



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning and Economic Development Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: January 17, 2002

SUBJECT: Plan Case No. 1808-M-01: Request by the Urbana Zoning Administrator to rezone 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District.

Introduction

The Urbana Zoning Administrator is requesting a zoning map amendment to rezone five parcels of property at 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to the CCD, Campus Commercial District zoning classification. On January 10, 2002, the Plan Commission recommended to City Council approval of the rezoning. On January 7, 2002 the Urbana City Council officially adopted a text amendment to the Urbana Zoning Ordinance which created the CCD, Campus Commercial District.

The proposed rezoning would allow for the eventual development of the East Campus Commercial Center which will consist of a mixed-use commercial and residential development on the west side of Gregory Place. The University of Illinois owns all of the subject property and is currently reviewing developer proposals for construction of the commercial center. The land will be leased to the developer who will construct the facility, lease the space and maintain the building. The developer / tenants will pay applicable taxes and the development will be subject to the city's codes and ordinances. Since the anticipated commercial center will contain a mix of both retail and residential uses, it would not be permitted in the current zoning classification for the site which is R-5, Medium High Density Multiple Family Residential. The proposed zoning change to CCD, Campus Commercial District would allow for the mixed-use development under the review of a special use permit.

Background

The subject site is located on the west side of Gregory Place south of Oregon Street and north of Nevada Street. The site contains five separate parcels of property totaling approximately 30,000 square feet (less than one acre). There is only one structure located on the site. The Gregory Apartment building currently sits on the southwest corner of Oregon Street and Gregory Place. This structure will eventually be razed to construct the East Campus Commercial Center.

Additional background information on this request is provided in the Plan Commission Memorandum, dated January 4, 2002.

Issues and Discussion

In considering the zoning map amendment for the subject property, the City must consider effects upon the public health, safety, comfort, morals and general welfare of the community. The City's Comprehensive Plan and zoning law decisions in the Illinois Courts provide a framework for this consideration. Relevant Comprehensive Plan goals, objectives, and policies are identified in the Plan Commission Memorandum.

The Plan Commission Memorandum also addresses the factors for evaluating the legal validity of a zoning classification, as identified in the case of La Salle National Bank v. County of Cook. These are summarized as follows:

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

The proposed CCD zoning would be consistent with existing land uses and land use regulations in the area. The CCD district allows for a mix of retail and multi-family residential uses in an urban-style development. The area currently contains both high density multi-family residential development and retail uses built in an urban style. The multi-family uses are immediately adjacent to the site while the existing retail centers are located both at Goodwin Avenue and Oregon Street and Lincoln Avenue and Nevada Street.

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

The subject site is located in an area that is well suited for an urban style, mixed-use development that contains both retail services and multi-family residential uses. The east campus area contains a high volume of pedestrian, bicycle and transit activity that creates an urban setting. The Campus Commercial District encourages development that caters to this type of area by offering a mix of uses in one facility with a focus on pedestrian as opposed to automobile traffic. The proposed rezoning offers greater flexibility in development while not negatively affecting the existing land uses in the area.

3. *The extent to which the ordinance promotes the health, safety, morals or general welfare of the public.*
4. *The relative gain to the public as compared to the hardship imposed on the individual property owner.*

The proposed rezoning from the existing zoning classification represents a significant gain to the public welfare. The public at large will attain additional opportunities to live and shop in the area. The city will also realize tax benefits on the new private development which has been lagging in this area for the past twenty years.

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

The property is perfectly suitable for the proposed zoning classification and for the eventual development of an urban-style, mixed-use center. The property is located in an area that contains a campus development pattern with a mixture of retail and residential uses and the CCD zoning district encourages mixed-use developments with fitting into a campus setting.

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.*

Most of the property is currently occupied by an older three-story apartment building. The fact that the site has not been redeveloped or further built upon is most likely related to the present zoning. The R-5, Multi-family zoning classification does not permit a mixed-use commercial center development that has been planned for some time on this site.

Summary of Findings

1. The proposed CCD, Campus Commercial District encourages the development of mixed-use commercial centers built with an urban-style and campus feel.
2. The CCD, Campus Commercial District zoning classification is proposed for this site because the University of Illinois is currently soliciting proposals for the development of a 30,000 square foot mixed-use commercial center called the East Campus Commercial Center. The center would contain a mix of retail, office and residential uses.
3. The proposed CCD, Campus Commercial District zoning district will help foster new retail development in the east campus area which has seen a loss of such business and service establishments over the past 20 years. New retail development will be a benefit to the east campus area and the immediately surrounding neighborhoods.

4. The proposed CCD, Campus Commercial District zoning district for the subject site would be consistent with the current multi-family zoning immediately adjacent to the site and the commercial zoning in the immediate vicinity.
5. The proposed CCD, Campus Commercial District zoning district is consistent with the intent of the Urbana Comprehensive Plan which classifies this area with a future land use of institutional. The proposed East Campus Commercial Center is designed to offer services and residential opportunities primarily to users of the university but also to the surrounding neighborhoods.
6. The proposed rezoning to the CCD, Campus Commercial District zoning district would be consistent with the University of Illinois master plan for the area.
7. The proposed rezoning appears to generally meet the LaSalle Case criteria.

Options

The City Council has the following options in Plan Case No. 1808-M-01:

- a. approve the requested rezoning of 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District.
- b. deny the requested rezoning of 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District.

Recommendation

At their January 10, 2002 meeting, the Urbana Plan Commission recommended unanimously (7 to 0) that the City Council approve the requested rezoning to CCD, Campus Commercial District. Staff concurs with this recommendation.

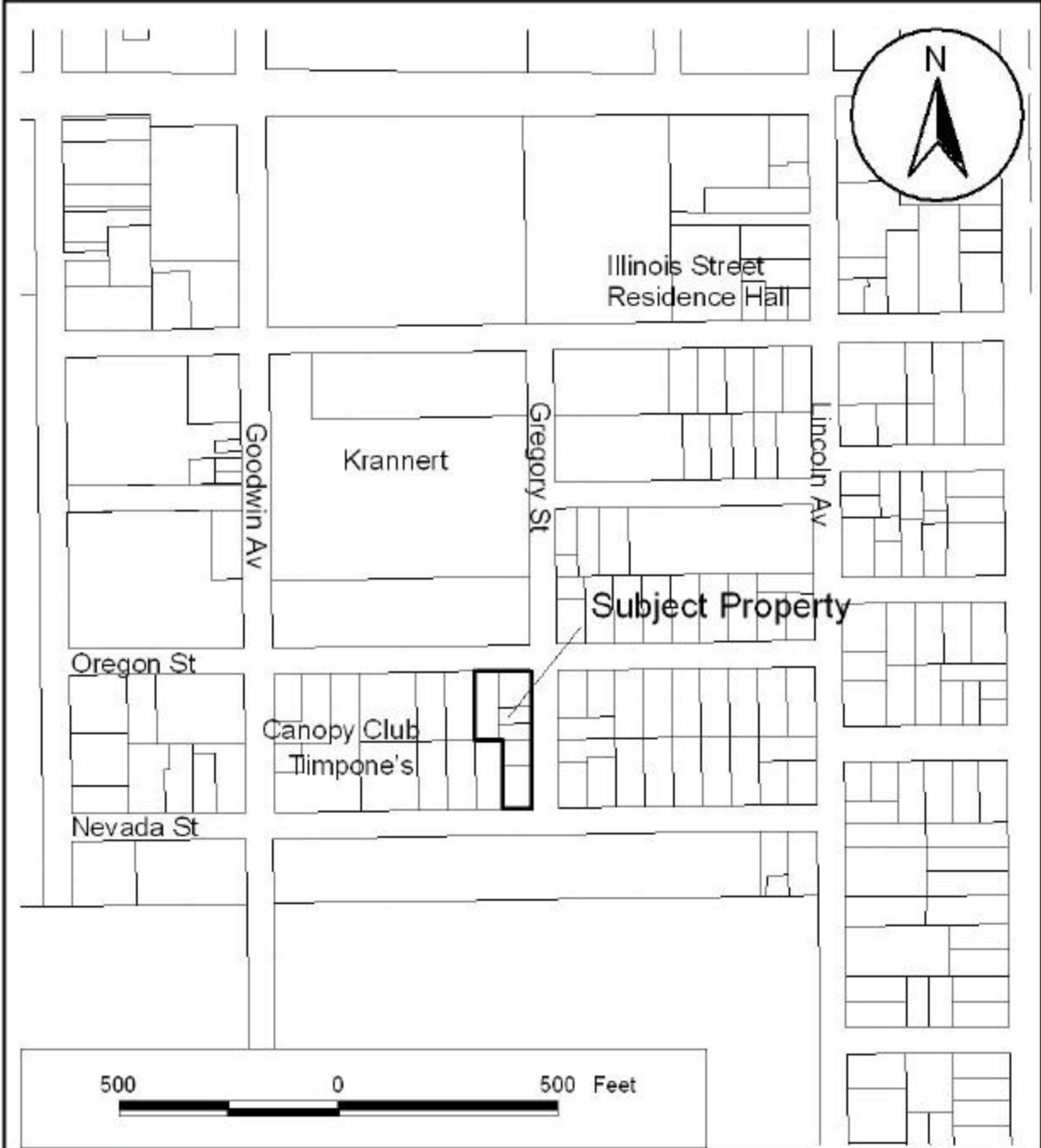
Prepared by:

Rob Kowalski, AICP, Planning Manager

c: April Getchius, University of Illinois

Attachments: Location Map
 Draft Ordinance Amending the Zoning Map
 Excerpt Draft Minutes from March 8, 2001 Plan Commission meeting

Exhibit "A": Location Map



1808-M-01
Campus Commercial District
703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon,
1103 W. Oregon, and 1102 W. Nevada

Prepared December 14, 2001 by Community Development Services - IK

ORDINANCE NO. 002-01-004

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

(Rezoning for 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District - Plan Case 1808-M-01)

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on January 10, 2002 concerning the petition filed by the petitioner in Plan Case No. 1808-M-01; and

WHEREAS, the requested rezoning is consistent with the City of Urbana's Official Comprehensive Plan Map and with the goals and objectives of the City of Urbana Comprehensive Plan, as amended; and

WHEREAS, the Urbana Plan Commission voted 7 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the rezoning request of the properties herein described below and commonly known as 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street,

1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial 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 Zoning Ordinance and Zoning Map of the City of Urbana, Illinois, are herewith and hereby amended to change the zoning classification of the following described areas commonly known as 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District.

LEGAL DESCRIPTIONS:

703 S Gregory Place

The North 37 Feet of the South 75 Feet of Lot 27 and the East

10 Feet of the North 37 Feet of the South 75 Feet of Lot 26 in the University Addition to Urbana, as per plat recorded in Book "B" at Page 18, together with easement of ingress and egress over and across the East 10 Feet of Lot 26 of said University Addition to Urbana as delineated in instrument recorded in Miscellaneous Record 11 at Page 369 as Document 78840, situated in Champaign County, Illinois. PIN Number 93-21-18-277-019

705 S. Gregory Place:

The South 38 Feet of Lot 27 and the South 38 Feet of the East 10 Feet of Lot 26, together with an easement for driveway purposes only to Oregon Street over and across the West 7 Feet of the East 13 1/2 Feet of said Lot 26, all in the University Addition to Urbana, as per plat recorded in Book "B" at Page 18, situated in Champaign County, Illinois. PIN Number 93-21-18-277-020

1101 W. Oregon:

The north 82 feet of Lot 27 and the east 10 feet of the north 82 feet of Lot 26 in University Addition to the City of Urbana, Champaign County, Illinois. PIN Number 93-21-18-277-017.

1103 W. Oregon:

The West Fifty-five (55) feet of Lot 26 of the University Addition to the City of Urbana, County of Champaign. PIN Number 93-21-18-277-018.

1102 W. Nevada:

Lot Ten (10) of Forestry Heights Addition to the City of Urbana, as per plat recorded in plat Book "B" at Page 190, situated in the City of Urbana, in the County of Champaign, and State of Illinois, except that part deeded to the City of Urbana, Illinois for street. PIN Number 93-21-18-277-022.

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 _____, _____.

Tod Satterthwaite, 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 _____, 2002, 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 for 703 S. Gregory Place, 705 S. Gregory Place, 1101 W. Oregon Street, 1103 W. Oregon Street, and 1102 W. Nevada Street from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District - Plan Case 1808-M-01)" 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 _____, 2002, 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 _____, 2002.