commission and presented staff's recommendation, which is as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommends that the Urbana Plan Commission recommend approval of the Special Use Permit in Plan Case No. 2078-SU-08 to the Urbana City Council with the following conditions:

- 1. The development shall be constructed in general conformance with the site plan submitted and attached. The Zoning Administrator shall have the power to approve minor changes necessary for the project to comply with City regulations including building, fire, and site development codes.*
- 2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the illustration submitted as part of the Special Use Permit application submitted and attached. This condition shall include a requirement for masonry construction such as brick, stone, tile and the like whether weight bearing or veneer.*

Mr. Grosser stated that it appears the only way to access the residential parking spaces under the proposed building is from the surface parking lot. Is this correct?

Ms. Karcher said no. She understands that there will be a gate at both entrances. There will be a gate between the commercial parking area and the residential parking area so that commercial users will not be able to go into the residential parking area.

With no further questions for City staff, Chair Pollock opened the hearing up for public input.

Robert Walsh and Tim Pellegrini, representatives of the Trammell Crow Company, approached the Plan Commission to answer any questions that they might have. Mr. Walsh explained the reason why the project had not been started. They ran into some difficulties with the property survey. This is also the main reason for the proposed change in the parking. There is a dispute concerning one property boundary, and they felt that they could not construct the underground parking because of the dispute. It is now in litigation and planned to go to trial in August. Meanwhile, they approached Robert Dayton about purchasing his property at 508 North Goodwin Avenue. Mr. Dayton is interested in selling the property. He wants to relocate his business elsewhere in the City of Urbana.

In response to Mr. Grosser's question about accessing the residential parking areas, residents will be able to go from one parking lot to the other. There will be a driveway between the two first floor retail spaces leading to the commercial parking area. There will be a gate separating the commercial and residential parking areas. The gate will allow traffic to go both ways. He stated that one of the advantages of the proposed layout is that they will be minimizing traffic exiting

onto University Avenue. Most of the residents will probably be using Goodwin Avenue to exit the development.

Chair Pollock inquired as to whether the proposed changes and the development hinges upon the outcome of the litigation. Mr. Walsh said that Trammell Crow will go ahead with construction of the proposed development as presented in these plans regardless of the outcome of the litigation.

Ms. Stake did not understand why they are now planning to construct another parking lot. Mr. Walsh explained that surveys performed found that most of the lots along University Avenue are 132 feet deep. They also discovered that the utility poles were on Trammell Crow's property, and there were no easements for them. Trammell Crow representatives spoke with the utility company, and they agreed to remove the poles and relocate the utility lines at their expense. Then an adjacent property owner a common property line surveyed, and that surveyor found an extra 4 to 5 feet. The surveyor, according to regulations, split the difference between Trammell Crow's property and the adjacent property. However, Trammell Crow's civil engineering and survey groups did a lot of research going back to the 1800s, and they feel that they have enough evidence to prove that they are correct. As a result, the adjacent property owner is now suing Trammell Crow, and vice-versa.

Consequently, Trammell Crow would not be able to excavate the basement areas and provide the necessary foundation walls at that location without going onto the property in litigation. They are now planning for an alternate way to provide parking.

Mr. Grosser questioned then the real reason for not constructing underground parking. It is because of the property dispute and not because of the sanitary sewer lines as mentioned in the written staff report. Mr. Walsh replied that the underground sanitary line was a problem but they resolved that issue by planning to relocate the sanitary line around the building. Now the sanitary line can remain in place because of the change in the development plans.

Chair Pollock commented that Trammell Crow's choice is to either go ahead with the new plan or wait until the court resolves the litigation which could take a long time. Mr. Walsh said that is correct. Even if the court decides to rule in favor of Trammell Crow, the adjacent property owner could appeal the decision, and it could take a long time.

Mr. Grosser wondered how many bedrooms would make up the residential components of the development. Mr. Walsh said that there would be about 280 bedrooms. They are trying to provide one parking space for each bedroom which is more than what the City of Urbana requires. Ms. Karcher added that her information shows 161 dwelling units – 35 efficiency units, 40 one-bedroom units, and 86 two-bedroom units.

Mr. Grosser questioned if they want to have as much parking as they are planning to provide. Mr. Walsh said yes. Mr. Grosser asked if they expect all of their residential tenants to have vehicles. Mr. Walsh said yes. They expect them to be graduate students or upper classmen. They hope to also attract other people from the hospital in the area.

Mr. Hopkins asked for clarification regarding the commercial parking area. Commercial guests will enter and exit onto University Avenue and will not have access to the exit gate into the residential parking area, correct? Mr. Walsh replied that is correct. This is the way it was previously designed as well when they wanted to provide underground parking.

Ms. Stake wondered how far away the building and the parking lot would be from University Avenue. Ms. Karcher explained that the proposed development essentially complies with the setback requirements for the B-3 Zoning District. Trammell Crow did receive variances for the rear and side-yard setbacks. In the B-3 Zoning District, a residential use requires additional side and rear-yard setbacks based on the height of the building. There is no height requirement. So for the proposed development, they would have been required to have about a 22-foot rear yard setback and approximately 10 or 11 feet for the side-yard setback, which are more than what would be required if it would be a commercial building only. As a result Trammell Crow received a variance to allow them to have a 5-foot side-yard setback and a variance for the rear-yard setback to allow for terrace overhang. Other than this the development would comply with the B-3 Zoning District requirements for a commercial structure.

Ms. Stake commented that the proposed development will be located close to the railroad tracks. Ms. Karcher stated that the surface parking area does meet the required setbacks. It is just the building that required variances.

Ms. Stake said that there will hardly be any open space. Ms. Karcher responded that there are no Open Space Requirements (OSR) for a B-3 Zoning District, so the proposed development will comply with the regulations. Mr. Walsh showed where they plan to have open plazas on each floor between the units.

Mr. Grosser inquired about their intentions to relocate the Odman-Hecker Company. Do they plan to relocate within the City limits of Urbana? Mr. Walsh said that he did not know Mr. Dayton's intentions because he had not spoken to him. His counterpart, Rick Dickerson, indicated to him that Mr. Dayton would like to relocate. Any help in this matter would be appreciated, but Trammell Crow will be helping them relocate their business.

Ms. Stake asked how many feet the litigation was over. Mr. Walsh said it is about 4 feet. After the dispute came up the utility company refuses to touch the utility poles because now a portion of the poles is on the adjacent property.

Ms. Upah-Bant asked for clarification on the retail spaces. Mr. Walsh explained that there will be two separate retail spaces with the driveway access between them. The apartment units will be located above.

Mr. Grosser then asked City staff about the relocation of Odman-Hecker & Company. Ms. Karcher said that she has not spoken with Mr. Dayton about relocating. She has already inquired with Tom Carrino, City of Urbana Economic Development Manager, about doing so. Mr. Walsh noted that Mr. Dayton was in Arizona for the early part of this year and that he just recently came back in May or June.

Chair Pollock opened the meeting to Plan Commission discussion and motion(s).

Mr. Grosser moved that the Plan Commission recommend approval of Plan Case No. 2078-SU-08 to the Urbana City Council with the conditions listed in the staff recommendation. Ms. Upah-Bant seconded the motion.

Chair Pollock then said that it would be proper before any further action to ask if anyone in the audience had any comments or questions for or against this application. No one came forward to speak.

Mr. Grosser stated that he liked the project when it was originally presented. It looks nice and will be a great use of the land. Having spaces for graduate students to live nearby would be a good thing. He is not happy about tearing down a business building to construct a parking lot, but it is clear that the project is not going to be built otherwise. So, if they are going to construct a parking lot somewhere then it might not be such a bad thing to put it here.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. White	-	Yes			

The motion was approved by unanimous vote.

Robert Myers, Planning Manager, stated that the case would go before the City Council on August 4, 2008.