



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Jeff Engstrom, AICP, Planner II

DATE: May 2, 2014

SUBJECT: Plan Case 2232-SU-14: A request by Bainbridge Communities Acquisition II, LLC, to re-approve a Special Use Permit to construct Multi-family Residential Dwellings at 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue, in the B-3, General Business Zoning District.

Introduction and Background

This case is a request by Bainbridge Communities Acquisition II, LLC, to allow a five-story apartment building with commercial on the ground floor along University Avenue, and an attached five-level parking garage along Goodwin Avenue on a 3.09-acre property located at 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue, in the B-3, General Business Zoning District. The Urbana Zoning Ordinance Table V-1, "Table of Uses", requires a Special Use Permit for Multi-family Residential Dwellings in B-3 zoning districts. This project was issued a Special Use Permit in 2012 under Ordinance No. 2012-10-097, which expired in October of 2013. This is a request to renew the expired Special Use Permit.

The project has been slightly modified from what was approved in 2012. The development as currently proposed would include construction of a five-story building with approximately 2,000 square feet of ground floor retail space, 181 residential units marketed primarily toward university students, and an attached five-level parking structure with 277 parking spaces. An additional 14 parking spaces would be located behind the retail space, to be accessed from University Avenue. The previously approved development had 197 units and 350 parking spaces in a seven-story parking deck. City Council also approved a major variance in 2012 to reduce the required side and rear yards for the development in Ordinance No. 2012-10-098. The major variance does not expire and will still be in effect for the current proposal. The footprint and site plan have not changed, only the number and configuration of units and number of levels in the parking structure.

The subject property is located on the north side of University Avenue, the major east-west corridor in central Urbana-Champaign, and between the intersections of Lincoln and Goodwin Avenues. University Avenue is also the north boundary of the University of Illinois campus, and both Lincoln and Goodwin Avenues are important routes to campus. The area immediately surrounding the subject property is commercial in character. The development of the property represents an infill development opportunity along the University Avenue corridor.

Previous Approvals

The project was originally proposed by Trammell Crow Company in 2007. On July 9, 2007, a Special Use Permit was approved by the Urbana City Council for 1008, 1010 and 1012 West University Avenue for a five-story, mixed-use building with commercial on the ground floor and four floors of apartments above with structured parking (Ordinance No. 2007-07-071). The Special Use Permit was amended on August 4, 2008, to include a surface parking lot at 508 North Goodwin Avenue (Ordinance No. 2008-08-080).

In addition to the Special Use Permit, two major variances were approved for the proposed project. On July 9, 2007 the Urbana City Council approved Ordinance No. 2007-07-072 which allowed a reduction in the side yard setbacks to five feet. Then on November 26, 2007 the Urbana City Council approved Ordinance 2007-11-132 which allowed structured parking with a rooftop terrace to encroach in the rear yard along the railroad right-of-way. The project was not constructed due to changing economic conditions in 2008. This property and the project have now been picked up by a new developer. This proposal is a resumption of the earlier project.

The project was renewed by Bainbridge Communities in 2012. On October 15, 2012, the Urbana City Council granted a new Special Use Permit to allow the multifamily development and two major variance requests regarding this project:

2188-SU-12: A Special Use Permit to allow a multi-family residence in the B-3 zoning district.

2012-MAJ-04: A Major Variance from Section VI-5.F.3 (Side Yard Setbacks)

- (Apartment Building) To encroach up to 7 feet within a minimum required side yard setback of 17 feet; and
- (Parking Garage) To encroach up to 13 feet within a minimum required side yard setback of 23 feet.

2012-MAJ-05: Major Variance from Section VI-5.G.1 (Rear Yard Setbacks)

- (Apartment Building) To encroach up to 12 feet within a minimum required side yard setback of 22 feet; and
- (Parking Garage) To encroach up to 11 feet within a minimum required side yard setback of 28 feet.

The Urbana Zoning Ordinance requires a minimum five-foot side yard and ten-foot rear yard setbacks for buildings in B-3, General Business Zoning Districts. However, residential buildings in B-3 Districts require an additional side and rear yard setback of three feet for every 10 feet (or fraction thereof) over 25 feet in building height. The proposed apartment building would be five stories above grade, and approximately 62 feet tall.

Adjacent Land Uses and Zoning Descriptions

The area immediately surrounding the subject property to the east, west and south is commercial in nature and is zoned B-3, General Business. Businesses such as Hot Wok, Mas Amigos, and Durst Cycle are located to the southwest; the Hampton Inn is located to the west; Tri-Color

Locksmiths and Pawn King are located to the east; and restaurants such as Niro's Gyros, Taco Bell and Dairy Queen are located along the south side of Lincoln Ave. and south of the subject property. To the north of the subject property is a railroad spur, Illinois American Water Company and an Ameren IP substation. The property to the north is zoned IN-1, Light Industrial-Office.

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	B-3, General Business	Vacant Commercial Building Commercial - Odman-Hecker	Community Business
North	IN-1, Light Industrial- Office	Railway spur right-of-way Illinois American Water Co Undeveloped Lot Ameren IP substation	Institutional
South	B-3, General Business	Commercial – Restaurants Commercial – Retail, Offices	Community Business Campus Mixed-Use
East	B-3 General Business	Commercial - Retail	Community Business
West	B-3, General Business	Commercial – Restaurants, Retail & Hotel	Community Business

Comprehensive Plan Goals, Objectives and Policies

The City of Urbana’s 2005 Comprehensive Plan, Future Land Use Map 3, designates the future land use of this property as “Community Business”. The adjacent area on the opposite side of University Avenue is designated by Future Land Use Map 8 as “Campus Mixed Use.” The map is annotated to say that appropriate development in that area should include: “Urban designed mixed-use buildings, which include business/office on the ground floor and residential on upper floors...”

The Comprehensive Plan defines “Community Business” as:

“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 development 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 Comprehensive Plan’s future land use designation on the opposite side of University Avenue is for “Campus Mixed-Use” which the plan defines as:

“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.”

The proposed project appears to fit well within both categories in that it is a mixed-use commercial/residential building located along an arterial roadway and provides access to pedestrian, bicycle, and transit facilities. The property’s adjacency of uses also allows cross benefits. For instance housing marketed for students can benefit from being located within walking distance of restaurants, retail and the University of Illinois and vice versa.

Additionally, the proposed Special Use Permit has been reviewed under the 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.
- 2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 16.0 Ensure that new land uses are compatible with and enhance the existing community.

Objectives

- 16.1 Encourage a mix of land use types to achieve a balanced growing community.
- 16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

Goal 18.0 Promote infill development.

Objectives

- 18.1 Promote the redevelopment of underutilized property using techniques such as tax increment financing, redevelopment loans/grants, enterprise zone benefits, marketing strategies, zoning incentives, etc.

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

Objectives

- 25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.
- 25.4 Find new locations for commercial uses and enhance existing locations so Urbana residents can fulfill their commercial and service needs locally.

Goal 26.0 Improve the appearance of Urbana’s commercial and industrial areas.

Objectives

- 26.2 Promote the beautification of commercial areas especially along University Avenue, Cunningham Avenue, and Philo Road.

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

The proposed Special Use Permit appears to comply with the Urbana’s 2005 Comprehensive Plan in terms of future land uses, goals, and objectives.

Development Regulations

Building Height

There is no building height limit in B-3 zoning districts. The proposed apartment building would be five stories above grade, and approximately 62 feet tall. The attached parking garage would have five levels of parking and be approximately 52 feet tall.

FAR and OSR

The required maximum Floor Area Ratio (FAR) in the B-3 zoning district is 4.0. That translates roughly to an internal floor area of approximately four times the lot size. The approximate floor area ratio for the project is just over 2.0. There is no Open Space Ratio (OSR) requirement in the B-3 zoning district.

Setbacks

The setbacks and footprint of the building have not changed from the previous approval. In the B-3 zoning district, the required minimum side yard setback for buildings is five feet and the required minimum rear yard setback is ten feet. However, residential buildings in B-3 Districts require an additional side and rear yard setback of three feet for every 10 feet (or fraction thereof) over 25 feet in building height. The proposed apartment building would be five stories above grade, and approximately 62 feet tall. The attached parking garage would have five levels of parking and be approximately 52 feet tall.

The minimum required setback for the apartment building is 17 feet from the side property lines and 22 feet from the rear property line. For the parking garage, the minimum required setback is 13.1 feet from the side property lines and 18.1 feet from the rear property line. For the apartment

building, the petitioner received a variance to encroach up to 7 feet into the required side yard setback and up to 12 feet into the required rear yard setback. For the parking garage, the petitioner received a variance to encroach up to 7 feet into the required side yard setback and up to 5 feet into the required rear yard setback, based on the previously proposed height of the garage.

Access

A Traffic Impact Analysis for the project was approved by the City Engineer. The proposed site access includes one driveway from University Avenue leading vehicles through and underneath the building to a surface parking lot directly behind the retail units. Additionally, there would be access to the parking garage via a two-way driveway from Goodwin Avenue into the south end of the covered parking garage and a one-way exit ramp on the north end. There will also be two emergency vehicle access drives, one from Goodwin Avenue just north of the parking garage and the other using the University Avenue driveway and going through the surface parking lot and west into the central courtyard of the apartment building. The applicants closely coordinated with the Urbana Fire Department on this design to ensure standards for fire rescue access are met.

Parking

The proposed development calls for parking located on the ground floor behind the retail space as well as an attached parking garage along Goodwin Avenue. There will be a total of 291 parking spaces on the site. The surface parking lot consists of 14 parking spaces. The parking garage will have 277 parking spaces over five levels of parking. The zoning code requires a minimum of 14 spaces for the retail component and a minimum of 266 spaces for the 181 dwelling units proposed (8 one-bedroom, 88 two-bedroom, and 85 four-bedroom apartments). The proposed parking meets or exceeds the minimum zoning code requirements. The zoning code also requires bicycle parking, which is included in the proposed development.

Discussion

The petitioner is proposing to develop the subject property with a five-story apartment building with retail space on the ground floor along University Avenue, similar to what was approved by Special Use Permits in 2007 and 2012. The first floor will include 2,000 square feet of retail/commercial space along University Avenue, along with a leasing office for the apartment complex. Parking for the retail units will be provided directly behind the retail portion of the building. Above the retail and leasing spaces will be two floors of amenities for the residents, such as a roof terrace, a club room, fitness room, study rooms, lounge area, etc. The remainder of the building will consist of a total of 181 residential dwelling units that will be marketed primarily to university students. The bedroom mix currently proposed is for 8 one-bedroom, 88 two-bedroom, and 85 four-bedroom units. (See attached site plan.)

Requirements for a Special Use Permit

Special Use Permit applications must demonstrate that they meet the following three criteria as provided in italics. (Please see the attached Petition for Special Use Permit for the applicant's specific response to each question.)

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

The proposed project is conducive to the public convenience in terms of its location and its mixed-use aspect. First, the subject property is located along the main east-west commercial corridor in central Urbana-Champaign, between Goodwin and Lincoln Avenues. In addition, the property is within walking distance of the University of Illinois. Both Goodwin and Lincoln Avenues are major entryways into campus. According to the petitioner, the residential units "will enhance the vibrancy and general appearance of the University Avenue Corridor." Its location makes the property within commuting distance for pedestrians and bicyclists. Second, the project's mixed-use aspect lends itself to shorter trips, reduced reliance on automotive transportation, and would be ultimately more convenient for residents. Finally, the applicants believe that providing parking to serve the development will be necessary for its success.

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 or detrimental to the public welfare.

Construction of residences within a commercial zoning district introduces a generally less intensive use within a more intensive zoning district. Consequently it would not be injurious or detrimental to the district. Exceptions might be raised if commercial zoning districts were overtaken with residential construction, or if a high-value commercial site next to an interstate interchange was built out solely with residences. But this is not the case with this Special Use Permit. The University Avenue commercial corridor can accommodate both commercial and residential development, especially for mixed-use developments such as this.

The development has been designed with commercial uses fronting on University Avenue that are consistent with the commercial nature of the area. The residential component of the development is well suited for this location due to its proximity to the University of Illinois and its location along a main east-west corridor in central Urbana-Champaign. The proposed parking areas have been located behind the proposed building on University Avenue and along the secondary frontage on Goodwin Avenue, thereby creating a consistent commercial façade along University Avenue.

Additional side yard setbacks for residential projects in commercial districts are the result of a desire to ensure adequate light and air for residents in densely built up areas. Downtown Chicago is an example of where such a setback would be beneficial. In this case, however, the University Avenue corridor is comprised of one- and two-story buildings. There would therefore be no detrimental or injurious risk to neighboring properties by introducing a residential use, and the risk of any commercial intrusion on this property would be minimal.

In conclusion, the proposed use would not be unreasonably injurious or detrimental to the district in which it is located.

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.*

According to the applicant, the proposed development will enhance the general appearance and character of the University Avenue corridor as well as contribute to the economic vibrancy of the area. The project would meet height, floor area ratio, parking, and front yard setback requirements. Two major variance requests have been granted for side and rear yard depths on the subject property. The reduced side and rear yards would be consistent with the zoning regulations for non-residential properties in the B-3 zoning district and therefore cause no more of a nuisance to adjacent properties than a “by right” commercial project.

In summary, City staff finds that the application meets the specific criteria for Special Use Permits provided in Section VII-4 of the Zoning Ordinance.

Consideration

The Plan Commission shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the re-approval of the Special 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 Plan Commission shall make a recommendation to the City Council for or against the proposed special use, and may also recommend 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 Zoning Ordinance, including but not limited to the following:

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

Summary of Findings

In Plan Case No. 2232-SU-14, the following Summary of Findings is proposed:

1. A Special Use Permit was approved on July 9, 2007 (Ordinance No. 2007-07-071) and amended on August 4, 2008 (Ordinance No. 2008-08-080) along with two major variances on July 9, 2007 (Ordinance No. 2007-07-072) and November 26, 2007 (Ordinance No. 2007-11-132) to allow for the subject site to be developed with a five-story, mixed-use building with commercial on the ground floor and four floors of apartments with interior parking on two levels.
2. A second Special Use Permit was approved on October 15, 2012 (Ordinance No. 2012-10-097) along with two major variances on October 15, 2012 (Ordinance No. 2012-10-098) and to allow for a revised project with a five-story, mixed-use building with commercial on the ground floor and four floors of apartments and an attached six-level parking garage.
3. The previously granted Special Use Permit expired on October 15, 2013, as Section VII-V.B states a Special Use Permit shall no longer be valid if a building permit or certificate of occupancy is not issued within one year of approval.
4. The petitioner proposes a revised plan to construct a five-story building with approximately 2,000 square feet of ground floor retail space, 181 residential units marketed primarily toward university students, and an attached five-level parking structure with 277 parking spaces and 14 parking spaces located behind the retail space, to be accessed from University Avenue.
5. The proposed revised Special Use is conducive to the public convenience as the property is within commuting distance of the University of Illinois for pedestrians and bicyclists. Its mixed use aspect lends itself to shorter trips and less reliance on automotive transportation, and is otherwise convenient for residents.
6. The proposed use will not be unreasonably injurious or detrimental to the district in which it will be located, or otherwise injurious or detrimental to the public welfare because it would introduce a less intensive use in a more intensive zoning district.
7. The proposed development is consistent with the development regulations for non-residential properties in the B-3 Zoning District and therefore preserves the essential character of the district in which it shall be located. Because the proposed development is partly residential, variances from the minimum required side and rear yard setbacks are necessary.
8. The proposed development has been designed so that it is consistent with the commercial nature of University Avenue and with the least amount of impact on surrounding properties. The proposed building is situated along University Avenue with commercial uses proposed for the ground floor consistent with adjacent commercial properties. Parking for the development has been situated behind the building and along the secondary frontage on Goodwin Avenue.

9. The proposed development is consistent with the 2005 Urbana Comprehensive Plan in terms of its goals and objectives as well as the future land use designation of the subject property as “Community Business”.

Options

In Plan Case No. 2232-SU-14 the Urbana Plan Commission has the following options:

1. Recommend re-approval to the Urbana City Council of the Special Use Permit application;
2. Recommend re-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 re-approval 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 **RE-APPROVAL** of the Special Use Permit to the Urbana City Council with the following conditions:

1. The development shall be constructed in general conformance with the attached site plan, submitted on April 17, 2014. The Zoning Administrator shall have the authority to approve minor changes substantially in compliance with the approved site plan as necessary for the project to comply with City regulations including building, fire, and site development codes.
2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the attached illustrations.

CC: Ronald Perera, 1616 Evans Rd, Suite 104, Cary, NC, 27513

Attachments: Exhibit A: Location & Existing Land Use Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Application
Exhibit E: Site Plan and Conceptual Elevations
Exhibit F: Ordinance No. 2012-10-097 (Special Use Permit)
Exhibit G: Ordinance No. 2012-10-098 (Major Variances for side and rear yard setback)


Exhibit A: Location & Land Use Map



Case: 2232-SU-14

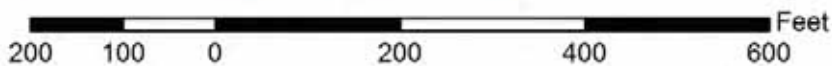
Subject: Special Use Permit to allow a Multi-Family Residential Building in B-3
Location: 1008-1012 University Ave and 508 N. Goodwin Ave

Petitioner: Bainbridge Communities Acquisition II, LLC


 Subject Properties






Prepared 5/1/14 by Community Development - jme

Exhibit B: Zoning Map



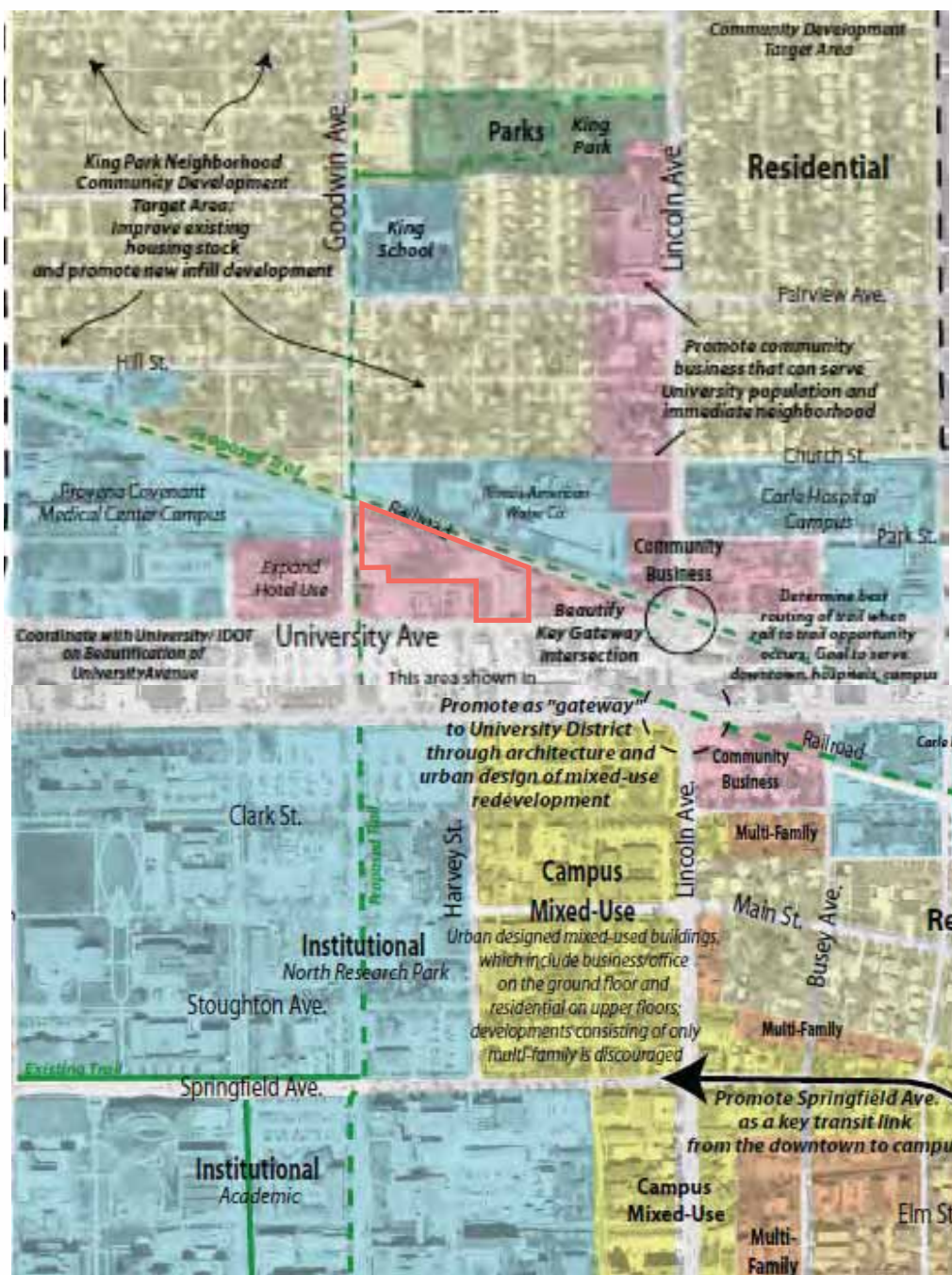
Case: 2232-SU-14
 Subject: Special Use Permit to allow a Multi-Family Residential Building in B-3
 Location: 1008-1012 University Ave and 508 N. Goodwin Ave
 Petitioner: Bainbridge Communities Acquisition II, LLC

 Subject Properties

-  B3
-  B3U
-  IN-1
-  R2
-  R5

Prepared 5/1/14 by Community Development - jme


Exhibit C: Future Land Use Map



Source: City of Urbana 2005 Comprehensive Plan, Future Land Use Map #3 and #8



Case: 2232-SU-14
 Subject: Special Use Permit to allow a Multi-Family Residential Building in B-3
 Location: 1008-1012 University Ave and 508 N. Goodwin Ave
 Petitioner: Bainbridge Communities Acquisition II, LLC

 Subject Property



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.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed _____ Plan Case No. _____

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-I of the Urbana Zoning Ordinance to allow *(Insert proposed use)* A multi-family residential dwelling as a Special Use in a B-3 General Business District Zoning District on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): BAINBRIDGE COMMUNITIES ACQUISITION II, LLC, c/o ~~Michael~~

~~Augustine~~ RONALD PERERA

Phone: 561-333-3669- 919-462-1275

Address (street/city/state/zip code): 12765 W FOREST HILL BOULEVARD, SUITE 1307,
WELLINGTON, FL 33414

Email Address: ~~MAUGUSTINE~~^{R PERERA}@BAINBRIDGERE.COM

2. PROPERTY INFORMATION

Address/Location of Subject Site: 1008 - 1012 WEST UNIVERSITY AVENUE AND 506-602
NORTH GOODWIN AVENUE, URBANA, ILLINOIS

PIN # of Location: 91-21-07-431-019, 91-21-07-431-021, 91-21-07-431-007, 91-21-07-431-023

Lot Size: 3.09 ACRES

Current Zoning Designation: B-3 GENERAL BUSINESS DISTRICT

Current Land Use (vacant, residence, grocery, factory, etc): 1008 - 1012 W UNIVERSITY IS 1
STORY VACANT RETAIL WITH PARKING LOT, AND 506-602 N GOODWIN IS 1 STORY

MANUFACTURING FACILITY WITH PARKING LOT.

Proposed Land Use: **MULTI-FAMILY RESIDENTIAL DWELLING**

Legal Description: SEE EXHIBIT A

3. CONSULTANT INFORMATION

Name of Architect(s): CHARLAN BROCK AND ASSOCIATES Phone: 407-660-8900

Address (street/city/state/zip code): 1770 FENNEL STREET, MAITLAND, FL 32751

Email Address: MARY@CBAARCHITECTS.COM

Name of Engineers(s): FARNSWORTH GROUP, INC. Phone: 217-352-7408

Address (street/city/state/zip code): 1819 SOUTH NEIL STREET, SUITE F, CHAMPAIGN, IL
61820

Email Address: PMOONE@F-W.COM

Name of Surveyor(s): FARNSWORTH GROUP, INC. Phone: 217-352-7408

Address (street/city/state/zip code): 1819 SOUTH NEIL STREET, SUITE F, CHAMPAIGN, IL
61820

Email Address: CWALLACE@F-W.COM

Name of Professional Site Planner(s): CHARLAN BROCK AND ASSOCIATES Phone: 407-
660-8900

Address (street/city/state/zip code): 1770 FENNEL STREET, MAITLAND, FL 32751

Email Address: MARY@CBAARCHITECTS.COM

Name of Attorney(s): BROAD AND CASSEL Phone: 561-483-7000

Address (street/city/state/zip code): 7777 GLADES ROAD, SUITE 300, BOCA RATON, FL 33434

Email Address: CSTALLER@BROADANDCASSEL.COM

4. REASONS FOR SPECIAL USE PERMIT

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

SEE EXHIBIT B

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.

SEE EXHIBIT C

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.

SEE EXHIBIT D

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.

Ronald P. Peere

4/16/14

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

EXHIBIT A

THE PROPERTY

LOT 1, EXCEPT THE EAST 135 FEET, AND ALSO EXCEPT THE SOUTH 48 FEET OF THE WEST 134.62 FEET THEREOF , IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

THE EAST 135 FEET OF LOT 1 IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

LOTS 9, 10, 11 AND 12 IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

Exhibit B

The proposed use is a mixed use development consisting of approximately 2,000 square feet of ground floor retail space, 181 residential units with 524 bedrooms primarily targeted towards University of Illinois at Urbana-Champaign students, and 291 parking spaces consisting of 14 surface parking spaces and a five story parking structure with 277 garage parking spaces. The first floor retail and common area amenities are a common use in the surrounding neighborhood and is consistent with the community's long range plan. The retail space will provide the building residents and local visitors access to a variety of quality retailers. The residential units will enhance the vibrancy and general appearance of the University Avenue Corridor by replacing the current obsolete structures with a visually-pleasing mixed-use development.

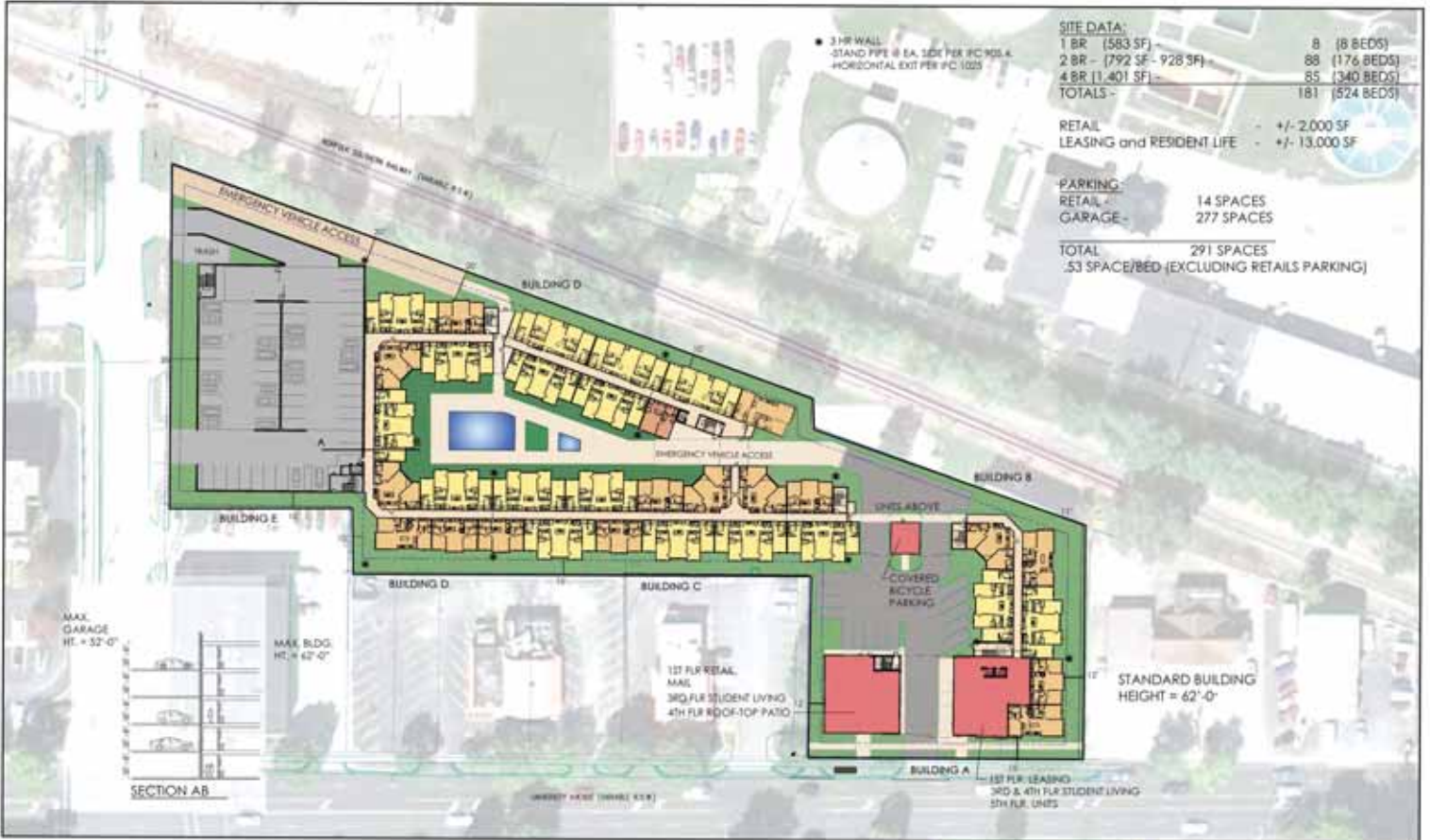
Exhibit C

The proposed use will consist of a 5-story building as detailed in the proposed site plan. The project will be developed to institutional real estate investment standards prevalent in the Urbana, Illinois area and will be managed and operated by one of the largest privately-held student housing operators in the United States. Because of the significant capital investment, great care will be taken during the operations of the building. We expect the retail uses will be supportive of the community environment and will be of a quality and nature consistent with the new space being developed in the greater Urbana area. The residential component will be operated primarily as a student housing community, a common use throughout the general neighborhood. The residential component will include many amenities making it a desirable option for UIUC students. The development will be adequately screened and protected from the adjacent railroad tracks, which, are in any event, used on a very infrequent basis.

Exhibit D

The proposed development will be in full compliance with the City of Urbana's Zoning Ordinance with regard to parking, FAR requirements and height restrictions. It does require a Special Use Permit for multifamily residential use in the B-3 District. In addition, a variance will be requested with respect to the side and rear yard setbacks. These variances are strictly due to the irregular shape of the lot and the necessity to build a 5-story building. The proposed residential use is consistent with the City of Urbana's desire for mixed-use development that will appropriately utilize already developed parcels allowing the preservation of land in currently undeveloped areas. The residential use above and adjacent to the retail use is a widely accepted mixed-use model and will not negatively impact the surrounding neighborhood. The residential use will produce minimal congestion, noise or other negative influences. Once the proposed development is completed, the number of residents that occupy the development will help enhance and support the other local retail businesses. The retail uses will be consistent with the existing retail businesses in the area.

EXHIBIT E: SITE PLAN AND RENDERINGS



CAMPUS CIRCLE | UIUC

SITE PLAN

APRIL 16, 2014



EXHIBIT E: SITE PLAN AND RENDERINGS



COPY

ORDINANCE NO. 2012-10-097

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Allow Construction of Multi-Family Residential Dwellings in the B-3, General Business Zoning District - Plan Case No. 2188-SU-12 / 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue - Campus Circle Apartments)

WHEREAS, Bainbridge Communities Acquisition II, LLC has petitioned the City for a Special Use Permit to allow multi-family residential dwellings in the B-3, General Business Zoning District; and

WHEREAS, the Urbana Zoning Ordinance identifies *multi-family residential dwellings* within the B-3 Zoning District as being permitted with the granting of a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location as the property is within commuting distance of the University of Illinois for pedestrians and bicyclists, and its mixed use aspect lends itself to shorter trips and less reliance on automotive transportation, and is otherwise convenient for residents; and

WHEREAS, the proposed use will not be unreasonably injurious or detrimental to the district in which it will be located, or otherwise injurious or detrimental to the public welfare because it would introduce a less intensive use in a more intensive zoning district and is separated from low density residential uses; and

WHEREAS, the proposed development is consistent with the development regulations for non-residential properties in the B-3 Zoning District and therefore preserves the essential character of the district in which it shall be located; and

WHEREAS, the proposed development has been designed so that it is consistent with the commercial nature of University Avenue and to minimize impacts on surrounding properties, with parking situated behind the building and along the secondary frontage on Goodwin Avenue; and

WHEREAS, the proposed development is consistent with the 2005 Urbana Comprehensive Plan in terms of its goals and objectives as well as the future land use designation of the subject property as "Community Business"; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on September 6, 2012 concerning the petition filed by the petitioner in Plan Case No. 2188-SU-12; and

WHEREAS, the Urbana Plan Commission voted 6 ayes and 0 nays 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 specified in Section 1 herein; and

COPY

WHEREAS, approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-6 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.

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

Section 1. A Special Use Permit is hereby approved to allow construction of multi-family residential dwellings in the B-3, General Business Zoning District with the following conditions:

1. The development shall be constructed in general conformance with the revised site plan submitted on October 15, 2012 and attached as Attachment A. This Special Use Permit presumes obtaining two Major Variances regarding side and rear yard setbacks. The Zoning Administrator shall have the authority to approve minor changes substantially in compliance with the approved site plan necessary for the project to comply with City regulations including building, fire, and site development codes.
2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the attached illustrations as Attachment A.
3. The petitioner shall submit a detailed drainage plan that is approved by the City Engineer.
4. The petitioner shall submit a Traffic Impact Analysis that is approved by the City Engineer.

LEGAL DESCRIPTION:

THE EAST 135 FEET OF LOT 1, AND ALL OF LOTS 9, 11 AND 12, IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

LOT 10 IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

LOT 1, EXCEPT THE EAST 135 FEET, AND ALSO EXCEPT THE SOUTH 48 FEET OF THE WEST 134.62 FEET THEREOF, IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

PIN No:

91-21-07-431-023, 91-21-07-431-019, 91-21-07-431-007, 91-21-07-431-021

COPY

LOCATED AT: 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue, Urbana, Illinois.


Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. 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 15th day of October, 2012.

AYES: Bowersox-Johnson, Jakobsson, Lewis, Marlin, Smyth

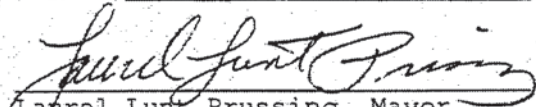
NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 22nd day of October, 2012.



Laurel Lunt Prussing, Mayor

AN ORDINANCE APPROVING MAJOR VARIANCES

(Encroachment into the minimum required side yard and rear yard setbacks in the City's B-3, General Business Zoning District, at 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue / ZBA Case Nos. 2012-MAJ-04 and 2012-MAJ-05)

WHEREAS, the Urbana Zoning Ordinance provides for a major variance procedure to permit the Zoning Board of Appeals and the Corporate Authorities to consider applications for major variances where there are special circumstances or conditions with a parcel of land or a structure; and

WHEREAS, Bainbridge Communities Acquisition II LLC has submitted a petition for two major variances regarding side and rear yard setbacks to allow an infill redevelopment of a 3.09-acre property located at 1008, 1010 and 1012 West University Avenue and 508 North Goodwin Avenue in the B-3, General Business Zoning District; and

WHEREAS, said petition was presented to the Urbana Zoning Board of Appeals in ZBA Case Nos. 2012-MAJ-04 and 2012-MAJ-05; and

WHEREAS, after due publication in accordance with Section XI-10 of the Urbana Zoning Ordinance and with Chapter 65, Section 5/11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Zoning Board of Appeals held a public hearing on the proposed major variance on September 19, 2012 and voted 4 ayes and 0 nays to recommend that the Corporate Authorities approve the requested variances; and

WHEREAS, after due and proper consideration, the Corporate Authorities of the City of Urbana have determined that the major variance referenced herein conforms with the major variance procedures in accordance with Article XI, Section XI-4.B of the Urbana Zoning Ordinance; and

WHEREAS, the Corporate Authorities have considered the variance criteria established in the Urbana Zoning Ordinance and have determined the following findings:

1. A Special Use Permit was approved on July 9, 2007 (Ordinance No. 2007-07-071) and amended on August 4, 2008 (Ordinance No. 2008-08-080) along with two major variances on July 9, 2007 (Ordinance No. 2007-07-072) and November 26, 2007 (Ordinance No. 2007-11-132) to allow for the subject site to be developed with a five-story, mixed-use building with commercial on the ground floor and four floors of apartments with interior parking on two levels. The subject request represents an update to these previously granted approvals.
2. On September 6, 2012, the Plan Commission voted six ayes and zero nays to forward a Special Use Permit application for this project to City Council with a recommendation for approval.

3. The petitioner proposes to construct a five-story building with approximately 2,000 square feet of ground floor retail space, 197 residential units marketed primarily toward university students, and an attached six-level parking structure with 336 parking spaces accessed off of Goodwin Avenue and an additional 14 parking spaces located behind the retail space, to be accessed from University Avenue.
4. Sections VI-5.F.3 and VI-5.G.1 of the Zoning Ordinance require the side and rear yard setbacks for residential buildings in the B-3 zoning district be increased by three feet for every ten feet the building is over 25 feet in height.
5. Per Table VI-3 and Section VI-5.F.3 of the Urbana Zoning Ordinance, the minimum required side yard setback in this case is 17 feet. Per Table VI-3 and Section VI-5.G.1 of the Urbana Zoning Ordinance, the minimum required rear yard setback in this case is 22 feet.
6. The petitioner is requesting a major variance from Table VI-3 and Section VI-5.F.3 (Side Yard Setbacks) to encroach up to 7 feet into the required side yard setback of 17 feet.
7. The petitioner is requesting a major variance from Table VI-3 and Section VI-5.G.1 (Rear Yard Setbacks) to encroach up to 12 feet into the required rear yard setback of 22 feet for the apartment building and up to 5 feet into the required rear yard setback of 22 feet for the parking garage.
8. The subject property contains a vacant commercial building, an industrial building, and two undeveloped lots.
9. The subject property is located in the B-3, General Business Zoning District.
10. The proposed redevelopment project is in compliance with the 2005 Urbana Comprehensive Plan and the University Avenue Corridor Study.
11. The variances are necessary due to the irregular shape of the lot, with a diagonal railroad right-of-way along the northern boundary and two frontages, one each on University Goodwin Avenues.
12. Granting the requested variances would not have a negative impact on the character of the neighborhood as it would be similar in scale and massing to many of the surrounding buildings and would be in keeping with the commercial character of the University Avenue corridor. Side yard setbacks of five feet and rear yard setbacks of 10 foot are the norm in the B-3 zoning district.
13. The requested variances would not cause a nuisance to adjacent properties. Side yard setbacks of five feet and rear yard setbacks of 10 foot are the norm in the B-3 zoning district. The railroad ROW to the north precludes development in that direction.
14. The requested variances represent the minimum deviation from the Zoning Ordinance needed to accommodate this project.

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

Section 1. In ZBA Case Nos. 2012-MAJ-04 and 2012-MAJ-05, the two major variances requested by Bainbridge Communities Acquisition II, LLC are hereby approved in the manner proposed in the application and subject to the following condition:

1. That construction closely conform to the site plan attached as Attachment A.

The major variances described above shall only apply to the property located at 1008, 1010, and 1012 West University Avenue, and 508 North Goodwin Avenue Urbana, Illinois, more particularly described as follows:

LEGAL DESCRIPTION:

THE EAST 135 FEET OF LOT 1, AND ALL OF LOTS 9, 11 AND 12, IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

LOT 10 IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

AND ALSO:

LOT 1, EXCEPT THE EAST 135 FEET, AND ALSO EXCEPT THE SOUTH 48 FEET OF THE WEST 134.62 FEET THEREOF, IN JOHN W. STIPES SUBDIVISION IN THE CITY OF URBANA, ILLINOIS, AS PER PLAT SHOWN IN PLAT BOOK "B" AT PAGE 12, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

PIN Nos:

91-21-07-431-023, 91-21-07-431-019, 91-21-07-431-007, 91-21-07-431-021

Section 2. The Urbana 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).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15th day of October, 2012

COPY

PASSED by the City Council on this 15th day of October, 2012.

AYES: Bowersox-Johnson, Jakobsson, Lewis, Marlin, Smyth,
Mayor Prussing

NAYS:

ABSTAINS:



APPROVED by the Mayor this 22nd day of October, 2012.

Laurel Lunt Prussing
 Laurel Lunt Prussing, Mayor