



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing

FROM: Elizabeth H. Tyler, Ph.D., FAICP, Community Development Director

DATE: June 15, 2015

SUBJECT: Plan Case 2258-M-15: A request by the Zoning Administrator to rezone a 1.36 acre parcel generally located south of Kerr Ave. between Division Ave. and Cunningham Ave. from B-3 General Business Zoning District to R-4, Medium Density Multiple Family Residential Zoning District.

Introduction and Background

The Zoning Administrator has submitted an application to rezone a portion of the eastern half of 401 E. Kerr Avenue (formerly known as 401 ½ E. Kerr Avenue) and 403 E. Kerr Avenue from B-3, General Business District to R-4, Medium Density Multiple-Family Residential District. The parcels are owned by the City of Urbana and are currently vacant. This area is included within a proposed affordable housing development by Brinshore Development and the Homestead Corporation of Champaign-Urbana referred to as Highland Green. The combined lot area of the parcels proposed for rezoning is 1.36 acres in area, while the entire proposed residential development, which includes all of 401 E. Kerr, is 3.2 acres in size.

Little prior development has taken place on the subject properties according to City records. In 2000, reference was made to a home on 403 E. Kerr which received demolition inspections. According to aerial imagery, that home existed on that parcel in 2002, but it was demolished by the time the 2005 aerial image was taken. A driveway connecting to the former house on 403 E. Kerr existed on what is now the eastern portion of 401 E. Kerr, but no other records or indications of major development exist on that parcel.

The City of Urbana released a request for proposals (RFP) in December of 2011 for “a sustainable neighborhood consisting of energy-efficient, affordable, owner-occupied homes on City-owned property located at 401-403 East Kerr Avenue.” Brinshore Development, based in Northbrook, IL, as well as the Urbana-based Homestead Corporation, were selected to implement their proposal. These two entities were also responsible for developing the Crystal View Townhomes, which was a redevelopment of the Lakeside Terrace site. The proposed development involves 33 units consisting of the following types of single-family homes and duplexes:

- 9 – 1-bedroom Single Family (1-story, approximately 625 sf)
- 6 – 2-bedroom Single Family (1-story, approximately 970 sf) (1 accessible, 1 adaptable)

- 2 – 2-bedroom Single Family (2-story, approximately 1230 sf)
- 4 – 3-bedroom Single Family (2-story, approximately 1410 sf) (1 adaptable)
- 2 – 4-bedroom Duplex (2-story, approximately 1590 sf) (1 accessible, 1 adaptable); 2 – 3-bedroom Duplex (2-story, approximately 1410 sf)
- 4 – 3-bedroom Duplex (2-story, approximately 1410 sf); 4 – 2-bedroom Duplex (2-story approximately 1230 sf)

This proposal has been modified somewhat since it was originally proposed, but at its core it has remained in line with its original intent. A proposed site plan and further details of the development are presented in Exhibit E. One of the more recent additions to the project includes a community garden with a pedestrian pathway linking Highland Green to Crystal View Townhomes. The developer will also construct to either U.S. Green Building Council or Energy Star standards. To develop the project, Brinshore Development is working with the Homestead Corporation, a Community Housing Development Organization (CHDO) and the Housing Authority of Champaign County, which has dedicated nine Veterans Affairs Supportive Housing (VASH) vouchers to the development. VASH vouchers are used to subsidize supportive housing for homeless veterans, which includes case management and clinical services. The inclusion of adaptable and accessible units also adds to the appeal of the project from the perspective of generating housing for people with physical disabilities. The developer is also seeking HOME Investment Partnership funds as well as Low-Income Housing Tax Credits (LIHTC) to make the Highland Green proposal feasible. A rezoning of the entire proposed development area will likely add substantially to the case for the developer to be selected by the Illinois Housing Development Authority (IHDA) for LIHTC. The City of Urbana has agreed to seek rezoning of the subject properties to allow for the proposed development.

With minor modifications, the proposed development would be permitted by right in the R-4 Medium Density Multiple-Family Residential District. Surrounding residential zoning districts include the R-3 Single- and Two-Family Residential and R-5 Medium High Density Multiple-Family Residential Districts. Commercially zoned parcels to the east of the proposed development site, and primarily along Cunningham Avenue, are included within the B-3, General Business District. Nearby commercial uses include an auto sales lot, a florist, and various other uses inside a strip mall development.

The Urbana Plan Commission is scheduled to hold a public hearing on the proposed rezoning at their June 11th, 2015 special meeting as a decision was not reached at the June 4th regular meeting due to the lack of a quorum. Staff will provide an update to Council on the Plan Commission discussion and recommendation following the Plan Commission meeting.

Related Documents

Ordinance No. 2000-04-039 (Rezoning at 403 East Kerr Avenue – March 2000)

This case involved a rezoning on what is now the eastern portion of 401 East Kerr Avenue from R-3, Single and Two Family Residential to B-3, General Business. It was rezoned with the idea that a commercial development could use both the subject lot and what is now 403 East Kerr Avenue, which the petitioner also owned at the time.

Kerr Avenue Model Sustainable Community Master Plan Report (2006)

A series of public meetings concerning the future development of the Kerr Avenue site were held in May of 2006 by Farr Associates of Chicago. At these meetings, representatives from Farr Associates presented different design models that the Kerr Avenue development could take and received public input on each. Public comments included discussion on the aesthetics and affordability of the development.

Kerr Avenue Model Sustainable Community Development Request for Proposals (December 2011)

In December 2011, the City of Urbana released an RFP for development concepts on 401 and 403 E. Kerr Avenue. The document emphasized the importance of environmental sustainability and affordability, while also noting that the City may be able to support a proposed development through applicable grant funding. Following this process, the proposal submitted by the Brinshore Development was selected. Since that time, Brinshore and its partners have been seeking the necessary funding.

Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The project area is located on the south side of Kerr Avenue between Cunningham Avenue and N. Broadway Avenue. The two parcels located immediately east of the site are owned by Cunningham Motor Sales and are undeveloped, but auto sales lots and two single family homes exist east of the undeveloped parcels. All of the nearby commercially zoned parcels are zoned as B-3. To the north of the proposed development are single-family homes located around the loop created by Highlands Drive and Geraldine Avenue. This area is zoned R-3, but some of the parcels located closer to Cunningham Avenue are zoned B-3. Crystal View Townhomes, another development completed by Brinshore Development and Homestead, is situated to the immediate southwest of the site. The parcel that makes up Crystal View Townhomes is zoned R-5, while single family homes are located on separate parcels zoned R-3 to the west and south of the subject properties. The following table summarizes the zoning, existing land uses, and future land use designations from the Comprehensive Plan for the parcels that make up the proposed development and surrounding properties. Exhibits A, B and C illustrate these for the larger surrounding area.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	B-3, General Business	Vacant	Mixed-Residential
North	R-3, Single- and Two-Family Residential	Single-Family Homes	Residential
South	R-3, Single- and Two-Family Residential; B-3, General Business	Single-Family Homes	Mixed-Residential
East	B-3, General Business	Vacant	Mixed-Residential
West	R-4, Medium Density Multiple-Family Residential	Vacant	Mixed-Residential

Comprehensive Plan

The 2005 Urbana Comprehensive Plan identifies the future land use for the site and the areas largely encompassing Crystal View Townhomes as “Mixed-Residential.” The Comprehensive Plan also identified this site in particular as an area to “[e]ncourage a physical development pattern that ties new streets into the existing network to become part of the overall built neighborhood” (see Exhibit C).

The Comprehensive Plan defines “Mixed-Residential” as follows:

Mixed Residential Areas contain a variety of residential land uses including single-family residences, duplexes, town homes, and multi-family development. Encourages a gradation of densities between single-family and multi-family uses in order to achieve compatible development. Also encourages design considerations among various land uses to help achieve compatibility. May also include supporting land uses such as civic, institutional, office, neighborhood business as well as parks. Mixed Residential areas will have different physical patterns of development depending on their location in the community. These areas should incorporate provisions for transit service and pedestrian access to nearby commercial and employment centers.

Furthermore, the development would be in line with the Urban Pattern of Development variety of the Mixed-Residential future land use type, which is defined in the Comprehensive Plan as follows:

Areas within existing neighborhoods that are considered appropriate for a mix of residential densities. New development should incorporate a design that respects the urban environment including buildings that face the street and provide access from the rear where possible. The character and scale of new development shall consider the overall context of the neighborhood.

The following Comprehensive Plan Goals and Objectives also pertain to the rezoning:

Goal 1.0 Preserve and enhance the character of Urbana’s established residential neighborhoods.

Objectives

1.5 Ensure appropriate zoning in established neighborhoods to help foster the overall goals for each unique area.

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

Objectives

2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 15.0 Encourage compact, contiguous and sustainable growth patterns.

Objectives

15.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid “leapfrog” development.

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

Objectives

19.2 Encourage residential developments that offer a variety of housing types, prices and designs.

Goal 39.0 Seek to improve the quality of life for all residents through community development programs that emphasize social services, affordable housing and economic opportunity.

Objectives

39.2 Implement strategies to address social issues related to housing, disabilities, poverty and community development infrastructure.

Goal 40.0 Make affordable housing available for low-income and moderate-income households.

Objectives

40.1 Promote strategies identified in the Consolidated Plan to provide additional affordable housing opportunities in Urbana-Champaign.

40.2 Work to promote the development and capacity of Community Housing Development Organizations (CHDOs) to develop affordable housing opportunities.

Goal 42.0 Promote accessibility in residential, commercial and public locations for disabled residents.

Objectives

42.1 Ensure that new developments are sensitive to the mobility and access needs of the disabled.

42.3 Ensure that new developments include adequate access for the disabled through compliance with ADA requirements and other measures.

42.4 Encourage residential developers to consider the market for disabled residents and visitors and to promote the provision of accessible and adaptable units.

Other Goals and Objectives

The Kerr Avenue Sustainable Development is referred to in the 2015-2019 City of Urbana and Urbana HOME Consortium Consolidated Plan as an anticipated tax credit project. The Plan also mentions residential development on the Kerr Avenue site as a strategy for overcoming barriers

to affordable housing, especially for veterans. This residential development was also referred to as a potential use of City of Urbana HOME Neighborhood Revitalization Funds.

The proposed rezoning will help to the City to progress with regards to the following Urbana City Council and Mayor Goal:

Goal 7: Quality of Life

Objective 2: Continue to promote affordable housing opportunities and work to eliminate homelessness.

Action/tactic a: Work with developers to provide affordable housing opportunities.

Action/tactic c: Continue to work with Community Housing Development Organizations to create new housing affordable housing opportunities, including those on vacant infill properties where homes have been removed.

The proposed “Kerr Ave. energy-efficient housing project” was specifically mentioned as an implementation step for the above action/tactic a.

Discussion

The existing R-4 District located on most of 401 E. Kerr Avenue is suitable to the proposed development; however, the subject properties, a portion of the eastern half of 401 E. Kerr and 403 E. Kerr Avenue, are presently zoned B-3 but are undeveloped along with the rest of the proposed development site. Since the existing residentially-zoned land is not sufficient in size to permit the construction of the proposed development without the rezoning of the neighboring commercially-zoned parcels, a Zoning Ordinance map amendment unifying the entire development site under R-4 zoning is desirable. The lack of development in the commercially-zoned parcels signifies that no loss of commercial tax revenue will be experienced. The following table outlines the development regulations and purposes of the R-4 district, and compares the current proposed parameters of the Highland Green proposal to the regulations. In addition, Zoning Description Sheets that outline permitted uses in both the B-3 and R-4 districts can be found in Exhibit D.

Zoning District	Minimum Lot Size (In square feet)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum FAR	Minimum OSR	Required Yards (In Feet)		
						Front	Side	Rear
R-4	6,000	60	35	0.50	0.35	15	5	10
Proposed Development	N/A	N/A	~25	0.26	0.47	12	11-16	25
The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities.								

The La Salle Criteria

In the case of *La Salle National Bank v. County of Cook* (the “La Salle” case), the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property. Each of these factors will be discussed as they pertain to a comparison of the existing zoning with that proposed by the Zoning Administrator.

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

This factor relates to the degree to which the existing and proposed zoning districts are compatible with existing land uses and land use regulations in the immediate area.

The subject parcels are undeveloped, but surrounding development is compatible with the proposed development that will be possible following rezoning. Both the existing and proposed zoning districts are already used on parcels in the immediate area. In terms of the residential zoning, the R-3 and R-5 Districts figure prominently in the area; therefore, the R-4 District would act as an intermediary and not be out of character with either district. In general, this proposal involves replacing one compatible zoning designation in the immediate area with another district that is more compatible with surrounding development.

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

This is the difference in the value of the property as B-3, General Business and the value it would have if it were rezoned to R-4, Medium Density Multiple-Family Residential.

A suitable residential zoning district is required to enable the development of the subject properties as envisioned by the developers who are preparing to build on the property. With this in mind, the property values of the subject properties will be put into a better position to increase following rezoning and eventual development, especially since the parcels have never had commercial land uses on them as originally intended through existing zoning. The high quality and aesthetic appeal of the proposed development will minimize detrimental effects on surrounding properties and result in a positive impact. The effect of the proposed development will be comparable to the impact created by the neighboring Crystal View Townhomes.

It should be noted that City Planning Division staff are not qualified as professional appraisers and that a professional appraiser has not been consulted regarding the impact of zoning on the value of the property. Therefore, any discussion pertaining to specific property values should be considered speculative.

3. The extent to which the ordinance promotes the health, safety, morals or general welfare of the public. (see No. 4 below)

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

The questions here apply to the current zoning restrictions: do the restrictions promote the public welfare in some significant way so as to offset any hardship imposed on the property owner by the restrictions?

The proposed zoning would substantially enhance the general welfare of the public through the construction of affordable housing, which is a distinct community development need. The high percentage of Champaign County residents experiencing housing cost burden, as expressed in detail within the 2015-2019 City of Urbana and Urbana HOME Consortium Consolidated Plan, accentuates the need for additional affordable housing. According to the Consolidated Plan, 11,235 renter households in Champaign County experience severe housing cost burden, such that over 50% of a renter household's income is devoted to housing costs. Also, 3,050 homeowner households in Champaign County experience severe housing cost burden. An increased supply of affordable housing within walking distance of transit, employment, and other necessities will help to alleviate this concern. In addition to consistency with the Consolidated Plan, the proposed use of the parcels is also in line with the Mixed Residential future land use designation of the subject properties.

The existing property owner is the City of Urbana, and the existing zoning is a barrier to new affordable housing construction. The proposed rezoning would eliminate this hardship by allowing the proposed development, thereby benefiting both the public and the property owner.

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

The issue here is whether there are certain features of the property which favor the type and intensity of uses permitted in either the current or the proposed zoning district.

As the table in the Discussion section above indicates, the proposed development has the ability to conform with all development regulations in the R-4 Zoning District. With minor adjustment, it would be able to meet the minimum lot size, minimum lot width, maximum height, maximum floor-area-ratio, minimum open space, and front, rear, and side yard setbacks of the R-4 district.

6. The length of time the property has been vacant as zoned, considered in the context of land development, in the area, in the vicinity of the subject property.

Another test of the validity of the current zoning district is whether it can be shown that the property has remained vacant for a significant period of time because of restrictions in that zoning district.

The property is currently vacant and has not seen major commercial development while zoned B-3. Although the B-3 zoning cannot be directly identified as a barrier to development in the past, one can infer that the parcels are not in high demand for commercial uses due to their lack of commercial development. However, the existing zoning can be construed as acting as a barrier to the current residential proposal.

Summary of Findings

1. The Zoning Administrator filed a petition to amend the Urbana Zoning Map for a portion of the eastern half of 401 E. Kerr Avenue and 403 E. Kerr Avenue from B-3, General Business, to R-4, Medium Density Multiple Family Residential.

2. The subject property is generally located on the south side of E. Kerr Avenue between Division Avenue and Cunningham Avenue.
3. The 2005 Urbana Comprehensive Plan future land use map designates the future land use of the property as “Mixed Residential,” and the proposed rezoning is consistent with this future land use type.
4. A team of developers has put forward a proposal for a 33-unit residential development called “Highland Green” consisting of single-family homes and duplexes. The development will emphasize sustainability and affordability.
5. The zoning change would facilitate the proposed development and is necessary to receive state funding.
6. The proposed rezoning would generally conform to the LaSalle Criteria, as the proposed use is appropriate in the surrounding area and the R-4 District.
7. The subject property is appropriate for multi-family residential zoning due to its location on E. Kerr Avenue, proximity to various businesses along Cunningham Avenue and transit stops, as well as other residential uses of similar densities to those permitted by the R-4 district.
8. The R-4 zoning district has development standards and allowable uses that are appropriate for areas adjacent to the subject parcels.
9. The proposed rezoning to R-4, Medium Density Multiple-Family Residential would allow the proposed use of single-family homes and duplexes within the subject properties.

Options

The Urbana City Council has the following options regarding Plan Case 2258-M-15:

1. Approve the rezoning request as presented herein; or
2. Deny the rezoning request.

Staff Recommendation

Based on the evidence presented in the discussion above, staff recommends **APPROVAL** of the proposed rezoning in Case No. 2258-M-15. This case will be heard by the Plan Commission on June 11th, 2015, and staff is likewise recommending approval to the Plan Commission as well. Staff will update Council on the recommendation following the Plan Commission hearing.

Prepared by:

Matt Rejc
Community Development Associate

Attachments: Draft Ordinance
Exhibit A: Location and Existing Land Use Map
Exhibit B: Existing Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Zoning Description Sheets
Exhibit E: Petition for Zoning Map Amendment

cc: City of Urbana Zoning Administrator; Linda Fulkerson, Brinshore Development; Aaron Smith, Homestead Corporation

ORDINANCE NO. 2015-06-062

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS

A request by the Zoning Administrator to rezone a 1.36-acre parcel generally located south of Kerr Ave. between Division Ave. and Cunningham Ave. from B-3 General Business Zoning District to R-4, Medium Density Multiple Family Residential Zoning District.

WHEREAS, The Zoning Administrator has petitioned the City of Urbana to amend the Urbana Zoning Map to rezone one complete parcel and one portion of another parcel together comprising 1.36 acres, and located at 403 East Kerr Avenue and a portion of the eastern half of 401 East Kerr Avenue, from B-3, General Business Zoning District to R-4, Medium Density Multiple-Family Residential Zoning District; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on June 11, 2015 concerning the petition filed in Plan Case No. 2258-M-15; and

WHEREAS, the 2005 Urbana Comprehensive Plan future land use map designates the future land use of these properties as "Mixed Residential"; and

WHEREAS, the subject property was the topic of a request for proposals released in 2011, and Brinshore Development LLC. along with the Homestead Corporation of Champaign Urbana, was selected to develop affordable and sustainable housing on the subject property; and

WHEREAS, the proposed rezoning generally conforms to the La Salle case criteria, in particular as the proposed use is appropriate to the surrounding area and the R-4 Zoning District; and

WHEREAS, the subject property is appropriate for multiple-family residential zoning due to its location on Kerr Avenue, adjacent to Crystal View Townhomes as well as bus stops; and

WHEREAS, the R-4 Zoning District has development standards and allowable uses that are appropriate for areas adjacent to single-family residential, multiple-family residential, and general business uses; and

WHEREAS, the proposed rezoning to R-4, Medium Density Multiple-Family Residential would generally allow the current vision of the selected development team to be permitted by right; and

WHEREAS, the Urbana Plan Commission voted ___ aye and ___ nay to forward the case to the Urbana City Council with a recommendation of _____ of the request to rezone the property herein described below from B-3, General Business Zoning District to R-4, Medium Density Multiple-Family Residential Zoning District; and

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning request 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. The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties from B-3, General Business Zoning District to R-4, Medium Density Multiple-Family Residential Zoning District.

The subject properties are more accurately described as follows:

LEGAL DESCRIPTION:

The East 3 ½ acres of the North 30 rods of Lot 30 of a Subdivision of the Northeast Quarter of Section 8, Township 19 North, Range 9 East of the Third Principal Meridian, as per plat recorded in Plat Book "R" at Page 238, EXCEPT the East 205 feet 4 inches thereof, situated in the City of Urbana, in Champaign County, Illinois.

Commonly known as 401 ½ and 403 East Kerr, Urbana, Illinois 61801

PIN: 91-21-08-280-008 and 91-21-08-280-009

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 _____, ____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

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

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 _____, _____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled: "**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS** (Rezoning of a 1.36 acre parcel generally located south of Kerr Ave. between Division Ave. and Cunningham Ave. from B-3 General Business Zoning District to R-4, Medium Density Multiple Family Residential Zoning District. - Plan Case 2258-M-15 / 401 and 403 East Kerr Avenue Rezoning), which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ____ day of _____, _____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

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

(SEAL)

Phyllis D. Clark, City Clerk

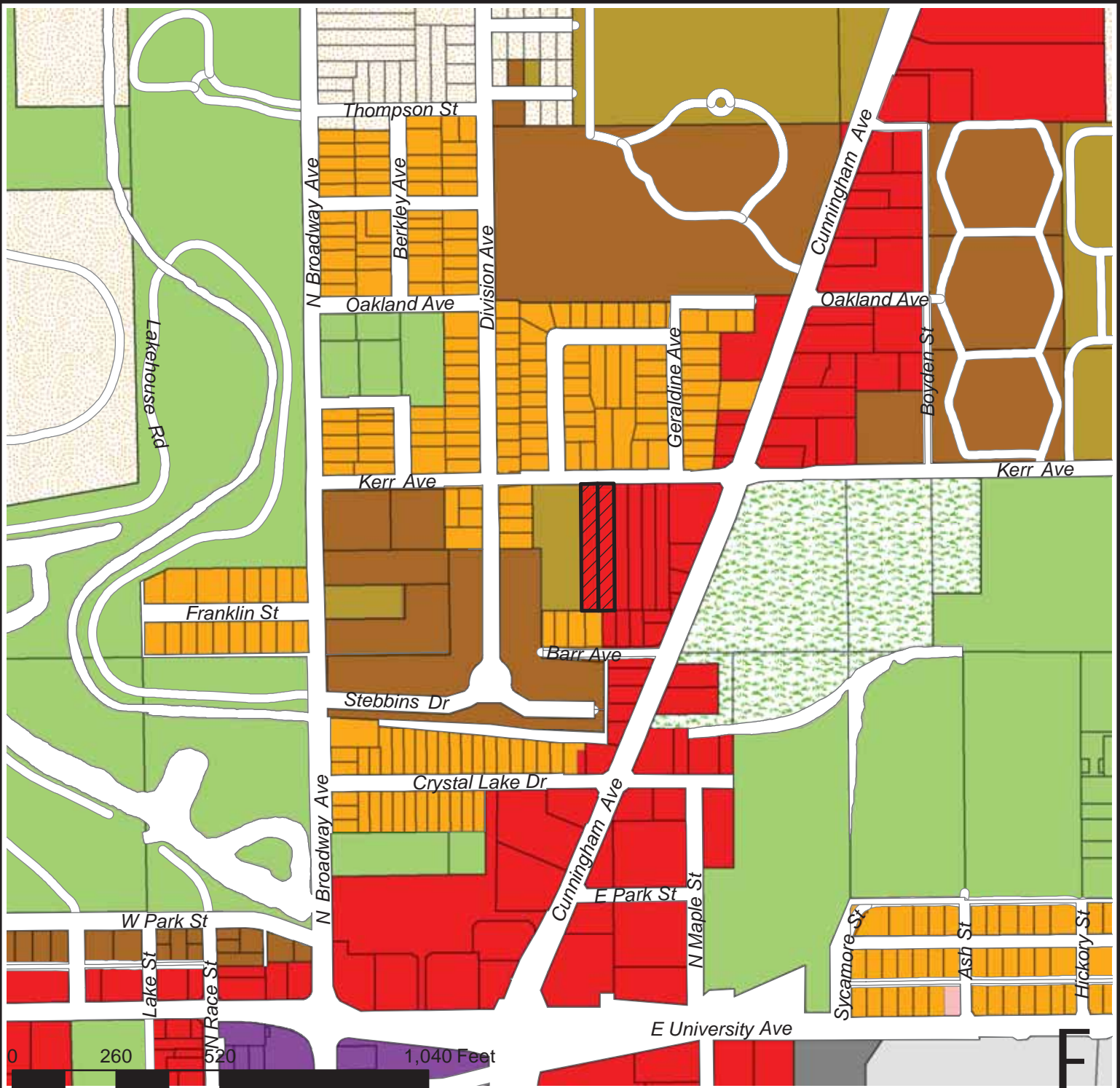
Exhibit A: Location & Existing Land Use Map



Case: 2258-M-15
 Subject: Rezoning
 Location: 401 1/2 and 403 E. Kerr Ave.
 Petitioners: City of Urbana Zoning Administrator

 Subject Property

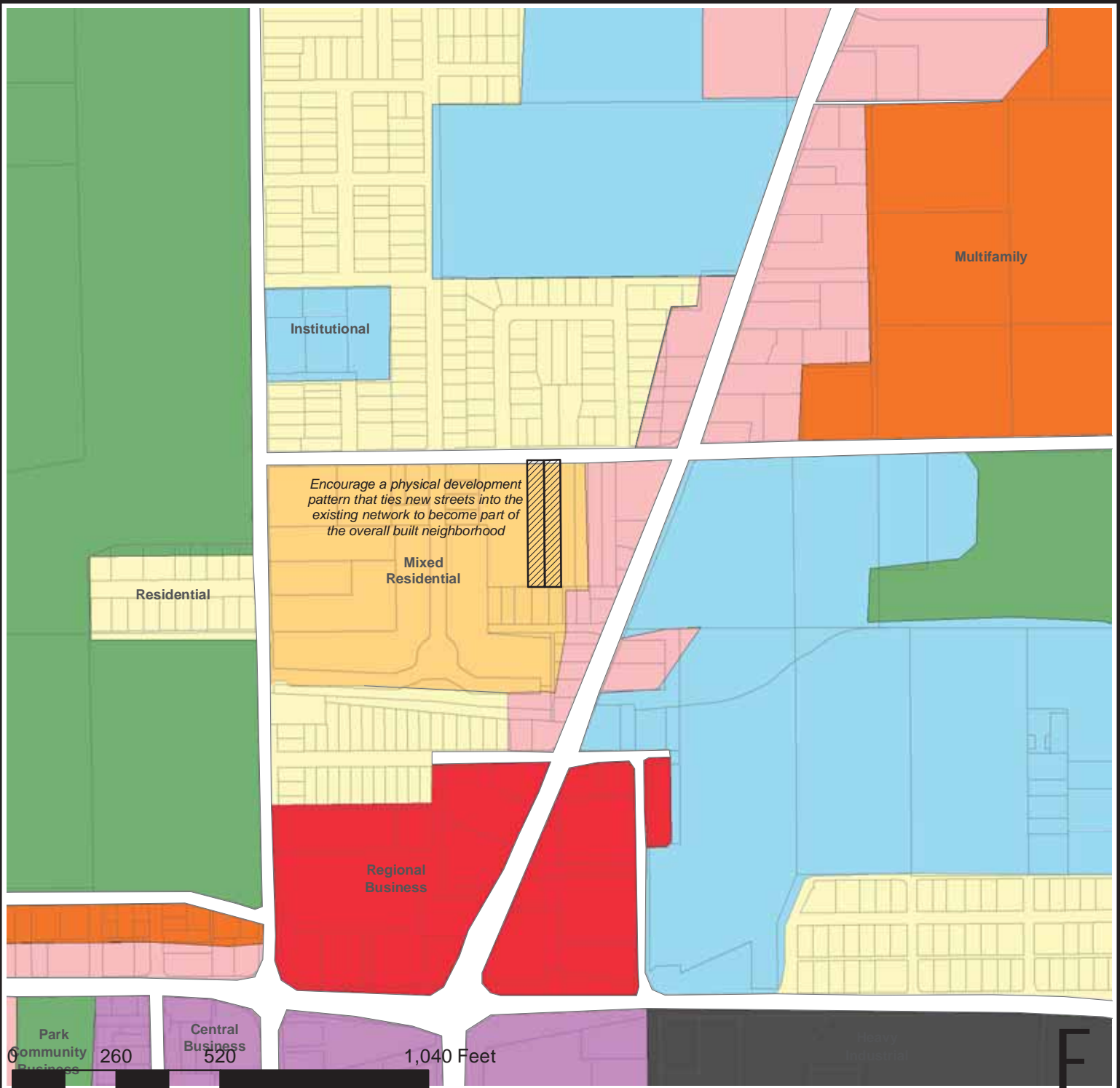
Exhibit B: Zoning Map



Case: 2258-M-15
 Subject: Rezoning
 Location: 401 1/2 and 403 E. Kerr Ave.
 Petitioners: City of Urbana Zoning Administrator

- | | | | | | | | |
|--|------------------|--|-----|--|------|--|----|
| | AG | | B4 | | IN-1 | | R4 |
| | B1 | | CRE | | IN-2 | | R5 |
| | B3 | | ETJ | | R3 | | R6 |
| | Subject Property | | | | | | |

Exhibit C: Future Land Use Map



Case: 2258-M-15
 Subject: Rezoning
 Location: 401 1/2 and 403 E. Kerr Ave.
 Petitioners: City of Urbana Zoning Administrator

- | | |
|---|--|
|  Residential |  Central Business |
|  Mixed Residential |  Heavy Industrial |
|  Multi-Family Residential |  Institutional |
|  Regional Business |  Park |
|  Community Business |  Subject Property |



B-3 – GENERAL BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the B-3 Zoning District is as follows:

"The B-3, *General Business District* is intended to provide areas for a range of commercial uses wider than that of Neighborhood Business but at a lower intensity than Central Business, meeting the general business needs of the City."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the B-3 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

PERMITTED USES:

Agriculture

Farm Equipment Sales and Service
Feed and Grain (*Sales Only*)
Garden Shop
Plant Nursery or Greenhouse
Roadside Produce Sales Stand

Business - Adult Entertainment

Adult Entertainment Uses

Business - Food Sales and Services

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

Business - Miscellaneous

Auction Sales (*Non-Animal*)
Contractor Shop and Show Room (*Carpentry, Electrical, Exterminating, Upholstery, Sign Painting, and Other Home Improvement Shops*)
Lawn Care and Landscaping Service
Mail Order Business
Radio or TV Studio
Shopping Center – Convenience
Shopping Center – General
Wholesale Business

Business - Personal Services

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

Business - Professional and Financial Services

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

Business - Transportation

Motor Bus Station
Taxi Service

Business - Vehicular Sales and Service

Automobile Accessories (*New*)
Automobile, Truck, Trailer or Boat Sales or Rental
Automobile/ Truck Repair
Car Wash
Gasoline Station
Mobile Home Sales
Truck Rental

PERMITTED USES CONTINUED:

Business - Recreation

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

Public and Quasi-Public

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

Residential

Bed and Breakfast Inn
Bed and Breakfast Inn, Owner Occupied
Dwelling, Community Living Facility, Category II or Category III
Dwelling, Home for Adjustment
Dwelling, Loft
Hotel or Motel

Business - Retail Trade

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

SPECIAL USES:

Business – Vehicular Sales and Service

Towing Service
Truck Stop

Public and Quasi-Public

Correctional Institution or Facility
Hospital or Clinic

Residential

Dwelling, Multifamily

Retail

Firearm Store

Residential

Dwelling, Multifamily

PLANNED UNIT DEVELOPMENT USES:

Business – Miscellaneous

Commercial Planned Unit Development
Mixed-Use Planned Unit Development

CONDITIONAL USES:

Business - Miscellaneous

Crematorium
 Day Care Facility (*Non-Home Based*)
 Self-Storage Facility
 Veterinary Hospital (*Small Animal*)

Public and Quasi-Public

Nonprofit or Governmental, Educational and
 Research Agencies
 Radio or Television Tower and Station

Residential

Assisted Living Facility
 Nursing Home

Industrial

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

DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet)	MIN SIDE YARD (in feet)	MIN REAR YARD (in feet)
B-3	6,000	60	None³	4.00	None	15	5	10

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

Footnote³ – In the AG, CRE, B-1, B-2, MOR and IN-1 Zoning Districts, and for residential uses in the B-3 and B-4 Districts, if the height of a building two stories or exceeds 25 feet, the minimum side and rear yards shall be increased as specified in Section VI-5.F.3 and Section VI-5.G.1, respectively. In the AG and CRE Districts, the maximum height specified in Table VI-3 shall not apply to farm buildings. However, the increased setbacks required in conjunction with additional height, as specified in Section VI-5, shall be required for all non-farm buildings.

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

City of Urbana

Community Development Services Department

400 South Vine Street, Urbana, Illinois 61801

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

www.urbanainillinois.us



R-4 – MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities."

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

PERMITTED USES:

Agriculture

Agriculture, Cropping

Business - Recreation

Country Club or Golf Course

Public and Quasi-Public

Church, Temple or Mosque

Elementary, Junior High School or Senior High School

Institution of an Educational or Charitable Nature

Library, Museum or Gallery

Municipal or Government Building

Park

Residential

Boarding or Rooming House

Dormitory

Dwelling, Community Living Facility, Category I, Category II and Category III

Dwelling, Duplex

Dwelling, Duplex (*Extended Occupancy*)

Dwelling, Multifamily

Dwelling, Multiple-Unit Common-Lot-Line

Dwelling, Single Family

Dwelling, Single Family (*Extended Occupancy*)

Dwelling, Two-Unit Common-Lot-Line

SPECIAL USES:

Business – Professional and Financial Services

Professional and Business Office

Residential

Dwelling, Home for Adjustment

Public and Quasi-Public

Police or Fire Station

Principal Use Parking Garage or Lot

PLANNED UNIT DEVELOPMENT USES:

Business – Miscellaneous

Mixed-Use Planned Unit Development

Residential

Residential PUD

CONDITIONAL USES:

Agriculture

Artificial Lake of One (1) or More Acres

Public and Quasi-Public

Electrical Substation

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Residential

Assisted Living Facility

Bed and Breakfast, Owner Occupied

Nursing Home

Business - Recreation

Lodge or Private Club

DEVELOPMENT REGULATIONS IN THE R-4 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet)	MIN SIDE YARD (in feet)	MIN REAR YARD (in feet)
R-4	6,000	60	35¹⁷	0.50¹⁴	0.35	15⁹	5	10

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

Footnote⁹ – In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, as required in Sec. VI-5.D.1. In the R-2, R-3, R-4, R-5, R-7, and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater, but no more than 25 feet, as required in Sec. VI-5.D.1. (Ord. No. 9596-58, 11-20-95)(Ord. No. 9697-154) (Ord. No. 2001-03-018, 03-05-01)

Footnote¹⁴ – In the R-4 District, the maximum floor area ratio may be increased to 0.70, provided that there is a minimum of 2,000 square feet of lot area per dwelling unit.

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

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

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



Application for Zoning Map Amendment

Plan Commission

APPLICATION FEE - \$175.00

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 5/29/15 Plan Case No. 2258-M-15
 Fee Paid - Check No. N/A Amount N/A Date 5/29/15

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **CITY OF URBANA, ILLINOIS** Phone: **(217) 384-2440**
 Address (street/city/state/zip code): **400 S. VINE ST., URBANA, IL 61801**
 Email Address: **EHTYLER@URBANAILLINOIS.US**
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **OWNER**

2. OWNER INFORMATION

Name of Owner(s): **CITY OF URBANA, ILLINOIS** Phone: **(217) 384-2464**
 Address (street/city/state/zip code): **400 S. VINE ST., URBANA, IL 61801**
 Email Address: **DMBUCHER@URBANAILLINOIS.US**

Is this property owned by a Land Trust? Yes No
 If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Address/Location of Subject Site: **401 1/2 AND 403 E. KERR AVE.**
 PIN # of Location: **91-21-08-280-008 AND 91-21-08-280-009**
 Lot Size: **THE LOTS REPRESENT A COMBINED 1.36 ACRES**

Current Zoning Designation: **B-3**

Proposed Zoning Designation: **R-4**

Current Land Use (*vacant, residence, grocery, factory, etc*): **VACANT**

Proposed Land Use: **PROVISION OF AFFORDABLE HOUSING**

Present Comprehensive Plan Designation: **MIXED RESIDENTIAL**

How does this request conform to the Comprehensive Plan? **PROPOSAL CONSISTS OF HOUSING AT AN APPROPRIATE DENSITY SUCH THAT IT WILL REMAIN IN CONFORMITY WITH THE SURROUNDING NEIGHBORHOOD'S CHARACTER.**

Legal Description: **THE EAST 3 ½ ACRES OF THE NORTH 30 RODS OF LOT 30 OF A SUBDIVISION OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER PLAT RECORDED IN PLAT BOOK "R" AT PAGE 238, EXCEPT THE EAST 205 FEET 4 INCHES THEREOF, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS. (PIN #91-21-08-280-008 AND 91-21-08-280-009), COMMONLY KNOWN AS 401 ½ AND 403 EAST KERR, URBANA, ILLINOIS.**

4. CONSULTANT INFORMATION

Name of Architect(s): **LANDON BONE BAKER ARCHITECTS** Phone: (312) 988-9100X211

Address (*street/city/state/zip code*): **734 N. MILWAUKEE AVE., CHICAGO, IL 60642**

Email Address: **JBONE@LANDONBONEBAKER.COM**

Name of Engineers(s): **BERNS, CLANCY AND ASSOCIATES** Phone: (217) 384-1144

Address (*street/city/state/zip code*): **405 E. MAIN ST., URBANA, ILLINOIS 61803**

Email Address:

Name of Surveyor(s): **BERNS, CLANCY AND ASSOCIATES** Phone: (217) 384-1144

Address (*street/city/state/zip code*): **405 E. MAIN ST., URBANA, ILLINOIS 61803**

Email Address:

Name of Professional Site Planner(s): **LANDON BONE BAKER ARCHITECTS** Phone: (312) 988-9100X211

Address (*street/city/state/zip code*): **734 N. MILWAUKEE AVE., CHICAGO, IL 60642**

Email Address: **JBONE@LANDONBONEBAKER.COM**

Name of Attorney(s):

Phone:

Address (*street/city/state/zip code*):

Email Address:

5. REASONS FOR MAP AMENDMENT:

What error in the existing Zoning Map would be corrected by the Proposed Amendment?

EXISTING COMMERCIALY ZONED PARCELS DO NOT ALLOW FOR RESIDENTIAL DEVELOPMENT AT THE PROPOSED SITE. CONVERSION OF A RELATIVELY SMALL AMOUNT OF LAND TO THE EAST OF 401 E. KERR AVENUE WILL PROVIDE ENOUGH ROOM FOR THE PROPOSED DEVELOPMENT WHILE MAINTAINING SUFFICIENT SPACE FOR FUTURE COMMERCIAL USES TO THE EAST AS WELL.

What changed or changing conditions warrant the approval of this Map Amendment?

THE SUCCESS OF CRYSTAL VIEW TOWNHOMES TO THE SOUTH OF THE PROPOSED DEVELOPMENT, AND THE PRESENCE OF CITY-OWNED PROPERTY AT THE ADDRESSES IN QUESTION, HAS ALLOWED FOR THIS AREA TO BECOME A PARTICULARLY AMENABLE SITE FOR THE PROPOSED DEVELOPMENT.

Explain why the subject property is suitable for the proposed zoning.

THE PROPOSED REZONING WILL NOT DISRUPT THE LAND USE MIX OF THE AREA, AND WILL ACT AS AN EXTENSION OF THE RESIDENTIAL ZONING THAT ALREADY EXISTS TO THE NORTH, WEST, AND SOUTH OF THE SITE IN QUESTION. ALSO, SURROUNDING USES ARE MOSTLY RESIDENTIAL, WHILE THE PROPOSED REZONING WILL STILL PERMIT COMMERCIAL USES TO THE EAST OF THE SITE CLOSER TO CUNNINGHAM AVENUE. THE PROPOSED DEVELOPMENT AT THIS SITE IS ALSO CONSISTENT WITH THE FY 2015-2019 CITY OF URBANA AND URBANA HOME CONSORTIUM CONSOLIDATED PLAN.

What other circumstances justify the zoning map amendment? THE USES SURROUNDING THE PROPOSED DEVELOPMENT ARE LARGELY RESIDENTIAL, WHILE THE COMMERCIAL USES TO THE EAST ALONG CUNNINGHAM AVENUE CAN BE SUFFICIENTLY SCREENED FROM THE PROPOSED RESIDENTIAL DEVELOPMENT. FOLLOWING REZONING, THE SITE WILL BE WELL-SUITED TO THE PROPOSED DEVELOPMENT, AND THE LOSS OF COMMERCIAL ZONED LAND WILL BE MINIMIZED. THE NATURE OF THE PROPOSED DEVELOPMENT, AND SPECIFICALLY THE PROVISION OF VETERANS' HOUSING THROUGH COOPERATION WITH THE HOUSING AUTHORITY OF CHAMPAIGN COUNTY, AS WELL AS THE ESTABLISHMENT OF NEEDED GENERAL AFFORDABLE HOUSING, ALSO HELP TO JUSTIFY THE MAP AMENDMENT.

Time schedule for development (if applicable). THE DEVELOPERS WILL APPLY FOR LOW-INCOME HOUSING TAX CREDITS (LIHTC) AND ARE AWAITING WORD ON AN AWARD DECISION.

Additional exhibits submitted by the petitioner. VARIOUS SITE AND FLOOR PLANS ARE ATTACHED.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

Kelly H. Minkowski
Applicant's Signature

5/29/15
Date

Manager, Grants Management Division

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

HIGHLAND GREEN CONCEPT

Highland Green will be a 33-unit new construction family rental development.

The 3.19 acre site has never been developed and is owned by the City of Urbana. The scope of work will include the installation of a new street, site utilities, surface parking and the new construction of twenty-three buildings.

The development will be a mix of single family and duplex units offering one, two, three or four bedrooms units in one and two-story buildings.

The development will be sustainable community that will attain green communities' certifications. In addition, a community garden will be built on the site & there will be an agreement with the adjacent housing development, Crystal View Townhomes that will allow Highland Green residents the use of the playground, community room, computer center and fitness center.

Nine of the units will be set aside for residents thru the State Referral Network.

Nine units will be project-based voucher units, set-aside for veteran & their families.

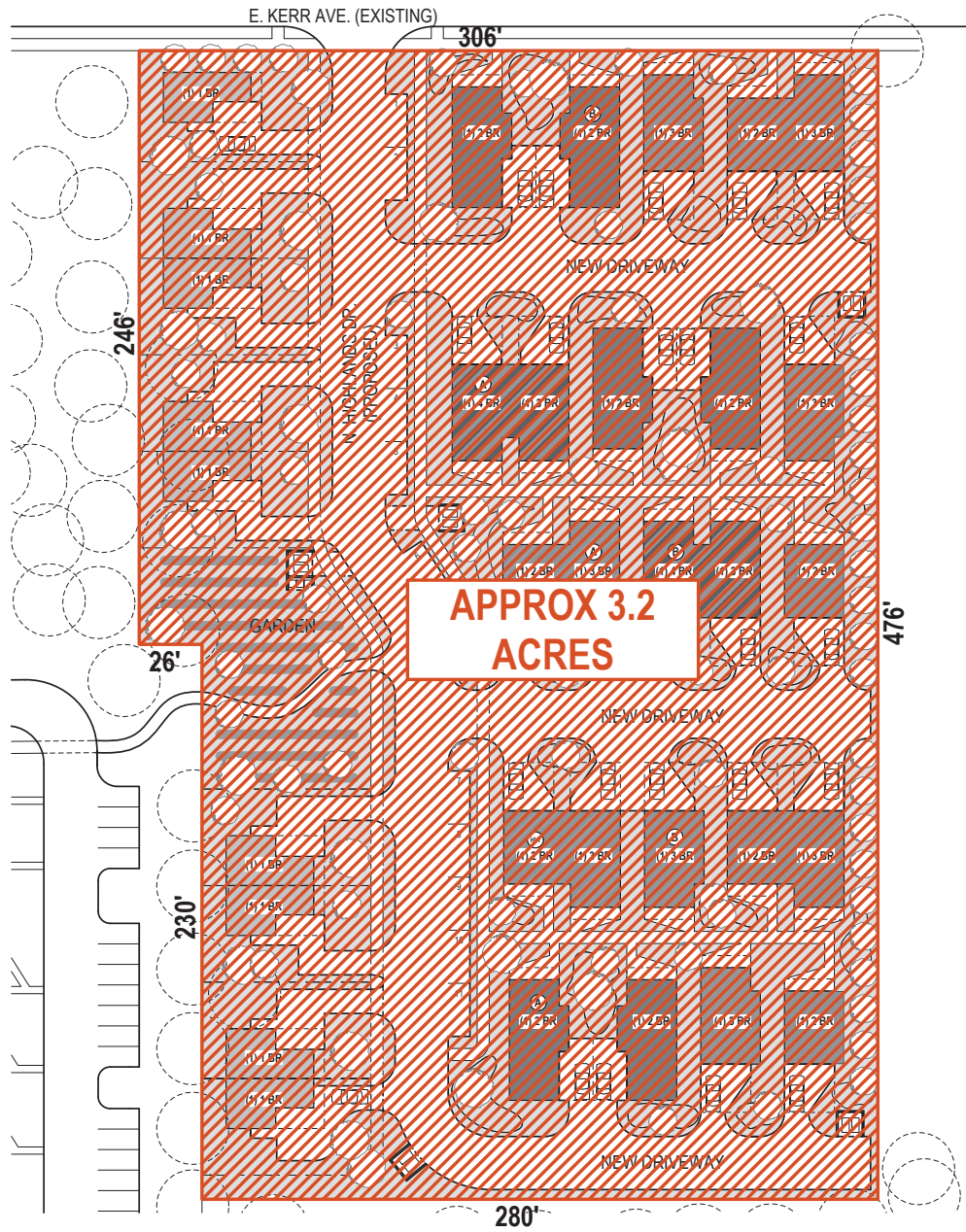
Housing Authority of Champaign County – Provide project-based vouchers or VASH Vouchers

Homestead Corporation of Champaign Urbana –

- working with Salvation Army to have SA provide services to veterans
- Homesteads to provide financial counseling for home purchases in future

City of Urbana – to provide

- Donation of land
- Donation (via waiving) building permits and other fees
- Rezoning
- Funding, CDBG or HOME
- For cost purposes how green do we need to make the homes, based on what we promised in RFP,
 - Environmental sustainability
 - Mix tenure



BRINSHORE DEVELOPMENT L.L.C.



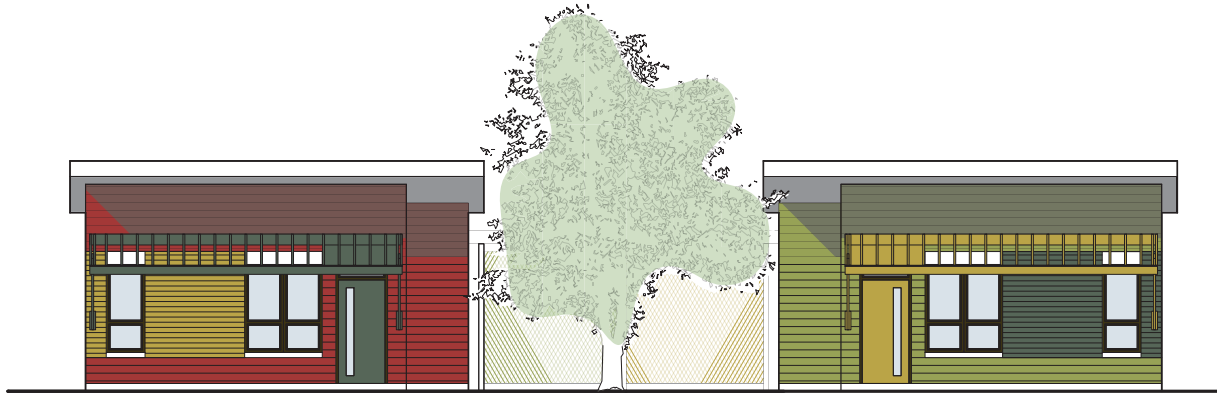
Total No. of units - 33
 (= Approx. 10 units/acre)

Total No. of parking spots - 44
 33 Dedicated
 11 Street

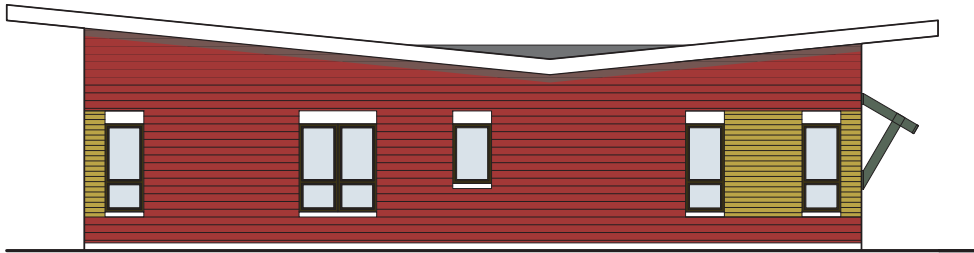
- (A) Accessible Unit
- (B) Adaptable Unit
- (HVI) HVI Unit
- Existing Trees
- New Trees

- 2 br Single Family (1 story, approx. 970 sf) - 6
 (1 accessible, 1 adaptable)
- 2 br Single Family (2 story, approx. 1230 sf) - 2
- 3 br Single Family (2 story, approx. 1410 sf) - 4
 (1 adaptable)
- Duplex
 4br (2 story approx. 1590 sf) - 2 (1 accessible, 1 adaptable)
 3br (2 story, approx. 1410 sf) - 2
- Duplex
 3br (2 story approx. 1410 sf) - 4 (1 accessible)
 2br (2 story, approx. 1230 sf) - 4
- 1 br Single Family (1 story, approx. 625 sf) - 9

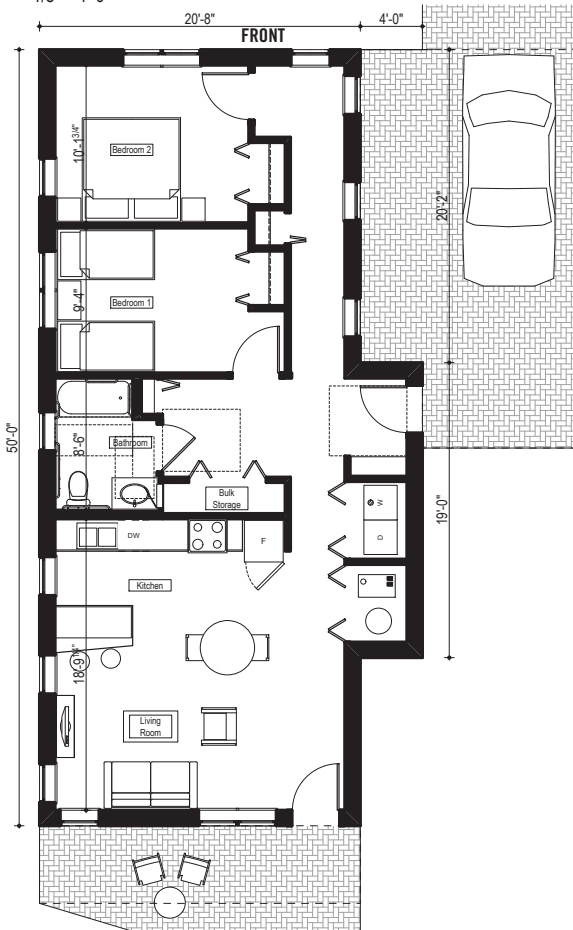
BRINSHORE DEVELOPMENT L.L.C.



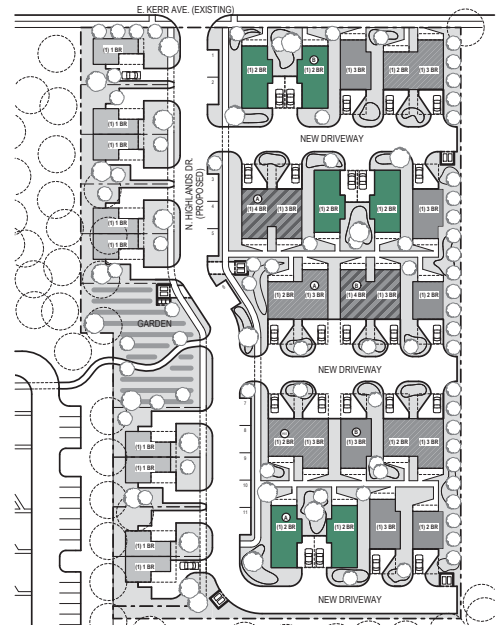
FRONT ELEVATION
1/8" = 1'-0"



SIDE ELEVATION (OPPOSITE SIDE SIMILAR)
1/8" = 1'-0"



FIRST FLOOR PLAN
1/8" = 1'-0"



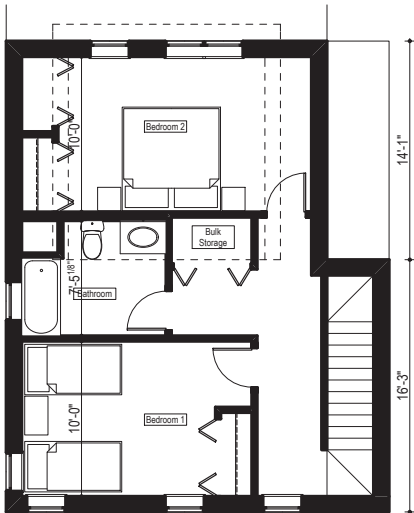
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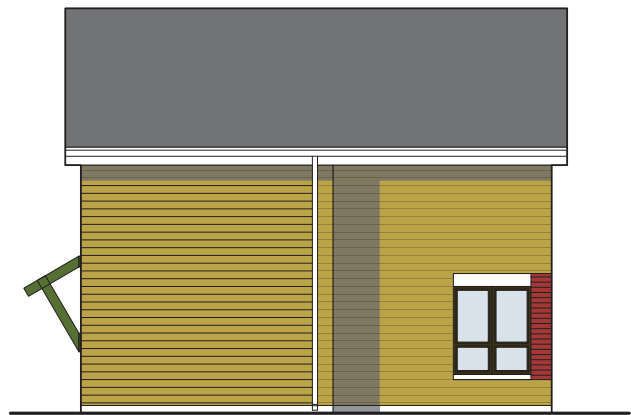
FRONT ELEVATION
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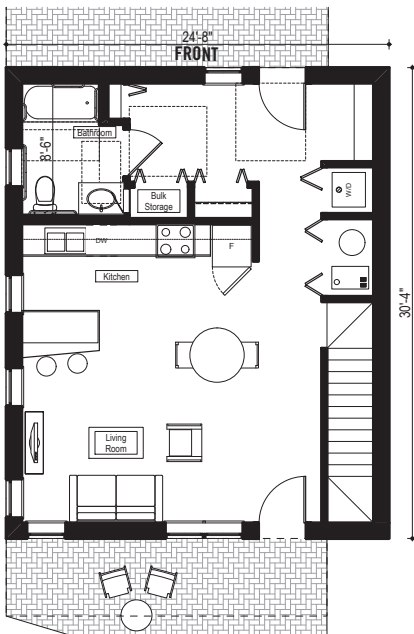
SIDE ELEVATION
1/8" = 1'-0"



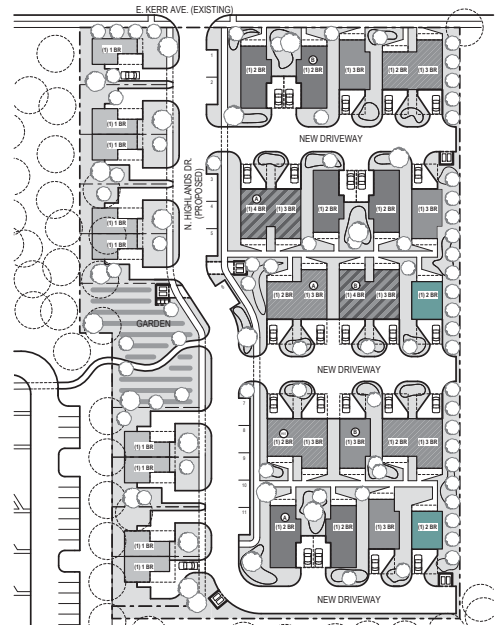
SECOND FLOOR PLAN
1/8" = 1'-0"



SIDE ELEVATION
1/8" = 1'-0"



FIRST FLOOR PLAN
1/8" = 1'-0"



BRINSHORE DEVELOPMENT L.L.C.



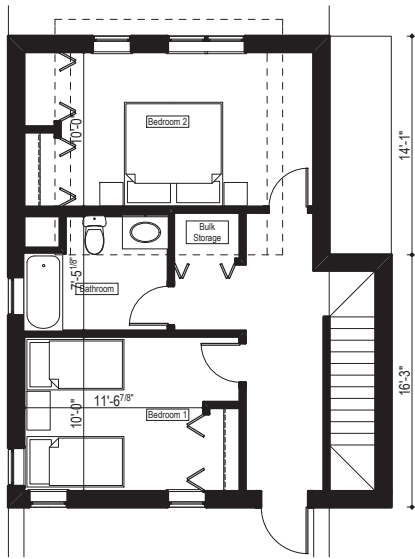
FRONT ELEVATION

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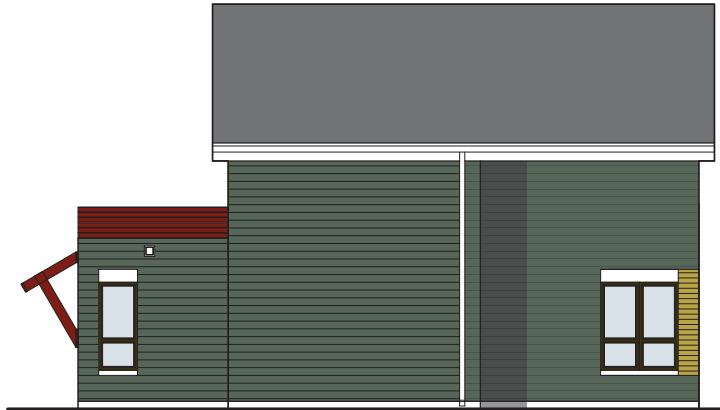
SIDE ELEVATION

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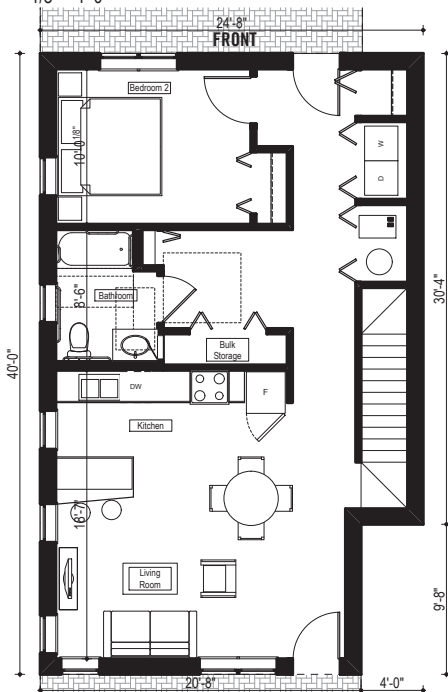
SECOND FLOOR PLAN

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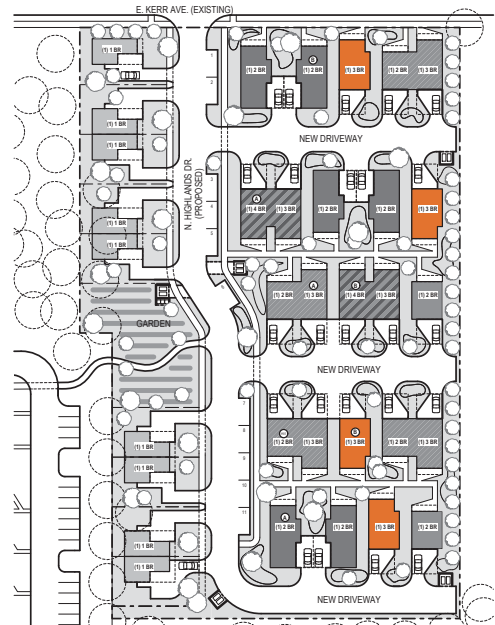
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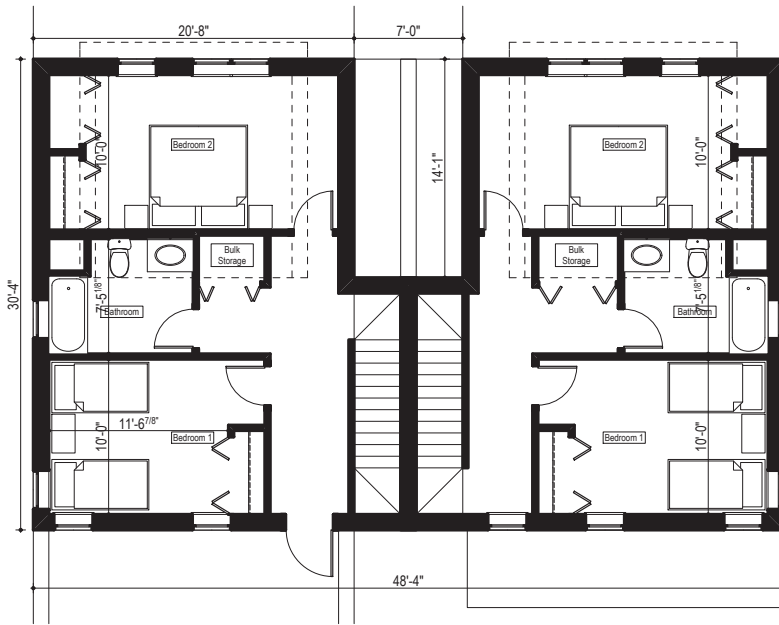


FIRST FLOOR PLAN

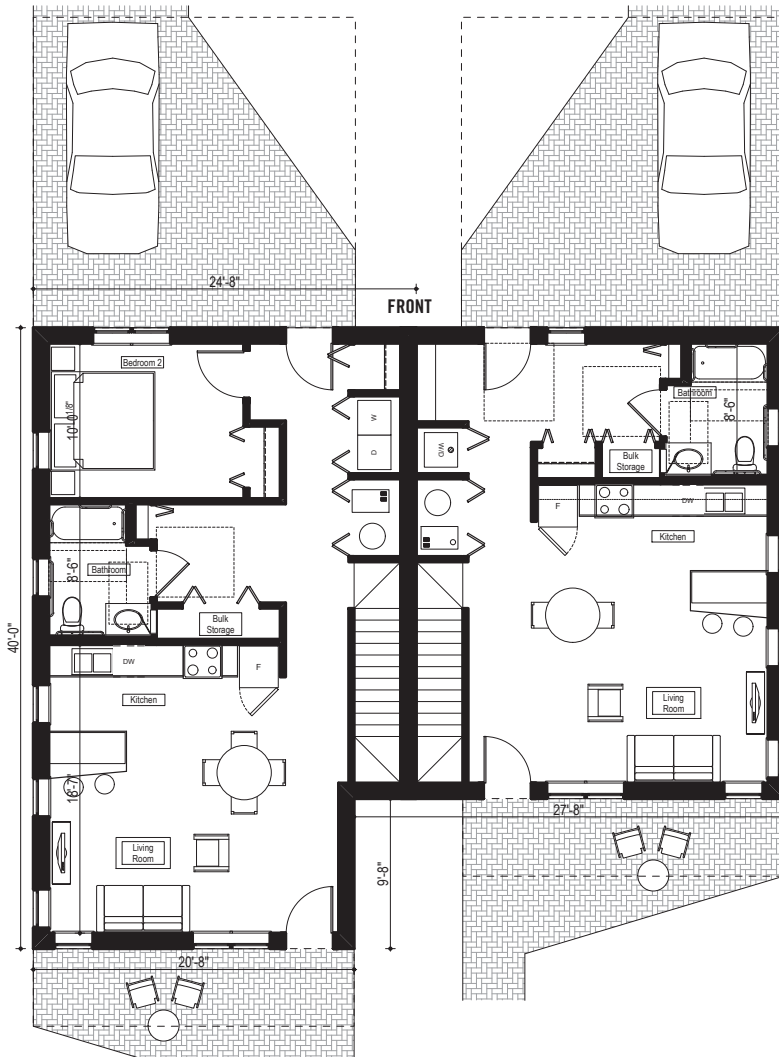
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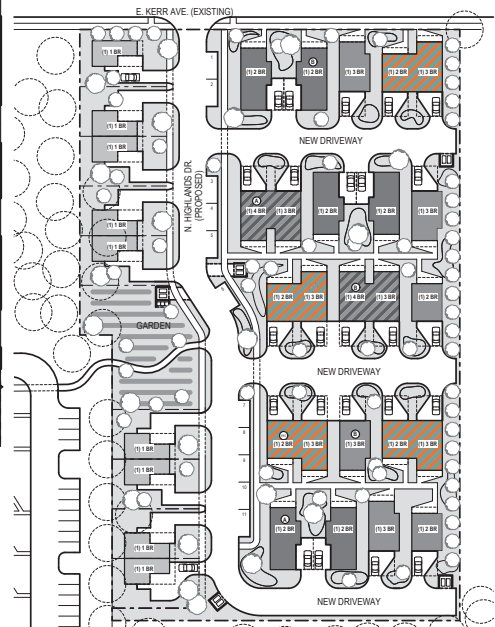
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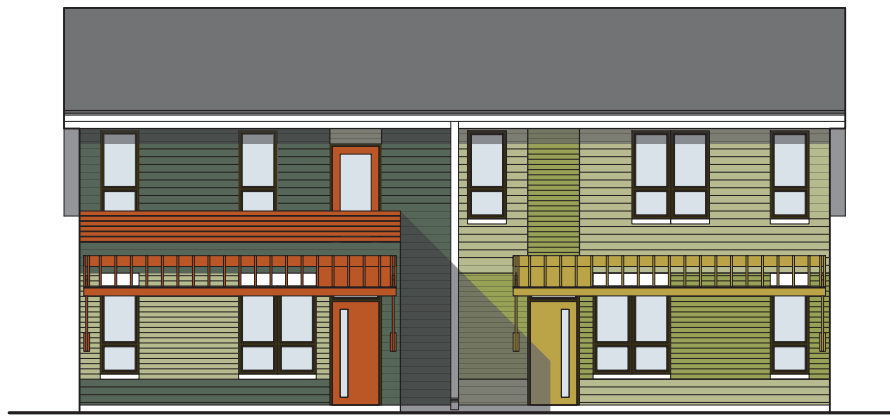
SECOND FLOOR PLAN
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FIRST FLOOR PLAN
1/8" = 1'-0"



BRINSHORE DEVELOPMENT L.L.C.



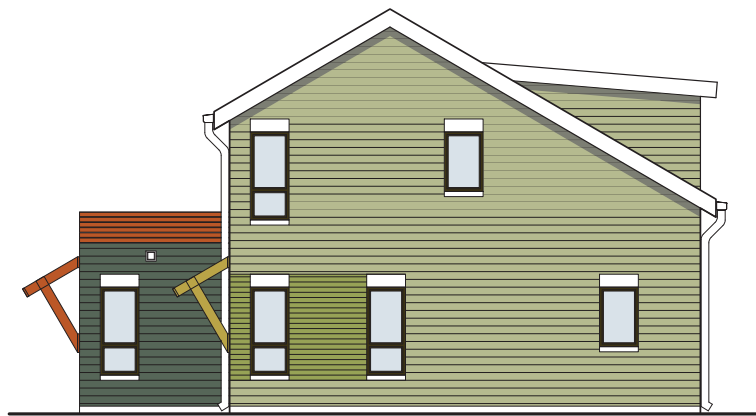
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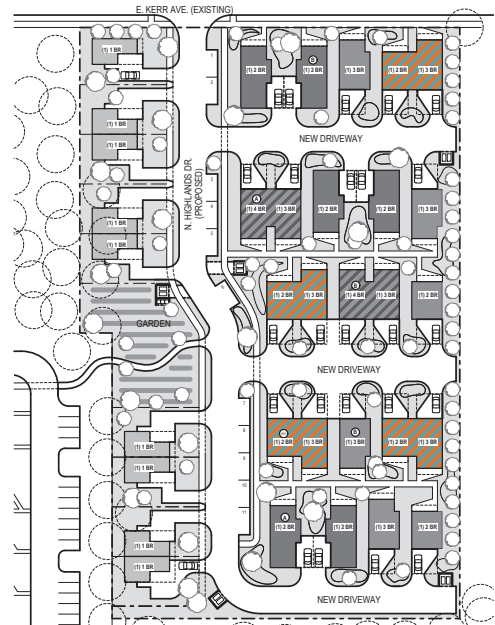
SIDE ELEVATION

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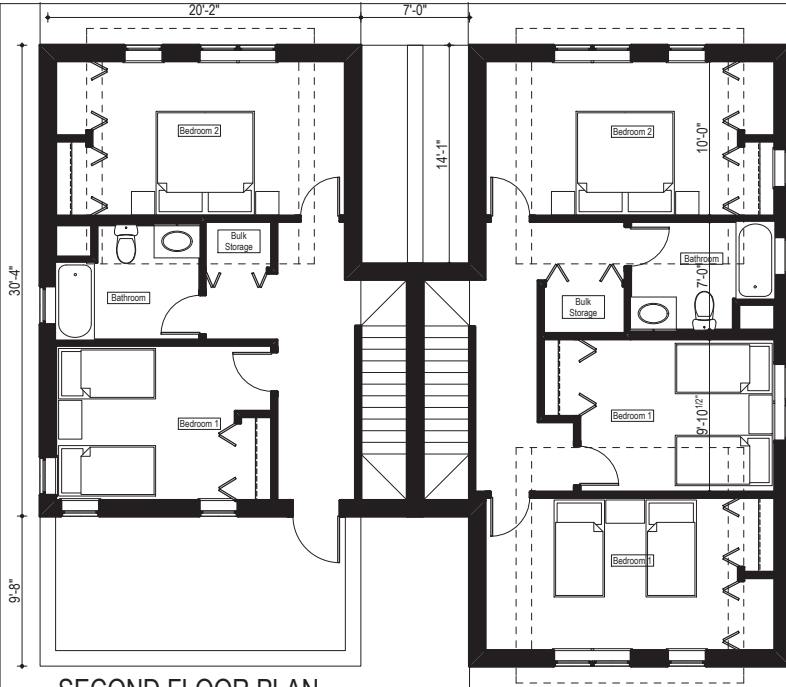


SIDE ELEVATION

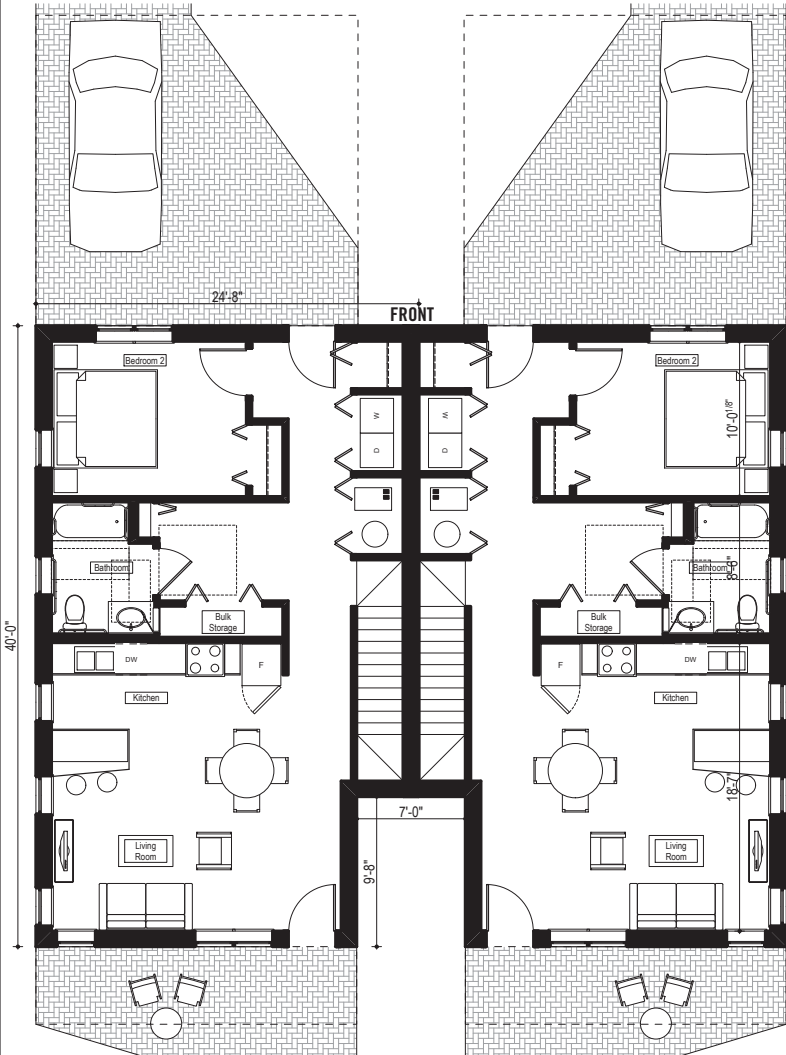
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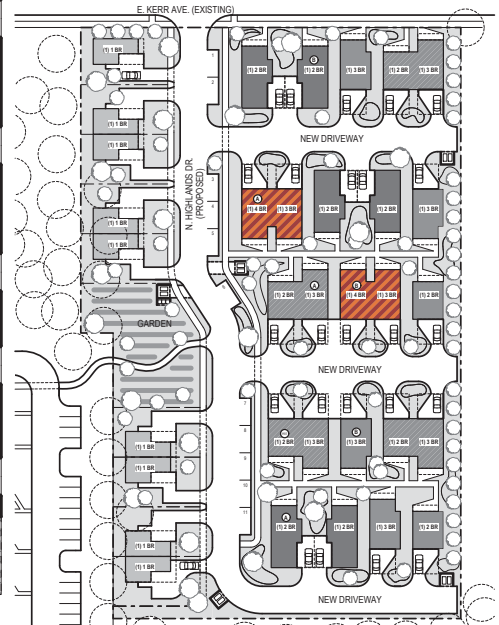
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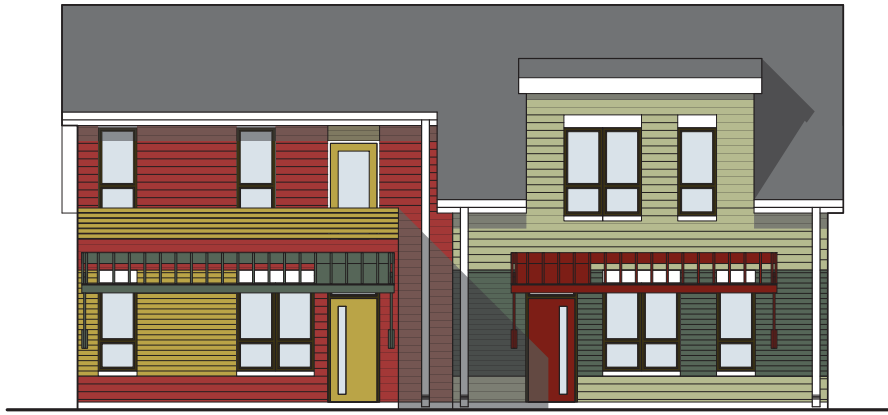
SECOND FLOOR PLAN
1/8" = 1'-0"



FIRST FLOOR PLAN
1/8" = 1'-0"



BRINSHORE DEVELOPMENT L.L.C.



FRONT ELEVATION

1/8" = 1'-0"



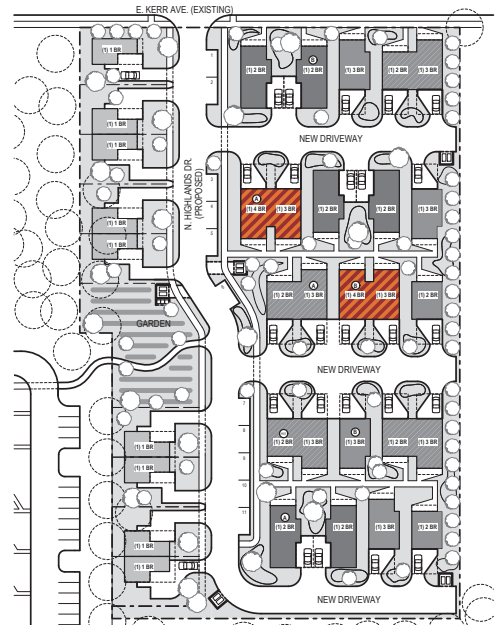
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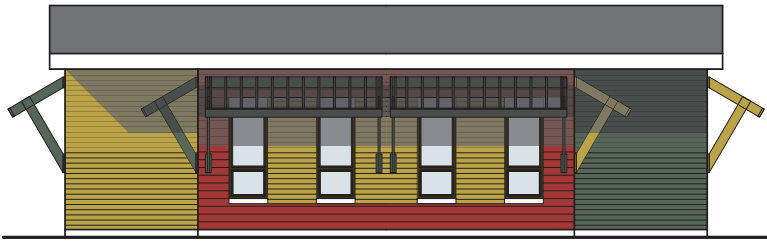


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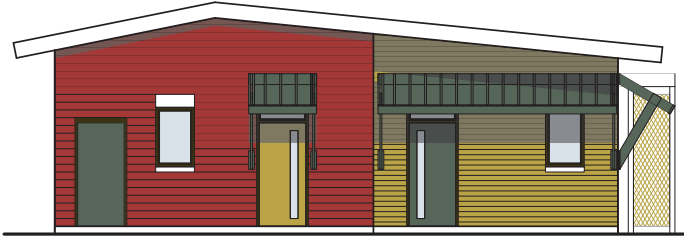
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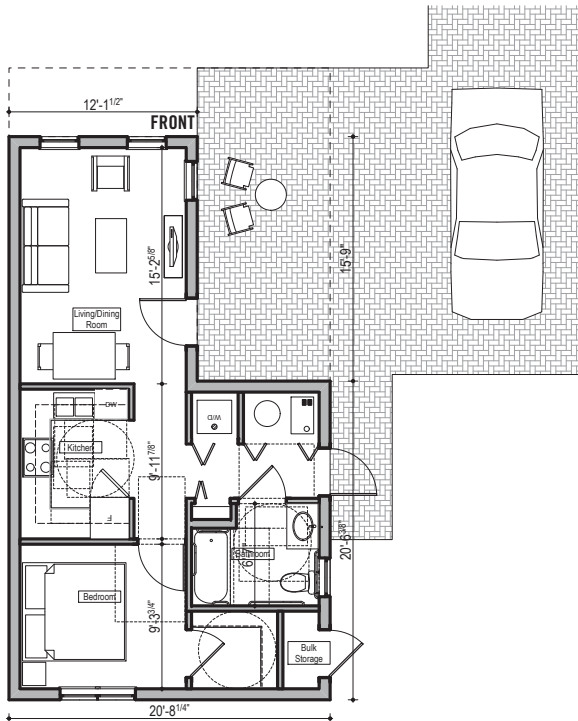
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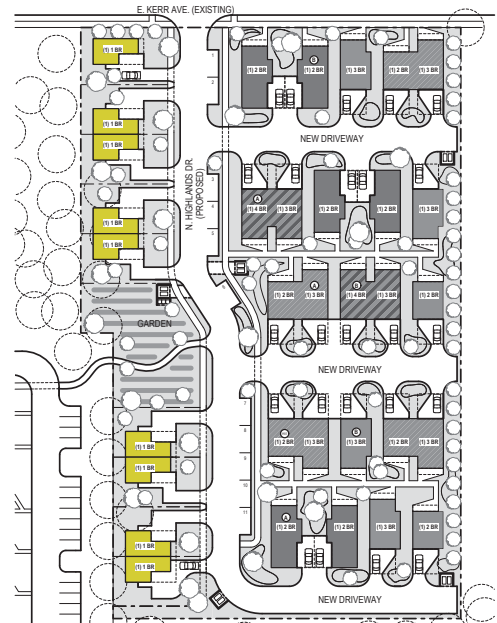
SIDE ELEVATION
1/8" = 1'-0"



SIDE ELEVATION
1/8" = 1'-0"



FIRST FLOOR PLAN
1/8" = 1'-0"



BRINSHORE DEVELOPMENT L.L.C.