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, FAICP, Director

DATE: November 3, 2011

SUBJECT: **Plan Case 2153-M-11:** Request by Illinois Properties, LLC to rezone properties at 1108 W. Nevada Street and 1105, and 1107 W. Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District, to CCD, Campus Commercial Zoning District.

Plan Case 2153-SU-11: Request by Illinois Properties, LLC for a Special Use Permit to allow a mixed-use development at 1108 W. Nevada Street and 1105, and 1107 W. Oregon Street in the CCD, Campus Commercial Zoning District.

Introduction and Background

Illinois Properties, LLC, has submitted two requests related to a proposed development at 1108 West Nevada Street and 1105, and 1107 West Oregon Street. The project, known as the Krannert View development, will be a five and a half story building with retail and parking on the ground floor, parking below ground, and four and a half floors of apartments above the ground floor. The petitioner is seeking approval from City Council for a rezoning from R-5, Medium High Density Multiple-Family Residential Zoning District, to CCD, Campus Commercial Zoning District and a Special Use Permit to allow a mixed-use development. The petitioner has also requested a major variance to reduce the amount of required parking by 34%. The requested variance case has been continued to the next meeting of the Urbana Zoning Board of Appeals. There is also an upcoming Zoning Ordinance text amendment case submitted by the Zoning Administrator to bring the required amount of parking for multi-family uses in the CCD zoning district in line with the rest of the zoning districts.

The property is currently zoned R-5, Medium High Density Multiple Family Residential District, The petitioners are applying to rezone the property to CCD, Campus Commercial District. Urbana Zoning Ordinance Table of Uses V-1, permits retail, offices, and apartments in the CCD zoning district subject to Special Use Permit procedures. Pursuant to the Urbana Zoning Ordinance, City Council must approve or deny the rezoning and Special Use Permit.

The Plan Commission held a public hearing for the proposed rezoning and Special Use Permit on

October 20, 2011. At that meeting the Plan Commission determined that the required criteria were met for both the rezoning and the special use. The Plan Commission voted six ayes to one nay to forward both cases to City Council with a recommendation for approval. For the Special Use Permit, Plan Commission set four conditions upon the approval, three that were recommended by staff and one additional condition: that the applicant provide additional screening of the parking area, to be approved by the Zoning Administrator.

Description of the Site

The project site is located between Oregon and Nevada Streets, to the west of Gregory Place. The site is composed of three separate lots totaling 30,550 square feet in area. At present, each of the three lots contains a 12-unit apartment building and surface parking. Two of the lots front onto Oregon Street, with a 130-foot frontage, and the third parcel fronts on Nevada and is 65 feet wide. There is a shared driveway off of Oregon to access parking for the northern lots, and a separate driveway off of Nevada to access parking for the southern lot.

Adjacent Land Uses and Zoning Designations

The area surrounding the subject property contains residential, institutional, and business uses. Immediately to the east of the site are the Gregory Place I and II mixed-use developments (zoned CCD). To the north is the Krannert Center for the Performing Arts. To the east is the University of Illinois Music Building and a sorority. South of the site is a University residence hall.

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

Location	Zoning	Existing Land Use	Comprehensive Plan - Future Land Use
Site	R-5, Medium High Density Multiple-Family Residential (to be rezoned CCD)	Apartment Buildings	Campus Mixed-Use
North	CRE, Conservation, Recreation, Education	U of I: Krannert Center	Institutional - Academics
East	CCD, Campus Commercial District	Mixed-Use Development	Campus Mixed-Use
South	CRE, Conservation, Recreation, Education	U of I: Residence Hall	Institutional - Academics
West	R-5, Medium High Density Multiple-Family Residential R-7, University Residential	U of I: Music Building Sorority	Campus Mixed-Use

Comprehensive Plan

Comprehensive Plan Goals, Objectives and Policies

The proposed rezoning and Special Use Permit have been reviewed under the goals and objectives contained in the 2005 Urbana Comprehensive Plan. Future Land Use Map #8 designates the future land use of this block as “Campus Mixed-Use” and is further annotated with “Encourage more East Campus Commercial Center [Gregory Place I] style of

development." The Comprehensive Plan defines Campus Mixed-Use as follows:

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

Additionally, the following goals and objectives relate to this case:

Goal 18.0 Promote infill development.

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

Goal 28.0 Develop a diversified and broad, stable tax base.
Objectives

28.6 Increase the allocation of land devoted to tax-generating commercial uses in appropriate locations.

Goal 49.0 Avoid development patterns that can potentially create an over-dependency on the automobile.
Objectives

49.2 Increase land use densities to promote availability of transit service and walkability.

The site is surrounded on all four sides by properties owned by the University of Illinois. In its 2007 Campus Master Plan, the University has designated that the north half of the site be used for a 17,000 square-foot academic facility. According to University legal staff, a feasibility study for this use has been authorized by the University (see Exhibit F).

Discussion

The petitioner plans to build a multi-story, mixed-use development, similar to the adjacent Gregory Place developments. The site plan, floor plans, and renderings for the project are attached as Exhibit D, Application Packet. The building would be approximately 68 feet high at its tallest point, and would contain 85,241 square feet of floor space. The upper floors would be designated for residential use, containing 59 apartments (47 two-bedroom, four one-bedroom, four three-bedroom, and four four-bedroom units). The building would also contain 5,940 square feet of commercial space on the ground floor, and an additional 640 square feet of office space on the second floor.

In order to proceed with the project, the petitioner is seeking three approvals from the City. The site is proposed to be rezoned from R-5 to CCD in order to allow for an urban-style

development, as supported by the Comprehensive Plan Future Land Use Map. A Special Use Permit is required in the CCD zoning district to allow a mixed-used development. Finally, the petitioner is requesting a reduction in the amount of required parking spaces due to the multi-modal access available at the site and to bring it in line with the parking requirements of other multi-family districts. This reduction in parking may be provided by means of a variance or by a text amendment to the CCD district.

The CCD zoning district was created to promote urban-style development in the area just east of the University of Illinois. In November 2001 the University of Illinois issued a Request for Proposals to develop the property they own on Gregory Place. Concurrent with the University review of development proposals, City staff proposed a text amendment to create a new zoning district called the CCD, Campus Commercial District. The new district was intended to allow for the establishment of new commercial and mixed-use developments in this area of campus where many commercial developments had been lost in previous years. The Urbana City Council adopted the new district in 2002. Following City approvals, Gregory Place LLC constructed the first phase of this development on the west side of the 700 block of Gregory Place. The facility is four stories with retail on the first floor and residential on the upper three stories. A second development, Gregory Place Phase II, was approved and built in 2007. Gregory Place Phase II is a five-story building with retail and parking on the ground floor, offices on the second floor, and three floors of apartments above that.

Site Design and Development Regulations

The site is composed of three lots measuring 65 feet wide and 156 feet deep. Two of the lots are side-by-side on Oregon Street, giving a 130-foot frontage that will serve as the main pedestrian entrance, along with three retail frontages. The 65-foot frontage off of Nevada Street will have two access drives, one for each level of parking.

The CCD, Campus Commercial District allows minimal setbacks in order to achieve the goal of an urban style of development. The purpose of this shallow setback is to have the commercial uses directly on the sidewalk to encourage pedestrian walk-up traffic. For this project all setback requirements would be met.

The required open space for buildings in the CCD district is 10% of the residential floor area. Open space requirements will be met at grade level by an open patio and swimming pool area to the south of the commercial space, and by provision of balcony space. There is also a possible roof-top terrace that would potentially provide additional open space.

The maximum floor area ratio (FAR) in the CCD district is 4.0. The FAR of this project is 2.7. A small portion of the building footprint will extend up to 68 feet, but the majority will go up to about 57 feet. The Zoning Ordinance imposes no maximum building height in the CCD district.

Parking

According to Table VIII-7 and Section VIII-5.K of the Zoning Ordinance, a minimum of 107 parking spaces would be required for the project: 96 for the apartments and up to 11 spaces for the commercial portion. A total of 71 parking spaces are proposed to be provided onsite. Because of the multi-modal nature of the site, and its intended occupancy by students living near campus, the petitioner is requesting a variance to reduce the required parking spaces by 36 (about 34%).

The Zoning Administrator is also seeking a text amendment to reduce the required number of parking spaces for apartments in the CCD zoning district, which would eliminate the need for a variance.

For commercial uses, parking requirements in the CCD zoning district are lower than they are for most other areas of the City. This reflects the concentrated, urban nature of this area and close proximity to the University of Illinois and several entertainment and retail uses. The CCD parking requirements are half of the standard amount for most commercial uses and one fourth of the standard amount for restaurants and cafés. The commercial space in the proposed project will require 11 parking spaces. The proposed development would provide this amount of parking and no variance is being requested for the commercial parking.

For residential uses, parking requirements in the CCD zoning district are significantly higher than for the rest of the City. The CCD District requires 0.75 parking spaces per bedroom for apartments. This requirement is 50% higher than any other residential district, which generally require only 0.5 parking spaces per bedroom. In other zoning districts, this project would only require 65 parking spaces for the residential component rather than 96. Most of the residential properties in this area are leased by students who primarily walk to campus. Students in the nearby residence halls generally do not bring cars to campus. Given the walkable, transit-oriented nature of the site and its close proximity to campus, requiring parking at the level required by the CCD district seems unnecessary and contrary to the goal of creating walkable neighborhoods and reducing traffic congestion.

For adjacent developments in the CCD zoning district, the parking requirement has been met by an agreement between that developer and the University to lease off-site parking. For example, the Gregory Place development required 165 parking spaces, but only 59 are provided on site. The remainder are provided in a nearby lot owned by the University of Illinois. This parking arrangement was negotiated as a part of that development, which is built on land owned by the University. The Krannert View development will be on land already owned by the developer, therefore there is no involvement with the University.

Under advisement from the Zoning Board of Appeals and the Plan Commission, staff is drafting an amendment to the CCD parking requirements for residential uses to bring them into line with other zoning districts. This text amendment case is separate from the rezoning and Special Use Permit approval, and will be heard at Plan Commission on November 10th.

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 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 rezoning is compatible with the adjacent properties, which are mostly mixed-use developments, student housing, or campus buildings. To the east of the subject site are Gregory Place I and II, two mixed-use developments, both of which are zoned CCD and are four and five stories tall. Across Oregon Street to the north is the Krannert Center for the Performing Arts (zoned CRE), which is a large building containing auditoriums and a café, all above a parking garage. To the south is a University residence hall, also zoned CRE. Southeast of the site is a three and a half story sorority house. To the west on the north side is the U of I Music Building, and on the south there is a three-story sorority house. Farther west on this block are food and entertainment uses in buildings that front directly on the sidewalk.

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 R-5 and the value it would have if it were rezoned to CCD.

Under the current zoning only residential uses are allowed by right. Office uses would be allowed with a conditional use permit. Development regulations limit floor area, height, and setbacks. Rezoning to CCD will allow for construction of an urban-style, mixed use development that would bring a greater economic benefit to the district.

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.

Questions 3 and 4 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 rezoning of the property should not jeopardize the health, safety, morals or general welfare of the public. Rezoning the subject property will allow for the construction of an urban, mixed-use development as envisioned for the area in the Comprehensive Plan designation of Campus Mixed-Use and consistent with the existing developments to the east. Should the rezoning be denied, there would be no relative gain to the public. If the rezoning is approved, it will allow for more residents in the area, which will help to bolster local businesses.

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 subject property is well suited for the CCD zoning district as it is located near the University of Illinois campus in an area that is developing with high-density residential as well as commercial uses to serve U of I students and employees. Also, the land use designation for the area in the Comprehensive Plan specifically calls for the type of development allowed by the CCD zoning district. The area is well served by utilities, public transportation, bicycle lanes, and Zipcars.

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 lot is presently not vacant.

Requirements for a Special Use Permit

According to Section VII-6 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following factors. Please refer to the attached Petition for a Special Use Permit for the petitioner's responses to these factors.

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

The development is located in an area that has been transitioning to multifamily and institutional uses for several years. The proposed mixed-use development will be conducive to the public convenience at this location because it will offer convenient residential opportunities in close proximity to the University of Illinois. The development will also offer commercial and retail services in the East Campus area which will be convenient for students, faculty, staff and the immediate neighborhood. The establishment of new commercial businesses will help replace some of the businesses that have been lost in past years due to University expansion. Additionally, according to the petitioner, the development will provide an additional customer base for retailers and add vitality to the area.

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

The proposed development will be designed with a mixed-use, urban-style layout with shallow setbacks. The concept is to construct a development that is of a pedestrian scale and encourages walk-up access. The development will contain on-site underground parking to serve residents and customers with cars. Further, the building will provide a strong architectural appeal not always found in new private development. It is the opinion of staff that the development will not be injurious to the public welfare or the district in general.

3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.

The development is proposed to be constructed in compliance with the design standards of the Urbana Zoning Ordinance and the CCD, Campus Commercial District regulations. The petitioner is seeking a variance to reduce the total required amount of parking spaces from 107 to 71. The proposed text amendment case may reduce the required number of spaces for this development. The development will preserve the essential character of the CCD district.

Summary of Findings

1. Illinois Properties, LLC is requesting a rezoning from R-5, Medium High Density Multiple-Family Residential District to CCD, Campus Commercial District, along with a Special Use Permit to allow a mixed-use development for the proposed Krannert View development.

2. The proposed development would be a five and a half story mixed-use building with 59 dwelling units, 640 square feet of office, and 5,940 square feet of ground-floor commercial space.

3. The petitioner is seeking concurrent approval for a major variance to reduce the required amount of parking by 34%. The proposed text amendment case may reduce the required number of spaces for this development

4. The proposed rezoning and Special Use Permit would allow for development consistent with that envisioned by the 2005 Urbana Comprehensive Plan.

5. The proposed zoning map amendment generally meets the LaSalle Case criteria.

6. The proposed development will foster new commercial development in the east campus area. New commercial development will be a benefit to the east campus area and the immediately surrounding neighborhood.

7. The proposed mixed-use development will be compatible with surrounding land uses, including commercial, apartments, and institutional uses.

8. The proposed use would be conducive to the public convenience at this location by offering commercial and residential opportunities in close proximity to the campus and surrounding neighborhoods.

9. The proposed development will not pose a detriment to the district in which it is proposed to be located. The traffic generated is expected to be largely pedestrian although parking is to be provided on-site.

10. The proposed development meets all applicable development standards of the district in which it is located, except for the amount of parking for which a variance is being sought. The proposed text amendment case may reduce the required number of spaces for this development

Options

City Council has the following options regarding Plan Case 2153-M-11:

1. Approve the requested rezoning from R-5 to CCD.

2. Deny the requested rezoning from R-5 to CCD.

City Council has the following options regarding Plan Case No. 2153-SU-11:

1. Approve the requested Special Use Permit as presented on the attached application without any additional conditions;

2. Approve the requested Special Use Permit, as presented on the attached application, with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or

3. Deny the requested Special Use Permit.

Recommendation

At their October 20, 2011 public hearing, the Urbana Plan Commission voted six ayes to one nay to forward Case No. 2153-M-11, approving a zoning map amendment from R-5, Medium High Density Multiple Family Residential to CCD, Campus Commercial District to the City Council with a recommendation for **APPROVAL**. Staff concurs with this recommendation.

At their October 20, 2011 public hearing, the Urbana Plan Commission voted six ayes to one nay to forward Case No. 2153-SU-11, approving a Special Use Permit to allow a mixed-use development in the CCD zoning district, to City Council with a recommendation for **APPROVAL** of the proposed special use with the following **conditions:**

1. The developer shall consult with City staff regarding any specific commercial uses to be located within the commercial space. City staff shall confirm that the uses are permitted in the CCD district and that adequate parking is accommodated to satisfy the development regulations.

2. That the development on the property be in substantial conformance with the attached Site Plan.

3. Should the pending variance or proposed text amendment not be granted, the developer shall provide parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property.

4. Design of screening of parking on the southern façade and the façade in the front setback area shall be approved by the Zoning Administrator to ensure its effectiveness.

Staff concurs with this recommendation.

Attachments:
- Exhibit A: Location and Existing Land Use Map
- Exhibit B: Existing Zoning Map
- Exhibit C: Future Land Use Map
- Exhibit D: Applications for Rezoning and Special Use Permit
- Exhibit E: Zoning Description Sheets
- Exhibit F: October 19, 2011 Correspondence from University of Illinois Counsel
- Exhibit G: Draft Minutes from the October 20, 2011 Plan Commission Public Hearing

CC: Peter Baksa, Owner
Andrew Fell, Architect

ORDINANCE NO. 2011-11-119

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

(Rezoning 1108 West Nevada Street; and 1105 and 1107 West Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District to CCD, Campus Commercial District -- Plan Case No. 2153-M-11 / Illinois Properties, LLC)

WHEREAS, Illinois Properties, LLC has petitioned the City for a Zoning Map Amendment to rezone the property at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District to CCD, Campus Commercial District; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 20, 2011 concerning the petition filed in Plan Case No. 2153-M-11; and

WHEREAS, the requested rezoning is consistent with the goals and objectives, and the generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted 6 ayes and 1 nay to forward the case to the Urbana City Council with a recommendation to approve the rezoning request of the properties herein described below 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 Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described area from R-5, Medium High Density Multiple-Family Residential District to CCD, Campus Commercial District.

LEGAL DESCRIPTION:

Lot 13 of the Forestry Heights Addition to the City of Urbana, as per plat recorded in Plat Book "B" at page 190, in Champaign County, Illinois.

Lot 24 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

Lot 25 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

PERMANENT PARCEL NUMBERS: 93-21-18-277-006, 93-21-18-277-007, 93-21-18-277-014

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 _____, 2011.

AYES:

NAYS:

ABSTAINS:

_____
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2011.

_____
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 November, 2011, 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 1108 West Nevada Street; and 1105 and 1107 West Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District to CCD, Campus Commercial District -- Plan Case No. 2153-M-11 **/** Illinois Properties, LLC), 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 _____, 2011, 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 _____, 2011.

ORDINANCE NO. 2011-11-120

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To allow a mixed use development in the CCD, Campus Commercial District, located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street – Plan Case No. 2153-SU-11 / Illinois Properties, LLC)

WHEREAS, Illinois Properties, LLC has petitioned the City for a Special Use Permit to establish a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Campus Mixed Use"; and

WHEREAS, except for parking, for which a variance is being sought, all applicable development regulations will be met, including those involving setbacks, drainage, and vehicular access; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 20, 2011 concerning the petition filed by the petitioner in Plan Case No. 2153-SU-11; and

WHEREAS, on October 20, 2011, the Urbana Plan Commission voted 6 ayes and 1 nay to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

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

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

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

Section 1. A Special Use Permit is hereby approved to allow the establishment of a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District with the following conditions upon approval:

1. The developer shall consult with City staff regarding any specific commercial uses to be located within the commercial space. City staff shall confirm that the uses are permitted in the CCD district and that adequate parking is accommodated to satisfy the development regulations.

2. That the development on the property be in substantial conformance with the attached Site Plan.

3. Should the pending variance or proposed text amendment not be granted, the developer shall provide parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property.

4. Design of screening of parking on the southern façade and the façade in the front setback area shall be approved by the Zoning Administrator to ensure its effectiveness.

LEGAL DESCRIPTION:

Lot 24 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

Lot 25 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

Lot 13 of the Forestry Heights Addition to the City of Urbana, as per plat recorded in Plat Book "B" at page 190, in Champaign County, Illinois.

PERMANENT PARCEL NUMBERS: 93-21-18-277-006, 93-21-18-277-007, 93-21-18-277-014

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 Corporate Authorities this _____ day of _____, 2011.

AYES:

NAYS:

ABSTAINS:

_____
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2011.

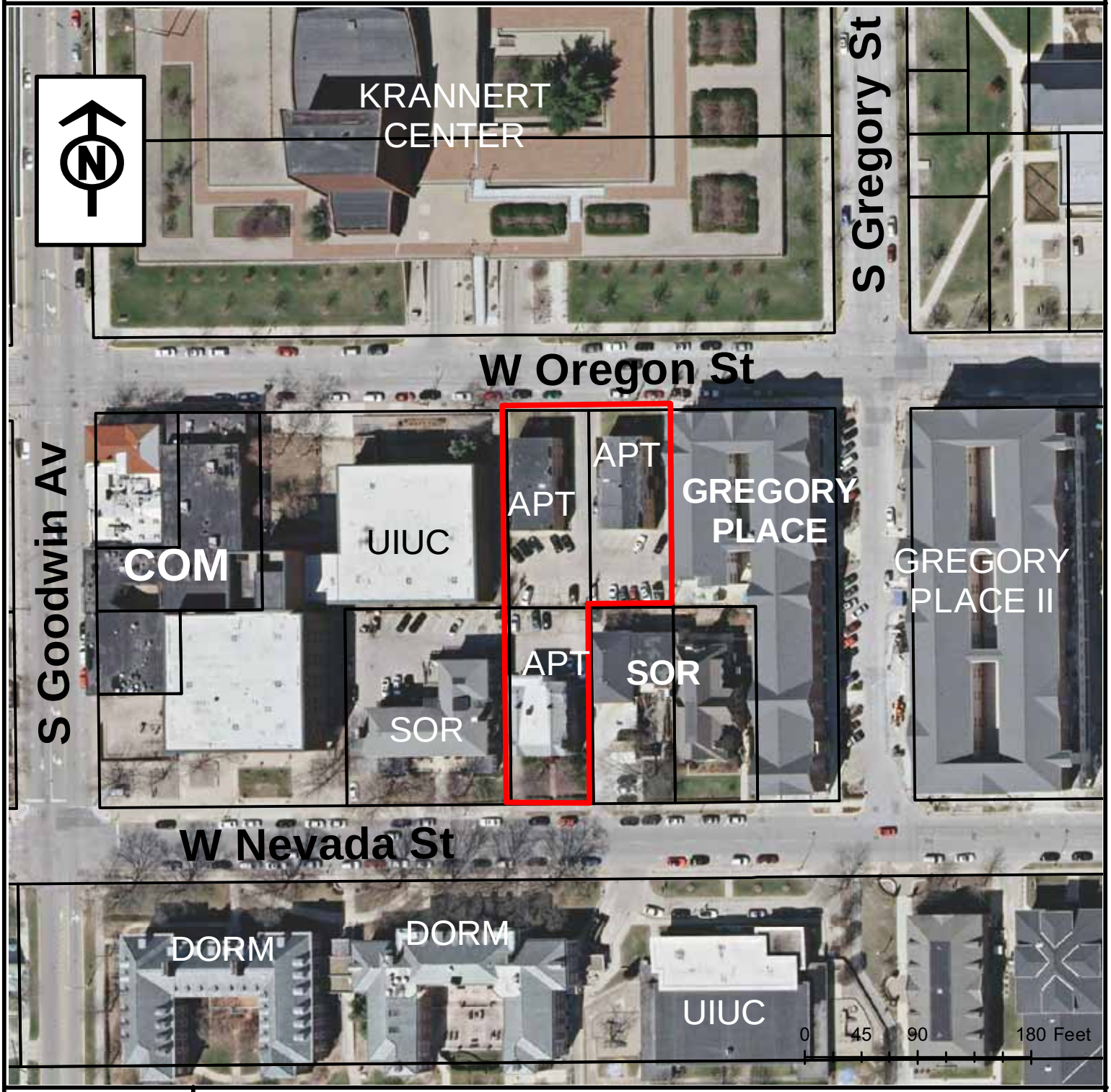
_____
Laurel Lunt Prussing, Mayor

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 _____, 2011, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE APPROVING A SPECIAL USE PERMIT (To allow a mixed use development in the CCD, Campus Commercial District, located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street – Plan Case No. 2153-SU-11 / Illinois Properties, LLC)" 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 _____, 2011, 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 _____, 2011.

EXHIBIT A: Location Map & Existing Land Uses

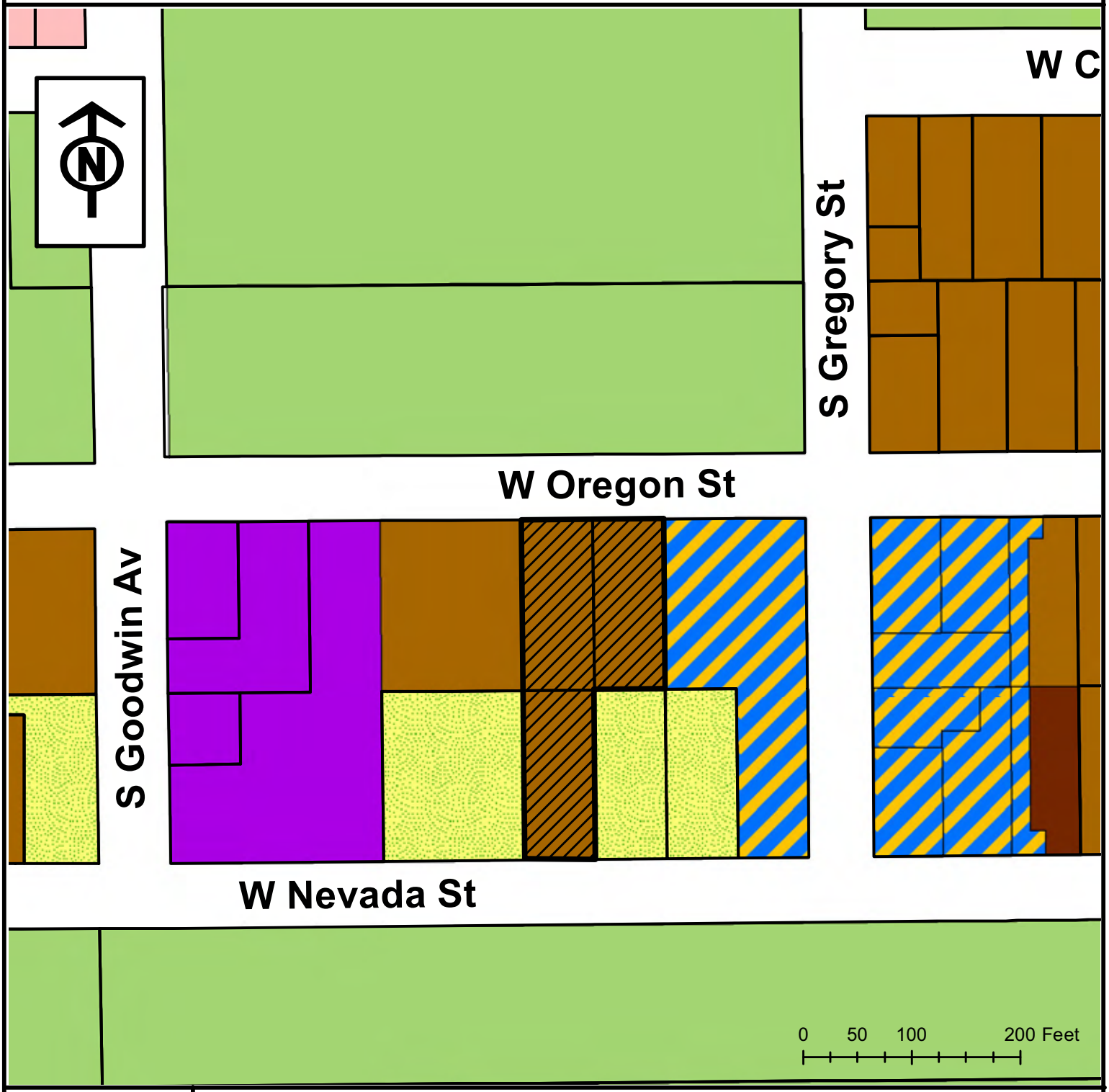


Plan Case: 2153-M-11, 2153-SU-11, ZBA-2011-MAJ-03
Subject: Rezoning from R5 to CCD, Special Use Permit and Required Parking Variance.
Location: 1105 & 1107 W Oregon, 1108 W Nevada
Petitioner: Illinois Properties, LLC

Subject Property

Prepared 10/2011 by Community Development Services - jme

EXHIBIT B: Zoning Map



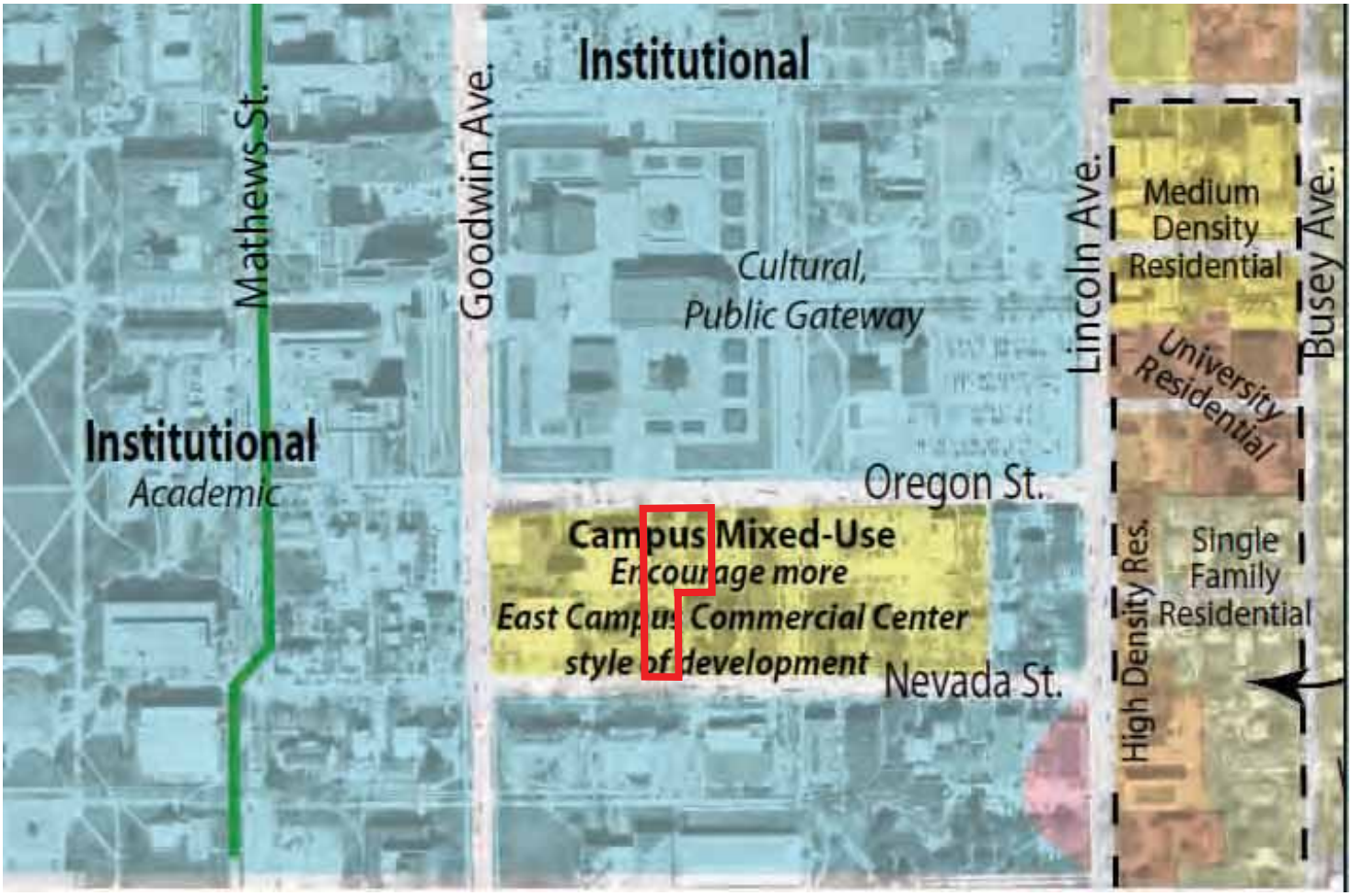
Plan Case: 2153-M-11, 2153-SU-11, ZBA-2011-MAJ-03
Subject: Rezoning from R5 to CCD, Special Use Permit and Required Parking Variance.
Location: 1105 & 1107 W Oregon, 1108 W Nevada
Petitioner: Illinois Properties, LLC

Subject Property

R5
R6
R7
CRE
CCD
B4

Prepared 10/2011 by Community Development Services - jme

EXHIBIT C: Future Land Use Map



CITY OF URBANA

Plan Case: 2153-M-11, 2153-SU-11, ZBA-2011-MAJ-03
Subject: Rezoning from R5 to CCD, Special Use Permit and Required Parking Variance.
Location: 1105 & 1107 W Oregon, 1108 W Nevada
Petitioner: Illinois Properties, LLC

Subject Property

Prepared 10/2011 by Community Development Services - jme

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.

RECEIVED SEP 15 2011

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Date Request Filed 09-15-2011 Plan Case No. 2153-M-11

Fee Paid - Check No. _____ Amount _____ Date _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): ANDREW FELL ARCHITECTURE AND DESIGN Phone: 217.363.2890

Address *(street/city/state/zip code)*: 302 WEST HILL, SUITE 201 CHAMPAIGN, IL 61820

Email Address: andrewfell@comcast.net

Property interest of Applicant(s) *(Owner, Contract Buyer, etc.)*: OWNER'S ARCHITECT

2. OWNER INFORMATION

Name of Owner(s): ILLINOIS PROPERTIES LLC NEVADA/OREGON Phone: 312.933.7382

Address *(street/city/state/zip code)*: C/O KATSAROS AND ASSOC. 2301 VILLAGE GREEN PLACE CHAMPAIGN, IL 61826

Email Address: illinoisprop@gmail.com

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

Location of Subject Site: 1105 W. OREGON, 1107 W. OREGON, 1108 W. NEVADA

PIN # of Location: SEE ATTACHMENT A

Lot Size: SEE ATTACHMENT A

Current Zoning Designation: R-5

Proposed Zoning Designation: CCD

Current Land Use *(vacant, residence, grocery, factory, etc)*: APARTMENT BUILDING ON EACH SITE

Proposed Land Use: MIXED USE COMMERCIAL/RESIDENTIAL

Present Comprehensive Plan Designation: CAMPUS MIXED USE

How does this request conform to the Comprehensive Plan? IT IS IN LINE WITH OBJECTIVES OF THE COMPREHENSIVE PLAN.

Legal Description: SEE ATTACHMENT A

4. CONSULTANT INFORMATION

Name of Architect(s): ANDREW FELL ARCHITECTURE AND DESIGN Phone: 217.363.2890

Address *(street/city/state/zip code)*: 302 WEST HILL, SUITE 201, CHAMPAIGN, IL 61820

Email Address: andrewfell@comcast.net

Name of Engineers(s): Phone:

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

Email Address:

Name of Surveyor(s): Phone:

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

Email Address:

Name of Professional Site Planner(s): Phone:

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

Email Address:

Name of Attorney(s): Phone:

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

Email Address:

5. REASONS FOR MAP AMENDMENT: SEE ATTACHMENT B

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

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

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

What other circumstances justify the zoning map amendment? _____

_____

_____

Time schedule for development *(if applicable)*. _____

_____

_____

Additional exhibits submitted by the petitioner. _____

_____

_____

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.

_____ 9-14-11

Applicant's Signature Date

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

APPLICATION FOR ZONING MAP AMMENDMENT

ATTACHMENT A

PIN #'S OF LOCATION:

1105 WEST OREGON	93-21-18-277-006
1107 WEST OREGON	93-21-18-277-007
1108 WEST NEVADA	93-21-18-277-014

LOT SIZE:

1105 WEST OREGON	= 65' X 157' = 10,205 S.F.
1107 WEST OREGON	= 65' X 157' = 10,205 S.F.
1108 WEST NEVADA	= 65' X 156' = 10,140 S.F.
TOTAL =	30,550 S.F.

LEGAL DESCRIPTION

1105 WEST OREGON:	Lot 24 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.
1107 WEST OREGON	Lot 25 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.
1108 WEST NEVADA	Lot 13 of the Forestry Heights Addition, to the City of Urbana, as per plat recorded in Plat Book "B" at page 190, in Champaign County, Illinois.

APPLICATION FOR ZONING MAP AMENDMENT

ATTACHMENT B

ITEM #5 – REASONS FOR MAP AMMENDMENT

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

There is no error per se in the Zoning Map. The Change in Zoning to CCD will conform to the goals and objectives as outlined in the Urbana Comprehensive Plan. Future Land use of this block is shown as Campus Mixed-Use with an emphasis to Encourage more East Campus Commercial Center style of Development. Some specific goals and objectives of the Comprehensive Plan that relate to this request are to: 1)Promote infill development; 2) Create additional commercial areas to strengthen the City's tax base and service base: 3) Develop a diversified and broad, stable tax base; and 4) Avoid development patterns that can potentially create an over dependency on the automobile.

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

The changing conditions are in part the result of Zoning changes, particularly to the east of the proposed site. This Zoning change will further the cohesive development style and density of adjacent properties. The increase in the number of residents in the immediate area will further benefit the commercial uses in the neighborhood.

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

The subject property is suitable for the proposed zoning primarily in order to conform the Comprehensive Plan objectives and promote desired urban style development.

What other circumstances justify the zoning map amendment?

The zoning change and subsequent development will further the City tax base and foster new retail development.

Time schedule for the development.

The anticipated time line for the development is, upon approvals of Zoning and Special Use requests, to proceed with all construction documents in as timely a manner as possible with the goal of beginning work on the site when current leases expire in August of 2012. Market conditions may delay the beginning of site work until the following August.

Additional exhibits submitted by the petitioner.

See separately attached information

Separate Application for Variance:

An additional (separate) request is made to reduce the amount of required parking by 33.3%. The project as illustrated in the Preliminary Design Documents would have a requirement of 107 parking spaces – computed as follows:

Commercial Area = 1 space per 250 s.f. = 11.88 spaces
Residential Area = .75 spaces per bedroom = 94.5 spaces
Total Spaces = 106.38 = 107 spaces

The total number of spaces indicated on the documents = 74 spaces.
This presents a parking reduction of 33 spaces or a 30.1% reduction.

In the construction document phase of the project there is a possibility that structural requirements may slightly alter the parking arrangement and necessitate the elimination of some spaces. Therefore the request is made for 3 spaces over the anticipated number of spaces needed to ensure the future compliance without the need for an additional variance. This results in a request of a 33.3% reduction in the required number of parking spaces.

Application for Special Use Permit — 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.

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Date Request Filed 09-15-2011 Plan Case No. 2153-SU-11

Fee Paid - Check No. _____ Amount _____ Date _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section VII - 4 of the Urbana Zoning Ordinance to allow ***(Insert proposed use)*** ALL PERMITTED AND SPECIAL USES OF THE CCD ZONING DISTRICT on the property described below.

1. **APPLICANT CONTACT INFORMATION**

Name of Applicant(s): ANDREW FELLA ARCHITECTURE AND DESIGN Phone: 217.363.2890

Address *(street/city/state/zip code)*: 302 W. HILL, SUITE 201, CHAMPAIGN, IL 61820

Email Address: andrewfella@comcast.net

2. **PROPERTY INFORMATION**

Location of Subject Site: 1105, W. OREGON, 1107 W. OREGON, 1108 W. NEVADA

PIN # of Location: SEE ATTACHMENT A

Lot Size: SEE ATTACHMENT A

Current Zoning Designation: R-5 → APPLIED FOR CHANGE TO CCD

Current Land Use *(vacant, residence, grocery, factory, etc)*: APARTMENT BUILDING ON EACH LOT

Proposed Land Use: MIXED USE COMMERCIAL/RESIDENTIAL

Legal Description: SEE ATTACHMENT A

3. CONSULTANT INFORMATION

Name of Architect(s): ANDREW FELL ARCHITECTURE AND DESIGN Phone: 217.363.2890

Address *(street/city/state/zip code)*: 302 W. HILL, SUITE 201, CHAMPAIGN, IL 61820

Email Address: andrewfell@comcast.net

Name of Engineers(s): Phone:

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

Email Address:

Name of Surveyor(s): Phone:

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

Email Address:

Name of Professional Site Planner(s): Phone:

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

Email Address:

Name of Attorney(s): Phone:

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

Email Address:

4. REASONS FOR SPECIAL USE PERMIT

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

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

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

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.

M.T.M — 9-14-11

Applicant's Signature — Date

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

APPLICATION FOR SPECIAL USE PERMIT

ATTACHMENT A

PIN #'S OF LOCATION:

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APPLICATION FOR SPECIAL USE PERMIT

ATTACHMENT B

4. REASON FOR SPECIAL USE PERMIT

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

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

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

To answer all items simultaneously:

The property is under consideration to change the zoning to CCD and a Special Use Permit is required for all uses within the CCD zoning district. The Change in Zoning to CCD will conform to the goals and objectives as outlined in the Urbana Comprehensive Plan. Future Land use of this block is shown as Campus Mixed-Use with an emphasis to 'Encourage more East Campus Commercial Center style of Development'. Some specific goals and objectives of the Comprehensive Plan that relate to this request are to: 1)Promote infill development; 2) Create additional commercial areas to strengthen the City's tax base and service base: 3) Develop a diversified and broad, stable tax base; and 4) Avoid development patterns that can potentially create an over dependency on the automobile.

The development will continue the Urban Style Development encouraged by the City and already constructed on the properties immediately adjacent to the East. The development will conform to all required development regulations within the CCD Zoning. (Note a separate zoning variance application is being made for a reduction in the required amount of parking)

The development will be conducive to the public convenience by contributing to the commercial fabric of the area and will enhance the character of the zoning district. It will offer additional residential and commercial opportunities directly adjacent to the University of Illinois in an area which has been increasingly transitioning to institutional uses over the past several years. The project is designed as a mixed use, urban style building encouraging pedestrian walk-up access.

We request that all Permitted and Special Uses as listed in the CCD – Campus Commercial District Zoning District: Zoning Description Sheet be allowed.

KRANNERTVIEW SUMMARY

TOTAL GROSS BUILDING AREA	AREA - S.F.
LOWER LEVEL PARKING	18732
FIRST FLOOR PARKING	9332
FIRST FLOOR COMMERCIAL/RESIDENTIAL	8041
SECOND FLOOR RESIDENTIAL	19648
THIRD FLOOR RESIDENTIAL	19648
FOURTH FLOOR RESIDENTIAL	19648
FIFTH FLOOR RESIDENTIAL	18278
SIXTH FLOOR REISDENTIAL	906
TOTAL GROSS AREA	114233

GROSS FLOOR AREA INCLUDES RESIDENTIAL BALCONIES

NET BUILDING AREAS	AREA - S.F.
LOWER LEVEL PARKING	16149
FIRST FLOOR PARKING	8661
FIRST FLOOR COMMERCIAL - EAST	3280
FIRST FLOOR COMMERCIAL - WEST	2272
FIRST FLOOR OFFICE	331
SECOND FLOOR OFFICE	640

NET AREAS FOR RESIDENTIAL UNITS

UNIT A	AREA - S.F.	# UNITS	TOTAL BEDS	TOTAL BATHS
2 STORY, 2 BEDROOM, 1 BATH, BALCONY	1020	1	2	1
UNIT B				
1 STORY, 2 BEDROOM, 2 BATH	957	8	16	16
UNIT C				
1 STORY, 2 BEDROOM, 1 BATH, BALCONY	862	8	16	8
UNIT D				
1 STORY, 2 BEDROOM, 1 BATH, BALCONY	882	8	16	8
UNIT E				
1 STORY, 2 BEDROOM, 1 BATH, BALCONY	856	12	24	12
UNIT F				
NOT USED				
UNIT G				
1 STORY, 4 BEDROOM, 2 BATH, BALCONY	1512	4	16	8
UNIT H				
1 STORY, 2 BEDROOM, 1 BATH, BALCONY	1002	4	8	4

UNIT I NOT USED				
UNIT J 2 STORY, 2 BEDROOM, 1 BATH, BALCONY	1312	2	4	2
UNIT K 1 STORY, 2 BEDROOM, 2 BATH, BALCONY	944	4	8	8
UNIT L 1 STORY, 1 BEDROOM, 1 BATH, BALCONY	594	3	3	3
UNIT M 1 STORY, 3 BEDROOM, 2 BATH, BALCONY	1216	4	12	8
UNIT N 1 STORY, 1 BEDROOM, 1 BATH, BALCONY	510	1	1	1
TOTAL		59	126	79

NET UNIT AREAS DO NOT INCLUDE THE BALCONIES

KRANNERTVIEW DEVELOPMENT
PRELIMINARY DESIGN DEVELOPMENT
(SUBJECT TO REVISION)

ZONING SUMMARY

LOT CURRENTLY ZONED R-5 - MEDIUM DENSITY MULTI FAMILY RESIDENTIAL

PROPOSED ZONING CCD – CAMPUS COMMERCIAL DISTRICT

UNDER THE REGULATIONS OF CCD ZONING

MINIMUM LOT SIZE = 6,000 S.F.

ACTUAL LOT SIZE =	1105 WEST OREGON = 65' X 157' =	10,205 S.F.
	1107 WEST OREGON = 65' X 157' =	10,205 S.F.
	1108 WEST NEVADA = 65' X 156' =	10,140 S.F.
	TOTAL =	30,550 S.F.

MINIMUM LOT WIDTH = 60'
ACTUAL MINIMUM LOT WITH = 65'

MAXIMUM BUILDING HEIGHT = UNLIMITED.
ACTUAL BUILDING HEIGHT = 68' (APPROXIMATE)

MAXIMUM FLOOR AREA RATIO = 4.0

BUILDING AREA =	1ST FLOOR =	7,852 S.F.
	2ND FLOOR =	18,776 S.F.
	3RD FLOOR =	18,776 S.F.
	4TH FLOOR =	18,776 S.F.
	5TH FLOOR =	17,608 S.F.
	6TH FLOOR =	753 S.F.
	TOTAL =	85,241 S.F.

ACTUAL FLOOR AREA RATIO = 85,241/30,550 = 2.7

MINIMUM OPEN SPACE RATIO = 0.1 (RESIDENTIAL PORTION ONLY)
RESIDENTIAL AREA = 73,889 S.F. THEREFORE MINIMUM OPEN SPACE = 7,389 S.F.
OPEN SPACE AT GRADE = 5,580 S.F.
OPEN SPACE IN BALCONIES = (25% MAX) = 1,847 S.F.
TOTAL OPEN SPACE = 7,427 S.F.
ACTUAL OPEN SPACE RATIO = 7,427/73,889 = 0.101
*NOTE THAT ADDITIONAL ROOF TOP TERRACE OPEN SPACE – AVALIABLE TO ALL RESIDENTS - MAY BE DEVELOPED AS THE BUDGET ALLOWS

SETBACKS

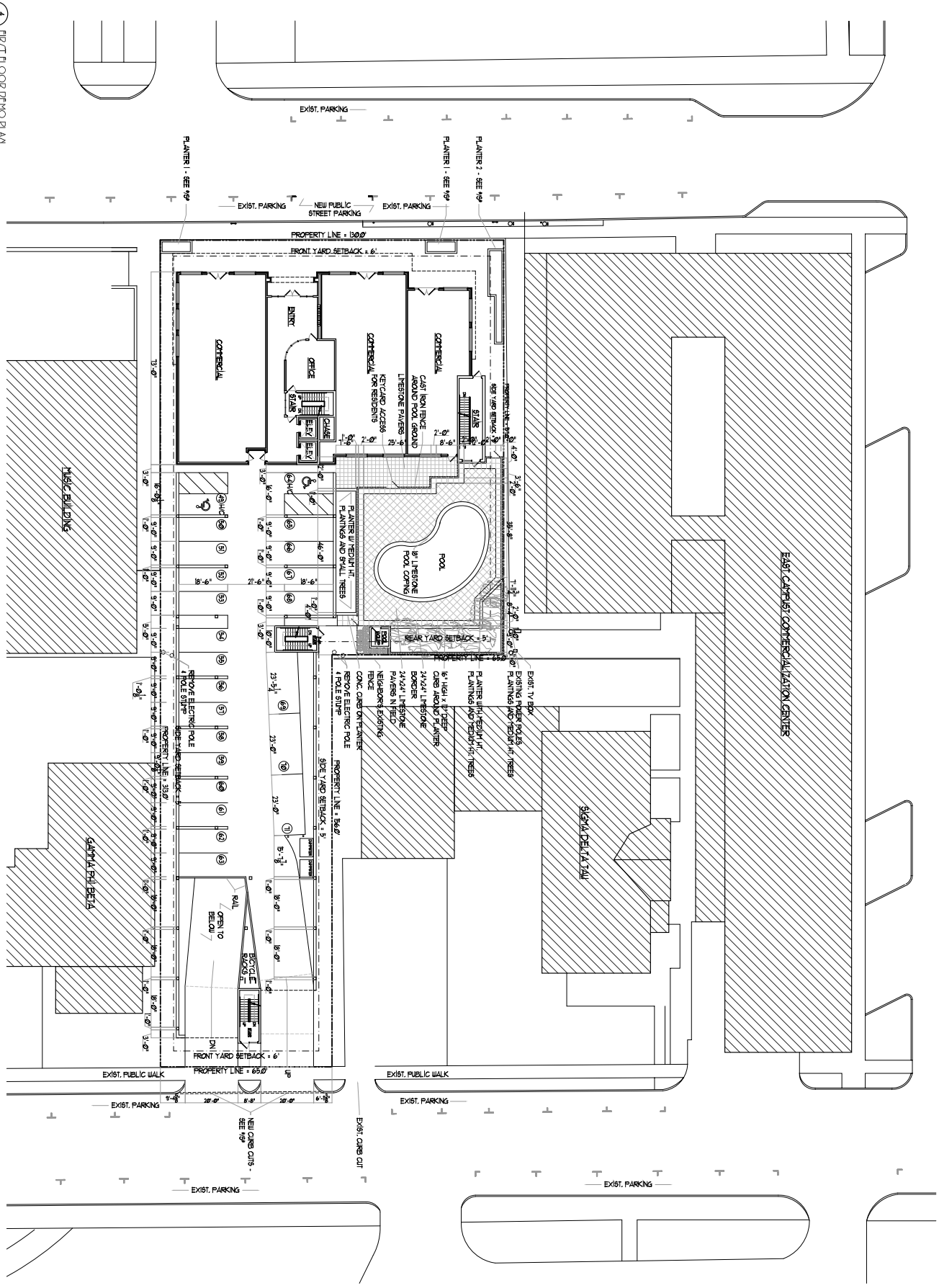
FRONT = 6'
SIDE = 5'
REAR = 5'

PARKING REQUIREMENTS

COMMERCIAL AREA = 5,940 S.F.@ 250 S.F./SPACE X .5 =	11.88 SPACES
RESIDENTIAL = 126 BEDROOMS @ .75 SPACES/BEDROOM =	94.5 SPACES
TOTAL REQUIRED =	106.38 SPACES

ACTUAL PROVIDED = 74 SPACES
MINIMUM VARIANCE REQUIRED = 30.8% REDUCTION IN PARKING = 107 SPACES
REQUESTED VARIANCE = 33.3%REDUCTION IN PARKING = 110 SPACES

EXHIBIT D



4 S1 FIRST FLOOR DEMO PLAN
SCALE: 1/16" = 1'-0"

NORTH

S1

These drawings and specifications are the property and copyright of Andrew Fell Architecture and Design and shall not be used on any other work except by written agreement with the Architect. Only written dimensions shall be used. Do not scale drawings. Dimensions shall be verified on the job site. Any discrepancy shall be brought to the notice of the Architect prior to the commencement of any work.

ANDREW FELL
ARCHITECTURE AND DESIGN
302 WEST HILL, SUITE 201
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2890
FAX: 217.359.8493
EMAIL: andrewfell@comcast.net

DATE: 12/5/11

REVISIONS:

Southern Perspective

ANDREW FELL
ARCHITECTURE AND DESIGN

Southern Perspective

ANDREW FELL
ARCHITECTURE AND DESIGN

North-Eastern View

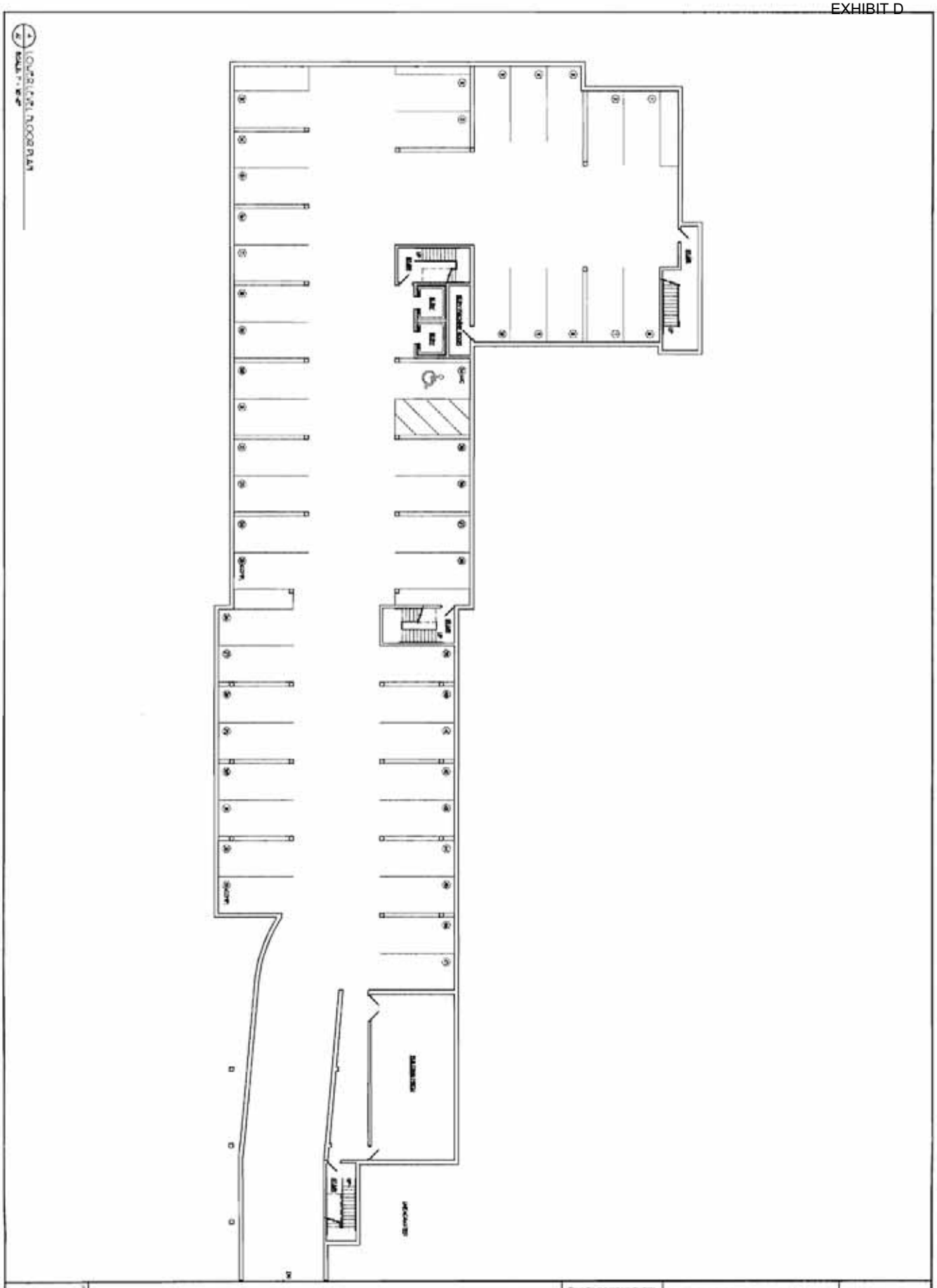
ANDREW FELL
ARCHITECTURE AND DESIGN

North-Western View

ANDREW FELL
ARCHITECTURE AND DESIGN

South-Eastern View

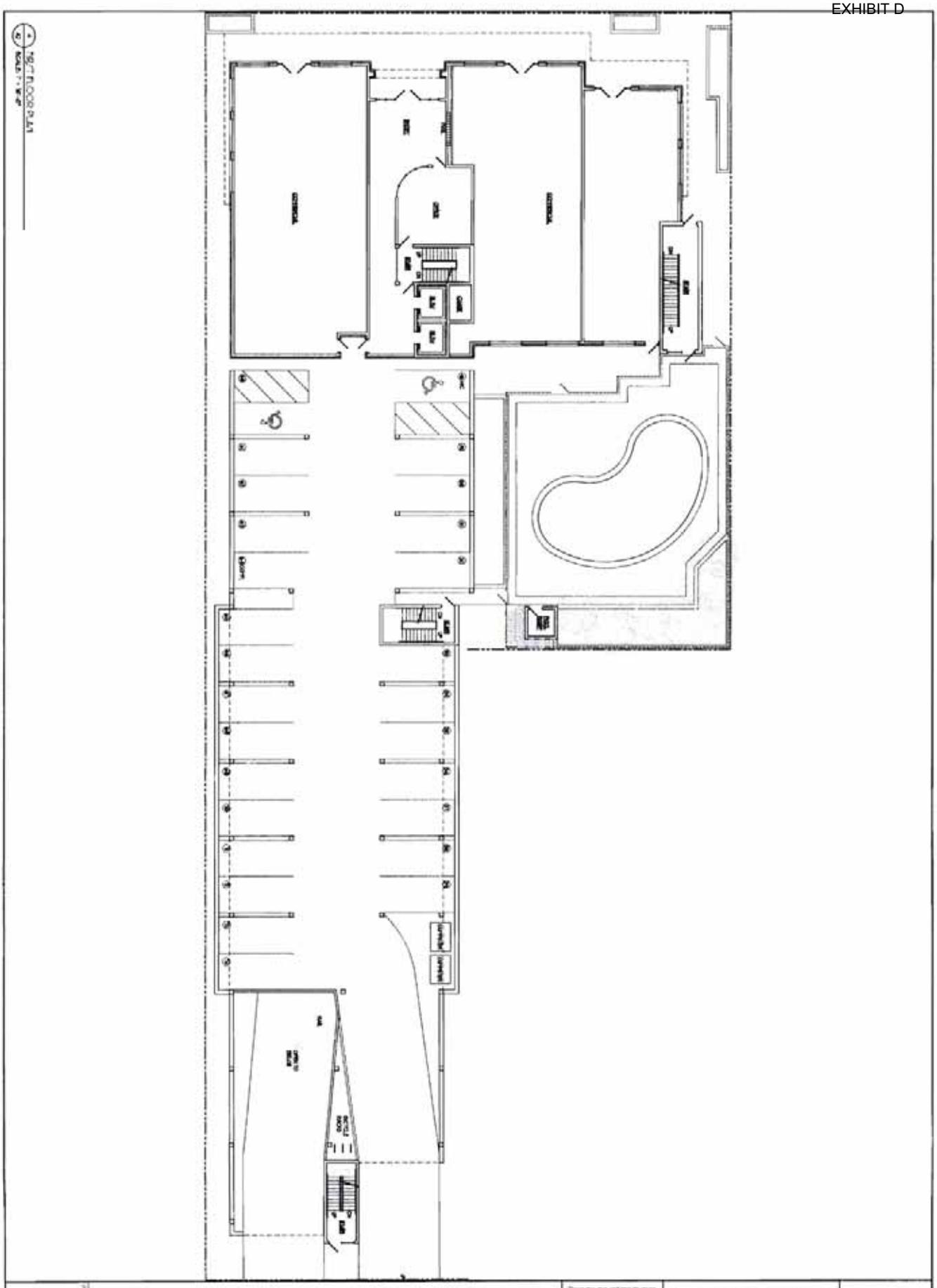
ANDREW FELL
ARCHITECTURE AND DESIGN



A1

ANDREW FELL
ARCHITECTURE AND DESIGN

EXHIBIT D

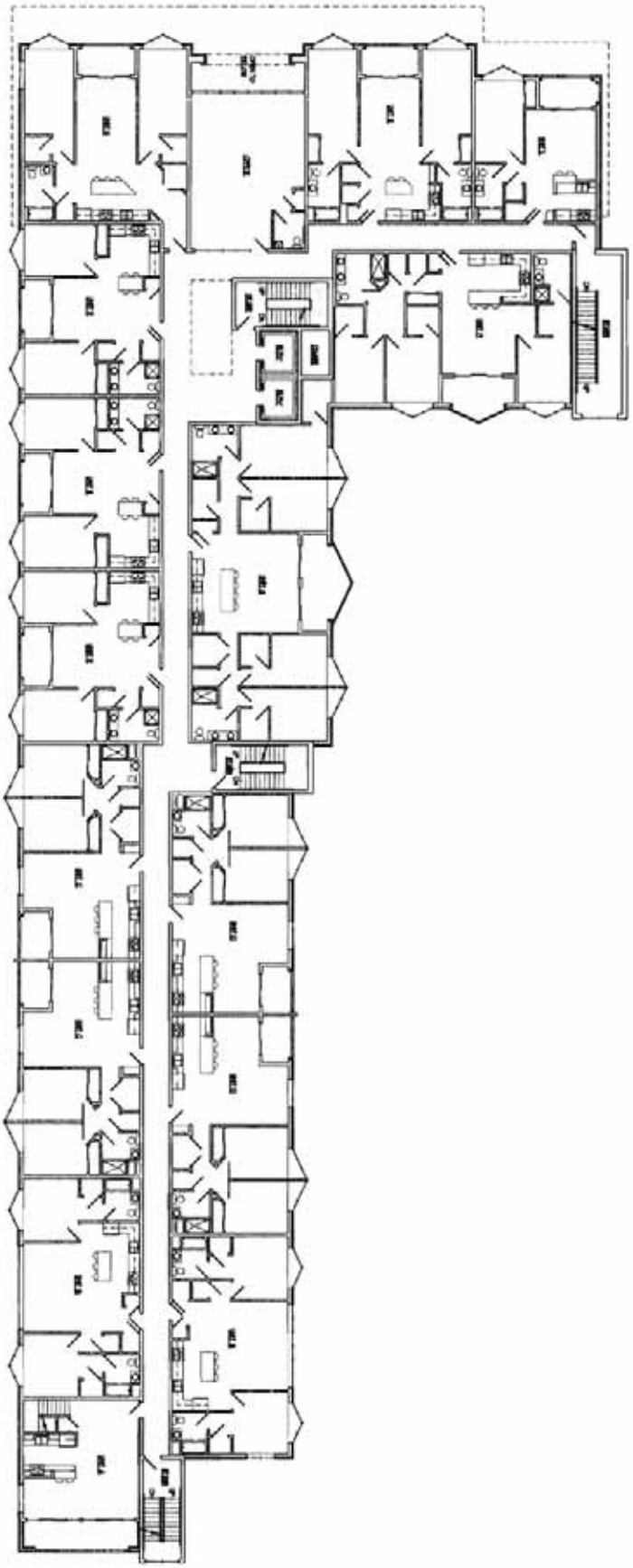


1ST FLOOR PLAN

SCALE: 1/8"=1'-0"

A2

ANDREW FELL
ARCHITECTURE AND DESIGN



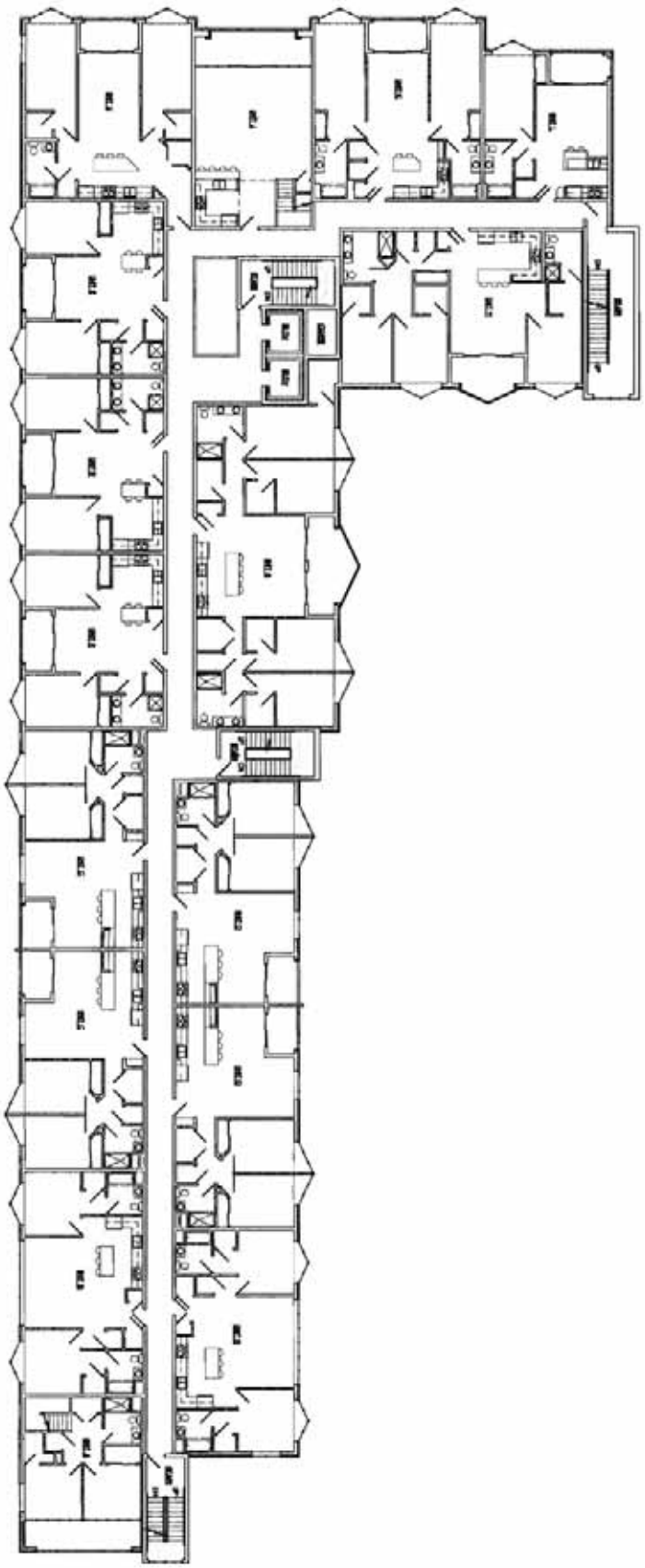
A3

ANDREW FELL
ARCHITECTURE AND DESIGN
302 WEST HILL, SUITE 309
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.352.5990
FAX: 217.359.8482
EMAIL: andrew@fellarch.net

DATE: 12/07/11
REVISIONS:

EXHIBIT D

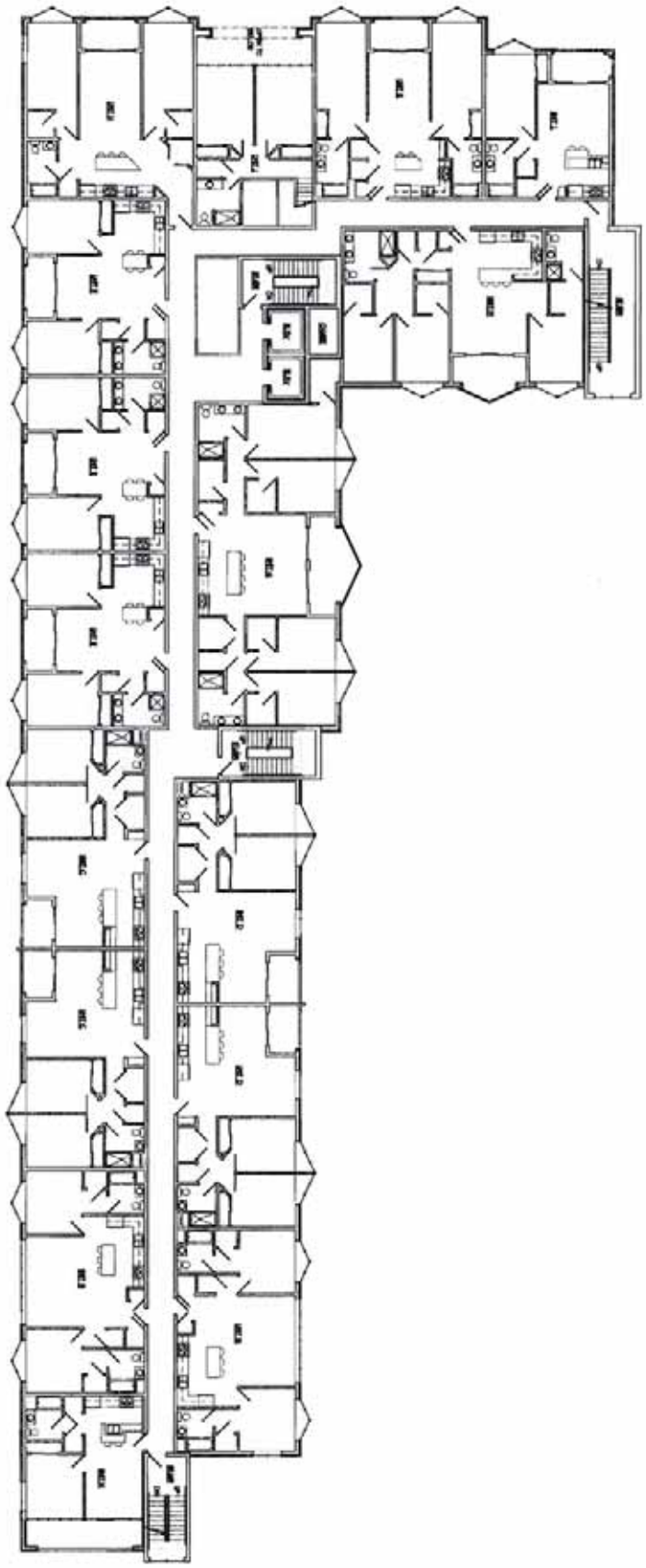
THIRD FLOOR PLAN



A4

ANDREW FELL
ARCHITECTURE AND DESIGN

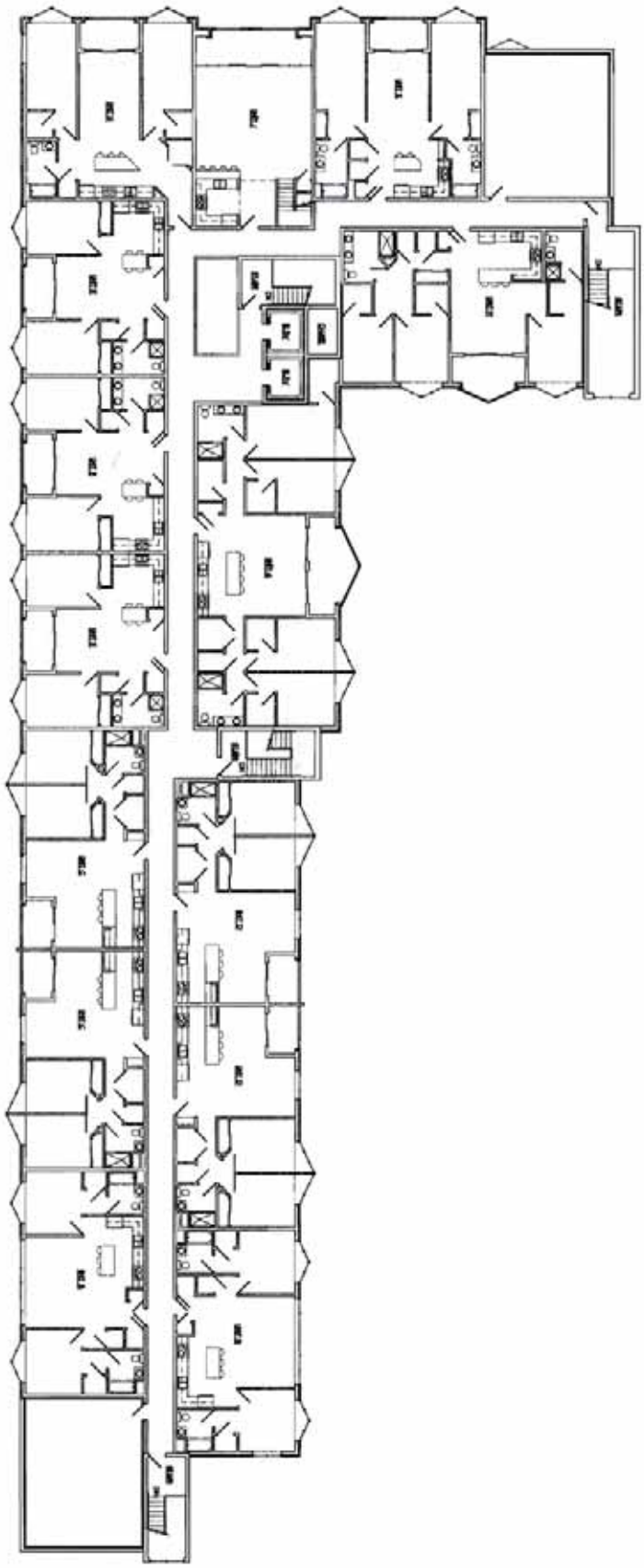
FOURTH FLOOR PLAN



A5

ANDREW PELL
ARCHITECTURE AND DESIGN

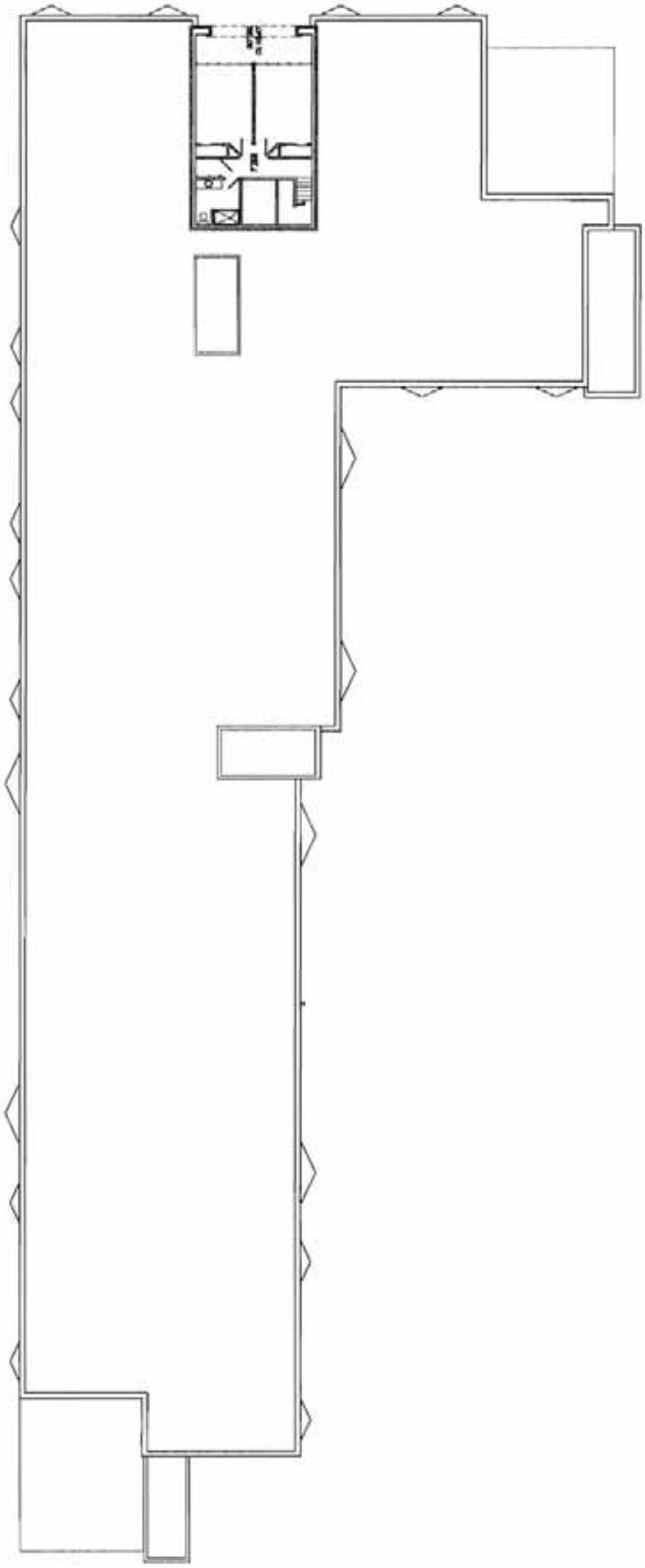
FIFTH FLOOR PLAN



A6

ANDREW PELL
ARCHITECTURE AND DESIGN

4 A7 ROOF PLAN
SCALE: 1" = 16'-0"



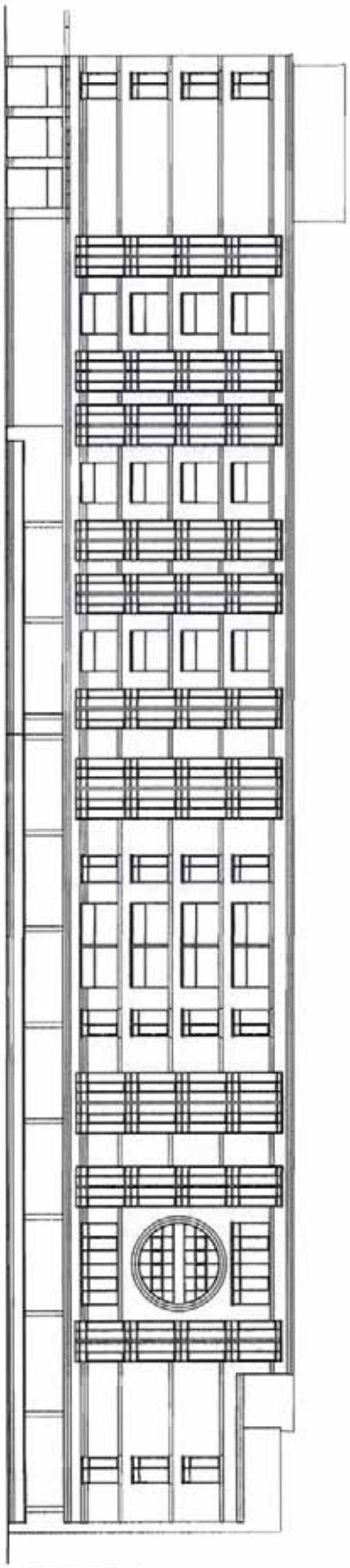
A7

ANDREW PELL
ARCHITECTURE AND DESIGN
502 WEST HILL SUITE 201
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.0890
FAX: 217.356.8407
EMAIL: andrewpell@comcast.net

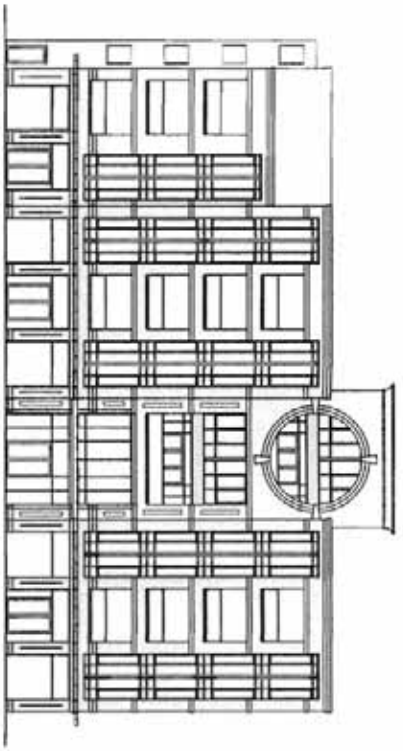
DATE: 12/07/11
REVISIONS:

EXHIBIT D

WEST ELEVATION



NORTH ELEVATION



A8

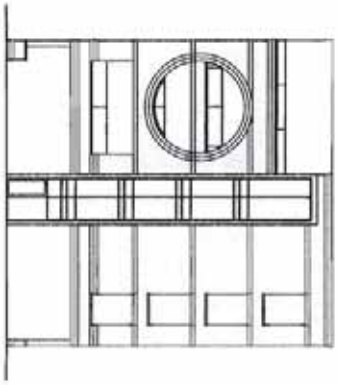
ANDREW FELL
ARCHITECTURE AND DESIGN
301 WEST HILL, SUITE 201
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.352.0900
FAX: 217.359.8982
(E-MAIL: andrewfell@comcast.net

DATE: 12/7/11

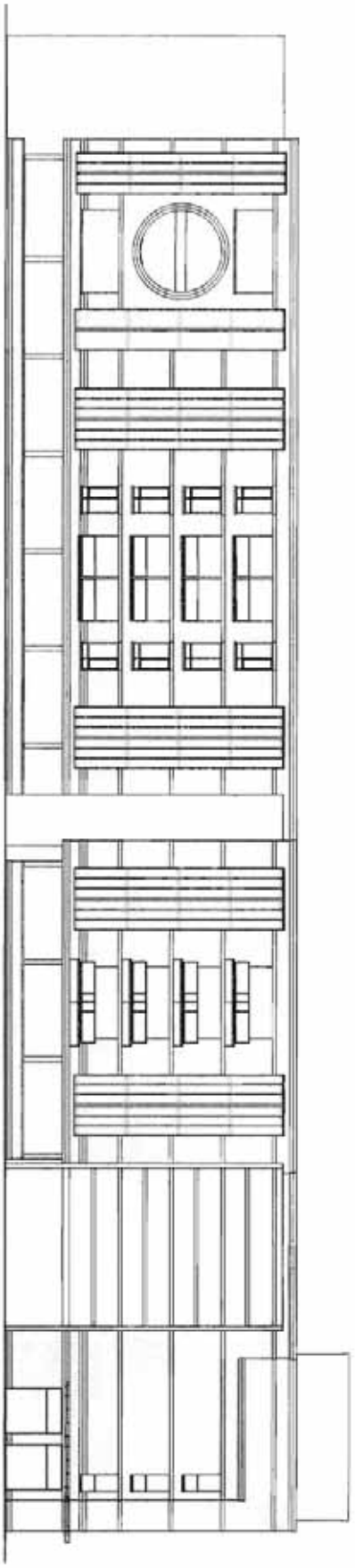
REVISIONS:

EXHIBIT D

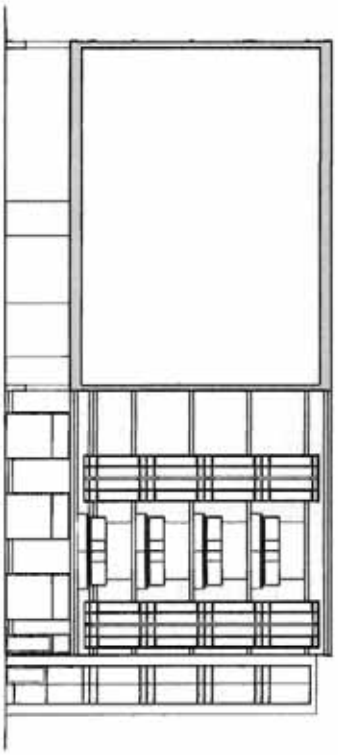
SOUTH ELEVATION ON PENALTY



EAST ELEVATION

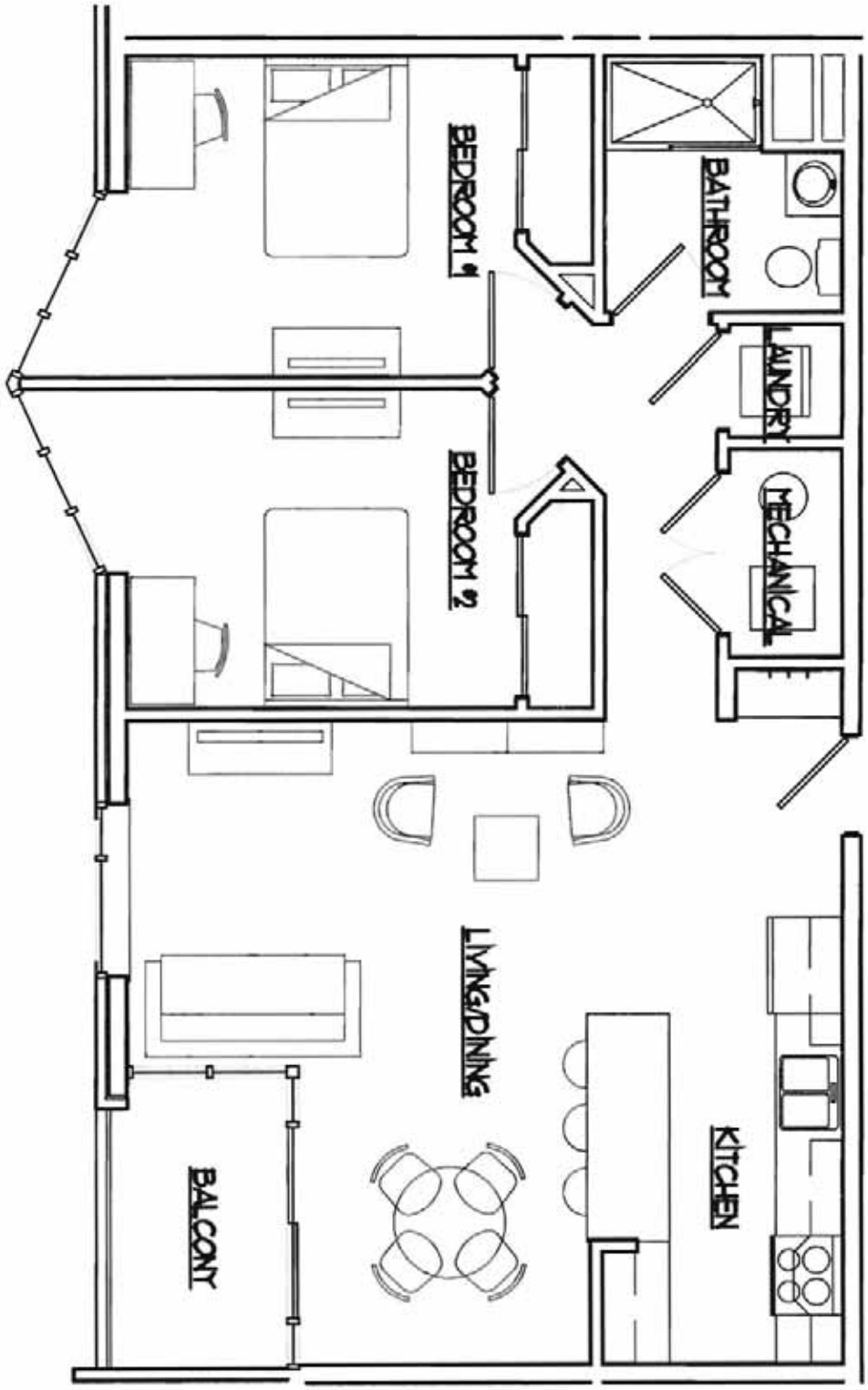


SOUTH ELEVATION AT POOL/COURTYARD



A9

ANDREW FELL
ARCHITECTURE AND DESIGN



2 A10 2 BED-1 BATH EXAMPLE FLOOR PLAN

SCALE: 3/16" = 1'-0"

A10

ANDREW FELL
ARCHITECTURE AND DESIGN
202 WEST HILL, SUITE 201
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2880
FAX: 217.359.8403
E-MAIL: andrewfell@comcast.net

DATE: 12/15/11

REVISIONS:

R-5 – MEDIUM HIGH 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-5 Zoning District is as follows:

"The *R-5, Medium High Density Multiple-Family Residential District* is intended to provide areas for multiple-family dwellings at densities ranging up to medium high."

The following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-5 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
Lodge or Private Club

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, Home for Adjustment
Dwelling, Multifamily
Dwelling, Multiple-Unit Common-Lot-Line
Dwelling, Single Family
Dwelling, Single Family *(Extended Occupancy)*
Dwelling, Two-Unit Common-Lot-Line
Home for the Aged
Nursing Home

SPECIAL USES:

Public and Quasi-Public
Hospital or Clinic
Methadone Treatment Facility
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

Business – Miscellaneous
Day Care Facility *(Non-Home Based)*

Business – Personal Services
Mortuary

Business – Professional and Financial Services
Professional and Business Office

Public and Quasi-Public
Electrical Substation

Residential
Bed and Breakfast, Owner Occupied

DEVELOPMENT REGULATIONS IN THE R-5 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-5	6,000	60	35	0.90	0.30	15[9]	5	5

FAR= FLOOR AREA RATIO
OSR= OPEN SPACE RATIO

Footnote[9] – 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)

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, IL 61801
(217) 384-2440
(217) 384-2367 fax
www.city.urbana.il.us

CCD – CAMPUS COMMERCIAL DISTRICT ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

"The *CCD, 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."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the CCD 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:

Public and Quasi-Public
University/ College

SPECIAL USES:

Public and Quasi-Public
Nonprofit or Governmental, Educational and Research Agencies
Police or Fire Station

Business - Food Sales and Service
Bakery *(less than 2,500 square feet)*
Café or Deli
Confectionery Store
Convenience Store
Meat and Fish Market
Restaurant

Business – Personal Services
Barber/ Beauty Shop
Dry Cleaning or Laundry Establishment
Health Club/ Fitness
Laundry and/or Dry Cleaning Pickup
Shoe Repair Shop
Tailor and Pressing Shop

Business – Retail Trade
Antique or Used Furniture Sales and Service
Art and Craft Store and/or Studio
Bicycle Sales and Service
Bookstore
Clothing Store
Drugstore
Electronic Sales and Service
Florist
Jewelry Store
Music Store
Photographic Studio and Equipment Sales and Service
Shoe Store
Sporting Goods
Stationery, Gifts or Art Supplies
Variety Store
Video Store

SPECIAL USES CONTINUED:

Business - Miscellaneous
Shopping Center – Convenience
Shopping Center - General

Business – Professional and Financial Services
Bank/ Savings and Loan Association
Copy and Printing Service
Packaging/ Mailing Service
Professional and Business Office

Business – Recreation
Dancing School
Pool Hall
Private Indoor Recreational Development

Residential
Dwelling, Loft
Dwelling, Multi-Family

PLANNED UNIT DEVELOPMENT USES:

Business - Miscellaneous
Commercial Planned Unit Development
Mixed-Use Planned Unit Development

Residential
Residential Planned Unit Development

DEVELOPMENT REGULATIONS IN THE CCD 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)
CCD	6,000	60	None	4.00	0.10[5]	6	5	5

FAR= FLOOR AREA RATIO
OSR= OPEN SPACE RATIO

Footnote[5] – The Open Space Ratio (OSR) in the CCD, Campus Commercial District shall be applied as follows:

a) The open space ratio requirement in the CCD, Campus Commercial District, shall only be applied for the residential square footage of the development.
b) In the CCD, Campus Commercial District, the first floor of residential development may be considered the ground level area for development for applying the open space ratio requirement.
c) There shall be no minimum requirement for permeable ground cover and no maximum requirement for paved recreation areas in the open space requirement for development in the CCD Zoning District.

EXHIBIT F

UNIVERSITY OF ILLINOIS
Urbana-Champaign • Chicago • Springfield

Office of University Counsel
258 Henry Administration Building
506 South Wright Street
Urbana, IL 61801

October 19, 2011

Mr. Curt Borman
Assistant City Attorney
City of Urbana
400 South Vine Street
Urbana, IL 61801

RE: 1105 & 1107 West Oregon Street, 1108 W. Nevada Street in the CCD, Campus Commercial Zoning District (Plan Case 2153-M-11 and Plan Case 2153-SU-11)

Dear Curt:

It has been brought to my attention that there will be hearings this week by the Urbana Zoning Board of Appeals and the Urbana Plan Commission concerning the subject rezoning and variance cases for 1105 & 1107 W. Oregon and 1108 W. Nevada. Please be advised that the University of Illinois is owner of record of the parcels surrounding the subject property.

The Board of Trustees of the University of Illinois has adopted a comprehensive master plan for the Urbana Campus that is designed to guide the development of the Urbana campus over time. The master plan provides both a visionary framework for the future as well as specific site designations for future facilities. The subject plan case materials do not disclose to the Urbana Plan Commission the University master plan designations for this property. The land on which the rezoning is proposed is designated by the University master plan for a 17,000 sq. ft. UIUC Campus academic facility. The UIUC campus has authorized a detailed project feasibility study for the adjoining parcels to determine the scope of a future building program. All or a portion of the properties designated for rezoning may be acquired by the University now or in the future. Please enter this letter into the record for these plan cases.

Very truly yours,

Wesley W. Curtis
Associate University Counsel

Copy: Michael J. Andrechak, Associate Chancellor
William D. Adams, Associate Chancellor
Michael B. Bass, Senior Associate Vice President Business and Finance
Jack Dempsey, Executive Director, Facilities and Services
Bruce Walden, Director Real Estate Planning and Services
Scott Rice, Campus Legal Counsel
Mike Pollock, Chair, Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION **DRAFT**

DATE: **October 20, 2011**

TIME: **7:30 P.M.**

PLACE: **Urbana City Building – City Council Chambers**
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT:	Carey Hawkins Ash, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins
MEMBERS EXCUSED:	Marilyn Upah-Bant
STAFF PRESENT:	Elizabeth Tyler, Director of Community Development Services; Jeff Engstrom, Planner II; Teri Andel, Planning Secretary
OTHERS PRESENT:	Tom Berns, Tyler Harries

COMMUNICATIONS

- ✓ Letter from Wesley W. Curtis, Associate University Counsel regarding Plan Case Nos. 2153-M-11 and 2153-SU-11.
- ✓ CCD – Campus Commercial Zoning District Description Sheet
- ✓ R-5 – Medium High Density Multiple Family Residential Zoning Description Sheet

NEW PUBLIC HEARINGS

Plan Case No. 2153-M-11: A request by Illinois Properties, LLC to rezone properties at 1108 West Nevada Street, 1105 and 1107 West Oregon Street from the R-5, Medium-High Density Multiple Family Residential Zoning District, to CCD, Campus Commercial Zoning District.

Plan Case No. 2153-SU-11: A request by Illinois Properties, LLC for a Special Use Permit to allow a mixed-use development at 1108 West Nevada Street, 1105 and 1107 West Oregon Street in the CCD, Campus Commercial Zoning District.

Plan Commission member Andrew Fell recused himself from the Plan Commission during these two public hearings. He explained that he is the architect for the proposed development and will be speaking on behalf of the petitioner requesting the proposed rezoning and special use permit.

Jeff Engstrom, Planner II, presented these two cases together to the Urbana Plan Commission. He began by giving a brief description of the proposed development noting the location, current zoning and land use and the future land use designation of the proposed site and of the surrounding properties. He talked about how the goals and objectives of the 2005 Comprehensive Plan pertain to the proposed rezoning and special use permit requests.

He mentioned the letter received from Wesley Curtis, Associate University Counsel. He discussed the proposed development including the site design and development regulations including setback requirements, Open Space Ratio (OSR) requirements, Floor Area Ratio (FAR) requirements and parking requirements for the CCD Zoning District. He reviewed the LaSalle criteria as they pertained to the proposed rezoning. He reviewed the requirements for a special use permit according to Section VII-6 of the Urbana Zoning Ordinance. He reviewed the options for the Plan Commission and presented staff's recommendation for each case.

Elizabeth Tyler, Director of Community Development Services, talked about the third condition for staff's recommendation for the special use permit request. She mentioned that at their meeting, the Zoning Board of Appeals discussed having City staff look at the parking requirements for the CCD Zoning District and to possibly draft an amendment to the Zoning Ordinance reducing the amount of parking spaces required for such district pending the results of their research on it. Therefore, she recommended the Plan Commission alter the language of the third condition to reflect possible approval of such a text amendment. Chair Pollock asked if City staff was requesting that the Plan Commission build in a caveat that if the regulations change, then the third condition is null. Ms. Tyler said yes.

Chair Pollock wondered if the text amendment is in the works or is City staff just thinking about altering the Zoning Ordinance. Ms. Tyler answered that they want to get some direction from the Plan Commission. City staff could still post a legal notice for the next Plan Commission meeting if that is the direction they get at this meeting.

Mr. Fitch inquired as to what the special use would be approving. Is it for the residential use or is it for any one of the other permitted uses? Mr. Engstrom stated that the zoning description sheet for the CCD lists all of the uses that would be allowed with approval of a special use permit. The first condition City staff recommends would require the developer to check with City staff to ensure that a use would be appropriate for the CCD Zoning District.

Mr. Ash noted that the letter from the Associate Counsel for the University of Illinois suggested that the proposed development may cause some conflicts for the campus in the future. Has the University given any details as to what they plan for the proposed site? Mr. Engstrom explained that the University has a Master Plan showing that they planned for an academic building to be constructed. Mr. Ash replied that the letter is vague and he wondered how firm the University's plans are. Ms. Tyler responded that we need to look at the City's Comprehensive Plan and the zoning criteria because the University of Illinois does not own the proposed site. She pointed out that the University's Master Plan is like a facilities plan. It does not have many of the things shown in the City's Comprehensive Plan. She mentioned that about half of the block is privately owned and many blocks in east campus are privately owned. A master plan is about facilities

and expansion, and the City's Comprehensive Plan is about the community and the city. Zoning is really about property owners' rights. Mr. Engstrom showed on the overhead screen the University's Master Plan for the proposed area.

Mr. Otto expressed interest in the letter from the University of Illinois. He has questions about the development of Gregory Place I and II. Did the developer ask for a rezoning of the lots and consult with the City or did they develop Gregory Place I and II on their own? Ms. Tyler replied that the development of Gregory Place I and II were done with the assistance and cooperation of the University of Illinois. Their staff at the time helped to draft the CCD Zoning District to accommodate the east campus commercial buildings. These were planned to make up for the loss of commercial buildings in the east campus area in the prior several years to academic uses. She explained that the land is owned by the University of Illinois, and JSM Development has a long-term land lease. So, it was a three-party agreement…the City agreeing with JSM Development through the special use permit for the development, and they in turn have an agreement with the University of Illinois for the development.

Ms. Tyler mentioned that she recently spoke with a planner from the University of Illinois. While the Master Plan shows a part of the site as being a 17,000 square foot building, it is being studied as a possible music building expansion.

Mr. Otto wondered if JSM Development pays real estate tax on the portion of the developments that is used for commercial and residential. Ms. Tyler stated that JSM Development pays taxes on the improvements, but the underlying land remains tax exempt.

Ms. Stake commented that it seems to her that developers are always trying to get out of providing enough parking spaces for the cars. She is concerned about the variance for a reduction in the required number of parking spaces. Ms. Tyler pointed out that this part of campus is not suited for high car ownership because everything is so walkable and there is great transit ridership. So, why in retrospect ten years later is the City imposing a 50% higher parking requirement in this small zone? City staff feels that there is a disconnect between the requirement, the reality, and our goals to promote a more walkable, less auto-oriented central part of the City.

Ms. Stake questioned what data we have proving that there are fewer cars being driven by students. It always seems that there is no place to park on campus. Mr. Engstrom noted that there was an article in the News-Gazette that showed data that occupancy rates in the City of Champaign's municipal parking lots in the campus area were down from 90% to 70% or 80% in the last couple of years. So, there have been studies done that show fewer students have been bringing cars to campus. Mr. Pollock commented that if there is less parking in the area, then there will be fewer cars in the area.

Ms. Stake asked how wide the sidewalks would be. Mr. Engstrom believed that there would be ten feet to twelve feet between the building and the actual right-of-way sidewalk, so there could possibly be enough space for sidewalk café use.

Mr. Otto referred to the requirements for a special use permit according to Section VII-6 of the Urbana Zoning Ordinance and listed on Page 7 of the written staff report. Number 3 talks about preserving the essential character of the district. He expressed concern about the appearance of the proposed development along Nevada Street. The entire street is still attractive in terms of the existing residential buildings and the sororities and fraternities have nice period facades. There are not any apartment buildings on stilts with cars parked underneath them. So, would it be appropriate for the Plan Commission to include a condition specifying that some kind of screening be used so the residents on the first floor to the right and left would not be looking out onto a parking lot, especially since there will be a minimal setback between the properties. Mr. Engstrom responded that the Plan Commission does have the ability to add conditions about screening. It would be appropriate for them to talk to the architect about how to achieve screening.

Chair Pollock referred to the Southern Perspective illustration (Part of Exhibit D) which depicts the access into the parking area of the proposed development. There is not much of a setback along Nevada Street, so would there even be room to place screening in front of the proposed building. Mr. Engstrom said it would be difficult with all of the access to the parking that is needed there.

There were no further questions for City staff from the Plan Commission. Chair Pollock opened the hearing up for public input.

Tyler Harries, of Andrew Fell Architecture and Design, showed a video of the proposed development in 3D format using the SketchUp modeling program. He showed the view of the proposed development along the north side from the Krannert Center for the Performing Arts, along the west side from the University of Illinois Music Building and a sorority, along the south side along Nevada Street and along the east side from a sorority and Gregory Place. Chair Pollock inquired about the parking. Would the southern section of the proposed building that faces on Nevada Street be on stilts with parking on the ground level and another level of parking below? Mr. Harries explained that there are two drives. One access drive off Nevada Street would go down to a lower level of parking and the other access drive would go to the ground level parking.

Ms. Stake inquired as to whether any of the people living close to the proposed development have been notified. Mr. Engstrom answered by saying that people within 250 feet of the proposed site have been notified of the public hearings for the rezoning, special use permit and the variance request. There were no images of what the proposed development would look like in those notifications. Ms. Tyler explained that City staff does not include pictures in the notifications; however, we do include a description. Ms. Stake commented that it makes a big difference of whether you show a picture or just send a description. Therefore it is not fair to the nearby residents.

Chair Pollock wondered if any adjacent residents had called with concerns or questions. Mr. Engstrom replied that JSM Development responded regarding the proposed variance. However, they do not have any issues with the two cases before the Plan Commission for rezoning and

approval of a special use permit. In addition, the University of Illinois sent the letter that was handed out and discussed earlier in the meeting.

Mr. Otto asked if there was a rendering that shows how the southwest face of the proposed development would compare with the current adjacent properties and the rest of the setbacks along Nevada Street. Mr. Harries used the Site Plan provided in the packet of information to show that the southwest face of the proposed development would set back 11 feet from the front property line. He figured the front yard setback for the sorority to the west is about 17 feet. So, there would be an approximate difference of 6 feet.

Chair Pollock questioned whether the white area to the east of the proposed development was a parking lot for the sorority on the east side. Mr. Harries said yes. The sorority does not have any screening on the lot.

Ms. Stake feels that the proposed development will be too big next to residential homes. City staff should have included a picture of the proposed development in with the notifications for the public hearings.

Mr. Ash asked how long the construction would take to build the proposed development and how many people would be working on it. Mr. Fell stated that assuming all the approvals go through for the variance, rezoning and special use permit requests and the length of time it takes them to create all of the necessary documents, the existing apartment buildings will probably be occupied through the rest of this school year and through the following school year with construction to start probably the following May. The entire amount of time it would take to construct a building of this size would be around 18 months.

Mr. Ash inquired as to how many people would be working on constructing the proposed building. Mr. Fell said a lot. Mr. Ash explained that he is looking at economical development as a whole and wondered how many jobs would this project create.

Mr. Ash questioned if City staff received any responses from the two sororities. Mr. Engstrom replied no. Ms. Stake mentioned that the Plan Commission members used to receive copies of neighbor notifications for previous cases including a list of people who the notification was sent to. Ms. Tyler stated that City staff can start sending those to the Plan Commission members again. However, a notice was posted in the required places, a legal ad was placed in the News-Gazette and a notice was sent to residents and property owners within 250 feet of the proposed site. Mr. Ash agreed with Ms. Stake in that a notice and a picture would be beneficial to the adjacent residents.

Mr. Fell explained that with regards to screening, there is a section in the Zoning Ordinance requiring this type of development to screen the parking from adjacent residential uses. Part of the screening for the proposed development will be done with a low wall around the on-grade parking. There will also be additional vegetation screening used.

Mr. Fell said that in terms of the number of parking spaces, it is a detriment to the CCD Zoning District to require a higher parking regulation. The CCD Zoning District was developed in

conjunction with the University of Illinois, which owns almost all of the land in the campus area. It is to the University's advantage to have a much higher requirement for parking because a developer would have to lease parking spaces from them. For example, Gregory Place II, which is on land owned by the University, was required to provide around 180 parking spaces. JSM Development has about 46 parking spaces onsite and the remaining spaces are leased on a surface lot next door, which is also owned by the University. So, unless you partner with the University on a project, your hands are tied. The developer of the proposed project or any other private developer would like to be forced to enter into an agreement through eternity with the University to rent parking from them.

In addition, with a development of the proposed scale, unless you get the density up high enough, it is not economically viable especially on the constrained site. There is a point where if you raise the parking requirement it takes space away from the building. Eventually, you get to the tipping point where the project is not an economically viable project. The developer for the proposed project has already said that they are almost there right now. If they cannot keep the density they are proposing, then this project may not happen.

Mr. Otto stated that he is very sympathetic to increasing the density in the CCD Zoning District. He believes that the proposed project is a big improvement over the existing structures on the whole. His primary concern is how it appears on the Nevada Street streetscape. It seems like they could design something that would be attractive. Green screening is not favorable to him because you never know what will be growing in 10 to 15 years. He recommended some architectural features from the design of the windows or panels of the building. Mr. Fell stated that this is a possibility. When you build a parking structure, it is either open or closed. The way they are treated systematically in the building code is a very different set of criteria that you have to follow. There is a great deal more infrastructure involved in creating a closed parking structure. They can infill part of the wall and maintain an open parking structure; however, they are limited. Mr. Otto does not recommend an enclosed parking structure because it could create ventilation issues.

Ms. Stake cares more about how close the proposed development will be to the other buildings than she does about parking. Residential housing units are being pushed out of the way to make room for multiple family housing units.

Chair Pollock questioned whether they could move the project back an additional 10 feet from the street. What would be the effect? Mr. Fell explained that when they start planning a project like this, it starts out like a gigantic algebra problem with 10 variables that have to be solved altogether. The variables are parking, floor area ratio and open space ratio. As soon as they would start moving the building back, they would start losing parking spaces, which would throw them further out of conformance. They have tried to maintain a healthy and economically viable balance. They are already asking for a fair amount of reduction in the required number of parking spaces. As soon as you make the building smaller, then they would have to ask for more.

Mr. Hopkins wondered if there would be an elevator. Mr. Fell said yes.

Mr. Hopkins asked if there was a height requirement on the proposed building. Mr. Fell said no. Mr. Hopkins questioned whether they could solve some of the problems by constructing a taller building. Mr. Fell said no, because once you have an occupiable floor that is higher than 70 feet in the air, then you are considered a high rise and this creates another set of variables that are very expensive.

There was no more input from the audience, so Chair Pollock closed the public input portion of the hearing. He, then, opened the hearing up for Plan Commission discussion and/or motion(s).

Mr. Hopkins understood that the Plan Commission would be doing two things. There is the rezoning, and then there is the special use permit in the context of the rezoned property. The rezoning would be a permanent decision, but the special use permit would be reviewed again for any significant modification from the submitted plans. Mr. Engstrom said this was correct.

Mr. Hopkins stated that it is essentially a special use permit request. Chair Pollock added that because in the CCD District, no uses are allowed without approval of a special use permit. Ms. Tyler explained that the idea was to intertwine the special use with the zoning so there could be this kind of detailed review, particularly of the uses. The CCD Zoning District has a different set of setbacks than the R-5, Medium High Density Multiple Family Residential Zoning District to allow a more urban feel. To ask the developer to provide more setback than what is required in a zoning district would be the same as asking for a different zoning district. She does not recall there being much discussion on the setbacks for the Gregory Place developments. Chair Pollock recalls the major difference between the proposed development and the Gregory Place developments to be that there was no established residential uses adjacent to the Gregory Place developments. Ms. Tyler pointed out that there were small apartment buildings on the east side; however, the sororities are something you would find on this part of Nevada Street.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2153-M-11 to the City Council with a recommendation for approval. Mr. Fitch seconded the motion.

Mr. Fitch questioned if they rezone the properties to the CCD Zoning District and then the University acquires it, would the University have to ask to rezone it again to be able to construct an academic building? Mr. Engstrom stated that it is interesting. The CCD Zoning District permits University or College by right; however, the current zoning does not.

Mr. Hopkins wondered if in that case the University still would be required to get a special use permit to construct anything. Mr. Engstrom said no. The only permitted use by right in the CCD Zoning District is a university or college use.

Roll call on the motion was taken and was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	No	Ms. Tompkins	-	Yes
Mr. Ash	-	Yes			

The motion passed by a vote of 6 ayes to 1 nay.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2153-SU-11 to the City Council with a recommendation for approval with the conditions recommended by City staff as amended by Ms. Tyler earlier in the meeting. Mr. Ash seconded the motion.

Chair Pollock explained that the amendment simply means that if the requirements for parking in the CCD Zoning District are changed, then the recommendation to find off-site parking would disappear. Mr. Fitch feels that it would be good enough for the third condition to simply read as follows, *"Should the pending variance or equivalent text amendment not be granted, the developer shall provide ~~adequate~~ parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property."*

Mr. Hopkins questioned which version of the Zoning Ordinance this would refer to…today's version or a future amended version. Mr. Fitch then asked if the City changes the Zoning Ordinance, would JSM be able to cut down on their leasing requirements. Mr. Hopkins said yes.

Ms. Stake commented that she wished there was a way to make the proposed development better. She feels that the proposed building is too big and will not fit in with the existing buildings along Nevada Street. Mr. Hopkins responded by saying that since the City allowed JSM to construct Gregory Place I and II, then it is not clear to him why the proposed development, which is approximately the same size would not be approved. He does feel that the south entrance could be improved on the first floor, but there are no residential properties left that look like residential properties other than the sororities on Nevada Street west of Lincoln Avenue. The University of Illinois owns almost every property west of Lincoln Avenue, except for a few.

Ms. Stake stated that it really is not about how big the proposed development is, but more about how close it is to the adjacent properties. Mr. Otto responded that the City in approving the creation of the CCD Zoning District has said that these are appropriate setbacks for this district and that we would like to see large buildings of this size located in this area. He would really like to see the proposed development because it is much more attractive than the existing three buildings on the site. He did want to ask for a friendly amendment to ask the developer to do something about the entrance to the parking lot.

Chair Pollock asked for clarification on whether the City Council has the ability to require some type of architectural screening that could be approved or reviewed by City staff. The Plan Commission certainly has the ability to recommend it. Mr. Engstrom said yes. There has been a condition approved before in a different case that the developer must provide screening as approved by the Zoning Administrator.

Mr. Hopkins made an amendment to the motion to amend the conditions to include *the design of screening of the parking on the south façade and the facades in the front setback area to be approved by the Zoning Administrator*. Mr. Otto seconded the motion to amend. This amendment was approved by unanimous vote.

Ms. Tyler asked for clarification. Mr. Hopkins stated that he intends for the design of the screening to be different than what is being proposed. The Plan Commission does not know what it should be because that is up to the architect.

Mr. Ash stated for the record some student is going to wake up and look at a brick wall, so he feels that is fostering of a good principal to send a picture along with the notification to the neighbors. There is also a certain aspect to the University of the historical integrity of Nevada Street. He understands the need for modernization and is in favor of the project, but as the City moves forward in looking at the CCD Zoning District and the University of Illinois, there is a historic aspect to both the City of Urbana and the campus side to it. It is worth preserving as much as they can. Chair Pollock agrees with Mr. Ash and feels that to a significant degree the proposed development does preserve the historical integrity of the area.

Ms. Tompkins inquired as to whether the amendment to the motion requires architectural changes to the screening. Chair Pollock replied that the Plan Commission was not being that specific, but the City staff understands what the Plan Commission has discussed. The minutes from this meeting will be read by the City Council and then they will understand as well. The final decision about how specific to get with the language will be up to them.

Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	No
Ms. Tompkins	-	Yes	Mr. Ash	-	Yes
Mr. Fitch	-	Yes			

The motion was approved by a vote of 6 ayes to 1 nay. Mr. Engstrom noted that Plan Case Nos. 2153-M-11 and 2153-SU-11 will be forwarded to the Urbana City Council on November 7, 2011.