

DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES



Planning Division

M E M O R A N D U M

TO: The Urbana Plan Commission

FROM: Rob Kowalski, Planning Manager

DATE: June 10, 2005

SUBJECT: Plan Case No. 1938-SU-05; A Request From Capstone Development Corporation for a Special Use Permit to establish a *Residential Planned Unit Development (PUD)* within the R-4, Medium Density Multiple-Family Residential Zoning District located at 1801 North Lincoln Avenue.

Introduction

Capstone Development Corporation is requesting Special Use Permit approval to establish a Residential Planned Unit Development (PUD) on a 9.57-acre tract of property located at 1801 North Lincoln Avenue. In August 2004 the Urbana City Council approved a rezoning of this property from B-3, General Business to R-4, Multi-Family Residential along with a Special Use Permit for a Residential PUD. The Special Use Permit was granted to Hills for College, LLC for 136 residential condominiums in 17 separate buildings. Hills College, LLC did not start construction on their project and is now under contract to sell the property to Capstone Development Corporation. Capstone is a residential developer that has built similar projects near college campuses. In 1997 Capstone developed University Commons Apartments at 1307 North Lincoln Avenue. Capstone proposes to establish a new Special Use Permit approval for the property and develop 208 residential condominiums units in three separate buildings. Since the site plan proposal differs from the Special Use Permit approval granted last year, Capstone is required to apply for a new permit and receive approval from the Urbana Plan Commission and City Council.

Attached to this report is the full application and site plan submitted by the applicant. These materials describe the project and offer a conceptual layout of the buildings, the parking areas, open space, access drives, etc. A copy of the original Special Use Permit site plan approved for Hills for College, LLC is also enclosed for reference.

Background

Description of the Area

The site is located on North Lincoln Avenue in an area that has a mix of land uses and zoning. Overall, the North Lincoln Avenue corridor can be described as a commercial corridor with a number of hotels, convenience services uses, and retail uses. It has been designated by the University of Illinois as its primary entryway to the campus. The area also contains large-scale multi-family residential developments with Melrose Apartments, University Commons and The Atrium Apartments. The corridor also contains some remaining small-scale light industrial uses.

The primary zoning districts in the area are B-3, General Business, IN, Industrial and R-4, Medium Density Multi-Family Residential. The 2005 Comprehensive Plan identifies the property as most appropriate for multi-family residential uses and identifies the approval granted to Hills for College, LLC in 2004.

The following chart identifies the Comprehensive Plan designation, current zoning, and current land use of the site and surrounding properties.

Survey of Comprehensive Plan Designation, Zoning, and Land Use

	2005 Comprehensive Plan (Map #3)	Current Zoning	Current Land Use
Site	Multi-Family	R-4, Medium Density Multi-Family Residential	Undeveloped
North	Regional Business	B-3, General Business	Gas Station and undeveloped property
East	Community Business	Industrial	Light Industrial uses, hotel, print shop.
South	Multi-Family Residential	R-4, Medium Density Multi-Family Residential	Melrose Apartments
West	Multi-Family Residential	R-4, Medium Density Multi-Family Residential	Melrose Apartments

Please refer to the attached maps and photo exhibits for further information.

Zoning and Land Use History

The following offers a summary of the zoning and land use history for the site.

- It appears that the majority of the property (then referred to as the Tawney Tract) was originally annexed into the city in 1979 with a zoning district of commercial.
- In 1982 the new Comprehensive Plan identified the site and surrounding properties as appropriate for Industrial land uses.

- In 1996 the Urbana City Council approved a Comprehensive Plan Amendment to identify the site as more appropriate for commercial uses. This change was done in conjunction with a Comprehensive Plan Amendment and Special Use Permit for the Melrose Apartment Planned Unit Development to the west and south. That amendment changed the zoning for the Melrose site to multi-family. It was justified in this plan case that the commercial designation for this tract was most appropriate because commercial uses would be needed to serve the new residential uses in the area.
- In August 2004 the Urbana City Council approved a request by Hills for College, LLC to rezone the property from B-3, General Business to R-4, Multi-Family Residential and to approve a request for a Special Use Permit to establish a Residential Planned Unit Development (PUD) on the site. The Residential PUD would have established 17 multi-family buildings with 136 condominiums. A unified development plan identified associated parking and open space provisions as well.

Discussion

Proposal

Capstone is proposing 208 total condominium units distributed among three separate buildings. The condominiums would be a mixture of two, three and four bedroom units (see site plan map for breakdown). The two larger three-story buildings would mirror each other on the west side of site and would each contain 76 units. A third three-story building would front Lincoln Avenue and contain 56 units along with a centrally located clubhouse and office / leasing area. The parking is evenly distributed throughout the site and provided at a rate of approximately one space per bedroom which likely exceeds the requirements of the Urbana Zoning Ordinance depending on exact bedroom sizes. Overall the project will have a density of 21.7 units per acre with 48.2% of the site being provided as open space as identified in the Urbana Zoning Ordinance. The construction cost of the project is estimated to be \$18,000,000.

The site design has been completed with significant coordination between city staff and the developer. Upon learning that Hills for College, LLC entered into a contract to sell the property to Capstone Development Corporation, staff consulted Capstone and informed them of the city's desire for commercial uses along North Lincoln Avenue. Capstone has been considering development options that would include commercial uses along the Lincoln Avenue frontage with residential condominiums to the west end of the site. Although Capstone Development Corporation is not a commercial builder, they have been consulting with commercial developers about potential development partnerships. At this time they do not have such a partnership and wish to request approval for residential uses on the entire site. Nevertheless, the site has been designed in a way that would allow the building fronting Lincoln Avenue to contain either residential or commercial uses. Also, the provisions of the Urbana PUD ordinance allows up to 10% of the overall site to be used for neighborhood business commercial purposes without the requirement to rezone to a commercial zoning classification. Staff will continue to work with Capstone to try and develop commercial uses along the Lincoln Avenue frontage.

An initial review of the conceptual site plan indicates that the development should not have difficulty meeting the development regulations of the Urbana Zoning Ordinance. It appears that the site can be developed meeting the technical requirements of parking, setbacks, floor area ratio and open space ratios. Stormwater will be managed within the regional detention basin located just north of Kenyon Road and south of the Interstate 74. This basin was designed and developed with the expectation that this site would eventually be developed. With the regional basin already established, there is no requirement for on-site detention. The developer will be required to pay a pre-determine drainage fee in the amount of \$143,000 in order to utilize the basin.

Comprehensive Plan Goals, Objectives and Policies

The proposed Special Use Permit was considered in light of other goals and objectives contained in the 2005 Urbana Comprehensive Plan. The following goals and objectives relate to this case:

Goal 2.0 **New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.**

Objectives

- 2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.
- 2.2 Encourage the use of landscape materials and ornamentation to improve the appearance and functionality of new developments.
- 2.3 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 3.0 **New development should be consistent with Urbana’s unique character.**

Objectives

- 3.1 Encourage an urban design for new development that will complement and enhance its surroundings.
- 3.2 Promote new developments that are unique and capture a “sense of place.”

Goal 15.0 **Encourage compact, contiguous and sustainable growth patterns.**

Objectives

- 15.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid “leapfrog” development.

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.
- 19.2 Encourage residential developments that offer a variety of housing types, prices and designs.

Goal 34.0 **Encourage development in areas where adequate infrastructure already exists.**

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 three criteria:

- 1. That the proposed use is conducive to the public convenience at that location.*
- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detriment to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.*
- 3. That the proposed use conforms to the applicable regulations and standards and preserves the essential character of the district in which it shall be located.*

The proposed use is convenient to the public convenience at this location because it will provide residential opportunities in close proximity to the University of Illinois and along the corridor designated at the “Gateway to Campus”. The proposed use is proposed to be designed and operated in a manner that meets the development requirements of the Urbana Zoning Ordinance and will be appropriate for the R-4 Zoning District and general area. The development will be located in close proximity to other similar residential development including Campus Connection (formerly Melrose Apartments) and University Commons Apartments.

Consideration

The Plan Commission shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the rezoning and special use permit.

The Plan Commission shall make a recommendation to the City Council for or against the proposed rezoning and special use. As part of the Special Use Permit, the Plan Commission may recommend 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 this Ordinance, including but not limited to the following:

1. Regulate the location, extent, and intensity of such use;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Any other conditions deemed necessary to affect the purposes of this Ordinance.

Summary of Findings:

1. In August 2004 the Urbana City Council approved a Special Use Permit to allow a Residential Planned Unit Development on the site for Hills for College, LLC. The proposal by Capstone Development Corporation revises this site plan approval and is consistent with the original goals of its approval.
2. The site is currently zoned R-4, Multi-Family Residential which allows a Residential Planned Unit Development with the granting of a Special Use Permit.
3. The proposed site plan indicating 208 total units distributed within three separate buildings along with associated parking and open space is found to be compliant with the provisions for a Special Use Permit in that it will be generally conducive to the public convenience at this location; 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.
4. The proposed site plan for the Residential Planned Unit Development appears to meet the development regulations of the R-4, Medium Density Multiple Family Residential Zoning District as described in the Urbana Zoning Ordinance.
5. The development is designed in a manner that could accommodate commercial uses along the Lincoln Avenue frontage. The provisions of the PUD ordinance allows up to 10% of the site to be used for commercial purposes. Although the approval is for residential uses, the developer and City of Urbana will continue to coordinate on the possibly of attracting commercial uses at this location.

Options

The Urbana Plan Commission has the following options in this case:

1. Recommend approval of the Special Use Permit request;
2. Recommend approval of the Special Use Permit request with any additional conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance;
3. Recommend denial of the request for the Special Use Permit.

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 Urbana

Plan Commission recommend APPROVAL of the Special Use Permit to the Urbana City Council with the following conditions of approval:

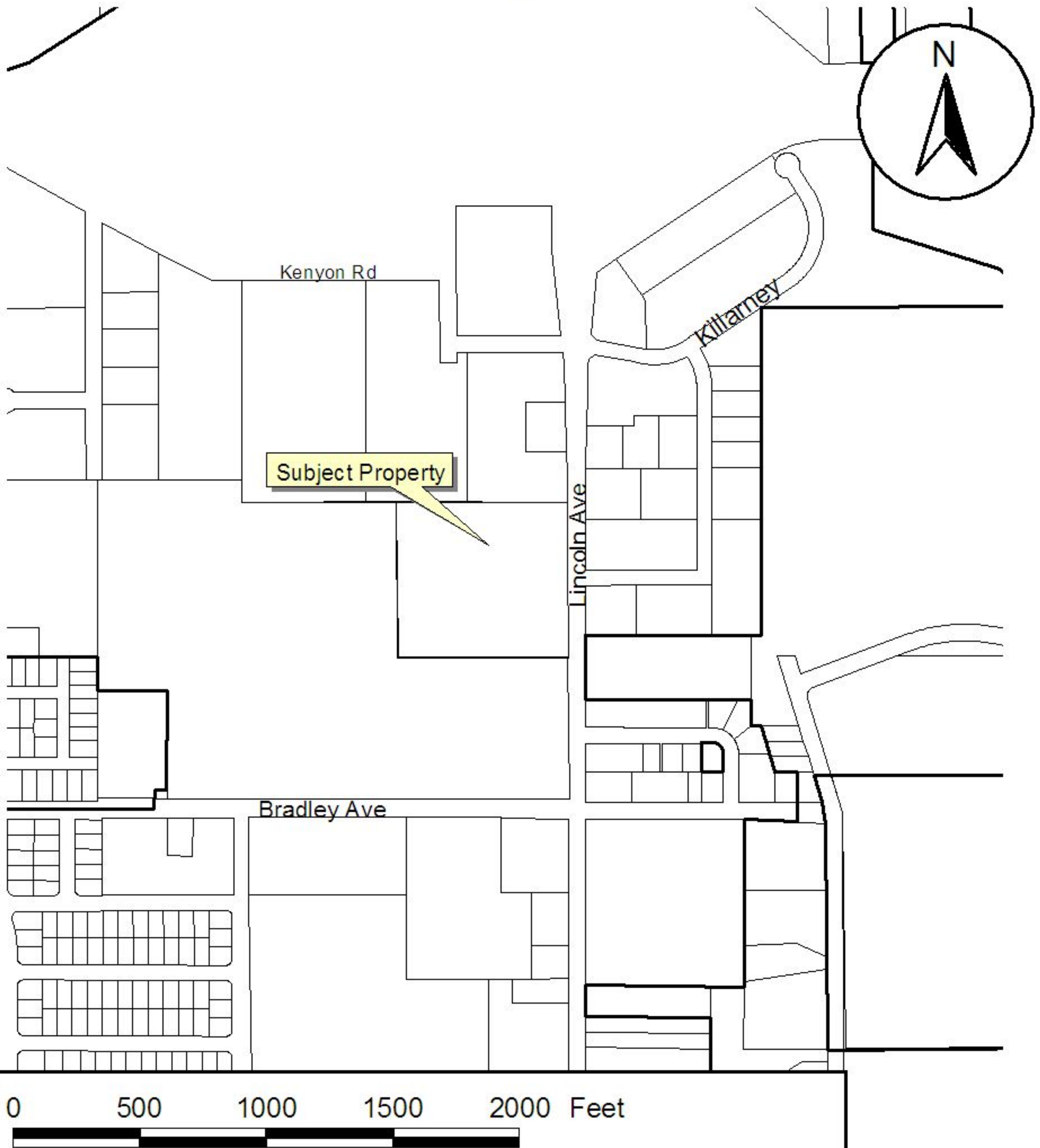
1. The development shall be constructed in substantial conformance to the site plan layout submitted as part of the application and attached hereto. Any substantial changes to the layout (with the exception of item #4 below) shall require additional review and approval from the Urbana Plan Commission and Urbana City Council.
2. The design and appearance of the buildings shall be in substantial conformance to the photographs and illustrations submitted for the project and attached hereto. This includes the use of brick material on the exterior of the buildings as depicted in the attached photos.
3. Should the developer elect to utilize the provisions of the Planned Unit Development Ordinance within the Urbana Zoning Ordinance and incorporate commercial uses into the development, a revised site plan may be reviewed and approved by the Zoning Administrator provided the revised site plan generally conforms to the spirit and intent of the original approval. Should the Zoning Administrator determine that the proposed changes substantially change the overall site plan, the case may be referred back the Urbana Plan Commission and Urbana City Council for reconsideration of the original Special Use Permit approval.
4. The required stormwater detention for development of the site shall be accommodated within the Kenyon Road / I-74 Regional Detention Basin. Prior to development of the site, the regional detention drainage fee, as stipulated in the 1998 Berns, Clancy and Associates report, must be paid. The drainage fee is a special assessment which runs with the land and will not be waived. This payment shall be in the amount of \$143,000. This figure is derived from the amount established in the 1998 Berns, Clancy and Associates report plus a calculated 3% annual interest / inflation factor.

Attachments: Exhibit A, Location Map
Exhibit B, Zoning map
Exhibit C, 2005 Comprehensive Plan Map #3
Exhibit D, Aerial Photo
Exhibit E, Additional Photos
Exhibit F, Petition for Special Use Permit
Exhibit G, Proposed Site Plan for Condominiums
Exhibit H, Previously approved Special Use Permit (Hills for College, LLC)
Exhibit I, Notice to Adjacent Property Owners

Cc: Caleb Phillips, Capstone Development Corporation
431 Office Park Drive
Birmingham, AL 35223

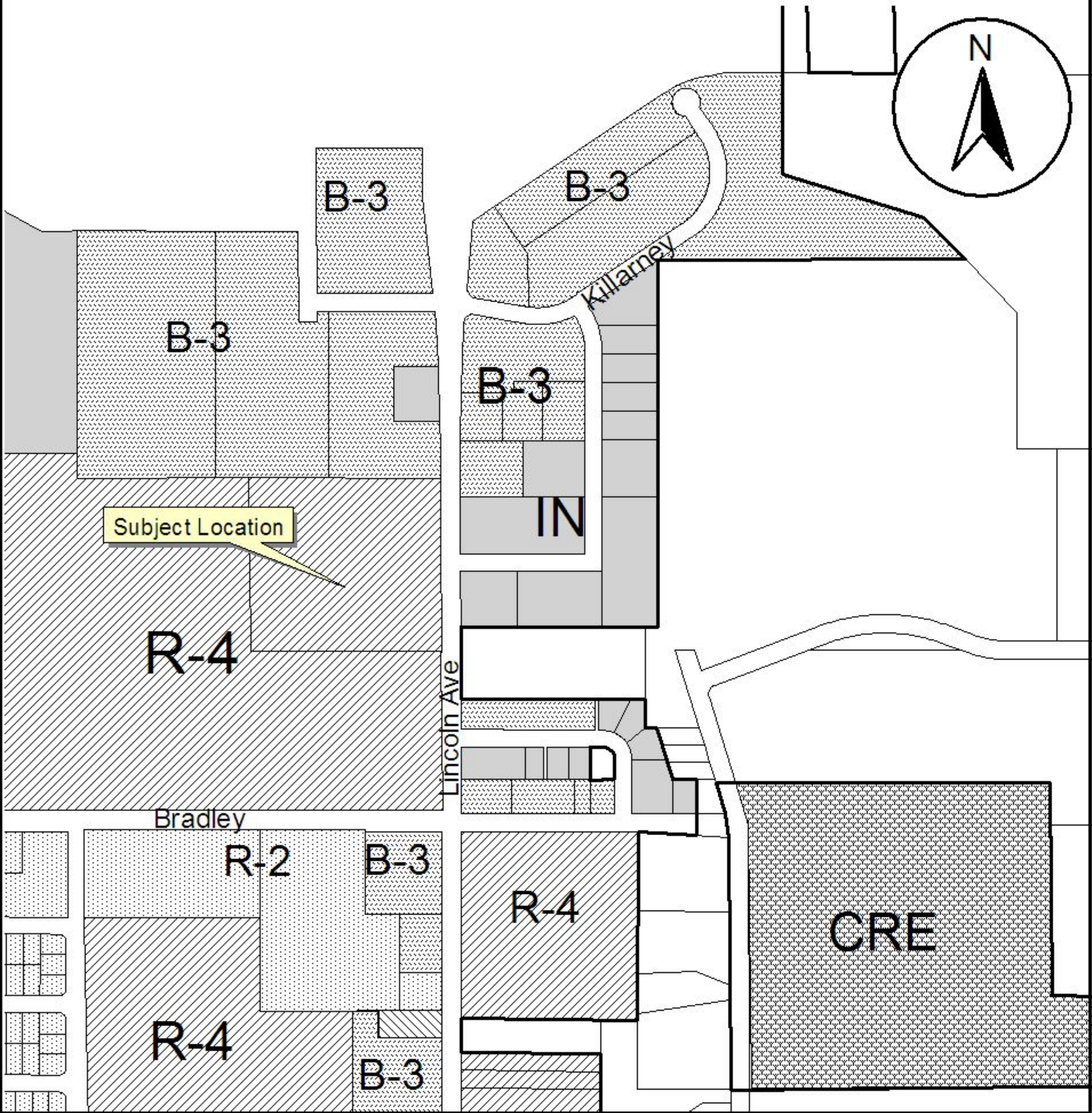
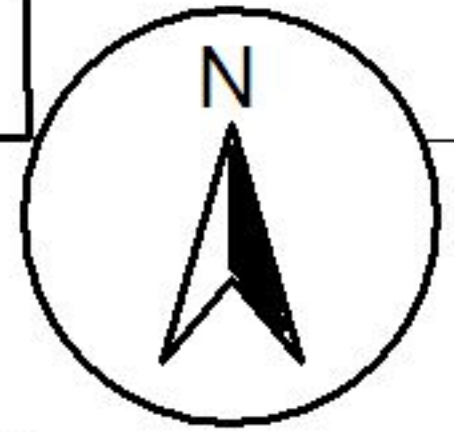
Jennifer Selby, Berns, Clancy and Associates

Exhibit "A": Location Map



Plan Case: 1938-SU-05
Allow construction and sale of the Capstone Quarters
condominium development
Petitioner: Capstone Development Corp.
1801 N. Lincoln Ave
R-4 Residential Zoning District
Prepared 5/24/05 by Community Development Services - rkg

Exhibit "B": Zoning Map



0 500 1000 1500 2000 Feet

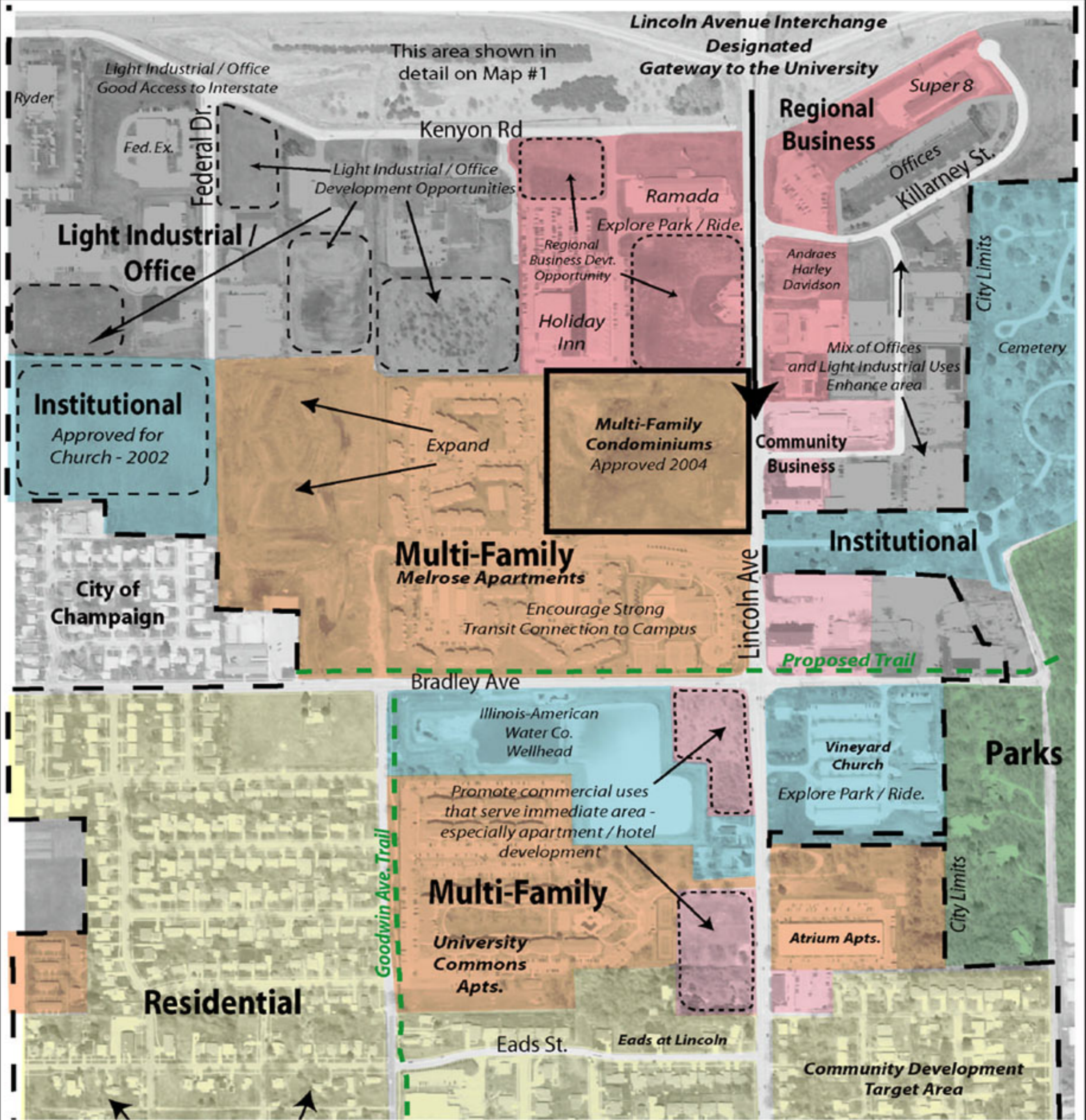


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R-2 Single Family Residential
 R-3 Single- and Two-Family Residential
 R-4 Medium Density Multiple Family Residential
 CRE Conservation - Recreation - Education
 IN Industrial

EXHIBIT "C" : Future Land Use

Map 3 of Comprehensive Plan
Future Land Use Maps



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Exhibit "D" : Aerial Photo



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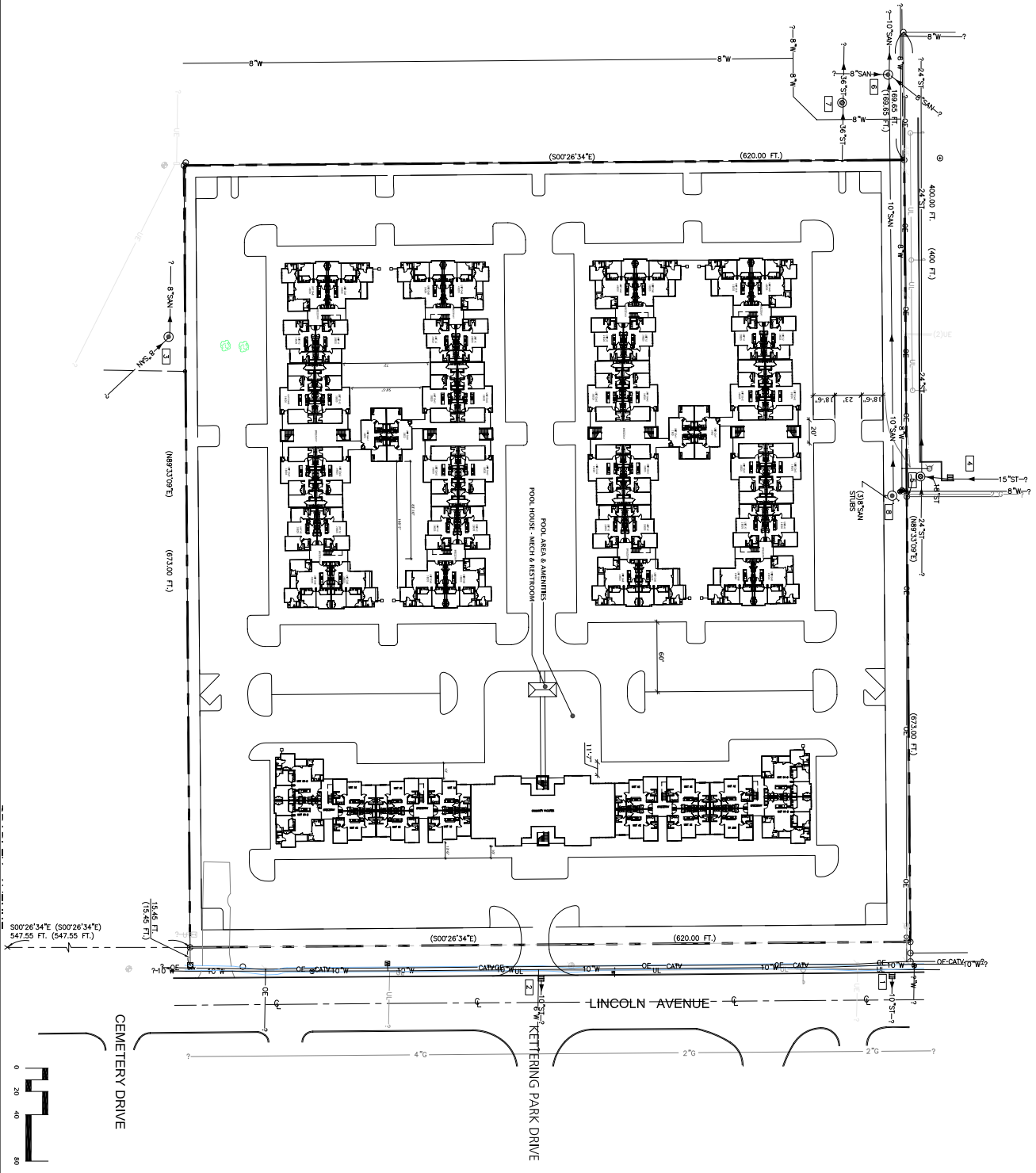






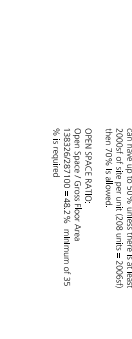






CEMETERY DRIVE
KETTNER PARK DRIVE
LINCOLN AVENUE

OPEN SPACE:
TOTAL: 188,000 SF
EXIST: 85,000 SF
IMPROV: 778,000 SF (66.8%)
PROP: 138,200 SF (12.1%)
FLOOR AREA RATIO:
Total: 1,000,000 SF (including
balconies, decks, open, heated pool
deck, mail deck, 287' (80.9') (66.8%) (4
200% of the net (100 units = 4000)
then 70% is allowed.
OPEN SPACE BULK:
Open Space/ Gross Floor Area
% is required



UNIT BREAKDOWN:

TYPE	UNITS	BEDROOMS
2 BEDROOM	92	184
3 BEDROOM	40	120
4 BEDROOM	76	304
	208	608

DEVELOPMENT DATA:

SITE AREA:	9.58 AC. (417,305sf)
TOTAL UNITS:	208
DENSITY:	21.7 units/acre
TOTAL BEDROOMS PROPOSED:	608
TOTAL PARKING PROVIDED:	608*

* 621 spaces are shown-13 of them will be required for ADA striped landing areas resulting in the 608 spaces.

May 24, 2005

NOTICE OF PUBLIC HEARING IN REGARD TO A PROPOSED SPECIAL USE PERMIT

Dear Property Owner:

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Plan Commission of the City of Urbana, Illinois, on **Thursday, June 9, 2005 at 7:30 P.M.** in the Urbana City Council Chambers at 400 South Vine, Urbana, Illinois, at which time and place the Commission will consider a request in Plan Case 1938-SU-05. The request is for a Special Use Permit to allow a *Residential – Planned Unit Development* on a portion of the property as at 1801 North Lincoln Avenue as described and shown on the attached plans. The proposal is for a multiple-family condominium use. In 2004 the Urbana City Council approved a similar request from a different petitioner. That approved development was not constructed and the new proposal would supersede that approval.

You have been sent this notice because you are a nearby property owner. The Urbana Plan Commission welcomes your comments at the public hearing, or in writing if received prior to the hearing.

Persons with disabilities needing services or accommodations for this public hearing should contact the Community Development Services Department at 384-2444, or the City of Urbana Americans with Disabilities Act Coordinator at 384-2466, or TTY 384-2360. If you have any questions concerning these requests, please feel free to contact me at (217) 384-2440 or e-mail at rgkowalski@city.urbana.il.us.

Sincerely,

Rob Kowalski, AICP
Planning Manager

Attachment

Cc: Elizabeth H. Tyler
Bruce K. Walden
Mayor & City Council Members

Property Legal Description

Lot 3 in Melrose of Urbana First Subdivision, as per plat recorded in Book "CC" at page 214 as Document 96R27326, situated in the City of Urbana, in Champaign County, Illinois.

Address: 1801 North Lincoln Avenue