



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### **m e m o r a n d u m**

**TO:** The Urbana Plan Commission

**FROM:** Matthew Rejc, Community Development Associate

**DATE:** June 4, 2015

**SUBJECT:** Plan Case 2258-M-15: A request by the Zoning Administrator to rezone a 1.36 acre parcel generally located south of Kerr Ave. between Division Ave. and Cunningham Ave. from B-3 General Business Zoning District to R-4, Medium Density Multiple Family Residential Zoning District.

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### **Introduction and Background**

The Zoning Administrator has submitted an application to rezone a portion of the eastern half of 401 E. Kerr Avenue (formerly known as 401 ½ E. Kerr Avenue) and 403 E. Kerr Avenue from B-3, General Business District to R-4, Medium Density Multiple-Family Residential District. The parcels are owned by the City of Urbana and are currently vacant. This area is included within a proposed affordable housing development by Brinshore Development and the Homestead Corporation of Champaign-Urbana referred to as Highland Green. The combined lot area of the parcels proposed for rezoning is 1.36 acres in area, while the entire proposed residential development, which includes all of 401 E. Kerr, is 3.2 acres in size.

Little prior development has taken place on the subject properties according to City records. In 2000, reference was made to a home on 403 E. Kerr which received demolition inspections. According to aerial imagery, that home existed on that parcel in 2002, but it was demolished by the time the 2005 aerial image was taken. A driveway connecting to the former house on 403 E. Kerr existed on what is now the eastern portion of 401 E. Kerr, but no other records or indications of major development exist on that parcel.

The City of Urbana released a request for proposals (RFP) in December of 2011 for “a sustainable neighborhood consisting of energy-efficient, affordable, owner-occupied homes on City-owned property located at 401-403 East Kerr Avenue.” Brinshore Development, based in Northbrook, IL, as well as the Urbana-based Homestead Corporation, were selected to implement their proposal. These two entities were also responsible for developing the Crystal View Townhomes, which was a redevelopment of the Lakeside Terrace site. The proposed development involves 33 units consisting of the following types of single-family homes and duplexes:

- 9 – 1-bedroom Single Family (1-story, approximately 625 sf)
- 6 – 2-bedroom Single Family (1-story, approximately 970 sf) (1 accessible, 1 adaptable)

- 2 – 2-bedroom Single Family (2-story, approximately 1230 sf)
- 4 – 3-bedroom Single Family (2-story, approximately 1410 sf) (1 adaptable)
- 2 – 4-bedroom Duplex (2-story, approximately 1590 sf) (1 accessible, 1 adaptable); 2 – 3-bedroom Duplex (2-story, approximately 1410 sf)
- 4 – 3-bedroom Duplex (2-story, approximately 1410 sf); 4 – 2-bedroom Duplex (2-story approximately 1230 sf)

This proposal has been modified somewhat since it was originally proposed, but at its core it has remained in line with its original intent. A proposed site plan and further details of the development are presented in Exhibit E. One of the more recent additions to the project includes a community garden with a pedestrian pathway linking Highland Green to Crystal View Townhomes. The developer will also construct to either U.S. Green Building Council or Energy Star standards. To develop the project, Brinshore Development is working with the Homestead Corporation, a Community Housing Development Organization (CHDO) and the Housing Authority of Champaign County, which has dedicated nine Veterans Affairs Supportive Housing (VASH) vouchers to the development. VASH vouchers are used to subsidize supportive housing for homeless veterans, which includes case management and clinical services. The inclusion of adaptable and accessible units also adds to the appeal of the project from the perspective of generating housing for people with physical disabilities. The developer is also seeking HOME Investment Partnership funds as well as Low-Income Housing Tax Credits (LIHTC) to make the Highland Green proposal feasible. A rezoning of the entire proposed development area will likely add substantially to the case for the developer to be selected by the Illinois Housing Development Authority (IHDA) for LIHTC. The City of Urbana has agreed to seek rezoning of the subject properties to allow for the proposed development.

The proposed development would be permitted by right in the R-4 Medium Density Multiple-Family Residential District with minor modifications. Surrounding residential zoning districts include the R-3 Single- and Two-Family Residential and R-5 Medium High Density Multiple-Family Residential Districts. Commercially zoned parcels to the east of the proposed development site are included within the B-3, General Business District. The Plan Commission may either recommend approval or denial of the proposed rezoning request to City Council for final action.

### **Related Documents**

*Kerr Avenue Model Sustainable Community Development Request for Proposals (December 2011)*

In December 2011, the City of Urbana released an RFP for development concepts on 401 and 403 E. Kerr Avenue. The document emphasized the importance of environmental sustainability and affordability, while also noting that the City may be able to support a proposed development through applicable grant funding. Following this process, the proposal submitted by the Brinshore Development was selected. Since that time, Brinshore and its partners have been seeking the necessary funding.

*Kerr Avenue Model Sustainable Community Master Plan Report (2006)*

A series of public meetings concerning the future development of the Kerr Avenue site were held in May of 2006 by Farr Associates of Chicago. At these meetings, representatives from Farr Associates presented different design models that the Kerr Avenue development could take and received public input on each. The input revealed that the public was split between preferring a model that focused more on affordability and one that had a more aesthetically pleasing design.

**Adjacent Land Uses, Zoning, and Comprehensive Plan Designations**

The project area is located on the south side of Kerr Avenue between Cunningham Avenue and N. Broadway Avenue. The two parcels located immediately east of the site are owned by Cunningham Motor Sales and are undeveloped, but auto sales lots and two single family homes exist east of the undeveloped parcels. All of the nearby commercially zoned parcels are zoned as B-3. To the north of the proposed development are single-family homes located around the loop created by Highlands Drive and Geraldine Avenue. This area is zoned R-3, but some of the parcels located closer to Cunningham Avenue are zoned B-3. Crystal View Townhomes, another development completed by Brinshore Development and Homestead, is situated to the immediate southwest of the site. The parcel that makes up Crystal View Townhomes is zoned R-5, while single family homes are located on separate parcels zoned R-3 to the west and south of the subject properties. The following table summarizes the zoning, existing land uses, and future land use designations from the Comprehensive Plan for the parcels that make up the proposed development and surrounding properties. Exhibits A, B and C illustrate these for the larger surrounding area.

<b>Location</b>	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Comprehensive Plan Future Land Use</b>
Site	B-3, General Business	Vacant	Mixed-Residential
North	R-3, Single- and Two-Family Residential	Single-Family Homes	Residential
South	R-3, Single- and Two-Family Residential; B-3, General Business	Single-Family Homes	Mixed-Residential
East	B-3, General Business	Vacant	Mixed-Residential
West	R-4, Medium Density Multiple-Family Residential	Vacant	Mixed-Residential

**Comprehensive Plan**

The 2005 Urbana Comprehensive Plan identifies the future land use for the site and the areas largely encompassing Crystal View Townhomes as “Mixed-Residential.” The Comprehensive Plan also identified this site in particular as an area to “[e]ncourage a physical development pattern that ties new streets into the existing network to become part of the overall built neighborhood” (see Exhibit C).

The Comprehensive Plan defines “Mixed-Residential” as follows:  
*Mixed Residential Areas contain a variety of residential land uses including single-family residences, duplexes, town homes, and multi-family development. Encourages a gradation of*

*densities between single-family and multi-family uses in order to achieve compatible development. Also encourages design considerations among various land uses to help achieve compatibility. May also include supporting land uses such as civic, institutional, office, neighborhood business as well as parks. Mixed Residential areas will have different physical patterns of development depending on their location in the community. These areas should incorporate provisions for transit service and pedestrian access to nearby commercial and employment centers.*

Furthermore, the development would be in line with the Urban Pattern of Development variety of the Mixed-Residential future land use type, which is defined in the Comprehensive Plan as follows:

*Areas within existing neighborhoods that are considered appropriate for a mix of residential densities. New development should incorporate a design that respects the urban environment including buildings that face the street and provide access from the rear where possible. The character and scale of new development shall consider the overall context of the neighborhood.*

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

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

*Objectives*

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

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

*Objectives*

2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

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

*Objectives*

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

**Goal 39.0 Seek to improve the quality of life for all residents through community development programs that emphasize social services, affordable housing and economic opportunity.**

*Objectives*

39.2 Implement strategies to address social issues related to housing, disabilities, poverty and community development infrastructure.

**Goal 40.0 Make affordable housing available for low-income and moderate-income households.**

*Objectives*

40.1 Promote strategies identified in the Consolidated Plan to provide additional affordable housing opportunities in Urbana-Champaign.

40.2 Work to promote the development and capacity of Community Housing Development Organizations (CHDOs) to develop affordable housing opportunities.

**Goal 42.0 Promote accessibility in residential, commercial and public locations for disabled residents.**

*Objectives*

42.1 Ensure that new developments are sensitive to the mobility and access needs of the disabled.

42.3 Ensure that new developments include adequate access for the disabled through compliance with ADA requirements and other measures.

42.4 Encourage residential developers to consider the market for disabled residents and visitors and to promote the provision of accessible and adaptable units.

**Other Goals and Objectives**

The Kerr Avenue Sustainable Development was also referred to in the 2015-2019 City of Urbana and Urbana HOME Consortium Consolidated Plan as an anticipated tax credit project. The Plan also mentions residential development on the Kerr Avenue site as a strategy for overcoming barriers to affordable housing, especially for veterans. This residential development was also referred to as a potential use of City of Urbana HOME Neighborhood Revitalization Funds.

The proposed rezoning will help to the City to progress with regards to the following Urbana City Council and Mayor Goal:

Goal 7: Quality of Life

Objective 2: Continue to promote affordable housing opportunities and work to eliminate homelessness.

*Action/tactic a: Work with developers to provide affordable housing opportunities.*

*Action/tactic c: Continue to work with Community Housing Development Organizations to create new housing affordable housing opportunities, including those on vacant infill properties where homes have been removed.*

The proposed “Kerr Ave. energy-efficient housing project” was specifically mentioned as an implementation step for the above action/tactic a.

## **Discussion**

The existing R-4 District located on most of 401 E. Kerr Avenue is suitable to the proposed development; however, the subject properties, a portion of the eastern half of 401 E. Kerr and 403 E. Kerr Avenue, are presently zoned B-3 but are undeveloped along with the rest of the proposed development site. Since the existing residentially-zoned land is not sufficient in size to permit the construction of the proposed development without the rezoning of the neighboring commercially-zoned parcels, a Zoning Ordinance map amendment unifying the entire development site under R-4 zoning is desirable. The lack of development in the commercially-zoned parcels signifies that no loss of commercial tax revenue will be experienced. The following table outlines the development regulations and purposes of the R-4 district, and compares the current proposed parameters of the Highland Green proposal to the regulations. In addition, Zoning Description Sheets that outline permitted uses in both the B-3 and R-4 districts can be found in Exhibit D.

Zoning District	Minimum Lot Size (In square feet)	Minimum or Average Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum FAR	Minimum OSR	Required Yards (In Feet)		
						Front	Side	Rear
R-4	6,000	60	35	0.50	0.35	15	5	10
Proposed Development	N/A	N/A	~25	0.26	0.47	12	11-16	25
The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities.								

## **The La Salle Criteria**

In the case of *La Salle National Bank v. County of Cook* (the “La Salle” case), the Illinois Supreme Court developed a list of factors that are paramount in evaluating the legal validity of a zoning classification for a particular property. Each of these factors will be discussed as they pertain to a comparison of the existing zoning with that proposed by the Zoning Administrator.

*1. The existing land uses and zoning of the nearby property.*

*This factor relates to the degree to which the existing and proposed zoning districts are compatible with existing land uses and land use regulations in the immediate area.*

The subject parcels are undeveloped, but surrounding development is compatible with the

proposed development that will be possible following rezoning. Both the existing and proposed zoning districts are already used on parcels in the immediate area. In terms of the residential zoning, the R-3 and R-5 Districts figure prominently in the area; therefore, the R-4 District would act as an intermediary and not be out of character with either district. In general, this proposal involves replacing one compatible zoning designation in the immediate area with another district that is more compatible with surrounding development.

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

*This is the difference in the value of the property as B-3, General Business and the value it would have if it were rezoned to R-4, Medium Density Multiple-Family Residential.*

A suitable residential zoning district is required to enable the development of the subject properties as envisioned by the developers who are preparing to build on the property. With this in mind, the property values of the subject properties will be put into a better position to increase following rezoning and eventual development, especially since the parcels have never had commercial land uses on them as originally intended through existing zoning. The high quality and aesthetic appeal of the proposed development will minimize detrimental effects on surrounding properties and certainly result in a positive impact. The effect of the proposed development will be comparable to the impact created by the neighboring Crystal View Townhomes.

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

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

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

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

The proposed zoning would substantially enhance the general welfare of the public through the construction of affordable housing, which is a distinct community development need. The high percentage of Champaign County residents experiencing housing cost burden, as expressed in detail within the 2015-2019 City of Urbana and Urbana HOME Consortium Consolidated Plan, accentuates the need for additional affordable housing. According to the Consolidated Plan, 11,235 renter households in Champaign County experience severe housing cost burden, such that over 50% of a renter household's income is devoted to housing costs. Also, 3,050 homeowner households in Champaign County experience severe housing cost burden. An increased supply of affordable housing within walking distance of transit, employment, and other necessities will help to alleviate this concern. In addition to consistency with the Consolidated Plan, the proposed

use of the parcels is also in line with the Mixed Residential future land use designation of the subject properties.

The existing property owner is the City of Urbana, and the existing zoning is a barrier to new affordable housing construction. The proposed rezoning would eliminate this hardship by allowing the proposed development, thereby benefiting both the public and the property owner.

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

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

As the table in the Discussion section above indicates, the proposed development has the ability to conform with all development regulations in the R-4 Zoning District. With minor adjustment, it would be able to meet the minimum lot size, minimum lot width, maximum height, maximum floor-area-ratio, minimum open space, and front, rear, and side yard setbacks of the R-4 district.

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

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

The property is currently vacant and has not seen major commercial development while zoned B-3. Although the B-3 zoning cannot be directly identified as a barrier to development in the past, one can infer that the parcels are not in high demand for commercial uses due to their lack of commercial development. However, the existing zoning can be construed as acting as a barrier to the current residential proposal.

## **Summary of Staff Findings**

1. The Zoning Administrator filed a petition to amend the Urbana Zoning Map for a portion of the eastern half of 401 E. Kerr Avenue and 403 E. Kerr Avenue from B-3, General Business, to R-4, Medium Density Multiple Family Residential.

2. The subject property is generally located on the south side of E. Kerr Avenue between Division Avenue and Cunningham Avenue.

3. The 2005 Urbana Comprehensive Plan future land use map designates the future land use of the property as “Mixed Residential,” and the proposed rezoning is consistent with this future land use type.

4. The zoning change would facilitate the proposed development and is necessary to receive state funding.



5. The proposed rezoning would generally conform to the LaSalle Criteria, as the proposed use is appropriate in the surrounding area and the R-4 District.

6. The subject property is appropriate for multi-family residential zoning due to its location on E. Kerr Avenue, proximity to various businesses along Cunningham Avenue and transit stops, as well as other residential uses of a similar density.

7. The R-4 zoning district has development standards and allowable uses that are appropriate for areas adjacent to the subject parcels.

8. The proposed rezoning to R-4, Medium Density Multiple-Family Residential would allow the proposed use of single-family homes and duplexes within the subject properties.

## **Options**

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case 2258-M-15:

1. Forward this case to City Council with a recommendation for approval of the rezoning request as presented herein; or

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

## **Staff Recommendation**

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends the Plan Commission forward Case No. 2258-M-15 to the City Council with a recommendation for **APPROVAL** of R-4, Medium Density Multiple-Family Residential zoning, and including the recommended findings.

Attachments: Exhibit A: Location and Existing Land Use Map

Exhibit B: Existing Zoning Map

Exhibit C: Future Land Use Map

Exhibit D: Zoning Description Sheets

Exhibit E: Petition for Zoning Map Amendment

cc: City of Urbana Zoning Administrator

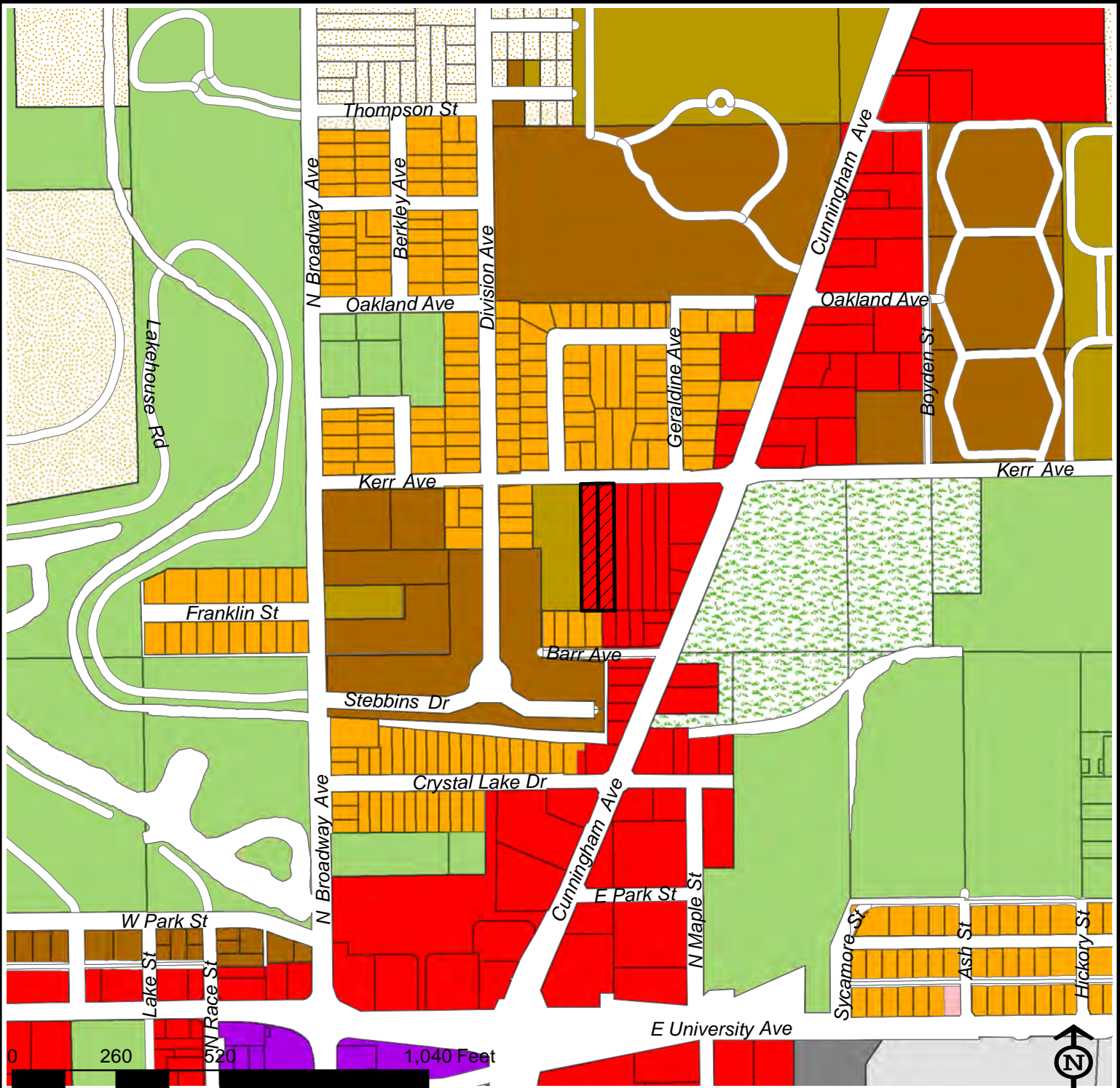
# Exhibit A: Location & Existing Land Use Map



Case: 2258-M-15  
 Subject: Rezoning  
 Location: 401 1/2 and 403 E. Kerr Ave.  
 Petitioners: City of Urbana Zoning Administrator

 Subject Property

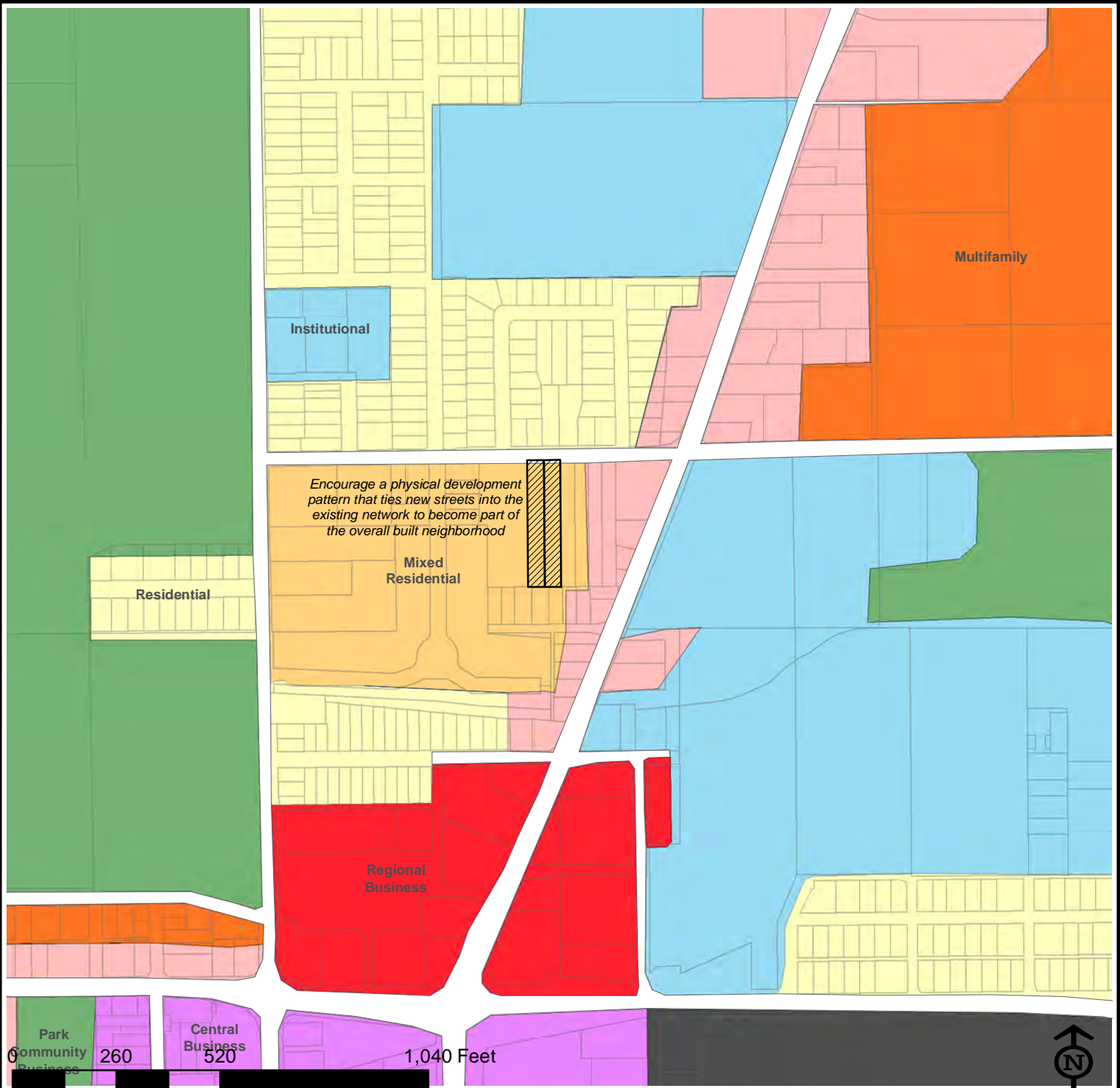
# Exhibit B: Zoning Map













Case: 2258-M-15  
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- |  |                  |  |     |  |      |  |    |
|--|------------------|--|-----|--|------|--|----|
|  | AG               |  | B4  |  | IN-1 |  | R4 |
|  | B1               |  | CRE |  | IN-2 |  | R5 |
|  | B3               |  | ETJ |  | R3   |  | R6 |
|  | Subject Property |  |     |  |      |  |    |

# Exhibit C: Future Land Use Map



Case: 2258-M-15  
 Subject: Rezoning  
 Location: 401 1/2 and 403 E. Kerr Ave.  
 Petitioners: City of Urbana Zoning Administrator

- |   |  |
|---|--|
|  Residential              |  Central Business |
|  Mixed Residential        |  Heavy Industrial |
|  Multi-Family Residential |  Institutional    |
|  Regional Business        |  Park             |
|  Community Business       |  Subject Property |



## B-3 – GENERAL BUSINESS ZONING DISTRICT

### ZONING DESCRIPTION SHEET

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

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

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

#### **PERMITTED USES:**

##### **Agriculture**

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

##### **Business - Adult Entertainment**

Adult Entertainment Uses

##### **Business - Food Sales and Services**

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

##### **Business - Miscellaneous**

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

##### **Business - Personal Services**

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

##### **Business - Professional and Financial Services**

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

##### **Business - Transportation**

Motor Bus Station  
Taxi Service

##### **Business - Vehicular Sales and Service**

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

## PERMITTED USES CONTINUED:

### **Business - Recreation**

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

### **Public and Quasi-Public**

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

### **Residential**

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

### **Business - Retail Trade**

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

## SPECIAL USES:

### **Business – Vehicular Sales and Service**

Towing Service  
Truck Stop

### **Public and Quasi-Public**

Correctional Institution or Facility  
Hospital or Clinic

### **Residential**

Dwelling, Multifamily

### **Retail**

Firearm Store

### **Residential**

Dwelling, Multifamily

## PLANNED UNIT DEVELOPMENT USES:

### **Business – Miscellaneous**

Commercial Planned Unit Development  
Mixed-Use Planned Unit Development

**CONDITIONAL USES:**

**Business - Miscellaneous**

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

**Public and Quasi-Public**

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

**Residential**

Assisted Living Facility  
 Nursing Home

**Industrial**

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

**DEVELOPMENT REGULATIONS IN THE B-3 DISTRICT**

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

**FAR= FLOOR AREA RATIO**

**OSR= OPEN SPACE RATIO**

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

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

**City of Urbana**

**Community Development Services Department**

400 South Vine Street, Urbana, Illinois 61801

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

[www.urbanainllinois.us](http://www.urbanainllinois.us)



# R-4 – MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT

## ZONING DESCRIPTION SHEET

According to Section IV-2 of the Zoning Ordinance, the purpose and intent of the R-4 Zoning District is as follows:

"The R-4, Medium Density Multiple-Family Residential District is intended to provide areas for multiple-family dwellings at low and medium densities."

Following is a list of the Permitted Uses, Special Uses, Planned Unit Development Uses and Conditional Uses in the R-4 District. Permitted Uses are allowed by right. Special Uses and Planned Unit Development Uses must be approved by the City Council. Conditional Uses must be approved by the Zoning Board of Appeals.

### PERMITTED USES:

#### Agriculture

Agriculture, Cropping

#### Business - Recreation

Country Club or Golf Course

#### Public and Quasi-Public

Church, Temple or Mosque

Elementary, Junior High School or Senior High School

Institution of an Educational or Charitable Nature

Library, Museum or Gallery

Municipal or Government Building

Park

#### Residential

Boarding or Rooming House

Dormitory

Dwelling, Community Living Facility, Category I, Category II and Category III

Dwelling, Duplex

Dwelling, Duplex (*Extended Occupancy*)

Dwelling, Multifamily

Dwelling, Multiple-Unit Common-Lot-Line

Dwelling, Single Family

Dwelling, Single Family (*Extended Occupancy*)

Dwelling, Two-Unit Common-Lot-Line

### SPECIAL USES:

#### Business – Professional and Financial Services

Professional and Business Office

#### Residential

Dwelling, Home for Adjustment

#### Public and Quasi-Public

Police or Fire Station

Principal Use Parking Garage or Lot

### PLANNED UNIT DEVELOPMENT USES:

#### Business – Miscellaneous

Mixed-Use Planned Unit Development

#### Residential

Residential PUD

### CONDITIONAL USES:

#### Agriculture

Artificial Lake of One (1) or More Acres

#### Public and Quasi-Public

Electrical Substation

#### Business – Miscellaneous

Day Care Facility (*Non-Home Based*)

#### Residential

Assisted Living Facility

Bed and Breakfast, Owner Occupied

Nursing Home

#### Business - Recreation

Lodge or Private Club



**DEVELOPMENT REGULATIONS IN THE R-4 DISTRICT**

<b>ZONE</b>	<b>MIN LOT SIZE (square feet)</b>	<b>MIN AVERAGE WIDTH (in feet)</b>	<b>MAX HEIGHT (in feet)</b>	<b>MAX FAR</b>	<b>MIN OSR</b>	<b>MIN FRONT YARD (in feet)</b>	<b>MIN SIDE YARD (in feet)</b>	<b>MIN REAR YARD (in feet)</b>
<b>R-4</b>	<b>6,000</b>	<b>60</b>	<b>35<sup>17</sup></b>	<b>0.50<sup>14</sup></b>	<b>0.35</b>	<b>15<sup>9</sup></b>	<b>5</b>	<b>10</b>

**FAR= FLOOR AREA RATIO**

**OSR= OPEN SPACE RATIO**

**Footnote<sup>9</sup>** – In the R-1 District, the required front yard shall be the average depth of the existing buildings on the same block face, or 25 feet, whichever is greater, but no more than 60 feet, as required in Sec. VI-5.D.1. In the R-2, R-3, R-4, R-5, R-7, and MOR Districts, the required front yard shall be the average depth of the existing buildings on the same block face (including the subject property), or 15 feet, whichever is greater, but no more than 25 feet, as required in Sec. VI-5.D.1. (Ord. No. 9596-58, 11-20-95)(Ord. No. 9697-154) (Ord. No. 2001-03-018, 03-05-01)

**Footnote<sup>14</sup>** – In the R-4 District, the maximum floor area ratio may be increased to 0.70, provided that there is a minimum of 2,000 square feet of lot area per dwelling unit.

**Footnote<sup>17</sup>** – Public buildings, schools, or institutions of an educational, religious, or charitable nature which are permitted in the R-2, R-3, and R-4 Districts may be erected to a height not to exceed 75 feet, if the building is set back from the building line at least one foot for each one foot of additional building height above the height limit otherwise applicable.

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

**City of Urbana**  
**Community Development Services Department**  
 400 South Vine Street, Urbana, Illinois 61801  
 (217) 384-2440 phone / (217) 384-2367 fax  
[www.urbanaininois.us](http://www.urbanaininois.us)



# Application for Zoning Map Amendment

## Plan Commission

### APPLICATION FEE - \$175.00

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

**DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY**

Date Request Filed 5/29/15 Plan Case No. 2258-M-15  
Fee Paid - Check No. N/A Amount N/A Date 5/29/15

**PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION**

**1. APPLICANT CONTACT INFORMATION**

Name of Applicant(s): **CITY OF URBANA, ILLINOIS** Phone: **(217) 384-2440**  
Address (street/city/state/zip code): **400 S. VINE ST., URBANA, IL 61801**  
Email Address: **EHTYLER@URBANAILLINOIS.US**  
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): **OWNER**

**2. OWNER INFORMATION**

Name of Owner(s): **CITY OF URBANA, ILLINOIS** Phone: **(217) 384-2464**  
Address (street/city/state/zip code): **400 S. VINE ST., URBANA, IL 61801**  
Email Address: **DMBUCHER@URBANAILLINOIS.US**

Is this property owned by a Land Trust?  Yes  No  
If yes, please attach a list of all individuals holding an interest in said Trust.

**3. PROPERTY INFORMATION**

Address/Location of Subject Site: **401 1/2 AND 403 E. KERR AVE.**  
PIN # of Location: **91-21-08-280-008 AND 91-21-08-280-009**  
Lot Size: **THE LOTS REPRESENT A COMBINED 1.36 ACRES**

Current Zoning Designation: **B-3**  
Proposed Zoning Designation: **R-4**

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

Proposed Land Use: **PROVISION OF AFFORDABLE HOUSING**

Present Comprehensive Plan Designation: **MIXED RESIDENTIAL**

How does this request conform to the Comprehensive Plan? **PROPOSAL CONSISTS OF HOUSING AT AN APPROPRIATE DENSITY SUCH THAT IT WILL REMAIN IN CONFORMITY WITH THE SURROUNDING NEIGHBORHOOD'S CHARACTER.**

Legal Description: **THE EAST 3 ½ ACRES OF THE NORTH 30 RODS OF LOT 30 OF A SUBDIVISION OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER PLAT RECORDED IN PLAT BOOK "R" AT PAGE 238, EXCEPT THE EAST 205 FEET 4 INCHES THEREOF, SITUATED IN THE CITY OF URBANA, IN CHAMPAIGN COUNTY, ILLINOIS. (PIN #91-21-08-280-008 AND 91-21-08-280-009), COMMONLY KNOWN AS 401 ½ AND 403 EAST KERR, URBANA, ILLINOIS.**

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#### **4. CONSULTANT INFORMATION**

**Name of Architect(s):** LONDON BONE BAKER ARCHITECTS Phone: (312) 988-9100X211

**Address (street/city/state/zip code):** 734 N. MILWAUKEE AVE., CHICAGO, IL 60642

**Email Address:** JBONE@LONDONBONEBAKER.COM

**Name of Engineers(s):** BERNS, CLANCY AND ASSOCIATES Phone: (217) 384-1144

**Address (street/city/state/zip code):** 405 E. MAIN ST., URBANA, ILLINOIS 61803

**Email Address:**

**Name of Surveyor(s):** BERNS, CLANCY AND ASSOCIATES Phone: (217) 384-1144

**Address (street/city/state/zip code):** 405 E. MAIN ST., URBANA, ILLINOIS 61803

**Email Address:**

**Name of Professional Site Planner(s):** LONDON BONE BAKER ARCHITECTS Phone: (312) 988-9100X211

**Address (street/city/state/zip code):** 734 N. MILWAUKEE AVE., CHICAGO, IL 60642

**Email Address:** JBONE@LONDONBONEBAKER.COM

**Name of Attorney(s):**

**Phone:**

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

**Email Address:**

#### **5. REASONS FOR MAP AMENDMENT:**

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

EXISTING COMMERCIAL ZONED PARCELS DO NOT ALLOW FOR RESIDENTIAL DEVELOPMENT AT THE PROPOSED SITE. CONVERSION OF A RELATIVELY SMALL AMOUNT OF LAND TO THE EAST OF 401 E. KERR AVENUE WILL PROVIDE ENOUGH ROOM FOR THE PROPOSED DEVELOPMENT WHILE MAINTAINING SUFFICIENT SPACE FOR FUTURE COMMERCIAL USES TO THE EAST AS WELL.

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

THE SUCCESS OF CRYSTAL VIEW TOWNHOMES TO THE SOUTH OF THE PROPOSED DEVELOPMENT, AND THE PRESENCE OF CITY-OWNED PROPERTY AT THE ADDRESSES IN QUESTION, HAS ALLOWED FOR THIS AREA TO BECOME A PARTICULARLY AMENABLE SITE FOR THE PROPOSED DEVELOPMENT.

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

THE PROPOSED REZONING WILL NOT DISRUPT THE LAND USE MIX OF THE AREA, AND WILL ACT AS AN EXTENSION OF THE RESIDENTIAL ZONING THAT ALREADY EXISTS TO THE NORTH, WEST, AND SOUTH OF THE SITE IN QUESTION. ALSO, SURROUNDING USES ARE MOSTLY RESIDENTIAL, WHILE THE PROPOSED REZONING WILL STILL PERMIT COMMERCIAL USES TO THE EAST OF THE SITE CLOSER TO CUNNINGHAM AVENUE. THE PROPOSED DEVELOPMENT AT THIS SITE IS ALSO CONSISTENT WITH THE FY 2015-2019 CITY OF URBANA AND URBANA HOME CONSORTIUM CONSOLIDATED PLAN.

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What other circumstances justify the zoning map amendment? THE USES SURROUNDING THE PROPOSED DEVELOPMENT ARE LARGELY RESIDENTIAL, WHILE THE COMMERCIAL USES TO THE EAST ALONG CUNNINGHAM AVENUE CAN BE SUFFICIENTLY SCREENED FROM THE PROPOSED RESIDENTIAL DEVELOPMENT. FOLLOWING REZONING, THE SITE WILL BE WELL-SUITED TO THE PROPOSED DEVELOPMENT, AND THE LOSS OF COMMERCIAL ZONED LAND WILL BE MINIMIZED. THE NATURE OF THE PROPOSED DEVELOPMENT, AND SPECIFICALLY THE PROVISION OF VETERANS' HOUSING THROUGH COOPERATION WITH THE HOUSING AUTHORITY OF CHAMPAIGN COUNTY, AS WELL AS THE ESTABLISHMENT OF NEEDED GENERAL AFFORDABLE HOUSING, ALSO HELP TO JUSTIFY THE MAP AMENDMENT.

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Time schedule for development *(if applicable)*. THE DEVELOPERS WILL APPLY FOR LOW-INCOME HOUSING TAX CREDITS (LIHTC) AND ARE AWAITING WORD ON AN AWARD DECISION.

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Additional exhibits submitted by the petitioner. VARIOUS SITE AND FLOOR PLANS ARE ATTACHED.

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*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.

Kelly H. Minkowski

Applicant's Signature

5/29/15

Date

Manager, Grants Management Division

**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

## HIGHLAND GREEN CONCEPT

Highland Green will be a 33-unit new construction family rental development.

The 3.19 acre site has never been developed and is owned by the City of Urbana. The scope of work will include the installation of a new street, site utilities, surface parking and the new construction of twenty-three buildings.

The development will be a mix of single family and duplex units offering one, two, three or four bedrooms units in one and two-story buildings.

The development will be sustainable community that will attain green communities' certifications. In addition, a community garden will be built on the site & there will be an agreement with the adjacent housing development, Crystal View Townhomes that will allow Highland Green residents the use of the playground, community room, computer center and fitness center.

Nine of the units will be set aside for residents thru the State Referral Network.

Nine units will be project-based voucher units, set-aside for veteran & their families.

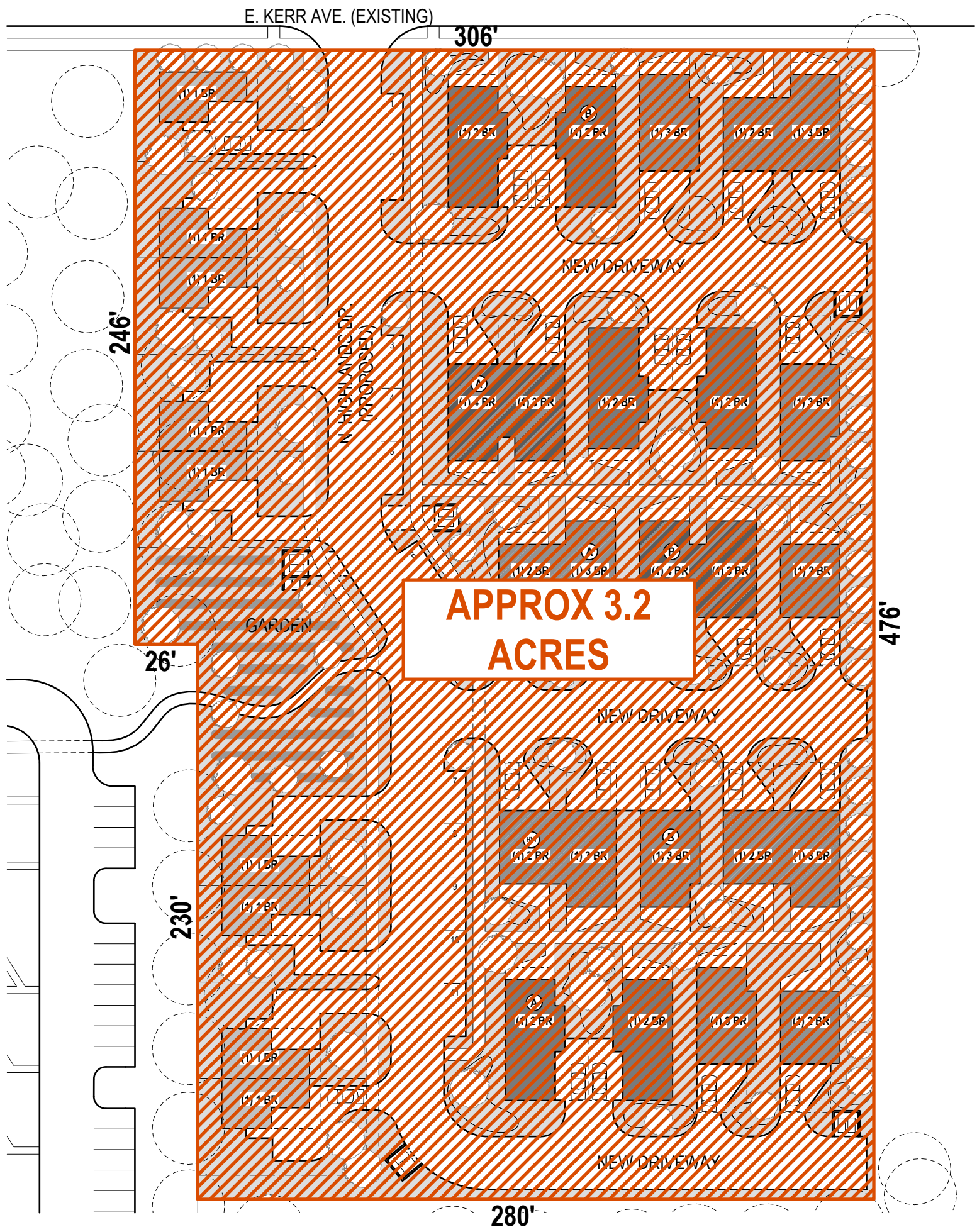
**Housing Authority of Champaign County** – Provide project-based vouchers or VASH Vouchers

**Homestead Corporation of Champaign Urbana** –

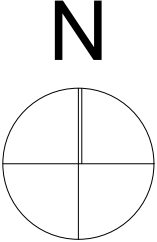
- working with Salvation Army to have SA provide services to veterans
- Homesteads to provide financial counseling for home purchases in future

**City of Urbana** – to provide

- Donation of land
- Donation (via waiving) building permits and other fees
- Rezoning
- Funding, CDBG or HOME
- For cost purposes how green do we need to make the homes, based on what we promised in RFP,
  - Environmental sustainability
  - Mix tenure



**APPROX 3.2  
ACRES**



**BRINSHORE DEVELOPMENT L.L.C.**





**Total No. of units - 33**  
 (= Approx. 10 units/acre)

**Total No. of parking spots - 44**  
 33 Dedicated  
 11 Street

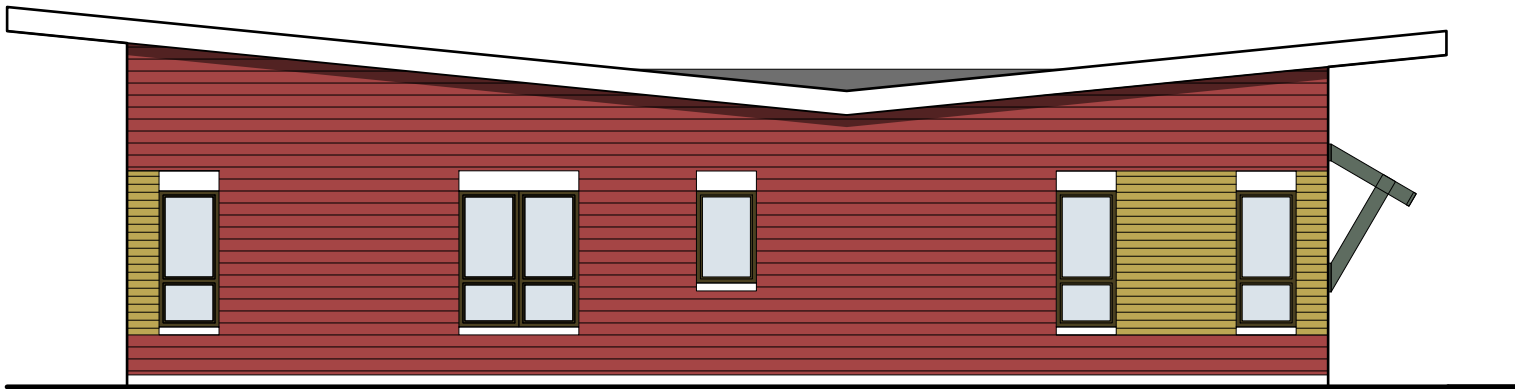
- (A) Accessible Unit
- (B) Adaptable Unit
- (HVI) HVI Unit
- Existing Trees
- New Trees

- 2 br Single Family (1 story, approx. 970 sf) - 6  
 (1 accessible, 1 adaptable)
- 2 br Single Family (2 story, approx. 1230 sf) - 2
- 3 br Single Family (2 story, approx. 1410 sf) - 4  
 (1 adaptable)
- Duplex  
 4br (2 story approx. 1590 sf) - 2 (1 accessible, 1 adaptable)  
 3br (2 story, approx. 1410 sf) - 2
- Duplex  
 3br (2 story approx. 1410 sf) - 4 (1 accessible)  
 2br (2 story, approx. 1230 sf) - 4
- 1 br Single Family (1 story, approx. 625 sf) - 9

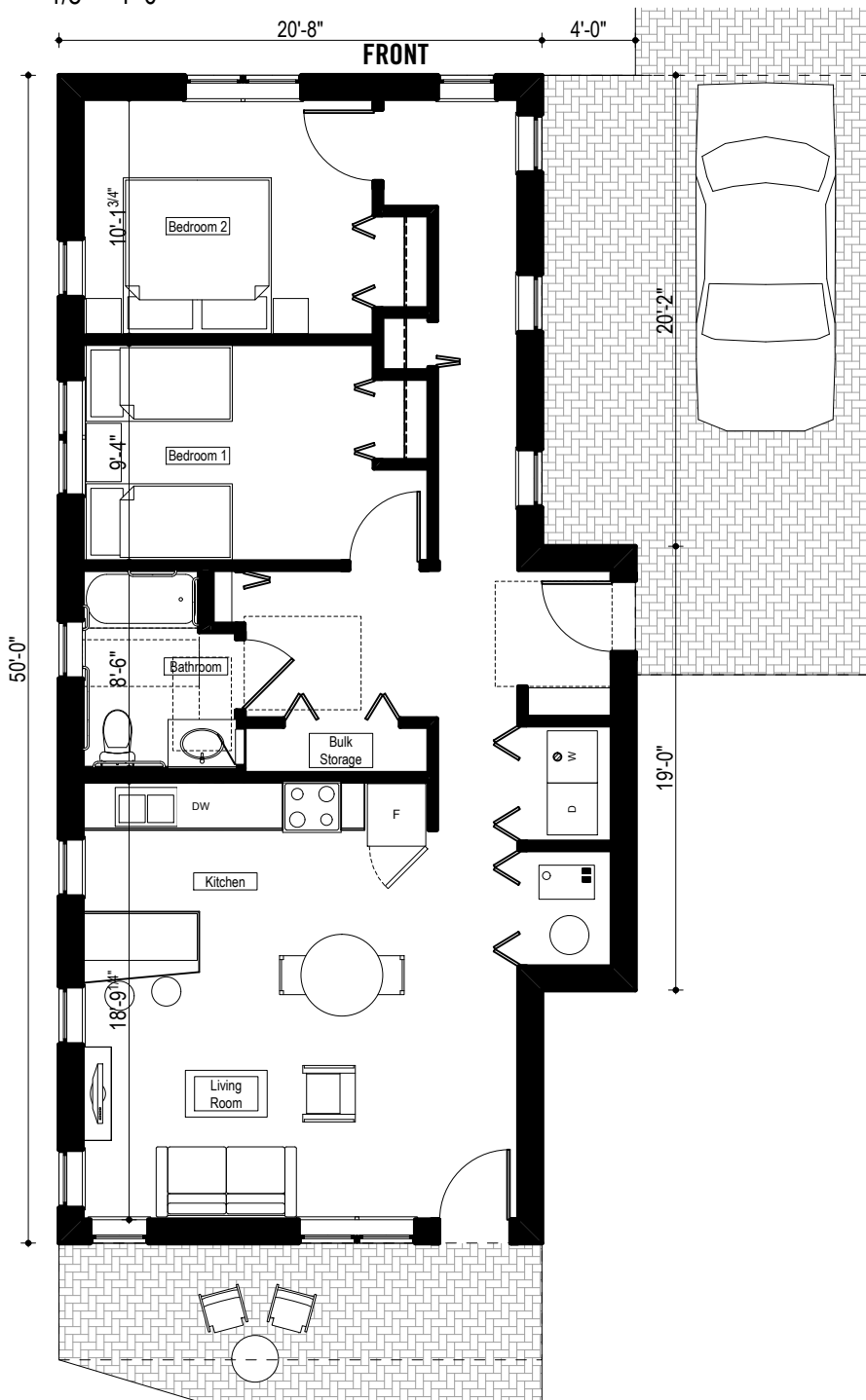
**BRINSHORE DEVELOPMENT L.L.C.**



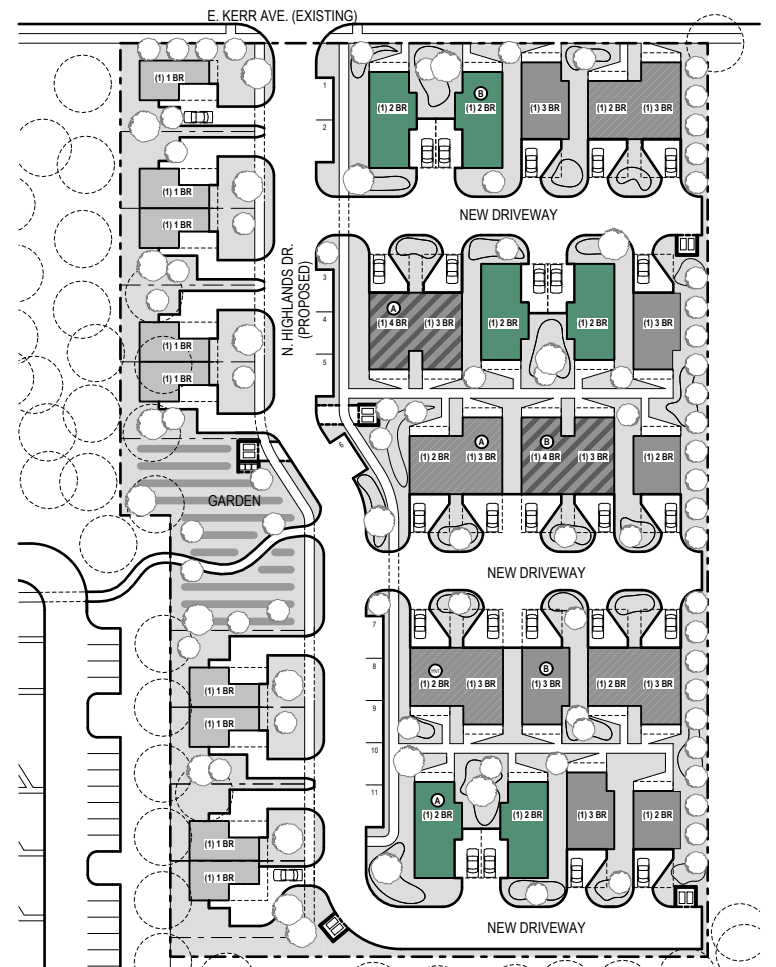
**FRONT ELEVATION**  
1/8" = 1'-0"



**SIDE ELEVATION (OPPOSITE SIDE SIMILAR)**  
1/8" = 1'-0"



**FIRST FLOOR PLAN**  
1/8" = 1'-0"



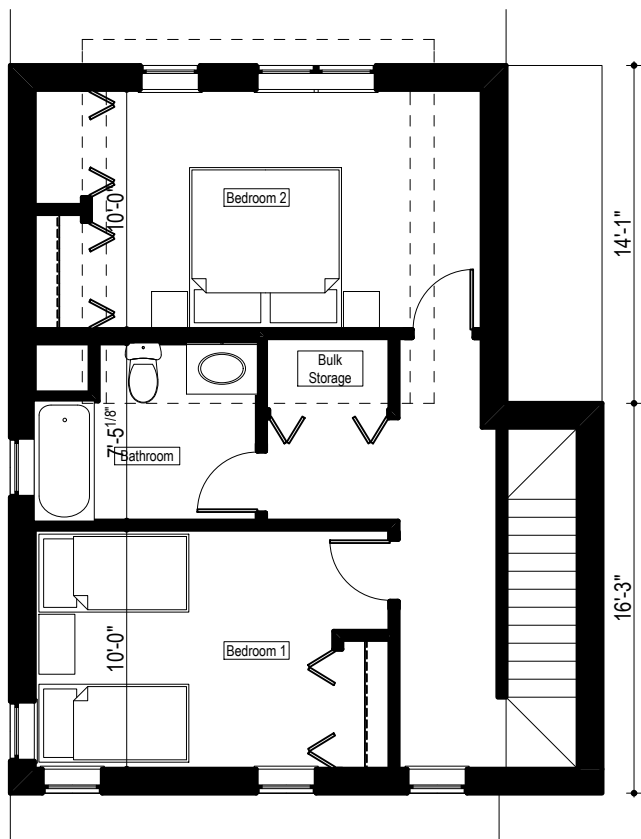
**BRINSHORE DEVELOPMENT L.L.C.**



**FRONT ELEVATION**  
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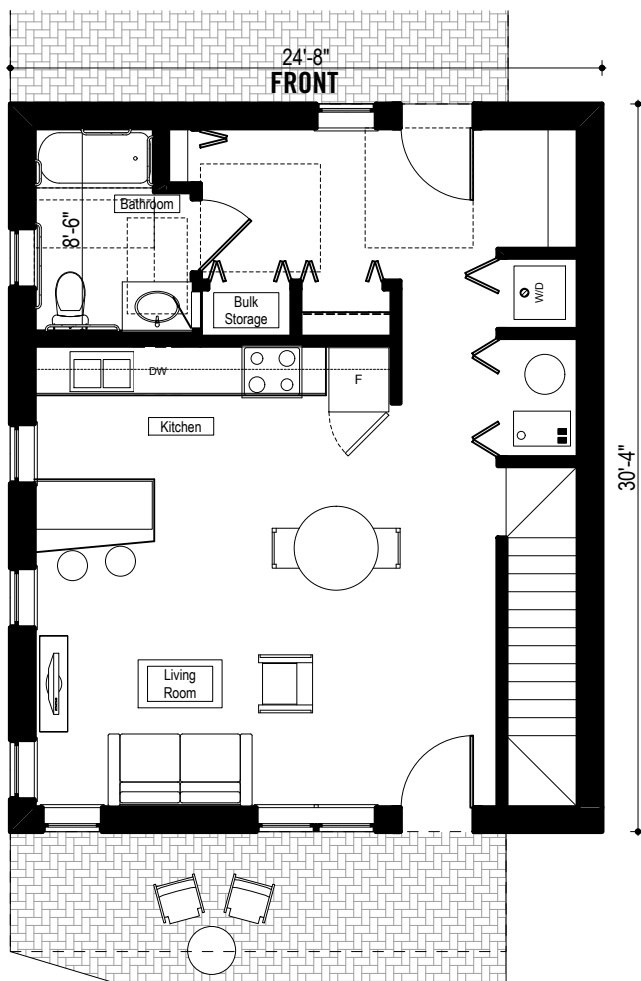
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1/8" = 1'-0"



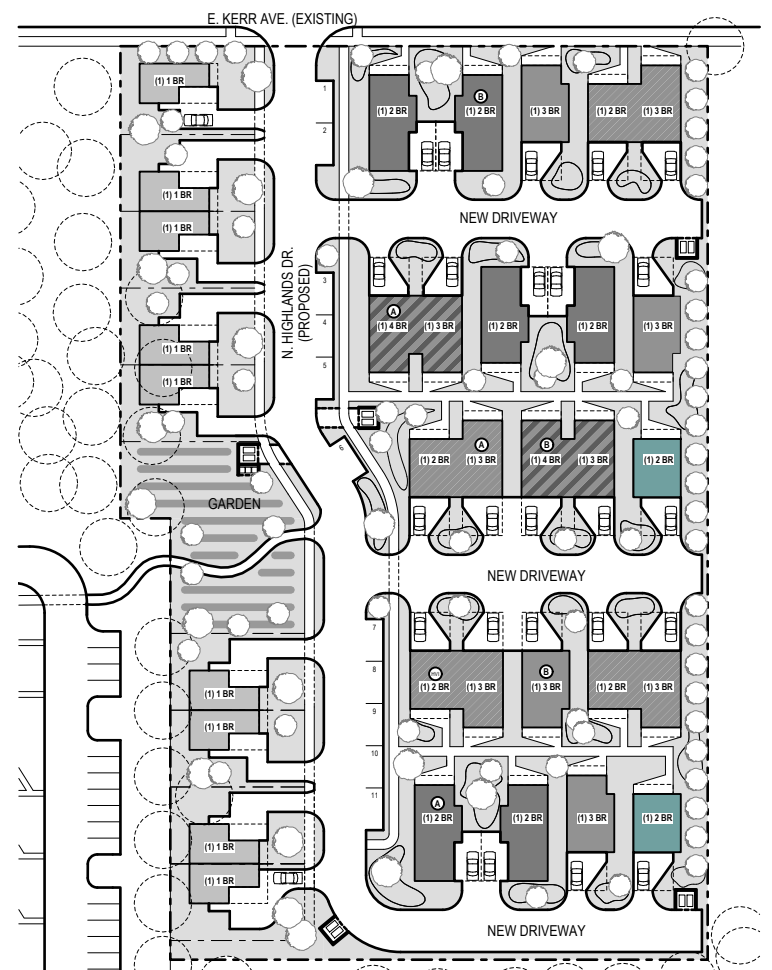
**SECOND FLOOR PLAN**  
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**SIDE ELEVATION**  
1/8" = 1'-0"



**FIRST FLOOR PLAN**  
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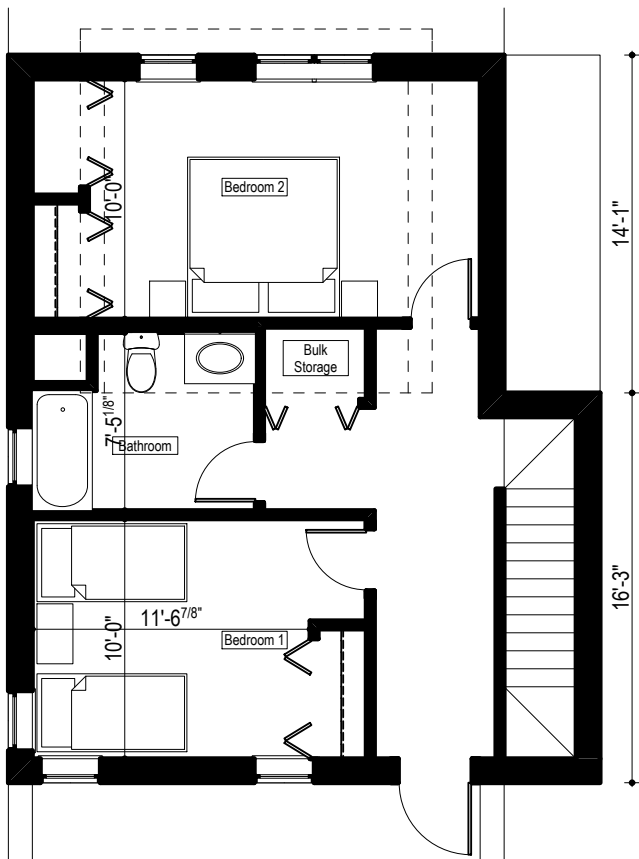
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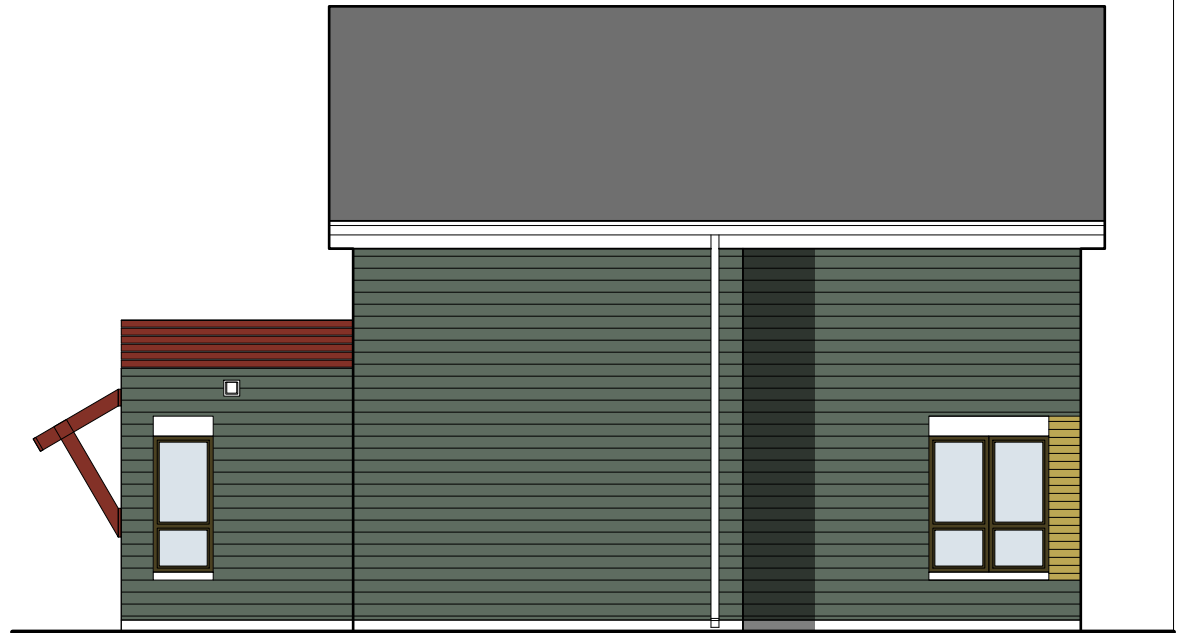
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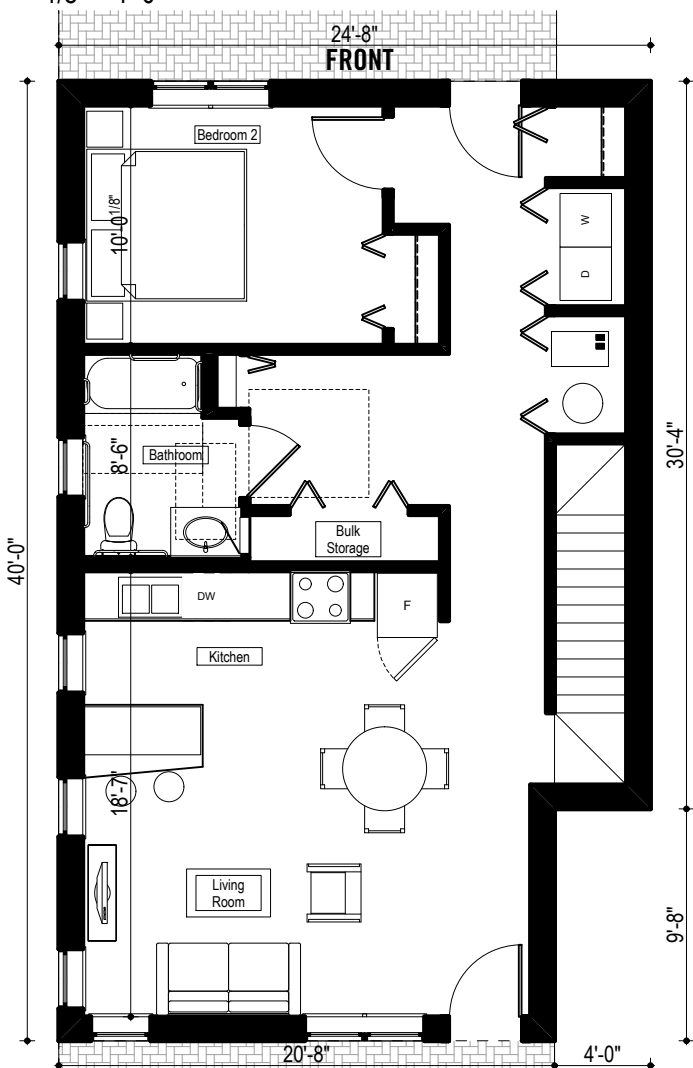
**SIDE ELEVATION**  
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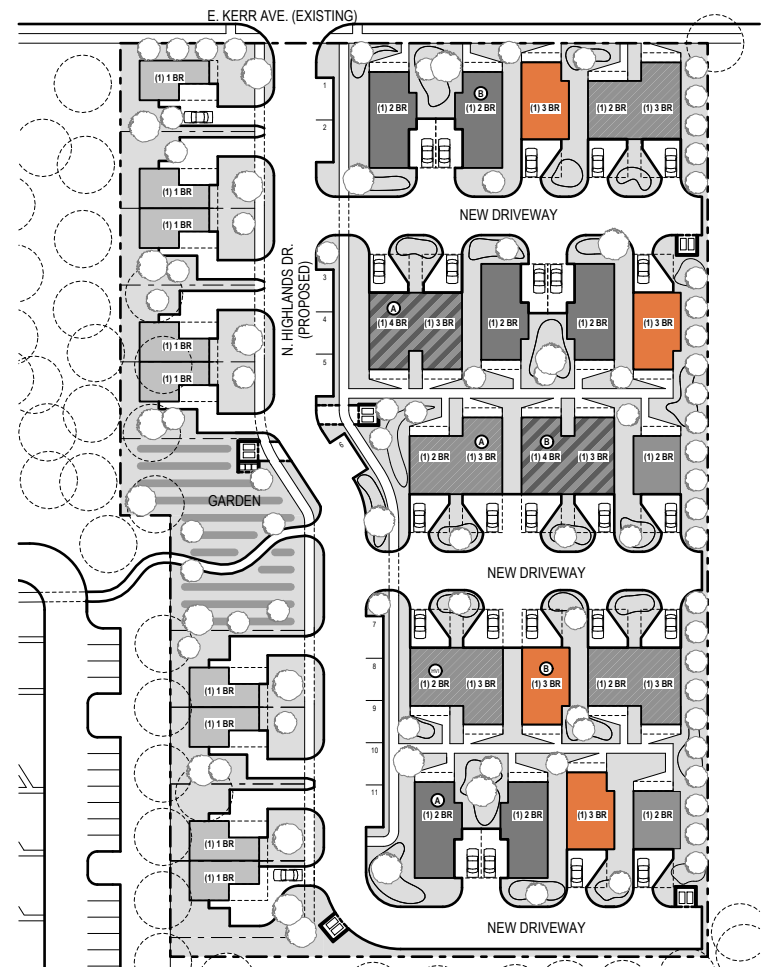
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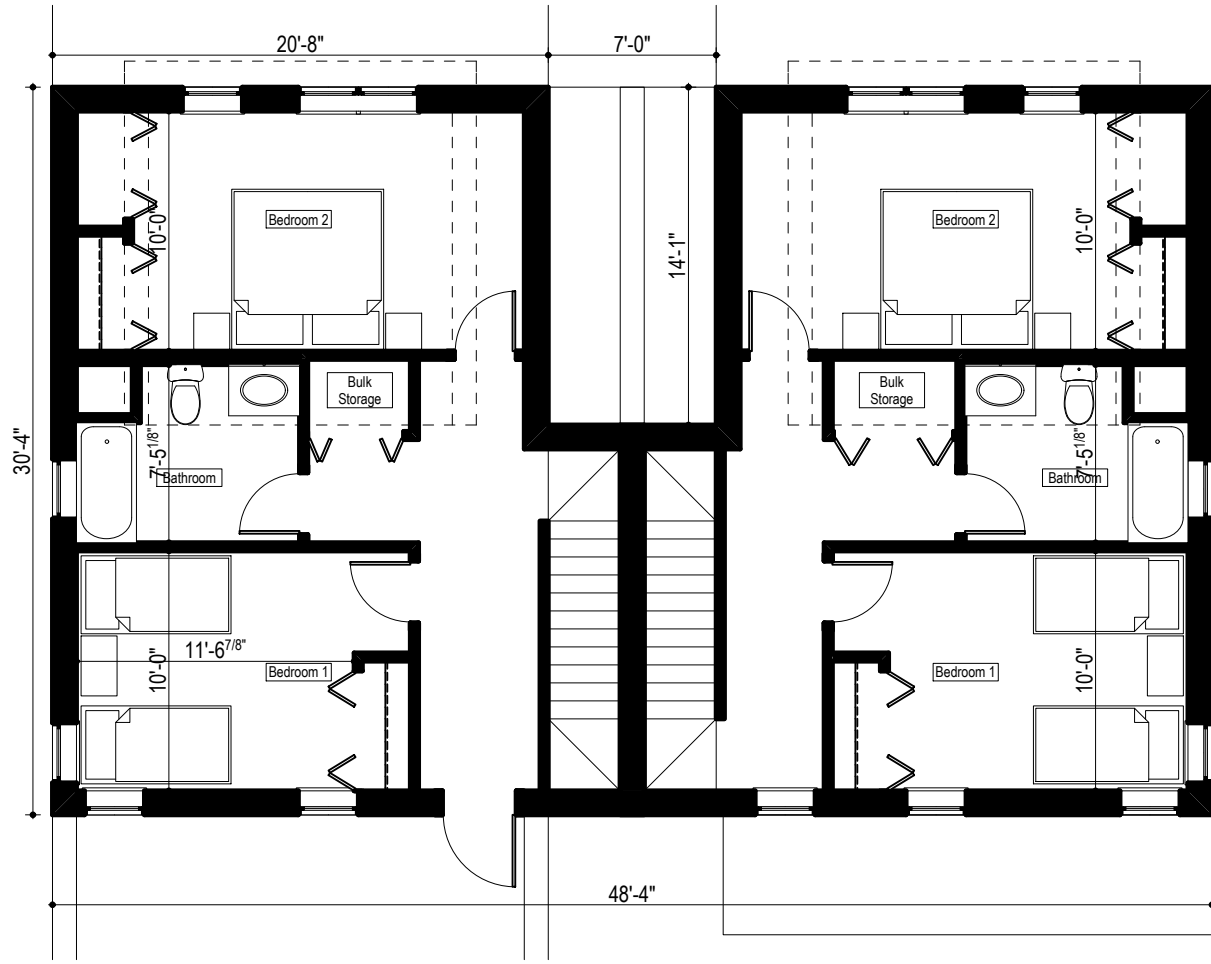
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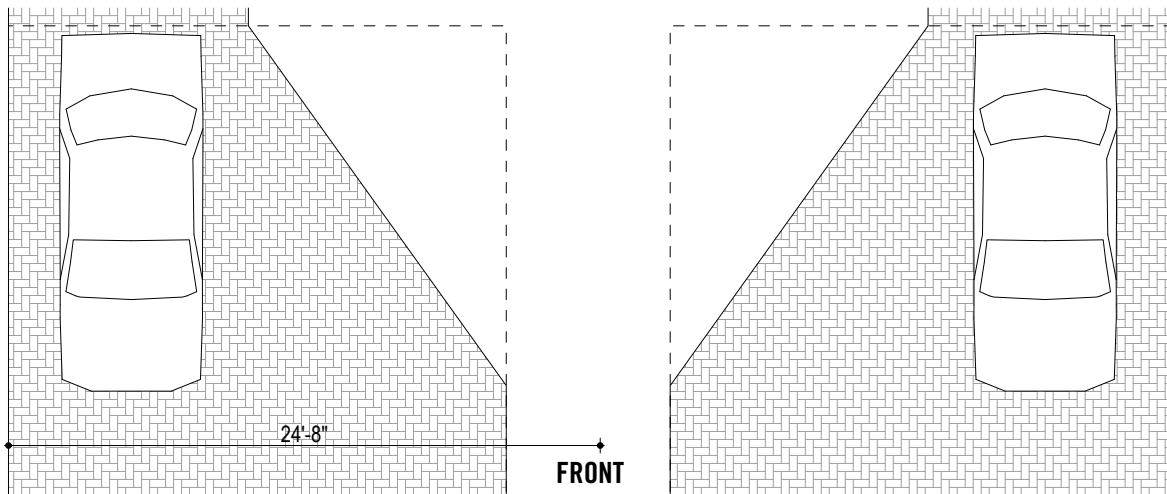
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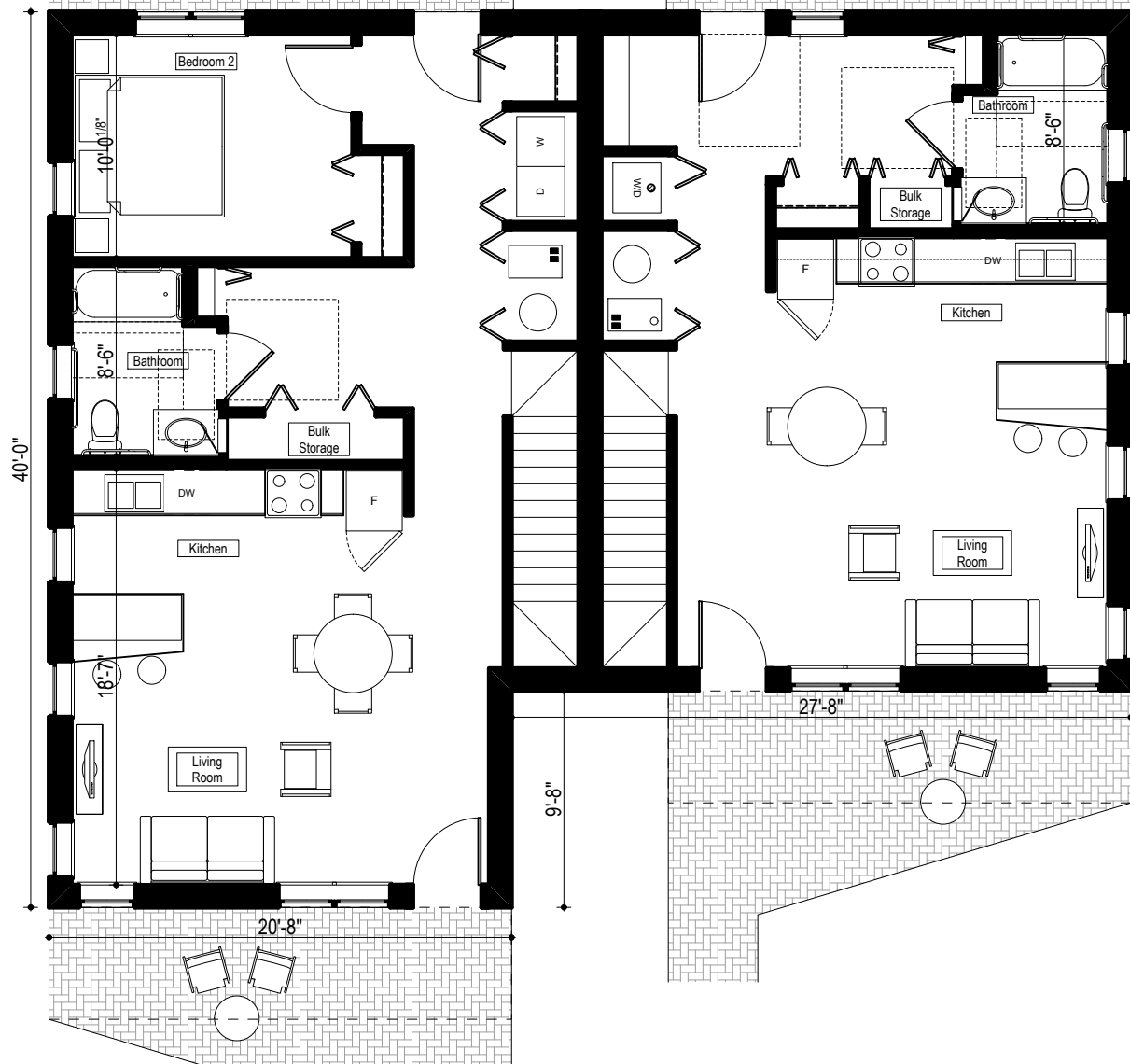
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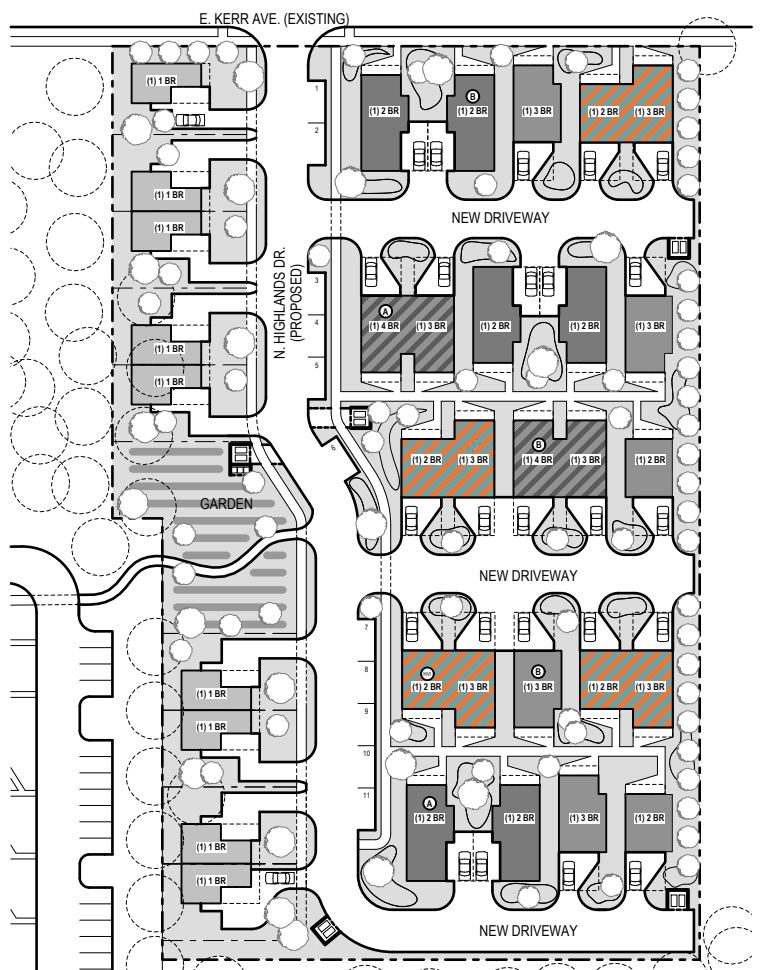
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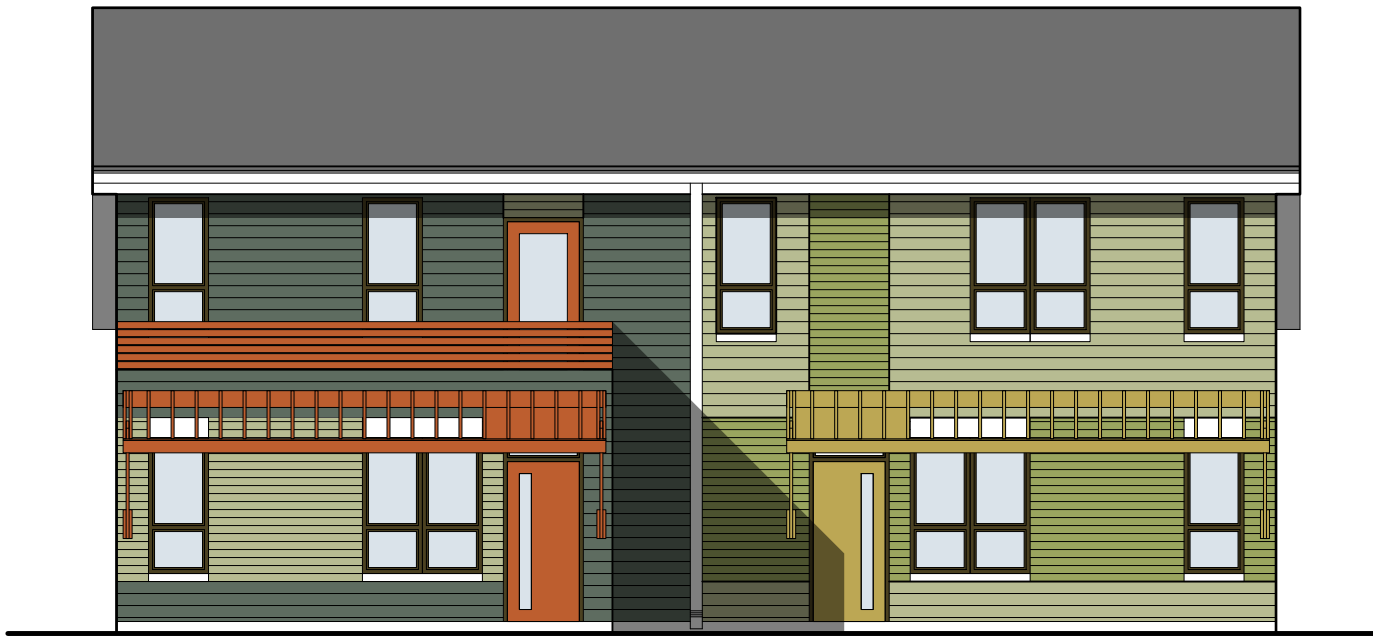
FRONT



**FIRST FLOOR PLAN**  
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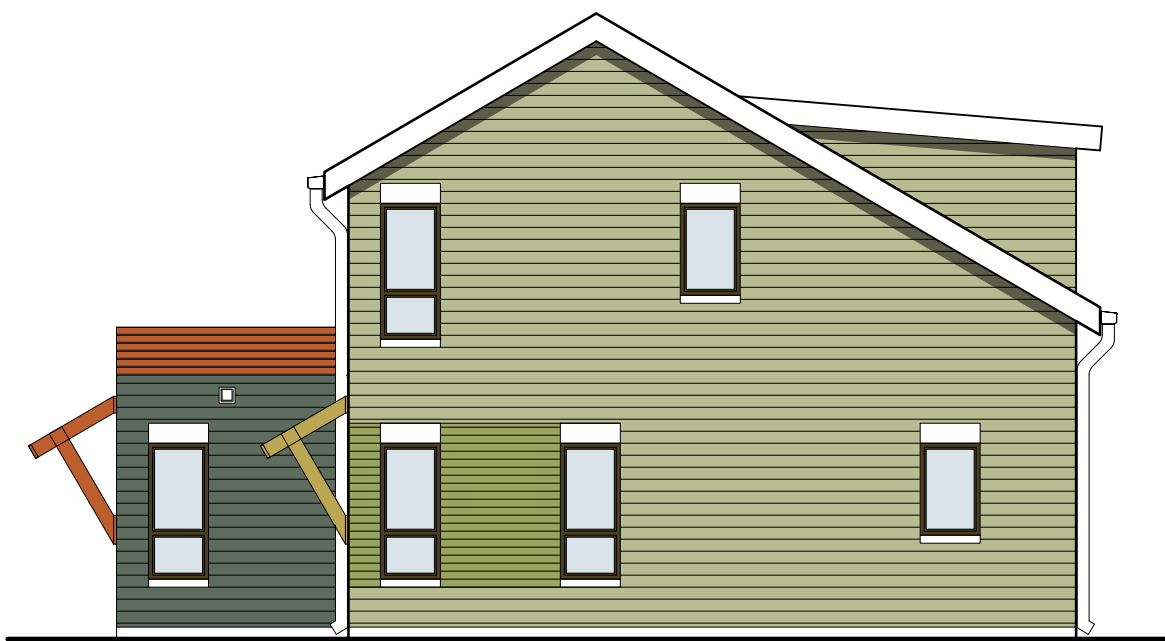
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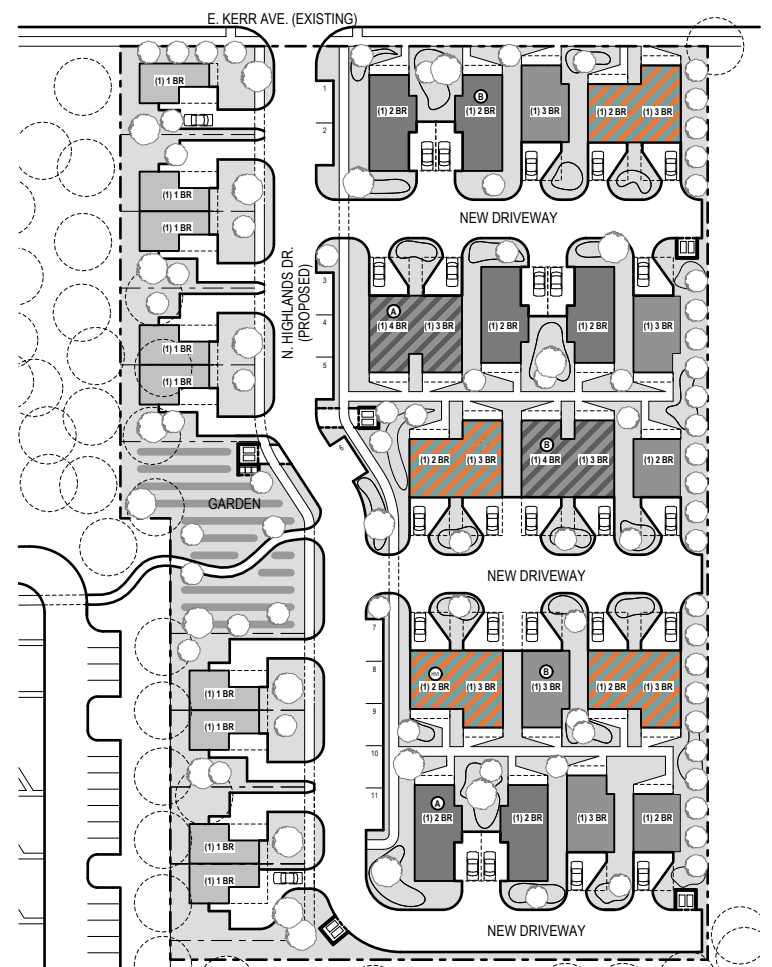
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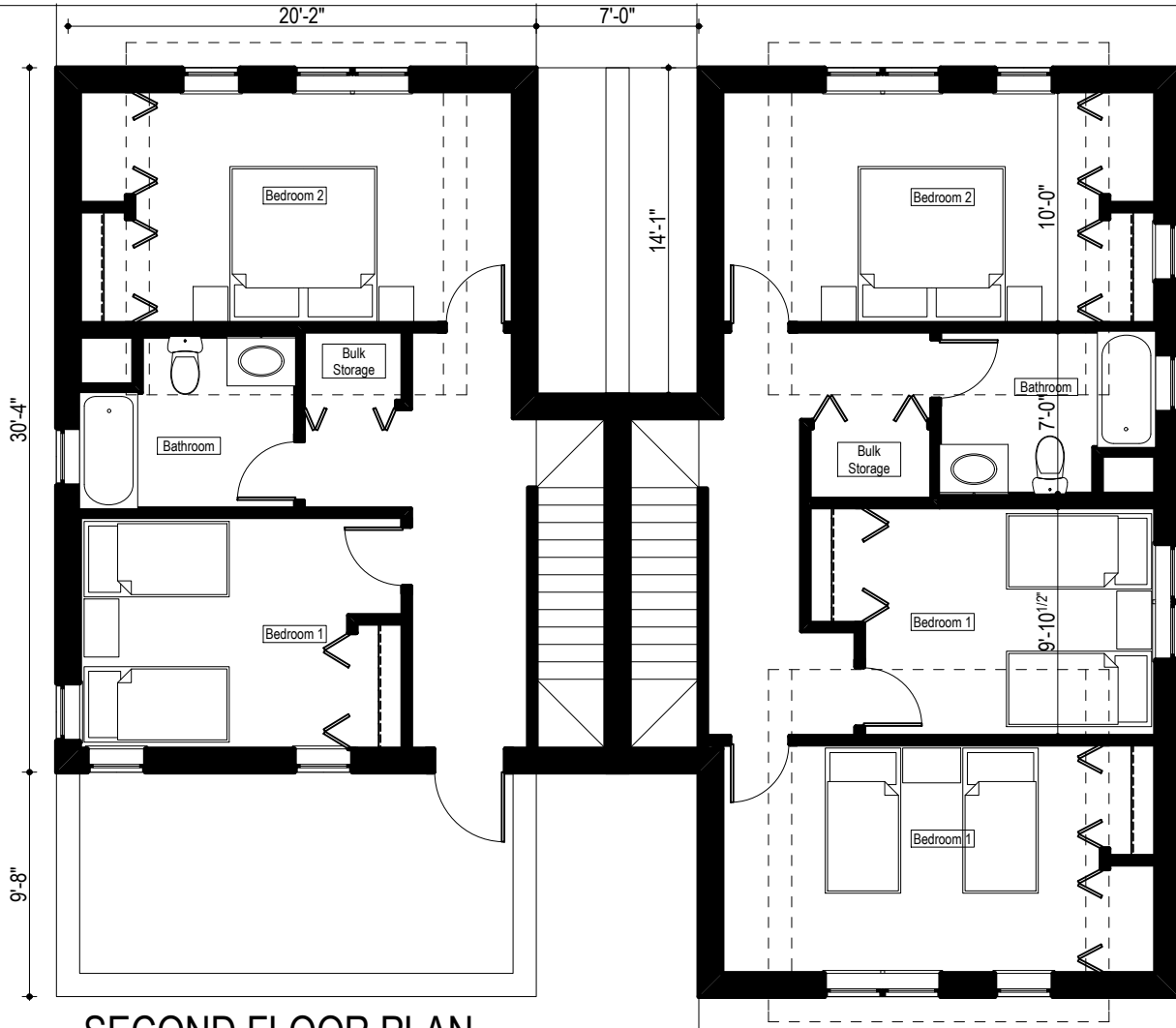
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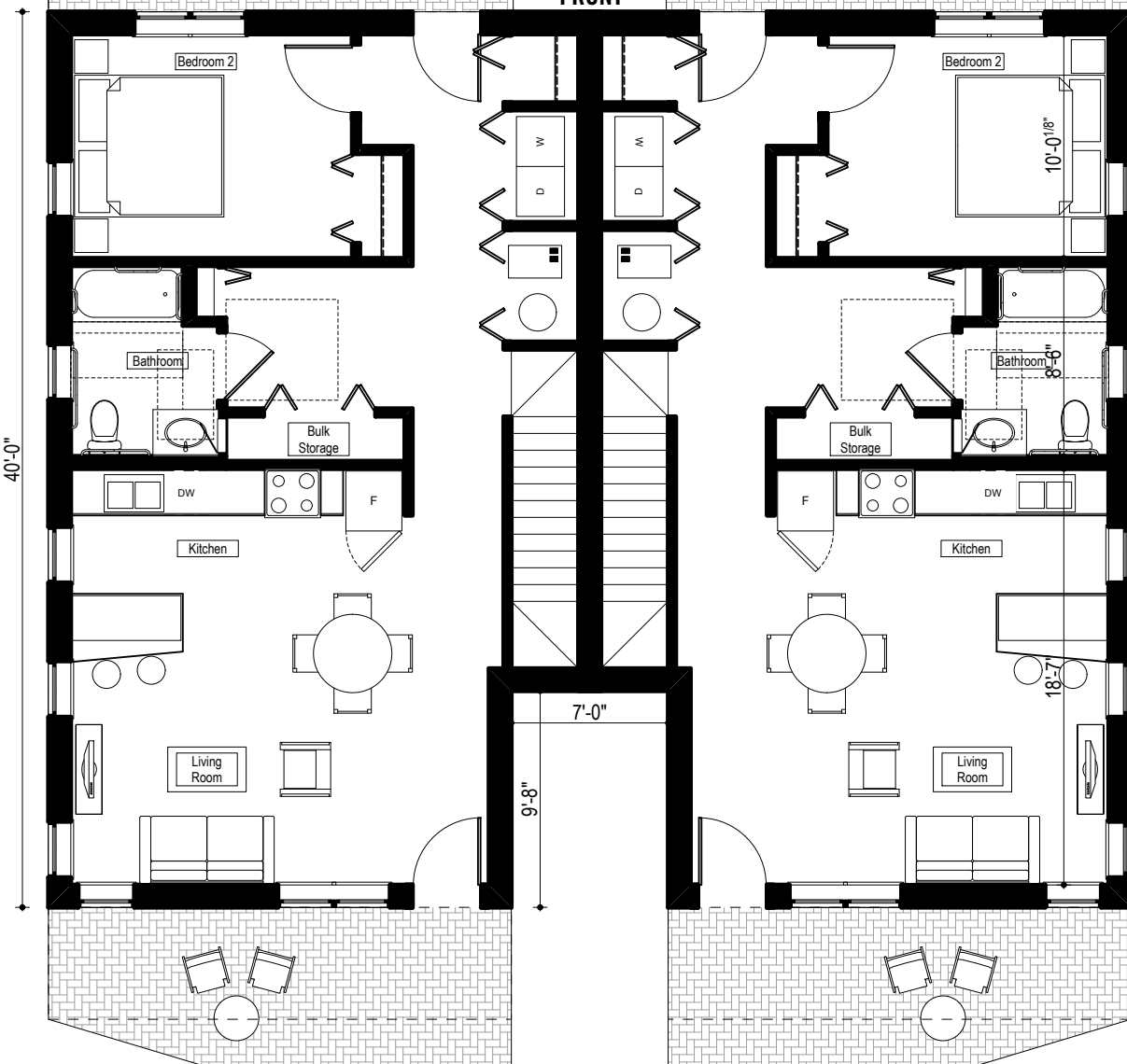
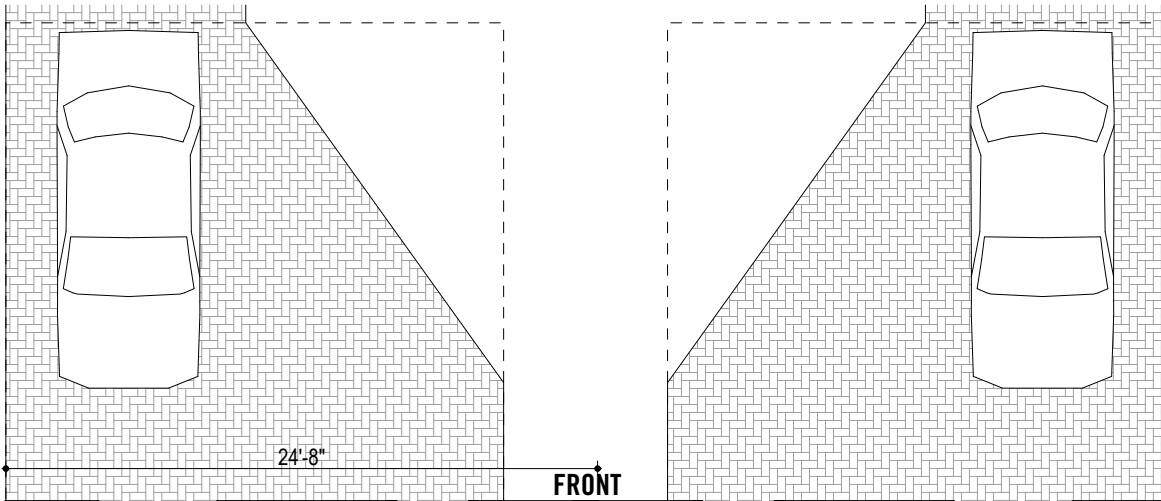
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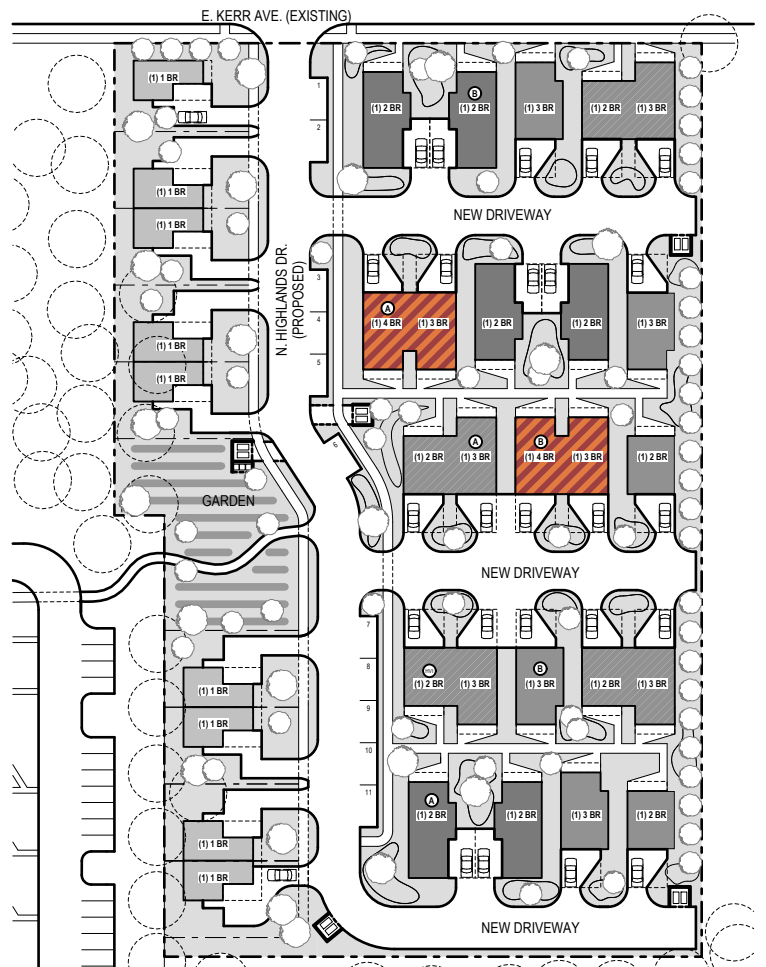
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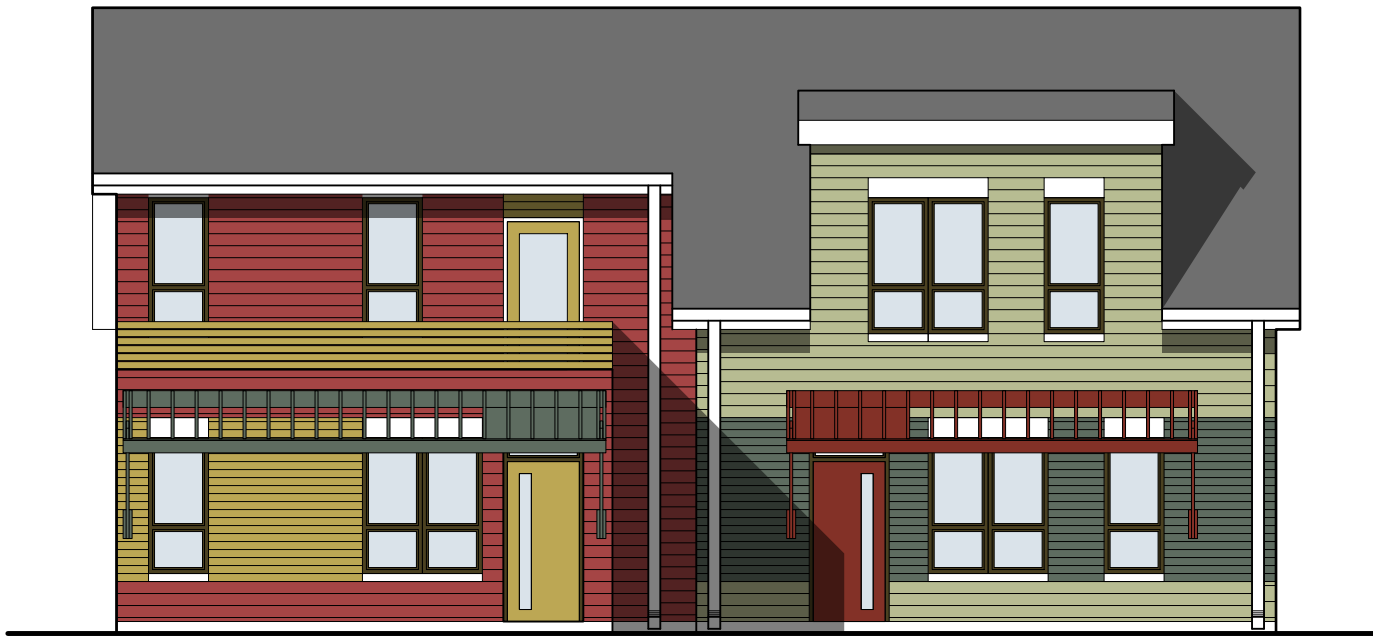
**SECOND FLOOR PLAN**  
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**FIRST FLOOR PLAN**  
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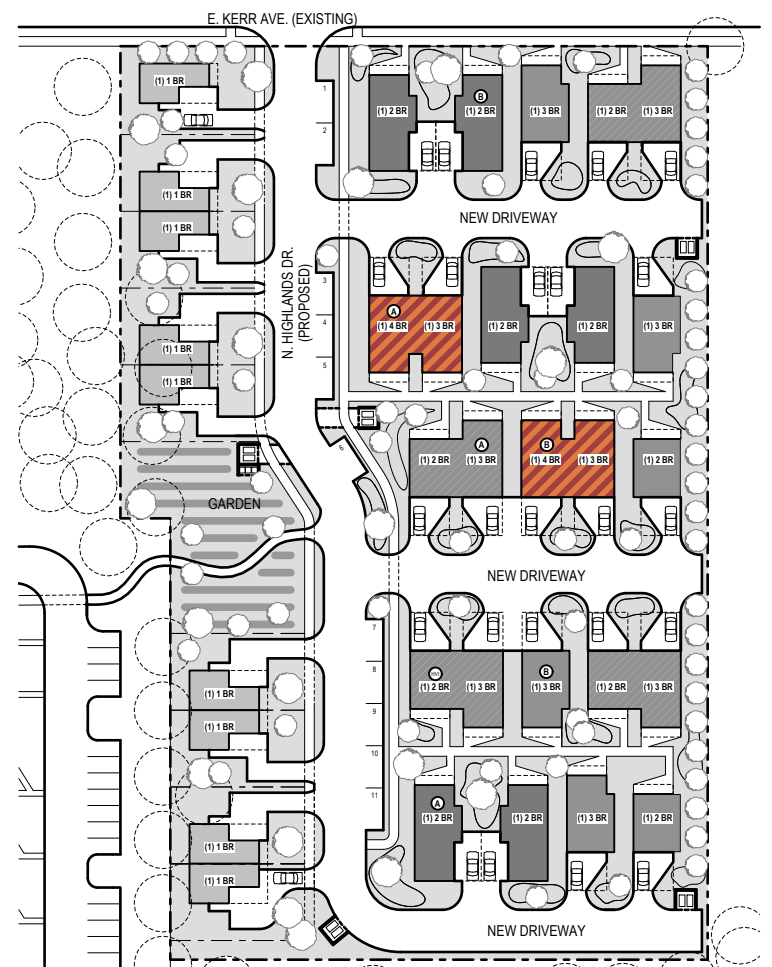
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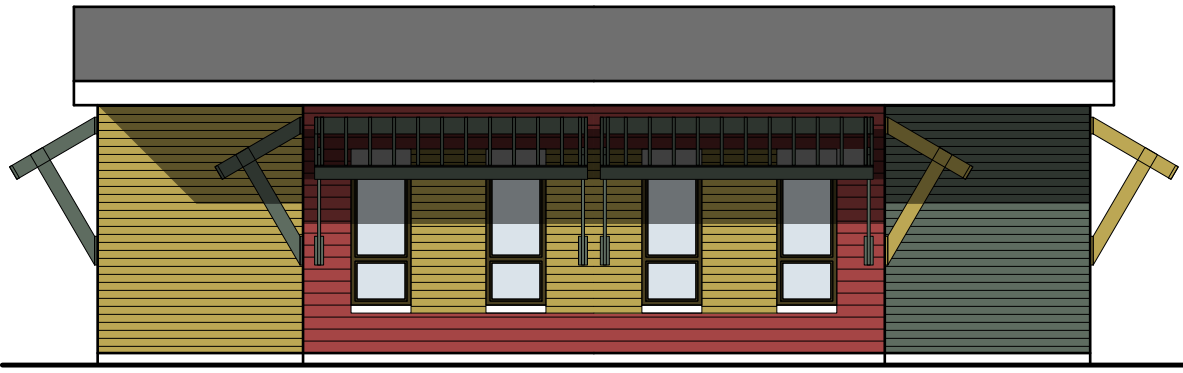


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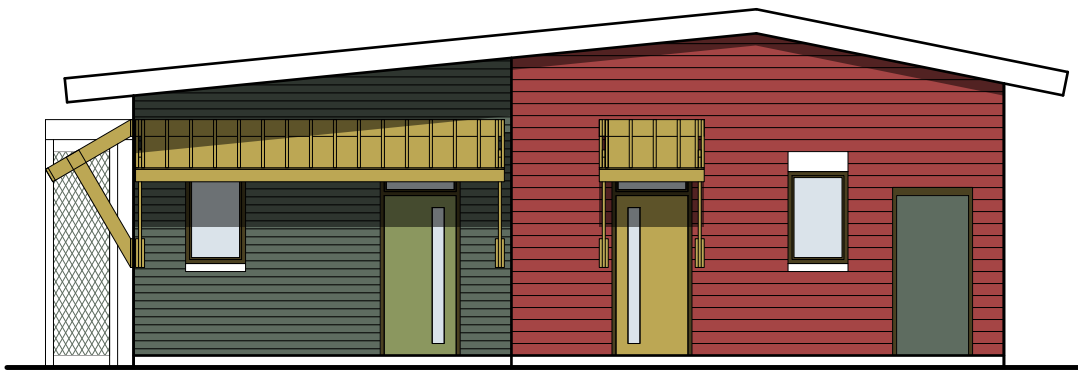
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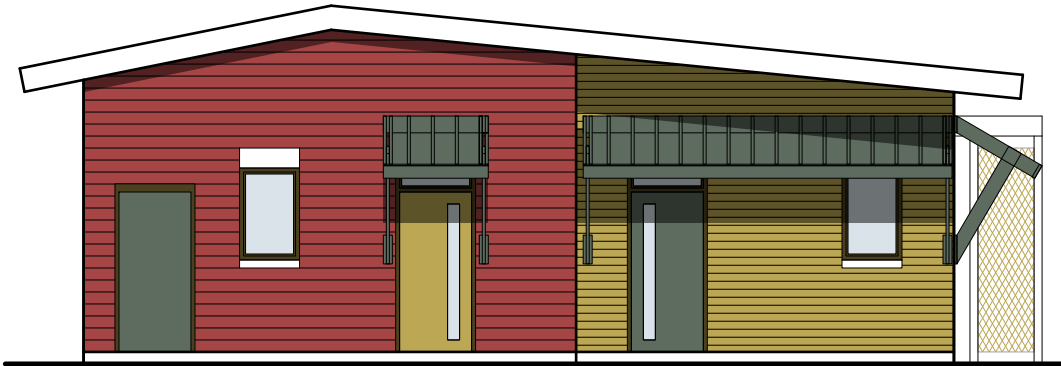
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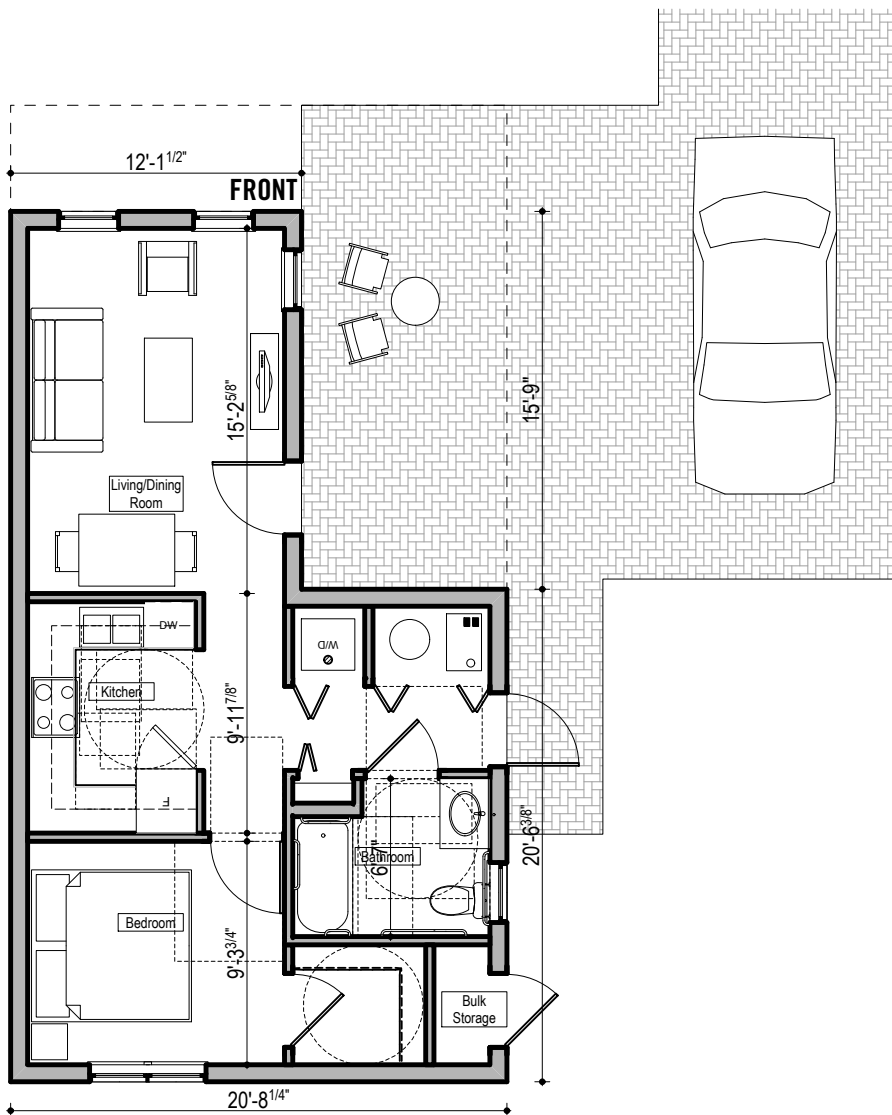
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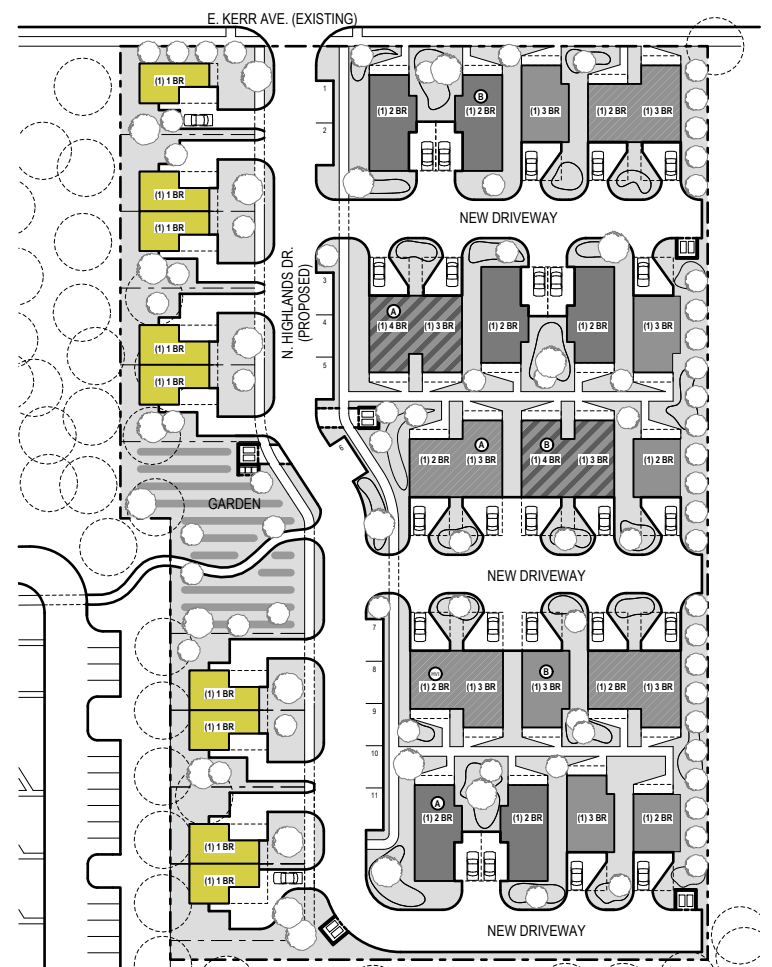
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FIRST FLOOR PLAN

1/8" = 1'-0"



BRINSHORE DEVELOPMENT L.L.C.