



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Plan Commission

FROM: Kevin Garcia, Planner II

DATE: February 27, 2015

SUBJECT: Plan Case 2255-M-15 – A request by Joshua Creek to rezone the 7.38 acre parcel at 1505 E Florida Ave from B-3, General Business District to R-5, Medium High Density Multiple-Family Residential.

Introduction and Background

Joshua Creek has submitted an application to rezone a parcel at 1505 E Florida Avenue from B-3, General Business District to R-5, Medium High Density Multiple-Family Residential District. The property contains the Pointe at U of I apartment complex, which has 168 residential units. The lot is 7.38 acres and is located adjacent to the Philo Road Business District on the former K-Mart site. Prior to the construction of the Pointe and the adjacent commercial development, the site had been vacant since July 2003, when K-Mart filed for bankruptcy. The City of Urbana actively sought to redevelop the site into uses that would be compatible with the surrounding area, and in 2005 entered into a development agreement with CTC Properties, LLC, to redevelop the site with a mix of commercial and residential uses. According to the agreement, the commercial area would front Philo Road and the residential area would front E Florida Avenue. In 2007, the development agreement was amended to allow the development of fewer residential units and a smaller commercial structure than the original agreement called for. In 2008, the Pointe at U of I apartments and the commercial structure at 1720 Philo Road were constructed. The current rezoning request would apply only to the Pointe at U of I apartments at 1505 E Florida Avenue, and would not affect the commercial property at 1720 Philo Road (see Exhibit A). (Hereafter, when referring to “the property”, “the subject property” or “the Pointe”, the reference is to the residential property at 1505 E Florida only unless otherwise noted.)

Multi-family residential uses are allowed in the B-3, General Business District as a Special Use and require a Special Use Permit. However, when the original development agreement was reached between the City and CTC Properties in 2005, a Special Use Permit was not required. At that time, multi-family residential uses were permitted by right in the B-3 district.¹ The Pointe therefore exists as a legally non-conforming use. The applicant would like to bring their property into compliance with the City of Urbana’s current zoning regulations and requests that the property be rezoned from B-3,

¹ On April 17, 2006, the Urbana City Council passed Ordinance 2006-04-040, approving an omnibus text amendment to the Urbana Zoning Ordinance that included a change requiring Special Use Permits for multi-family residential uses in the B-3, General Business District. Prior to that time, multi-family uses were permitted by right in B-3 districts (see Plan Case 1979-T-06).

General Business to R-5, Medium High Density Multiple-Family Residential. Bringing the property into compliance would make it easier to obtain insurance and financing in the future.

The Plan Commission may either recommend approval or denial of the proposed rezoning request to City Council for final action.

Related Documents

2005-07-115 AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A DEVELOPMENT INCENTIVE AGREEMENT WITH CTC PROPERTIES, LLC

In August 2005, the City of Urbana and CTC Properties entered into a development agreement with CTC Properties to redevelop the former K-Mart site into a mixed use commercial and residential facility with a minimum of 30,000 square feet of retail space and 300 residential units. The agreement was passed by the Urbana City Council by a vote of 6 ayes to 0 nays on August 8, 2005.

2007-01-005 AN ORDINANCE AMENDING A DEVELOPMENT INCENTIVE AGREEMENT WITH CTC PROPERTIES, LLC

In January 2007, original development agreement between the City of Urbana and CTC Properties was amended to state that the mixed use commercial and residential facility would have approximately 12,000 square feet of retail space and 190 residential units. The agreement was passed by the Urbana City Council by a vote of 6 ayes to 0 nays on January 16, 2007.

Adjacent Land Uses, Zoning, and Comprehensive Plan Designations

The Pointe is located on the south side of Florida Avenue, just east of Philo Road. To the west and south of the Pointe is the Philo Road Business District. To the east are the Sunnycrest and Stone Ridge Square Apartments, and to the north are single-family homes, two duplexes, and the Florida House Apartments. The Pointe is currently zoned B-3; the adjacent apartment complexes are zoned R-5 (Florida House) and R-4 (Sunnycrest and Stone Ridge Square). The residential area to the north is zoned R-3, while the properties to the west and south are zoned B-3 as part of the Philo Road Business District.

The following table summarizes the zoning, existing land uses, and future land use designations from the Comprehensive Plan for the Pointe and surrounding properties. Exhibits A, B and C illustrate these for the larger surrounding area.

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	B-3, General Business	High-Density Apartments	Community Business*
North	R-5, Medium High Density Multiple-Family Residential R-3, Single- and Two-Family Residential	High-Density Apartments Single-Family Homes Duplexes	Residential
South	B-3, General Business	Self-Storage Facility	Community Business*
East	R-4, Medium Density Multiple-Family Residential	Medium-Density Apartments	Multi-Family Residential
West	B-3, General Business	Retail, Fast Food, Veterinary Office	Community Business

*Area identified as Community Business, but also for potential other redevelopment uses (see below).

Comprehensive Plan

The 2005 Urbana Comprehensive Plan identifies the future land use for the site as well and the areas to west and south as “Community Business.” The Comprehensive Plan also identified most of the commercial area on the east side of Philo Road, including the subject property, as an area to “*study potential for alternative land uses for redevelopment*” (see Exhibit C).

The Comprehensive Plan defines “Community Business” as follows:

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

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

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

Objectives

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

Goal 4.0 Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.

Objectives

4.3 Encourage development patterns that offer the efficiencies of density and a mix of places.

Goal 18.0 Promote infill development.

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

Objectives

19.1 Ensure that new residential development has sufficient recreation and open space, public utilities, public services, and access to commercial and employment centers.

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.

Discussion

The existing B-3 District is intended to provide areas for a range of commercial uses that meet the general needs of the City. The property had been used for that purpose when it was a K-Mart, but had been vacant for two years before it was redeveloped by CTC Properties. While the 2005 Comprehensive Plan designates the properties as Community Business, the plan also indicates that the area should be studied for other land uses. The Philo Road Business District Revitalization Action Plan, published in 2005, identified the site as having good commercial potential, with “possible mixed-use”.² The redevelopment of the K-Mart site into the Pointe and the adjacent commercial space at 1720 Philo Road has been successful. Rezoning to bring the residential portion into compliance with current zoning regulations is desirable.

Based on the current development on the site, the R-5 Zoning District would be the most the most appropriate. The following table outlines the development regulations and purposes of the R-5 district, and compares the actual dimensions of the Pointe development to the regulations. In addition, Zoning Description Sheets that outline permitted uses in both the B-3 and R-5 districts can be found in Exhibit D.

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum FAR	Minimum OSR	Required Yards (In Feet)		
						Front	Side	Rear
R-5	6,000	60	35	0.9	0.30	15	5	5
The Pointe (Actual)	321,552	585	35	0.75	0.35	20	20	15
	The R-5 Zoning District is intended to provide areas for multiple-family dwellings at densities ranging up to medium high.							

² See Appendix H of the Philo Road plan.

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 existing use of the subject property as a medium-density apartment complex is highly compatible with the existing land uses and zoning of the surrounding properties. Multi-family residential uses are well-suited for areas adjacent to busier commercial districts, like the Philo Road Business District. They provide a customer base for adjacent businesses, and help to smooth the transition between more intense commercial areas and less intense single-family districts. Higher-density residential uses next to commercial areas also promote walking and biking as viable transportation options for residents.

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

This is the difference in the value of the property as B-3, General Business and the value it would have if it were rezoned to R-5, Medium High Density Multiple-Family Residential.

Properties that legally conform to zoning and land use regulations are more likely to be viewed as safe and attractive investments for money lenders, insurers, and real estate agents. While it is uncertain whether the current B-3 zoning would directly diminish the value of the property, rezoning the property to R-5 to bring it into compliance with current zoning regulations would make financing and insuring the property easier to obtain. Some lenders and insurers may require that properties conform to local zoning regulations.

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

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

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

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

The current zoning of the property confers no additional public benefits to health, safety, morals, or general welfare than if the property were to be rezoned as proposed. In addition, the current zoning restrictions impose a hardship on the property owner by making it more difficult to obtain financing

and insurance for the property due to its existence as a legal, non-conforming use. The proposed rezoning would eliminate this hardship by making the property conform to current zoning regulations.

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

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

As the table in the Discussion section above indicates, the Pointe conforms to all development regulations in the R-5 Zoning District. It meets minimum lot size, minimum lot width, maximum height, maximum floor-area-ratio, minimum open space, and front, rear, and side yard setbacks of the R-5 district.

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

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

The property is not currently vacant. However, prior to the Pointe at U of I and commercial property at 1720 Philo Road being developed, the property had been vacant for more than two years while zoned B-3.

Summary of Staff Findings

1. The City of Urbana received a petition to amend the Urbana Zoning Map for the property at 1505 E Florida Avenue from B-3, General Business, to R-5, Medium High Density Multiple-Family Residential.
2. The subject property is generally located east of Philo Road and south of Florida Avenue.
3. The 2005 Urbana Comprehensive Plan future land use map designates the future land use of the property as “Community Business”, but suggests that the area be studied for potential other uses.
4. The subject property was developed as part of a larger development that was subject to a 2005 development agreement between the City of Urbana and CTC Properties, LLC.
5. The development agreement was amended in 2007 to permit less intense development than the original.
6. The proposed rezoning would generally conform to the LaSalle Criteria, in particular as the current use is appropriate in to the surrounding area and the R-5 district
7. The subject property is appropriate for multi-family residential zoning due to its location on Florida Avenue, adjacent to the Philo Road Business District and other multi-family residential uses.

8. The R-5 zoning district has development standards and allowable uses that are appropriate for areas adjacent to multi-family residential and general business uses, and close to duplex and single-family residential neighborhoods.
9. The proposed rezoning to R-5, Medium High Density Multiple-Family Residential would continue to allow the existing use of multi-family apartment buildings to be permitted by right.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case 2255-M-15:

1. Forward this case to City Council with a recommendation for approval of the rezoning request as presented herein; or
2. Forward this case to City Council with a recommendation for denial of the rezoning request. If the Plan Commission finds the application is inconsistent with the criteria and denies the application, the Plan Commission should provide the reasons for denial.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends the Plan Commission forward Case No. 2255-M-15 to the City Council with a recommendation for **APPROVAL** of R-5, Medium High Density Multiple-Family Residential zoning, and including the recommended findings.

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

CC: Joshua Creek, The Pointe at U of I, LLC 1601 E Florida Ave, Urbana IL 61801

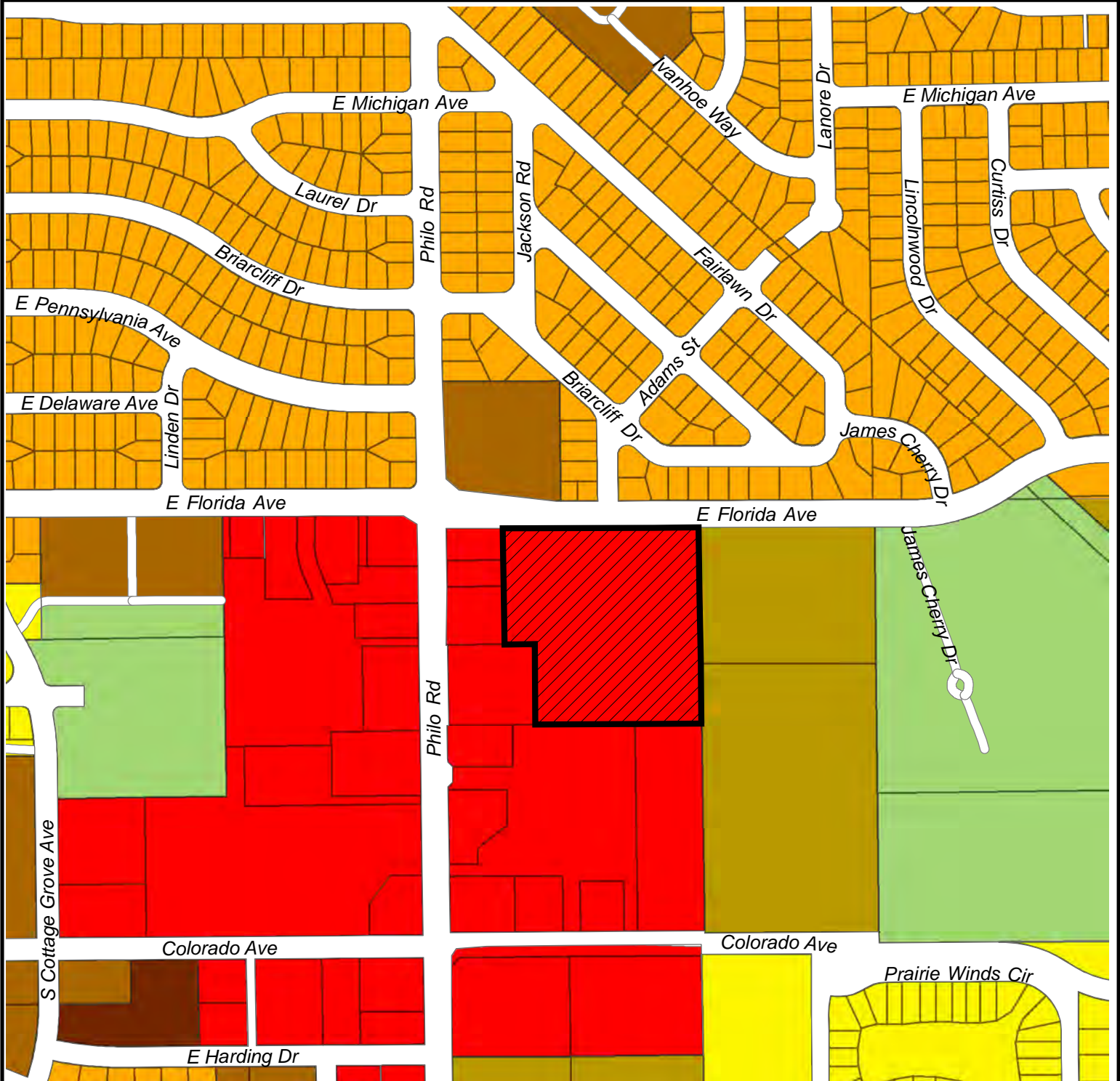
Exhibit A: Location & Existing Land Use Map



Case: 2255-M-15
 Subject: Rezoning
 Location: 1505 E Florida Ave
 Petitioners: Joshua Creek

1505 E Florida Ave
 1720 Philo Rd

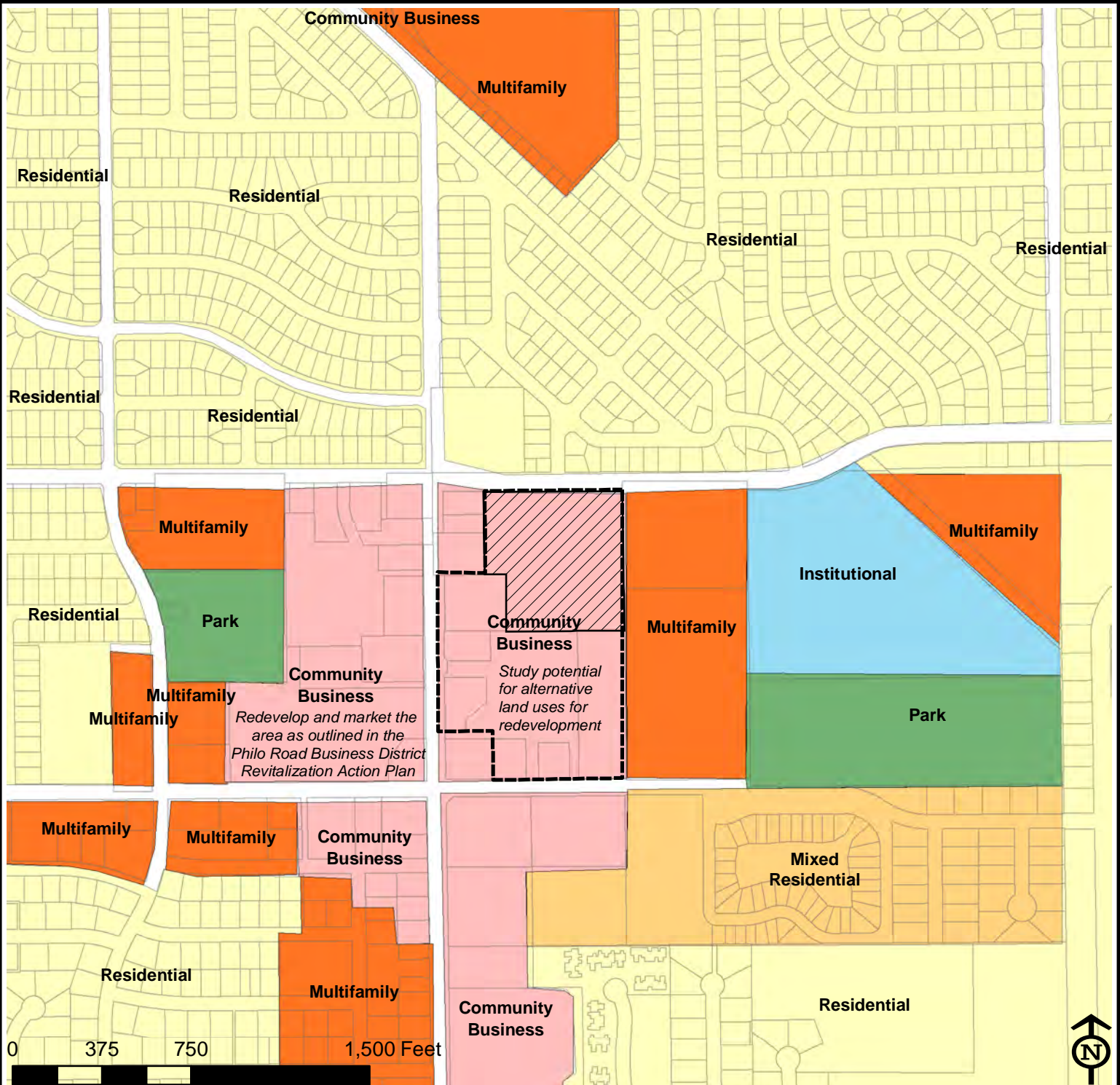
Exhibit B: Zoning Map










Case: 2255-M-15
 Subject: Rezoning
 Location: 1505 E Florida Ave
 Petitioners: Joshua Creek

- B3
- R3
- R6
- CRE
- R4
- R2
- R5
- Subject Property

Exhibit C: Future Land Use Map



Case: 2255-M-15
 Subject: Rezoning
 Location: 1505 E Florida Ave
 Petitioners: Joshua Creek

- | | | | |
|---|--------------------------|---|---------------|
|  | Residential |  | Institutional |
|  | Mixed Residential |  | Park |
|  | Multi-Family Residential | | |
|  | Community Business | | |
|  | Subject Property | | |



B-3 – GENERAL BUSINESS ZONING DISTRICT

ZONING DESCRIPTION SHEET

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

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

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

PERMITTED USES:

Agriculture

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

Business - Adult Entertainment

Adult Entertainment Uses

Business - Food Sales and Services

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

Business - Miscellaneous

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

Business - Personal Services

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

Business - Professional and Financial Services

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

Business - Transportation

Motor Bus Station
Taxi Service

Business - Vehicular Sales and Service

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

PERMITTED USES CONTINUED:**Business - Recreation**

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

Public and Quasi-Public

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

Residential

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

Business - Retail Trade

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

SPECIAL USES:**Business – Vehicular Sales and Service**

Towing Service
 Truck Stop

Public and Quasi-Public

Correctional Institution or Facility
 Hospital or Clinic

Residential

Dwelling, Multifamily

Retail

Firearm Store

Residential

Dwelling, Multifamily

PLANNED UNIT DEVELOPMENT USES:**Business – Miscellaneous**

Commercial Planned Unit Development
 Mixed-Use Planned Unit Development

CONDITIONAL USES:

Business - Miscellaneous

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

Public and Quasi-Public

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

Residential

Assisted Living Facility
 Nursing Home

Industrial

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

DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT

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

FAR= FLOOR AREA RATIO

OSR= OPEN SPACE RATIO

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

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

City of Urbana

Community Development Services Department

400 South Vine Street, Urbana, Illinois 61801

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

www.urbanaininois.us



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

Assisted Living Facility
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
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 – Personal Services

Mortuary

Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

Business – Professional and Financial Services

Professional and Business Office

CONDITIONAL USES CONTINUED:**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	15⁹	5	5

FAR= FLOOR AREA RATIO**OSR= OPEN SPACE RATIO**

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

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

City of Urbana

Community Development Services Department

400 South Vine Street, Urbana, Illinois 61801

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

www.urbanaininois.us



Application for Zoning Map Amendment

Plan Commission

APPLICATION FEE - \$175.00

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

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 2/10/15 Plan Case No. 2235-M-15
 Fee Paid - Check No. 1009 Amount \$25 Date 2/10/15
1287 150

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Joshua Creek Phone: 217-337-3901
 Address (street/city/state/zip code): 1601 E Florida Ave Urbana, IL 61802
 Email Address: josh@pointe-vi.com
 Property interest of Applicant(s) (Owner, Contract Buyer, etc.): Executive Director for Property

2. OWNER INFORMATION

Name of Owner(s): The Pointe at U&I LLC Phone: 217-337-3901
 Address (street/city/state/zip code): 1601 E Florida Ave Urbana, IL 61802
 Email Address: josh@pointe-vi.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

Address/Location of Subject Site: 1505 E Florida Ave Urbana, IL
 PIN # of Location: see attachment (93-21-21-201-013)
 Lot Size: see attachment
 Current Zoning Designation: B-3
 Proposed Zoning Designation: R-5
 Current Land Use (vacant, residence, grocery, factory, etc): Multi-family
 Proposed Land Use: Multi-family
 Present Comprehensive Plan Designation: Multi-family

How does this request conform to the Comprehensive Plan?

Legal Description: see attachment

4. CONSULTANT INFORMATION

Name of Architect(s): Andrew Fell Phone: 217-363-2890

Address (street/city/state/zip code): 302 W. Hill St #201 Champaign, IL 61826

Email Address: andrewfell@comcast.net / design@soltec.net

Name of Engineers(s): Dave Atchley Phone: 217-352-6976

Address (street/city/state/zip code): 201 W Springfield Champaign, IL 61820

Email Address: datchley@msa-ps.com

Name of Surveyor(s): MSA Phone: 217-352-6976

Address (street/city/state/zip code): 201 W Springfield Champaign, IL 61820

Email Address: datchley@msa-ps.com

Name of Professional Site Planner(s): MSA Phone: 217-352-6976

Address (street/city/state/zip code): 201 W Springfield Champaign, IL 61820

Email Address: datchley@msa-ps.com

Name of Attorney(s): Steve Isaacson Phone: 847-934-2525 x112

Address (street/city/state/zip code): 1564 W. Algouin Rd Hoffman Estates, IL 60192

Email Address: steve@sbi-law.com

5. REASONS FOR MAP AMENDMENT:

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

change from B-3 to R-5

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

Compliance

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

Compliance

What other circumstances justify the zoning map amendment? N/A

Time schedule for development (if applicable). N/A

Additional exhibits submitted by the petitioner. Alta Survey

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

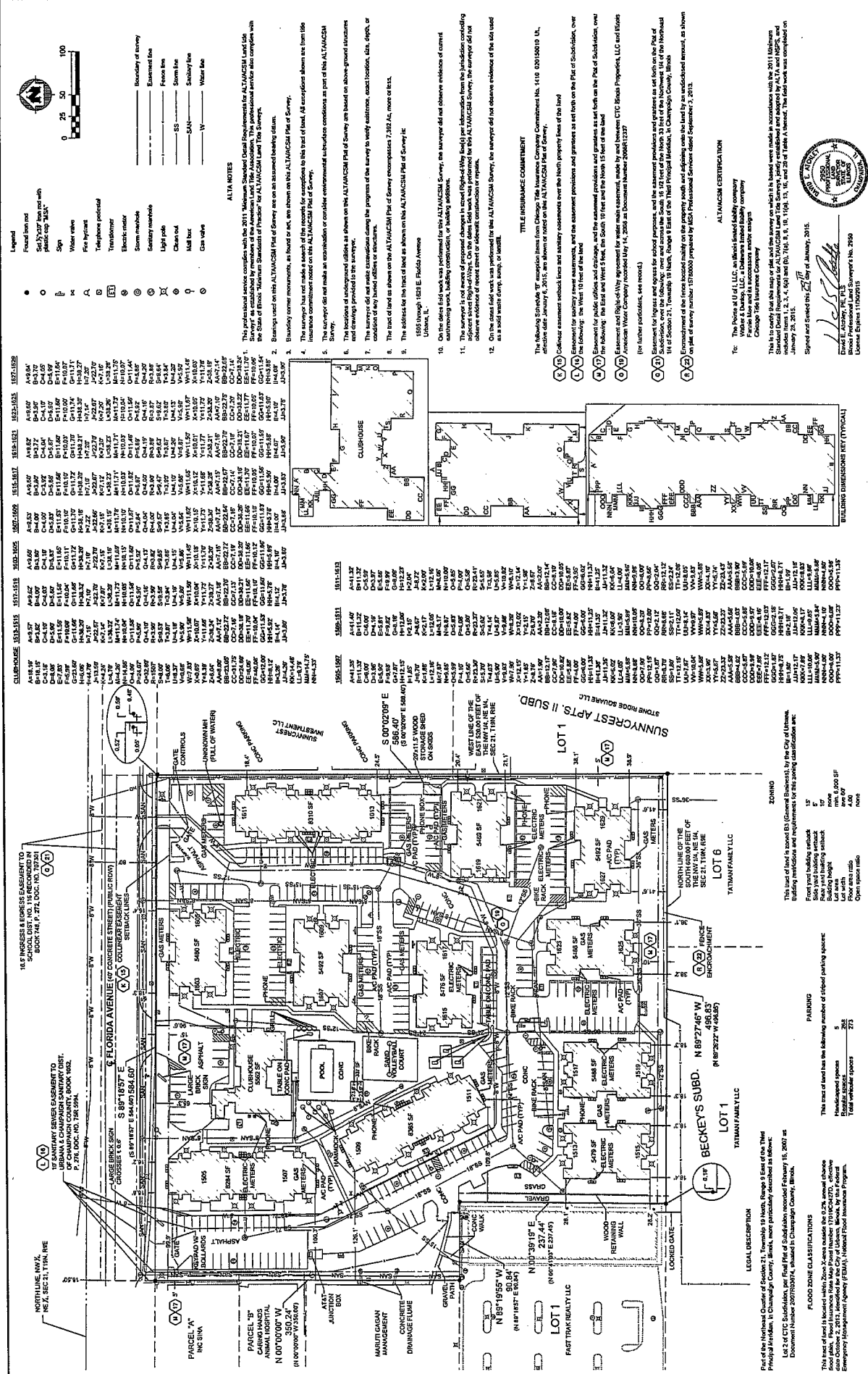
I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.

[Signature]
Applicant's Signature

2/10/15
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



- Legend**
- Found from rod
 - Set by 2007 iron pin with stainless steel cap
 - Sign
 - ▬ Water valves
 - ⊕ Fire hydrant
 - ⊙ Telephone pedestal
 - ⊖ Transformer
 - ⊕ Electric meter
 - ⊙ Storm manhole
 - ⊙ Substation manhole
 - ⊙ Light pole
 - ⊙ Chain out
 - ⊙ Mail box
 - ⊙ Gas valve
- Boundary of survey**
- Estimated iron
 - From iron
 - SS
 - SAN
 - Sewer line
 - Water line

ALTA NOTES

This plat was prepared in accordance with the 2011 National Standard (NS) for ALTA/ACSM Land Title Surveys, as established by the American Land Title Association. This professional service also complies with the State of Illinois "Minimum Standards of Practice" for ALTA/ACSM Land Title Surveys.

1. Boundary corner monuments, as found or set, are shown on this ALTA/ACSM Plat of Survey.

2. The surveyor did not make a re-examination of existing environmental subdivision conditions as part of this ALTA/ACSM Survey.

3. The locations of underground utilities as shown on this ALTA/ACSM Plat of Survey are based on above-ground structures and drawings provided to the surveyor.

4. The surveyor did not make construction of any buried utilities or structures.

5. The tract of land shown on this ALTA/ACSM Plat of Survey encompasses 7,392.44, more or less.

6. The address for the tract of land as shown on this ALTA/ACSM Plat of Survey is 1535 South 182nd E, Platteau Avenue, Urbana, IL.

7. On the areas field work was performed for this ALTA/ACSM Survey, the surveyor did not observe evidence of the use as a ball waste dump, pump, or well.

TITLE INSURANCE COMMENT

The following Schedule "G" exception from Chicago Title Insurance Company Commitment No. 1410 0201500101, U.I. effective date January 7, 2015, an abstract of title on this ALTA/ACSM Plat of Survey:

(1) Coterminous setbacks from and easements over the lots property lines of the lot

(2) Easement for sanitary sewer easements, of the following: the West 10 feet of the lot

(3) Easement for public utility and drainage, and the easement provisions and grants as set forth on the Plat of Subdivision, over the following: the East and West 5 feet, the South 10 feet and the North 15 feet of the lot

(4) Easement for ingress and egress for school purposes, and the easement provisions and grants as set forth on the Plat of Subdivision, over the following: the East and West 5 feet, the South 10 feet and the North 15 feet of the lot

(5) Easement and Right-of-Way agreement for water main easement, made by and between CTC Block Properties, LLC and Illinois American Water Company (recovered by 14, 2008 as document number 00011237 (for further particulars, see records)

(6) Easement for ingress and egress for school purposes, and the easement provisions and grants as set forth on the Plat of Subdivision, over the following: the East and West 5 feet, the South 10 feet and the North 15 feet of the lot

(7) Easement and Right-of-Way agreement for water main easement, made by and between CTC Block Properties, LLC and Illinois American Water Company (recovered by 14, 2008 as document number 00011237 (for further particulars, see records)

ALTA/ACSM CERTIFICATION

To: The Pointe at U of I, LLC, an Illinois limited liability company
 Frank Auer and a successor company
 Chicago Title Insurance Company

This plat is certified to be a true and correct copy of the original plat and the survey on which it is based was made in accordance with the 2011 National Standard (NS) for ALTA/ACSM Land Title Surveys, as established by the American Land Title Association, in Chicago, Illinois, on January 28, 2015.

Signed and Sealed this 28th day of January, 2015.

David E. Kozlowski, PE, F.S.S.
 Licensed Professional Land Surveyor # No. 2950
 License Expires 11/30/2015

ALTACGSM LAND TITLE SURVEY

1535 S. FLORIDA AVENUE
 URBANA, ILLINOIS

MSA
 PROFESSIONAL SURVEYING & ENGINEERING

TRANSPARENCY - INTEGRAL DEVELOPMENT - ENVIRONMENTAL RESPONSIBILITY

2015/01/28 10:21 AM
 1535 S. FLORIDA AVENUE, URBANA, IL 61802

PROJECT NO. 1535
 DRAWING NO. 1535-01

NO.	DATE	REVISION
1	01/28/15	ISSUE FOR PERMIT

LEGAL DESCRIPTION
 Part of the Northeast Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, more particularly described as follows:
 Lot 2 of CTC Subdivision, per Final Plat of Subdivision recorded February 15, 2007 as Document Number 200703094, situated in Champaign County, Illinois.

FLOOD ZONE CLASSIFICATIONS
 This plat is filed in the public record for informational purposes only. The applicant should refer to the Flood Insurance Rate Map (FIRM) for the area shown on this plat to determine flood hazard information. The Flood Insurance Rate Map (FIRM) for this area is available from the Federal Emergency Management Agency (FEMA), 1215 Jefferson Davis Highway, Alexandria, Virginia 22304.

NOTICE: This plat is subject to the provisions of the Illinois Land Surveying Act, Chapter 120, Illinois Compiled Statutes (625 ILCS 120/1-1).