



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Zoning Board of Appeals

FROM: Marcus Ricci, Planner II

DATE: July 13, 2018

SUBJECT: **ZBA-2018-C-05:** A request for a Conditional Use Permit by Tatman Family, LLC, represented by Paul Tatman, to allow construction and operation of an Assisted Living Facility on the property at 1606 Colorado Avenue in the B-3, General Business Zoning District.

Introduction

Tatman Family, LLC, represented by Paul Tatman, is requesting a Conditional Use Permit to allow construction and operation of permanent supportive housing on their lot. The prospective owner – the Housing Authority of Champaign County – plans to construct a facility which provides residences and care for seniors and others needing assistance with daily living activities. Section V-1.A. of the Urbana Zoning Ordinance permits an Assisted Living Facility in the B-3 district with a Conditional Use Permit.

The Urbana Zoning Board of Appeals must review the Conditional Use Permit application and hold a public hearing. It may vote to approve, approve with conditions, or deny the application.

Background

The subject property is located on Colorado Avenue between Philo Road and Prairie Winds Drive. The 2.84-acre property has been vacant since at least 1970. The proposed development would consist of four six-unit buildings with a single access point onto Colorado Avenue; one of the buildings would include community service facilities. The proposed development would meet all of the requirements of the Zoning Ordinance, including automobile parking, lot coverage, and yard setbacks, as well as other city development regulations.

Land Use and Zoning

The subject property is currently undeveloped and is located on the north side of Colorado Avenue between Philo Road and Prairie Winds Drive (Exhibit A). It is a 2.84-acre (124,000 square feet) lot with a stormwater ditch along the east property line and a stormwater swale along the north property line. The subject property, and land to the south (farmland) and west (Secure Self Storage & CVS Pharmacy) are zoned B-3 General Business. Land to east (Stone Ridge Square Apartments) is zoned R-4 Medium Density Multiple-Family Residential. Land to the north (The Pointe at U of I) is zoned R-5 Medium-High Density Multiple-Family Residential. Land to the southeast (Prairie Winds of

Urbana) is zoned R-2 Single Family Residential. Land further east (Lohmann Park) is zoned CRE Conservation-Recreation-Education. The table below lists the subject and surrounding properties' current zoning (Exhibit B), land use, and the future land use designated by the City of Urbana's 2005 Comprehensive Plan (Exhibit C).

Location	Zoning	Existing Land Use	Future Land Use
Subject Site	B-3 General Business	Open space (vacant)	Community Business
North	R-5 Medium-High Density Multiple-Family Residential	Apartment buildings (three-story)	Community Business
South	B-3 General Business & R-2 Single Family Residential	Farmland, apartment buildings (two-story), condominiums	Community Business
East	R-4 Medium Density Multiple Family Residential	Apartment buildings (two-story)	Multi-Family
West	B-3 General Business	Retail, pharmacy, storage facility, office	Community Business

Although the Comprehensive Plan does designate the subject property's future land use as "Community Business," it also suggests that the city "Study potential for alternative land uses for redevelopment" of the area. An Assisted Living Facility may be a viable alternative land use that could successfully buffer the existing commercial and multifamily residential uses that currently face each other across a long-vacant lot.

Discussion

The owner is requesting a Conditional Use Permit to allow construction and operation of an Assisted Living Facility by the Housing Authority of Champaign County, the prospective owner. On July 9, 2018, the Committee of the Whole of the City of Urbana recommended approval of a Resolution authorizing an Intergovernmental Agreement (IGA) with the Housing Authority for the purposes of applying for Permanent Supportive Housing Development Program funding from the Illinois Housing Development Authority (IHDA). If awarded, the funding would be used to create up to 24 units of permanent supportive housing at 1606 Colorado Avenue. This program's goal is to "increase housing options for households headed by persons with disabilities and households that are homeless or at-risk of homelessness." The City of Urbana applied to the program under the "persons with disabilities" project category. This definition of **permanent supportive housing** falls within the Zoning Ordinance's definition of:

Assisted Living Facility: A facility that provides residences and care for seniors and others in need of assistance with some activities of daily living, but not in need of nursing care.

The Conditional Use Permit procedures are meant to ensure that the proposed use is consistent with the intentions of the B-3 zoning district. In addition to the residential-oriented uses of Bed and Breakfast and Community Living Facility permitted by right in the B-3 zoning district, a Conditional Use Permit would allow for an Assisted Living Facility. The proposed development is comprised of four one-story buildings drive (Exhibit D – Site Plan). Each building has six one-bedroom/one-bathroom dwelling units; Building B also contains the Community Area (common space).

The dimensions of the property and the proposed structures meet the criteria of the Zoning Ordinance. The lot is 200' wide and is 2.84 acres (124,000 square feet) in area. The one-story structures are 30' deep; three of the buildings are 153' long and Building B is 185' long to accommodate the Community Area. The proposed Floor Area ratio is 0.16, much less than the maximum FAR of 0.40. There is no minimum Open Space Ratio or maximum building height in the B-3 zoning district. The proposed 40 automobile parking spaces exceeds the 17 required parking spaces; twelve bicycle parking spaces will also be required.

Requirements for a Conditional Use Permit

According to § VII-2 of the Urbana Zoning Ordinance, an application for a Conditional Use Permit shall demonstrate the following requirements shown in italics. City Staff analysis follows each criteria.

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

The proposed Assisted Living Facility is conducive to the public convenience at this location due to the proximity of adequate transportation infrastructure, facilitating easy access for residents, staff, and visitors. Colorado Avenue's three traffic lanes will easily accommodate the additional traffic, and sidewalks are already available for residents and visitors who will walk to the site. Bicycle lanes are available on Philo Road and there is an off-street shared-use path on the south side of Colorado Avenue. Champaign-Urbana Mass Transit District has transit stops at the intersection of Philo Road and Colorado Avenue.

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 Assisted Living Facility will be designed, located, and operated so as not to be unreasonably injurious or detrimental to the B-3 zoning district or to the public welfare. The complex of one-story structures will not negatively impact the viewshed of the neighboring residents, and will act as a buffer between the existing apartment buildings to the east and the rear face of the existing commercial building to the west. Parking is divided into multiple smaller lots and screened from view of the adjacent residential uses. Over 30 trees will be installed on the property as part of the landscape plan. The proposed structures will be designed to all standards adopted by the Urbana Building Safety Division as well as the requirements of the Urbana Zoning Ordinance (height, yard setbacks, open space, density, etc.). In addition, if the proposed development is funded using Illinois Housing Development Authority (IHDA) grant funds, it must meet IHDA architectural standards. IHDA will also conduct construction and long-term compliance monitoring. The Housing Authority will be responsible for the operation and maintenance of the proposed facility.

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 § VII-3.

The proposed Assisted Living Facility's use will conform to the applicable regulations and preserve the character of the B-3 zoning district. The preliminary site plan and elevations show that it will meet the yard setback, automobile parking, FAR and OSR requirements of the Zoning Ordinance. In addition, it will need to meet buffer and landscape yard and bicycle parking requirements. Landscape,

lighting and other plans will be submitted as part of the building plan review process. As the proposed use as an Assisted Living Facility is to provide for seniors and others in need of assistance with daily living activities – rather than as a traditional multi-family residential development – the proposal would conform to the general purpose and intent of the B-3 General Business zoning district, which 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.”

Consideration

According to Zoning Ordinance § XII-2, the Zoning Board of Appeals shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the conditional use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and 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.

In addition, the Zoning Board of Appeals may also impose such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require the screening of such use by means of fences walls or vegetation;
3. Stipulate a required minimum lot size;
4. Regulate vehicular access and volume;
5. Require conformance to health, safety, and sanitation requirements as necessary;
6. Increase the required yards; and
7. Any other conditions deemed necessary to affect the purposes of this Ordinance.

Summary of Findings

1. The prospective owner proposes to construct and operate an Assisted Living Facility at 1606 Colorado Avenue in the B-3, General Business zoning district. The Urbana Zoning Ordinance allows an Assisted Living Facility in the B-3 district with a Conditional Use Permit.
2. The proposed Assisted Living Facility complex includes four six-unit, one-dwelling-unit structures encompassing approximately 20,000 square feet of living area, plus 40 automobile parking spaces.
3. The proposed structure would be compliant with all Zoning Ordinance requirements for height, setbacks, floor area ratio, open space, and off-street parking.
4. The proposed use is conducive to the public convenience due to the proximity of adequate transportation infrastructure, facilitating easy access for residents, staff, and visitors.
5. The proposed use would not be a detriment to the B-3 district because of the buffering aspects of its one-story buildings between the existing commercial building and apartment buildings, as well as the substantial addition of landscaping.

6. The proposed use is consistent with the applicable regulations and standards of, and preserves the essential character of, the B-3 district in which it shall be located, as it will provide needed daily living assistance to seniors and others in an environment proximal to necessary goods and services, transportation, and open space.

Options

The Zoning Board of Appeals has the following options in Case No. ZBA-2018-C-05:

1. **Grant** the conditional use as submitted; or
2. **Deny** the conditional use as submitted; or
3. **Grant the conditional use along with any additional conditions and requirements** as are appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Zoning Board of Appeals **APPROVE** the proposed conditional use in case ZBA-2018-C-05 for the reasons articulated above. Should the Zoning Board of Appeals approve the proposed use, Staff recommends that the use shall be subject to the following conditions:

1. The proposed development generally conforms with the site plan in Exhibit D entitled “Permanent Supportive Housing – 24 Units at 1606 E. Colorado Avenue,” dated July 9, 2018, submitted with this application.
2. The proposed development conforms with all applicable zoning and building safety codes in the City.

The specifics of this recommendation may change during the course of formal review of ZBA Case No. 2018-C-05.

Attachments: Exhibit A: Location & Aerial Map
 Exhibit B: Zoning Map
 Exhibit C: Future Land Use Map
 Exhibit D: Conditional Use Permit Application, including Site Plan & Elevations
 Exhibit E: Site Photos

cc: Paul Tatman, representing Tatman Family, LLC, Owner
 John Dailey, Housing Authority of Champaign County
 Kelly Mierkowski, City of Urbana, Grants Management Division

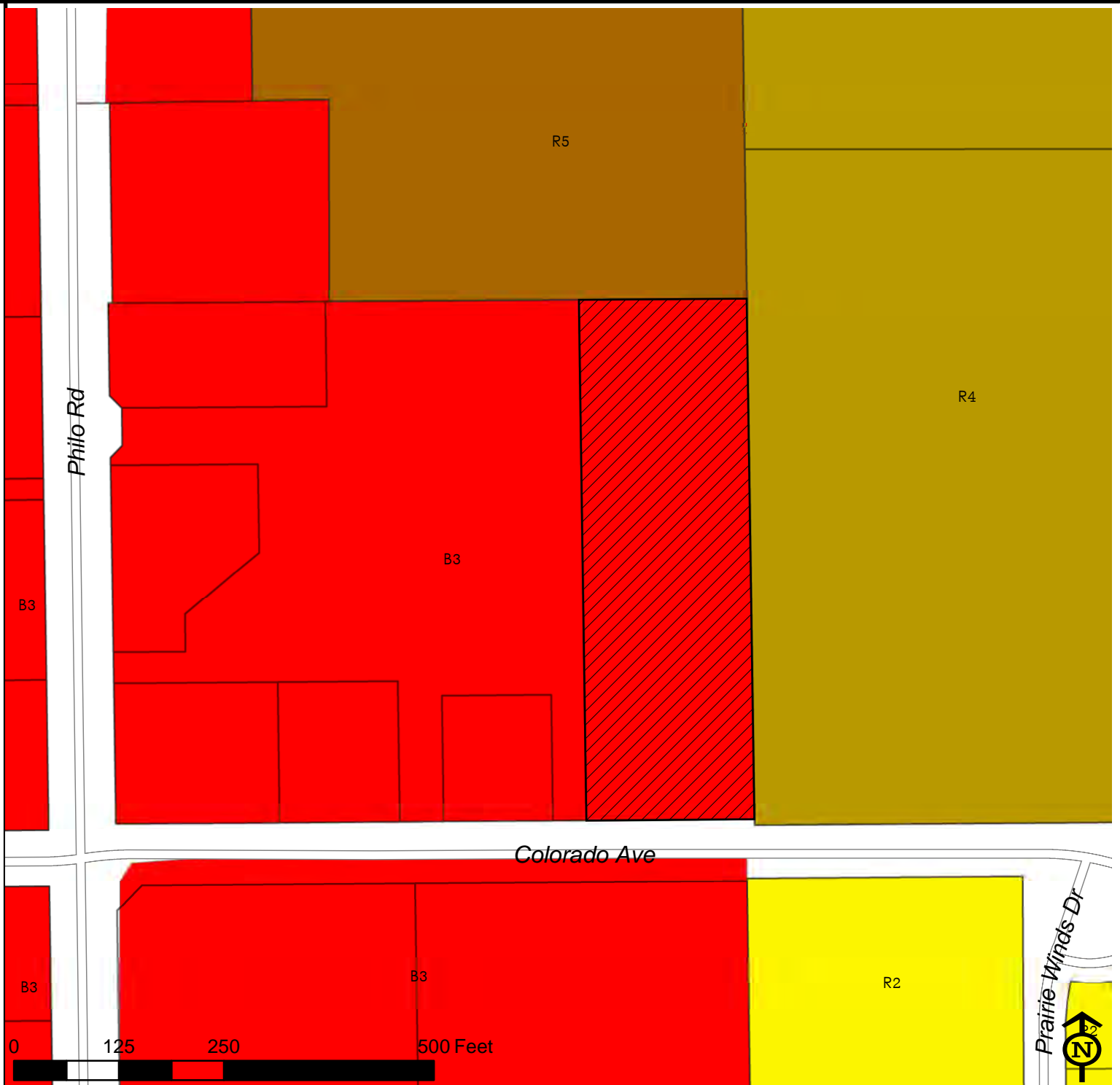
Exhibit A: Location & Existing Land Use Map







Case: 2018-ZBA-C-05
 Subject: Assisted Living Facility
 Location: 1606 Colorado Avenue
 Petitioner: Tatman LLC and the
 Housing Authority of
 Champaign County

 Subject Property

Exhibit B: Zoning Map

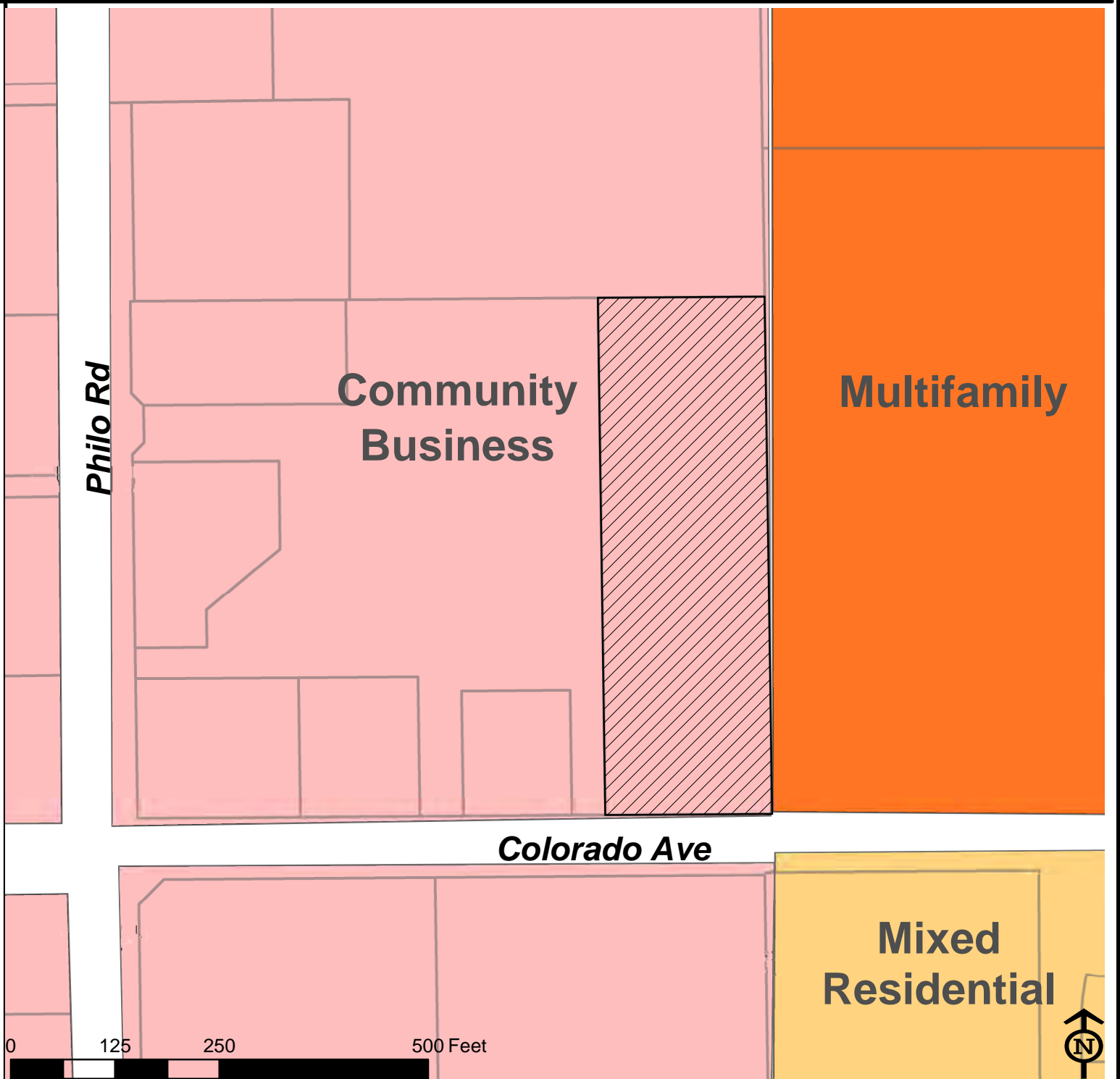


Case: 2018-ZBA-C-05
Subject: Assisted Living Facility
Location: 1606 Colorado Avenue
Petitioner: Tatman LLC and the
Housing Authority of
Champaign County

-  B3
-  R5
-  R2
-  R4

 Subject Property

Exhibit C: Future Land Use Map



Case: 2018-ZBA-C-05
Subject: Assisted Living Facility
Location: 1606 Colorado Avenue
Petitioner: Tatman LLC and the
Housing Authority of
Champaign County

- Mixed Residential
- Multi-Family Residential
- Community Business
- Subject Property

Exhibit D: Application



Application for Conditional Use Permit

ZONING BOARD OF APPEALS

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 06-15-2018 ZBA Case No. ZBA-2018-C-05
Fee Paid - Check No. 60859 Amount \$175.00 Date 06-15-2018

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A CONDITIONAL USE PERMIT is requested in conformity with the powers vested in the Zoning Board of Appeals to permit the following use or construction purpose:

Permanent supportive housing (Assisted Living Facility)

on the property described below, and in conformity with the plans in the permit application.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Tatman Family, LLC** Phone: **217-202-0801**
Address (street/city/state/zip code): **1808 Philo Rd. Suite 102, Urbana, IL**
Email Address: **ptatman@aol.com**
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **Owner**

2. OWNER INFORMATION

Name of Owner(s): **Tatman Family, LLC** Phone: **217-202-0801**
Address (street/city/state/zip code): **1808 Philo Rd. Suite 102, Urbana, IL**
Email Address: **ptatman@aol.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: **1606 E Colorado, Urbana, IL**
PIN # of Location: **93-21-21-201-006**
Lot Size: **200x620**
Current Zoning Designation: **B-3**

Exhibit D: Application

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

Proposed Land Use: **Permanent supportive housing (Assisted Living Facility)**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

Lot 6 of Becky's Subdivision as per plat recorded in Book "Y" at page 196, in Champaign County, Illinois.

4. CONSULTANT INFORMATION

Name of Architect(s): Tyson and Billy Architects, P.C. Phone: **815-229-8222**

Address (*street/city/state/zip code*): **4000 Morsay Dr., Rockford, IL, 61107**

Email Address: **ron@tysonandbilly.com**

Name of Engineers(s): BKB Engineering Inc. Phone: **217-531-2197**

Address (*street/city/state/zip code*): **301 N Neil Suite 400 Champaign, IL, 61820**

Email Address: **bbradshaw@bkbeng.com**

Name of Surveyor(s): BKB Engineering Phone: **217-531-2197**

Address (*street/city/state/zip code*): **301 N Neil Suite 400 Champaign, IL, 61820**

Email Address: **bbradshaw@bkbeng.com**

Name of Professional Site Planner(s): Tyson and Billy Architects, P.C. Phone: **815-229-8222**

Address (*street/city/state/zip code*): **4000 Morsay Dr. Rockford, IL, 61107**

Email Address: **ron@tysonandbilly.com**

Name of Attorney(s): Eric Hanson Phone: **815-730-9500**

Address (*street/city/state/zip code*): **822 Infantry Dr. Joliet, IL, 60435**

Email Address: **ehanson@mscltdlaw.com**

5. REASONS FOR CONDITIONAL USE PERMIT

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

The proposed use will provide much needed housing for individuals with mental and physical disabilities in Urbana. A shortage of housing for persons with disabilities exists in the community, and the Housing Authority of Champaign County (HACC) has an opportunity to alleviate the need for such housing through this development. The proposed development would be funded primarily through the Illinois Housing Development Authority's Permanent Supportive Housing Development Program. As detailed in the 2018 Champaign County Continuum of Care Point In Time Count, 27 homeless individuals who were either unsheltered or in temporary housing identified as having a physical or mental condition that could be treated in part through permanent supportive housing.

Exhibit D: Application

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.

The development would be suited to the location due to its relatively low intensity. The townhome-style development would be in keeping with the multifamily nature of the land uses to the east and north, and could provide a suitable transition between the larger apartment complexes in those areas and the commercial uses to the west. The HACC would manage the property directly or hire property managers. The HACC would provide or arrange for case management for permanent supportive housing units. Overall, the use would be a public good, as it would be owned by a public entity for the purpose of providing much-needed housing for persons with disabilities.

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 (except where such regulations and standards may be modified by Section VII-3 of the Urbana Zoning Ordinance, 1979).

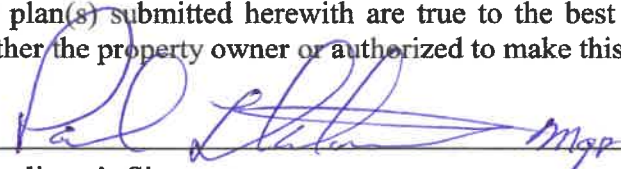
The proposed use would meet all development regulations, including FAR and OSR, while maintaining compliance with the required yard setbacks. Sufficient parking for both automobiles and bicycles would be provided.

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.

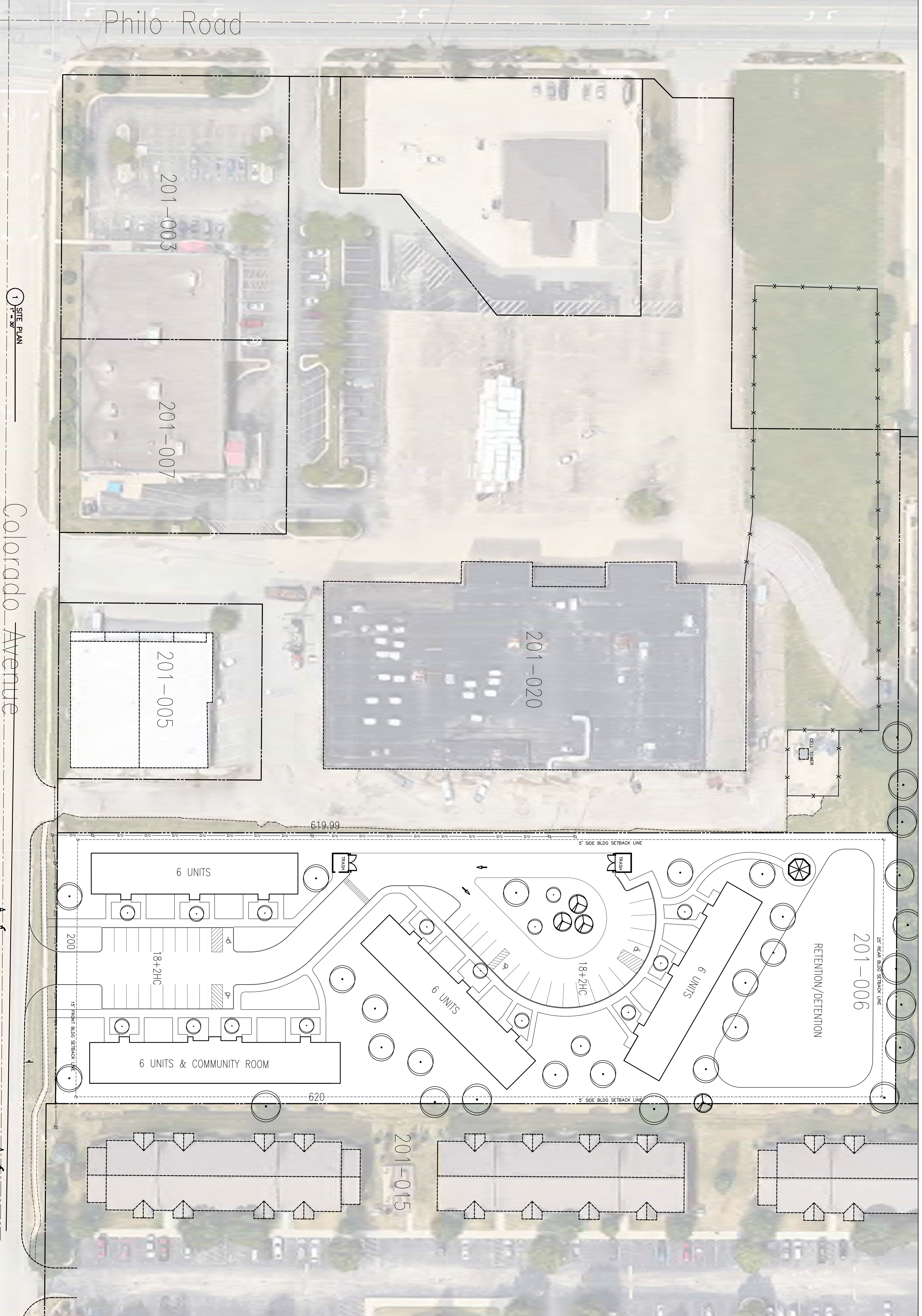

Applicant's Signature


Date

Exhibit D: Application - Site Plans

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PRELIMINARY DRAWING - NOT FOR CONSTRUCTION R:\Documents\18-11660 Urbana Permanent Supportive Housing - HACC\02 DRAWING FILES\CAD\1600 Colorado Site Plan.dwg Jul 09, 2018 10:00am Brod



SHEET PLAN		PERMANENT SUPPORTIVE HOUSING		OWNER		ARCHITECT		Tyson and Billy Architects, P.C.	
C100		24 UNITS AT 1606 E. COLORADO AVENUE						4000 Morsay Drive	
		URBANA, ILLINOIS 61802						Rockford, IL 61107	
REVISION DATE		18-11660		BOM		RGB		(815) 229-8222	
		Date		Drn.		Appd.		FAX: (815) 229-8218	
		07/09/2018						www.tysonandbilly.com	
		Project Number							
				CONTRACTOR		BONDING CO.			

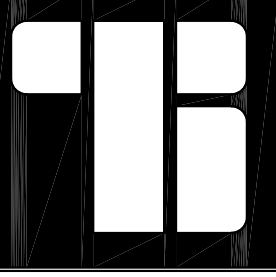
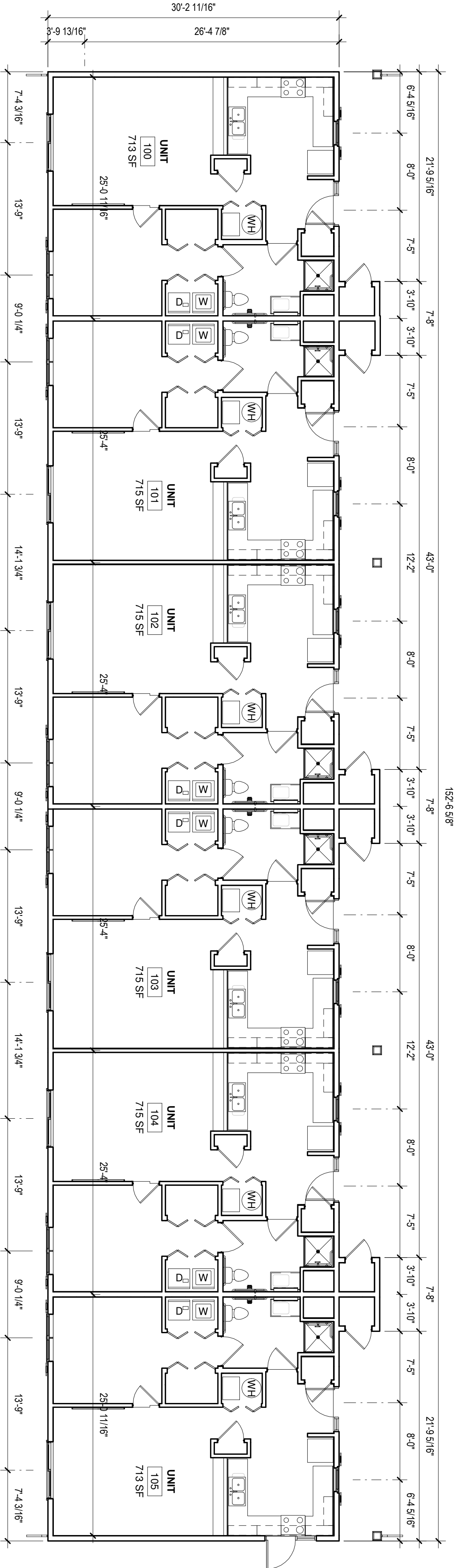
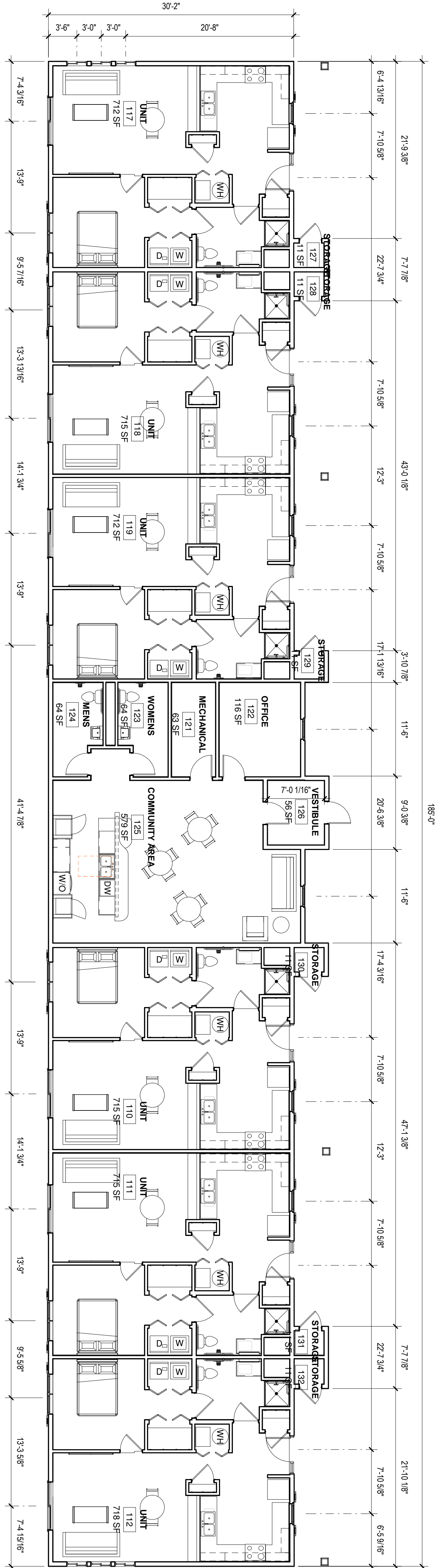


Exhibit D: Application - Site Plans

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PRELIMINARY DRAWING - NOT FOR CONSTRUCTION



1 BUILDING TYPE A FLOOR PLAN
Scale: 1/8" = 1'-0"

2 BUILDING TYPE B FLOOR PLAN
Scale: 1/8" = 1'-0"

BUILDING A & B FLOOR PLANS

PERMANENT SUPPORTIVE HOUSING

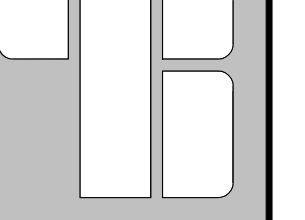
24 UNITS AT 1606 E. COLORADO AVENUE
URBANA, ILLINOIS 61802

Project Number 18-11660 Date 07/09/2018 Drm. SMP Appd. RGB

OWNER	ARCHITECT
CONTRACTOR	BONDING CO.

Tyson and Billy Architects, P.C.

4000 Morsay Drive
Rockford, IL 61107
(815) 229-8222
FAX: (815) 229-8218
www.tysonandbilly.com



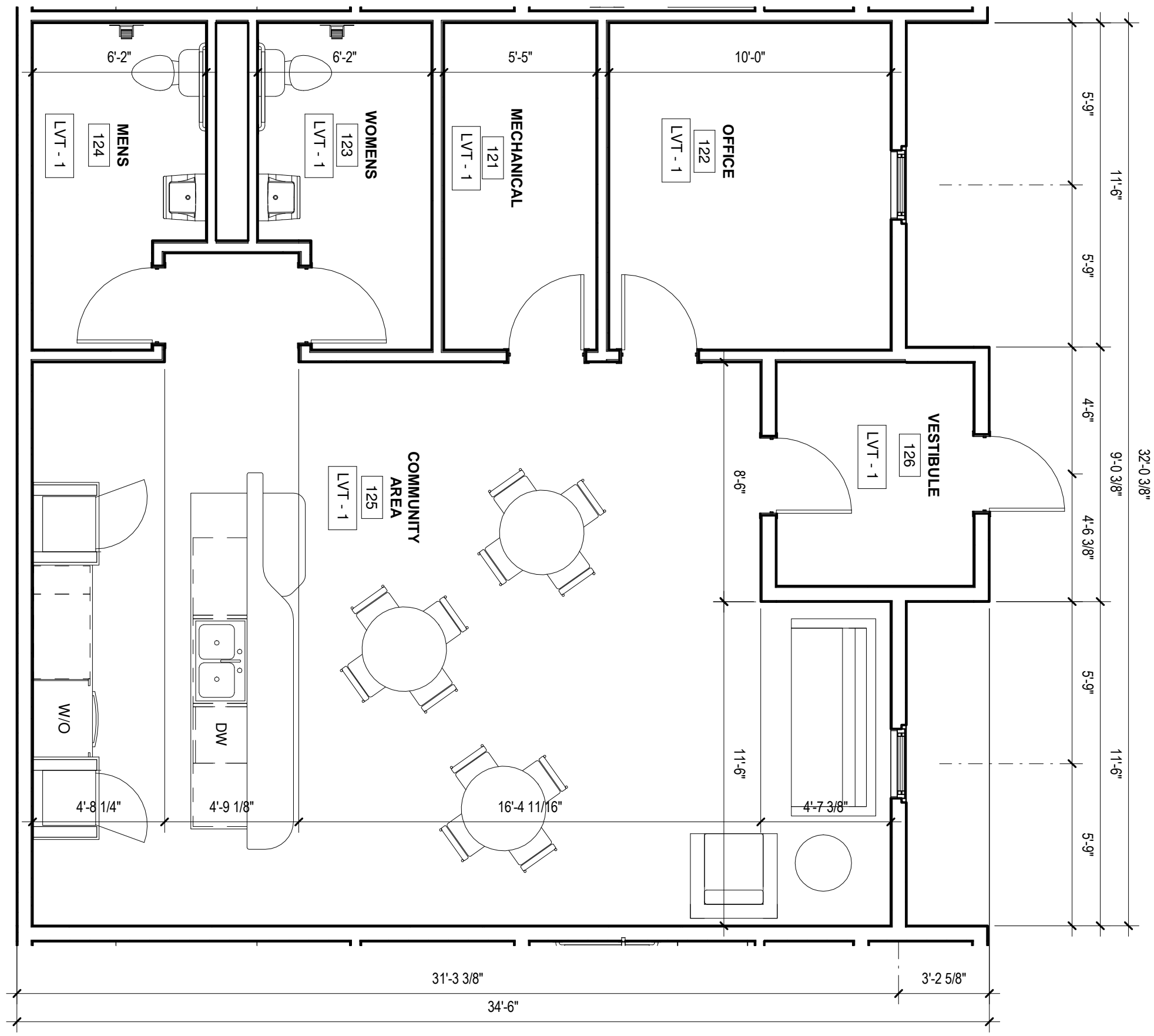
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REVISION DATE

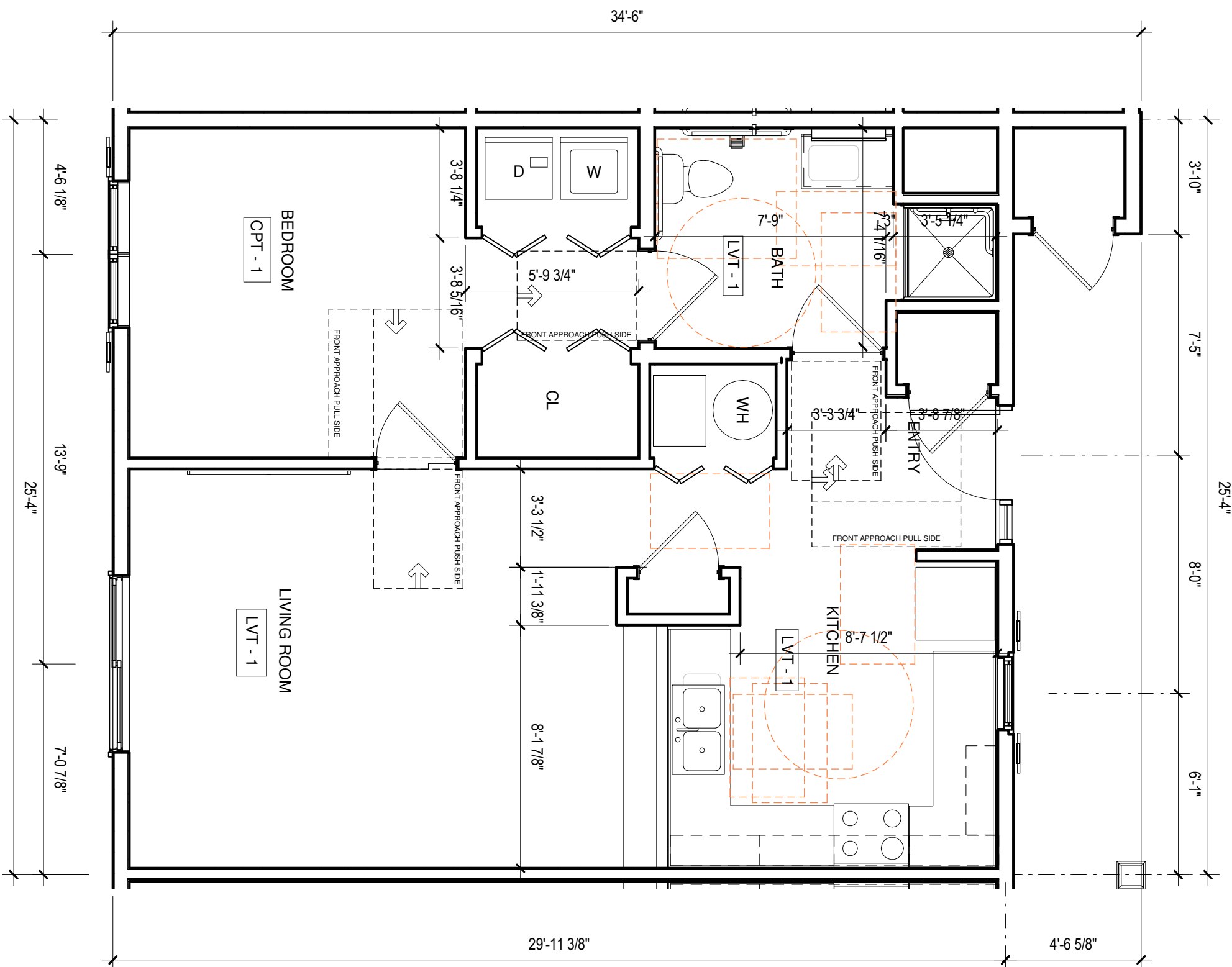
Exhibit D: Application - Site Plans

7/9/2018 10:45:50 AM PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

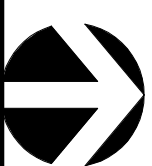
FINISH SCHEDULE	
OPT-1	J & J FLOORING
LVT-1	ARMSTRONGS FLOORING



2 ENLARGED COMMUNITY ROOM
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1 ENLARGED UNIT
Scale: 1/4" = 1'-0"

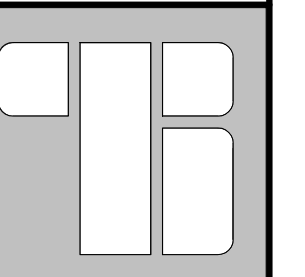


ENLARGED PLANS

PERMANENT SUPPORTIVE HOUSING
24 UNITS AT 1606 E. COLORADO AVENUE
URBANA, ILLINOIS 61802

OWNER	ARCHITECT
CONTRACTOR	BONDING CO.

Tyson and Billy Architects, P.C.
4000 Morsay Drive
Rockford, IL 61107
(815) 229-8222
FAX: (815) 229-8218
www.tysonandbilly.com



Sheet No:
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REVISION DATE

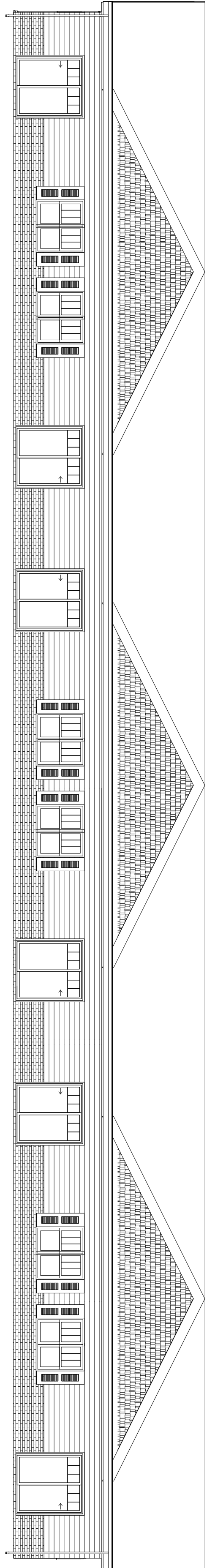
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18-11660	07/09/2018				

Exhibit D: Application - Site Plans

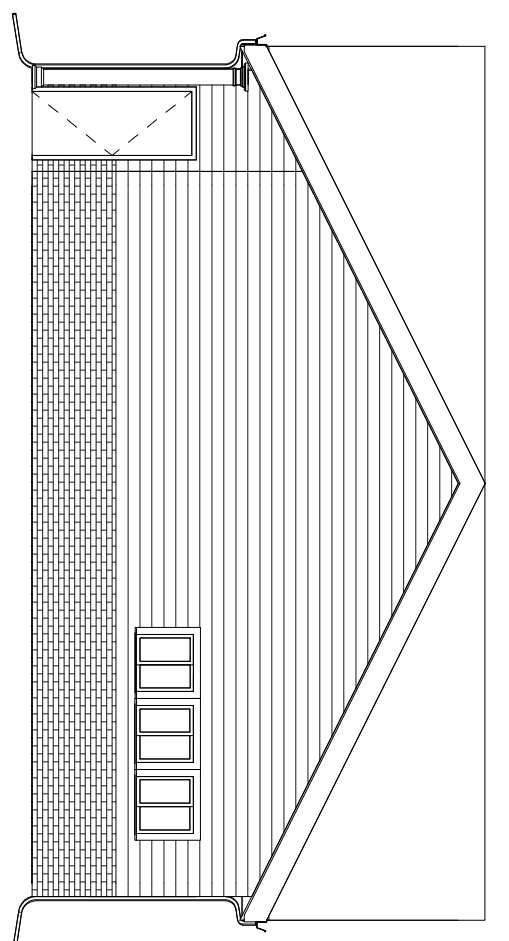
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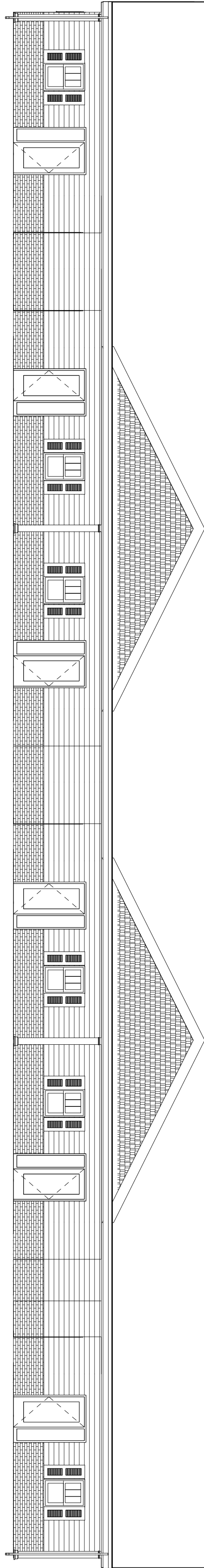
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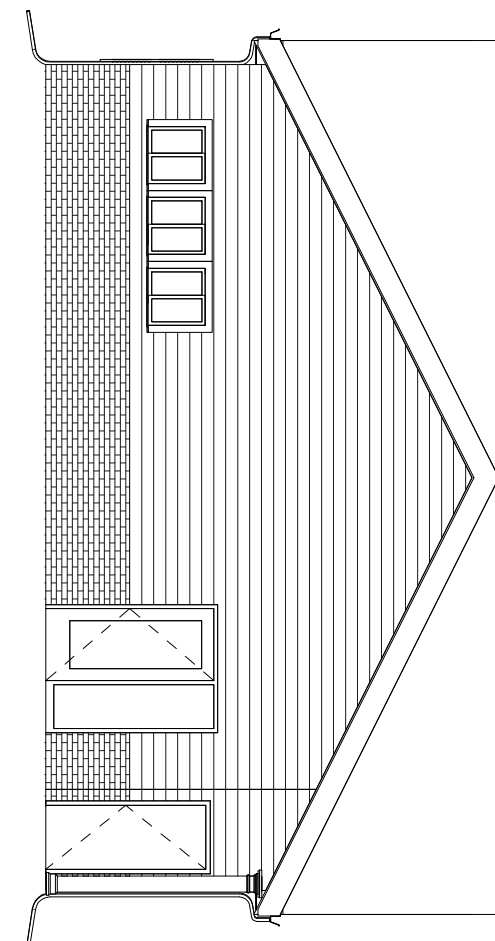
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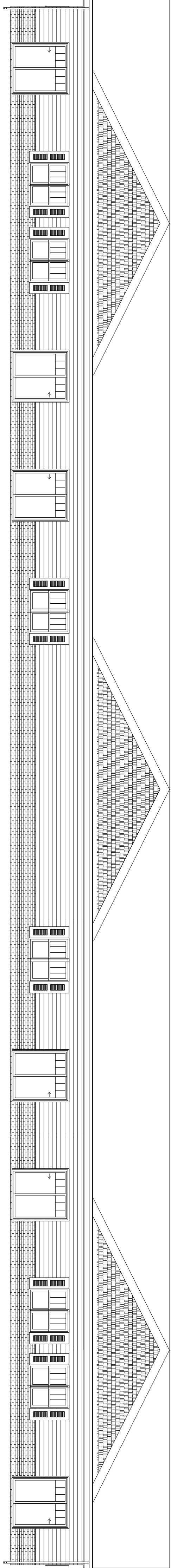
6 BUILDING A FRONT ELEVATION
Scale: 1/8" = 1'-0"



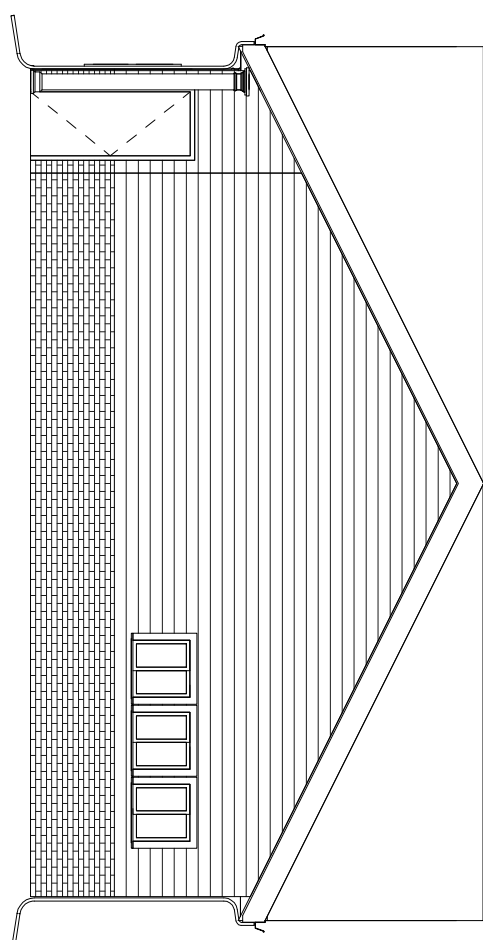
5 BUILDING A RIGHT ELEVATION
Scale: 1/8" = 1'-0"



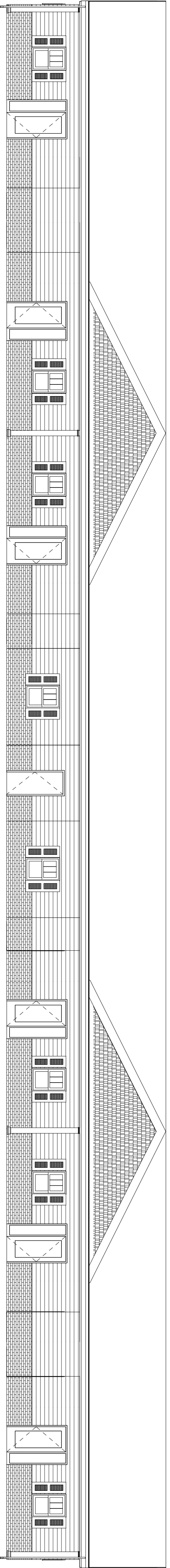
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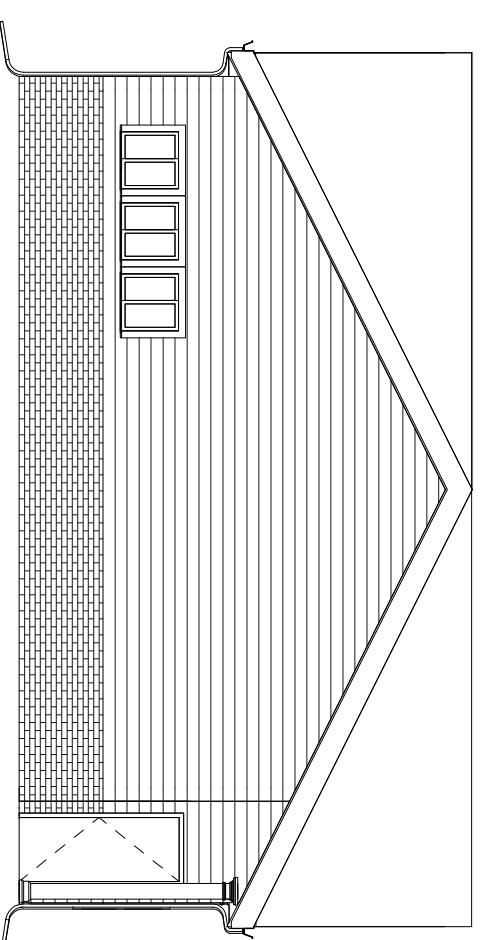
3 BUILDING B LEFT ELEVATION
Scale: 1/8" = 1'-0"



2 BUILDING B FRONT ELEVATION
Scale: 1/8" = 1'-0"



1 BUILDING B RIGHT ELEVATION
Scale: 1/8" = 1'-0"



EXTERIOR ELEVATIONS

PERMANENT SUPPORTIVE HOUSING

24 UNITS AT 1606 E. COLORADO AVENUE
URBANA, ILLINOIS 61802

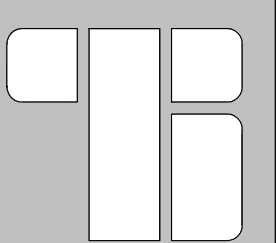
Project Number 18-11660 Date 07/09/2018 Drn. SMP Appd. RGB CONTRACTOR BONDING CO.

OWNER ARCHITECT
CONTRACTOR BONDING CO.

Tyson and Billy Architects, P.C.

4000 Morsay Drive
Rockford, IL 61107
(815) 229-8222
FAX: (815) 229-8218

www.tysonandbilly.com



Sheet No:
A201

REVISION DATE

Exhibit E – Site Photos



Front of 504 South Poplar Street residence (Google Maps)



West property line: adjacent commercial properties (Rainbow Restoration; Self Storage)



East property line: Stone Ridge Square Apartments