



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

### m e m o r a n d u m

**TO:** Bruce K. Walden, Chief Administrative Officer

**FROM:** Elizabeth H. Tyler, AICP, Director

**DATE:** April 3, 2003

**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.

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### **Introduction and Background**

In December 2001 the Urbana Zoning Administrator petitioned the Plan Commission and City Council for a text amendment to the Urbana Zoning Ordinance to create the CCD, Campus Commercial District Zoning District and 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 the new district. The proposed text amendment and rezoning coincided with a Request for Proposals from the University of Illinois to develop the property with a mixed-use development to be called the East Campus Commercial Center.

On January 7, 2002 the Urbana City Council adopted an ordinance creating the CCD, Campus Commercial District Zoning District but tabled the rezoning decision on January 22, 2002 pending more information regarding the proposed development and specifically, how it would be assessed and taxed.

Since January 2002 the selected developer, the University, and the City have been finalizing negotiations and have reached development agreements regarding the pending project. Last month City staff presented the City Council with background information regarding the pending development agreements with Gregory Place, LLC and the University of Illinois.

With the development agreements in place, staff is prepared to re-introduce the zoning map amendment case that is still pending before the City Council. Gregory Place, LLC has also submitted a Special Use Permit request that will be heard in a public hearing with the Urbana Plan Commission on April 10, 2003. The Plan Commission will forward a recommendation on the Special Use Permit case to the Urbana City Council for final consideration.

Additional background information on the rezoning request is provided in the original Plan Commission and City Council Memorandums dated January 4, 2002 and January 17, 2002, respectively.

## **Discussion**

On January 10, 2002 the Urbana Plan Commission recommended approval of the requested rezoning to the Urbana City Council. The recommendation was based on an evaluation of the LaSalle National Bank Criteria and the specific findings listed below.

## **Summary of Findings**

*Findings from the January 10, 2002 Urbana Plan Commission hearing:*

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:

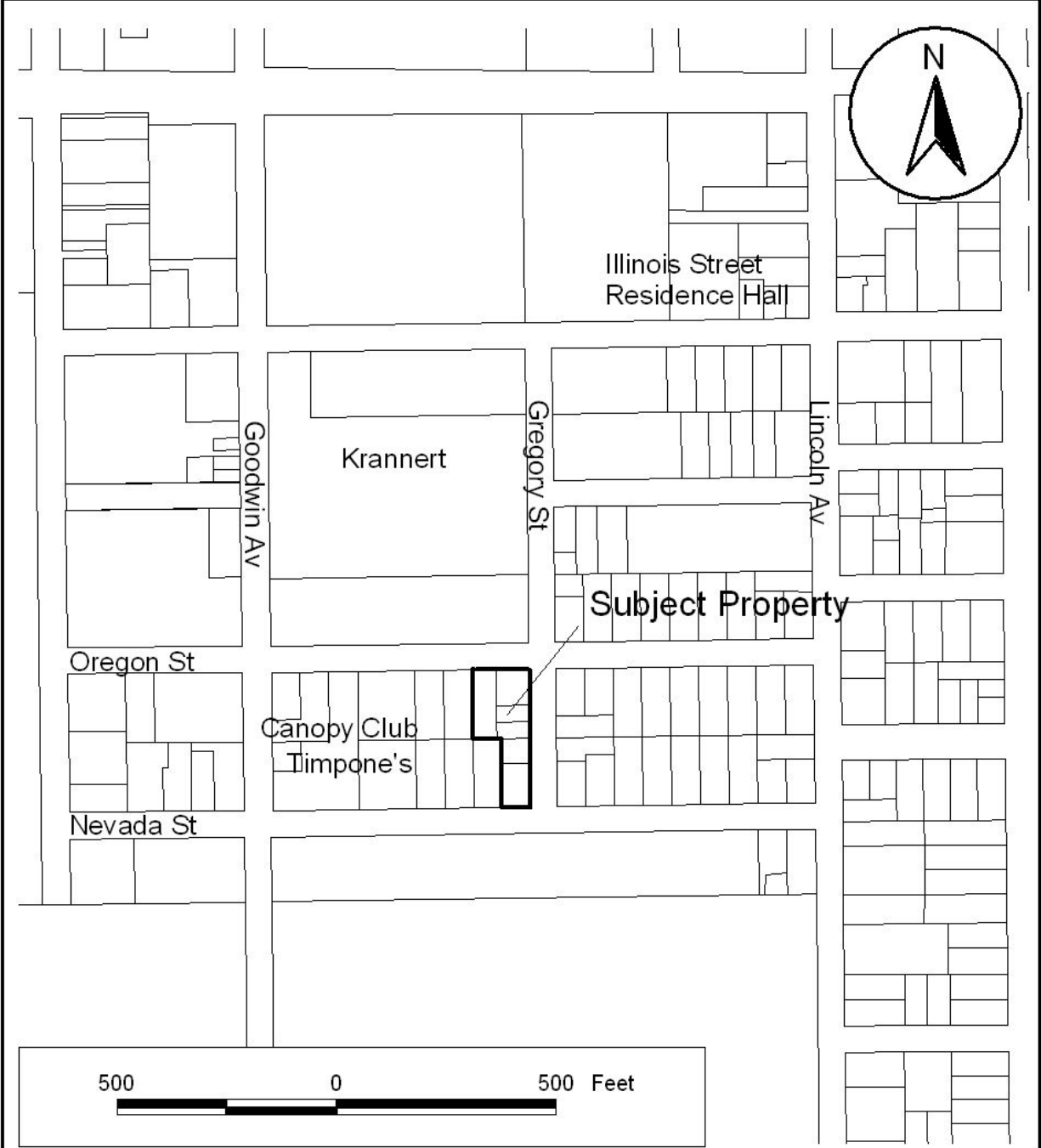
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Rob Kowalski, AICP, Planning Manager

c: April Getchius, University of Illinois  
Scott Kunkel, Gregory Place, LLC

Attachments: Location Map  
Draft Ordinance Amending the Zoning Map  
Urbana Plan Commission Memorandum dated January 4, 2002  
Memorandum from Elizabeth H. Tyler to Bruce Walden dated January 17, 2002  
Minutes from January 10, 2002 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 - lk

**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 \_\_\_\_\_, 2003.

AYES:

NAYS:

ABSTAINS:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
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 \_\_\_\_\_, 2003, 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 \_\_\_\_\_, 2003, 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 \_\_\_\_\_, 2003.



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning and Economic Development Division*

### **m e m o r a n d u m**

**TO:** The Urbana Plan Commission

**FROM:** Rob Kowalski, AICP, Planning Manager

**DATE:** January 4, 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.

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### **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 proposed CCD, Campus Commercial District zoning classification. On December 20, 2001, the Plan Commission recommended to City Council approval of the creation of the CCD zoning district. The City Council is expected to act on the matter at the January 7, 2002 meeting. The request for a rezoning is contingent on the Zoning Ordinance being amended to include the new CCD, Campus Commercial District zoning classification.

### **Background**

The University of Illinois is currently reviewing responses from developers on a request for proposals to construct and manage a mixed-use commercial center at this location. The anticipated development (Phase I) would be a 30,000 square foot multi-floor facility that would house retail and office uses on the ground floor and multi-family residential uses on the upper stories. Phase II would create a similar facility on the east side of Gregory Place and would convert Gregory Place into a pedestrian plaza. Currently, all the land for Phase I subject to the requested rezoning is owned by the University of Illinois. It is anticipated that the groundbreaking for Phase I would commence in the summer or fall of 2002.

### **Adjacent Land Uses and Zoning Designations**

Currently the east campus area contains a strong mix of land uses. Surrounding the site are multi-family residential uses to the west, parking and multi-family residential uses to the east, institutional uses to the north and south. The area also contains a mix of zoning classifications. All five parcels proposed for rezoning are currently zoned R-5, Medium High Density Multiple Family Residential. The site is surrounded by primarily multi-family residential and institutional zoning. There is commercial zoning in the immediate vicinity.

**COMPREHENSIVE PLAN DESIGNATION, ZONING, AND LAND USE TABLE**

<b>Direction</b>	<b>Comprehensive Plan</b>	<b>Zoning</b>	<b>Land Uses</b>
Site	Institutional	R-5, Multi-Family Residential	Residential, Vacant
North	Institutional	CRE, Conservation, Recreation, Education	Institutional
East	Institutional	R-5, Multi-Family Residential	Residential, Parking
South	Institutional	CRE, Conservation, Recreation, Education	Institutional
West	Institutional	R-5, Multi-Family Residential R-7, University Residential	Residential

**Discussion**

In the past twenty years, the east campus area has lost a considerable amount of retail and commercial uses with the development of Krannert, the Spurlock Museum and the Chemical Life Building. The area still contains two small commercial centers. One is located at Lincoln and Nevada while the second is on Goodwin between Oregon and Nevada. While these two areas offer some small-scale commercial uses such as coffee shops, restaurants and a club, this area of campus contains a significant number of people that either live or pass through the area heading to and from campus thus creating a demand for more shops, services & housing. Krannert also attracts a significant number of people to the area in off-peak hours for performances keeping the east campus area an active place both day and night. It is this activity coupled with the close proximity of the west Urbana neighborhood east of Lincoln that make a new commercial center on the east campus viable.

The east campus area resembles an urban style atmosphere with an emphasis on pedestrians, bicyclists and transit users. Streets contain wide sidewalks and development typically contains

shallow setbacks. For this reason, it is planned that the East Campus Commercial Center will resemble a campus style design. The building will be oriented toward the street and contain a shallow setback of less than 10 feet. Parking will most likely be provided underground, on-street and off-site. The CCD, Campus Commercial District was designed to accommodate this exact type of urban-style mixed-use development. The intent of the CCD is as follows:

*The Campus Commercial District is intended to create a district to provide opportunities for development of a commercial center to serve the east-central University of Illinois campus and neighboring residential areas. The focus of this area of campus as the “gateway” to the University, the presence of public functions such as the Office of Admissions and Records, the Spurlock Museum, the Krannert Center for Performing Arts, the increased academic presence and adjacent strong residential neighborhoods all contribute to the area’s demand for commercial services. Because, however, this area of campus must be designed to be compatible with other development in the area, a Special Use Permit is required for the establishment of a non-university-or-college related use within the campus commercial district.*

Under the provisions of the CCD district, subsequent to the rezoning, a special use permit will need to be applied for before a commercial center is constructed. The special use permit request would illustrate exactly how the center is to be designed, what uses are proposed to be established, and how parking will be accommodated. The request would then be reviewed by the Plan Commission and ultimately acted upon by the Urbana City Council. Any future changes to the original approval of the special use permit would require consideration again from the city.

The University maintains a campus master plan to assist in their growth and development. The master plan is divided into three sections called North, Central and South. The east campus area is addressed in the Central Campus Master Plan. This plan illustrates the two commercial center and also plans for a new parking deck facility just east of Phase II on Nevada Street. The deck would contain 750 spaces and could be used for the East Campus Commercial Centers.

### **Comprehensive Plan Goals, Objectives and Policies**

The proposed Comprehensive Plan map amendment should be considered in light of other goals, objectives and policies contained in the 1982 Comprehensive Plan. The following goals and policies of the 1982 Urbana Comprehensive Plan relate to this case:

#### *Objective 1.410*

Promote the redevelopment and conservation of urbanized areas.

#### *Goal 3.100*

To organize and develop land uses and adjacent properties in a balanced and mutually compatible manner relative to the functional needs of the City.

*Goal 3.110*

Promote development in the City and surrounding unincorporated areas in a manner which minimizes conflicting land uses and/or adjacent development.

*Goal 4.100*

To increase sources of municipal revenues required to continue providing existing and future increased levels of municipal services.

*Objective 4.100*

Increase the proportion of land uses which produce municipal revenues equal to, or in excess of, the cost of required services.

*Policy 4.111*

Promote mixtures of compatible uses, improvements in services and facilities, aesthetics and public convenience, in existing commercial and industrial developments.

*Policy 4.113*

Facilitate expansion plans of local businesses, commercial and industrial concerns.

*Goal 6.100*

To increase and diversify the tax base of the City of Urbana.

*Objective 6.110*

Encourage the promotion of commercial and industrial development which is compatible with the character, environment, and resources of the community.

*Policy 6.112*

Support rezoning petitions for land that has been identified as having the greatest potential within the parameters of the Plan for commercial and industrial development.

**The La Salle National Bank 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 Petitioner.

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 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.*

This is the difference in the value of the property as zoned for multi-family residential and the value it would have if it were rezoned to the Campus Commercial District to permit the proposed use.

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.

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

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 question here applies 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 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 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.

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.*

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.

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 Staff 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 Plan Commission has the following options for recommendations to the City Council. In Plan Case 1808-M-01, the Plan Commission may:

- a. forward this case to City Council with a recommendation for approval of a 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. forward this case to City Council with a recommendation for denial of a 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.

## Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, **staff recommends that the Plan Commission forward Plan Case No. 1808-M-01 to the Urbana City Council with a recommendation for approval.**



c: April Getchius, University of Illinois

Attachments: Exhibit A, Location Map  
Exhibit B, Zoning Map  
Exhibit C, Existing Land Use Map  
Exhibit D, Future Land Use Map  
Exhibit E, Aerial Photo  
Exhibit F, Photos of Site  
Exhibit G, University of Illinois Master Plan – East Central Campus  
Exhibit H, CCD Zoning District Summary  
Exhibit I, Petition for Zoning Map Amendment  
Exhibit J, Letter to Surrounding Property Owners

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**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.

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**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.
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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:

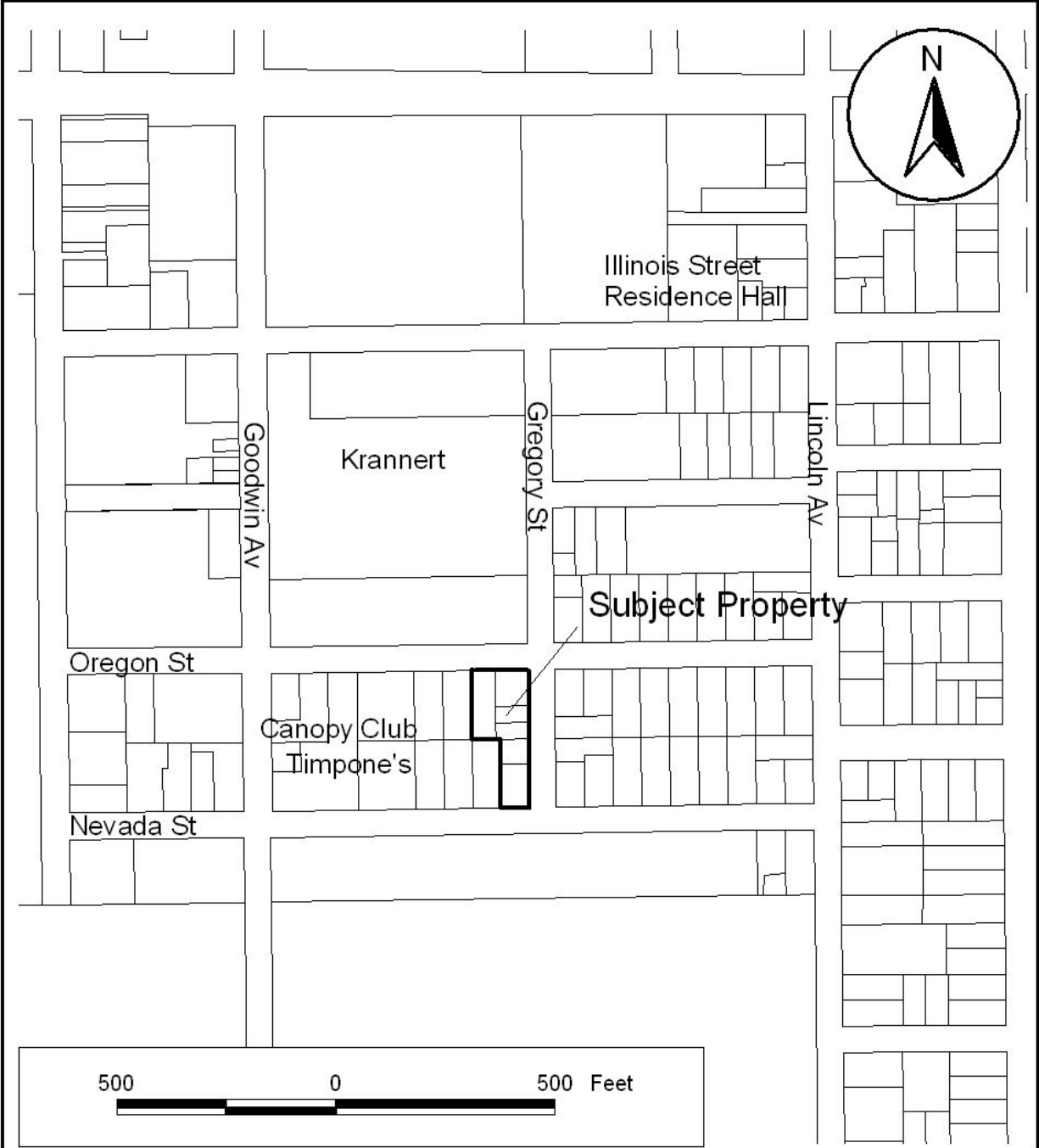
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Rob Kowalski, AICP, Planning Manager

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 - lk

**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.