



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Urbana Plan Commission

FROM: Jeff Engstrom, AICP, Planner II

DATE: October 16, 2015

SUBJECT: **Boneyard Creekway Case No. CW-2015-04:** 402, 408, 412 W. Springfield Ave Apartments

Introduction

Andrew Fell has submitted a proposal on behalf of Peter Baksa for the construction of three multi-family apartment buildings along Springfield Avenue in the Boneyard Creek District. The developer intends to build a four-unit building on 402 West Springfield, a three-unit building at 408 West Springfield, and a four-unit building at 412 West Springfield. Per the procedures spelled out in Section XIII-4 of the Zoning Ordinance, a preliminary conference was held with the applicant, the Boneyard Creek Commissioner, and City staff. The Zoning Administrator, in consultation with the Boneyard Creek Commissioner and City Engineer, reviewed and approved the Creekway Permit and subsequently sent Plan Commission and City Council a letter of intent to issue the Creekway Permit. A member of City Council has requested that this application be forwarded to Plan Commission for final review under the provisions of Paragraph XIII-4.I of the Zoning Ordinance.

Background

The site consists of three parcels along Springfield Avenue. Previously the sites were used for residences; a duplex at 402 West Springfield, and single-family homes on separate lots at 412 West Springfield and 408 West Springfield. The three lots are legally non-conforming, with lot widths and lot areas below the minimum required size in the B-2 Neighborhood Business – Arterial district. The lots are all partially within the 100-year floodplain of the Boneyard Creek, but only a portion of 408 W. Springfield is contiguous to the creek. As a result, the entire development is subject to the provisions of both the B-2 zoning district and Boneyard Creek District. The provisions of the Boneyard Creekway District are laid out in Section XIII-4 of the Urbana Zoning Ordinance and the development regulations for the B-2 district are summarized in Table VI-3 of the Zoning Ordinance. Per the provisions of Section XIII-4.F of the Zoning Ordinance, the developer is seeking bonus provisions for increased height and reduced side yard

setbacks in order minimize construction within the 100 year floodplain.

Land Use and Zoning

The proposed construction site is in the B-2, Neighborhood Business – Arterial District, which permits multifamily residential uses by right. The Urbana Comprehensive Plan’s future land use designation for the site is “Campus Mixed-Use.” Adjacent areas to the east are denoted as “Central Business.”

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Subject Properties	B-2, Neighborhood Business - Arterial	Single-family homes, Duplex (recently demolished)	Campus Mixed-Use
North	R-2, Single Family Residential	Homes, Apartments	Residential – Urban Pattern
South	B-2, Neighborhood Business - Arterial	Single-family homes, Apartments	Campus Mixed-Use
East	B-4, Central Business	Apartments	Central Business
West	B-2, Neighborhood Business - Arterial; CRE, Conservation-Recreation-Education	Single family and duplex residences, Philips Rec Ctr	Campus Mixed-Use

Discussion

The block on which the proposed development is located has a unique configuration. It contains eight small lots fronting along Springfield Avenue (averaging 4,700 square feet in area and 48 feet in width), an east-west alley to the north of those lots, and then five garage-sized lots (ranging from 550 to 1,554 square feet) and one small single family lot north of the alley. The Boneyard Creek channel is directly to the north of the garage-sized lots. Due to the age of the subdivision, all of the lots are existing nonconformities, and do not meet current lot width and area requirements for the B-2 district. The requirements are 6,000 square feet for minimum lot area and 60 feet for minimum lot width. The developer owns four of the lots on this block while two other parties own one lot each, and the remaining eight lots are owned by another individual. The lots owned by the developer are noncontiguous, and consolidation of the lots is not an option. In preparation for the proposed development, two single family houses and a duplex have recently been demolished. One of the subject lots had previously been damaged by fire.

The project involves the construction of a three apartment buildings that will contain 11 units in aggregate. The two four-unit buildings (402 and 412 West Springfield) will consist of two levels of apartments, each with a mezzanine level, for a total of four levels. The three-unit building at 408 West Springfield will consist of three-story “townhomes,” each of which would have a roof-

top deck. An overall site plan and individual building plans are attached to the application as Attachments I and J. Although all three buildings will front along Springfield Avenue, the required 11 off-street parking spaces will be accessed from the alley to the north. Parking for 402 Springfield will be located on the northern portion of 408 Springfield, known as Lot 3. In compliance with the first phase of the Boneyard Creek Master Plan and Section XIII-4.E.11 of the Zoning Ordinance, a 16 foot, two -inch wide easement on the north portion of 408 West Springfield will be granted to the City for use as a potential multi-use path. The City also currently holds a maintenance easement on this strip of land, as it falls within 25 feet of the centerline of the creek, but a maintenance easement would not allow installation and use of a multi-use path if it were to be located on the south side of the creek. As a part of this approval, the City would obtain an additional easement for the entirety of Lot 3, the details of which are specified below. Further planning would be needed to determine whether a potential path would be on the north or south side of the creek within this block.

The Floor Area Ratios (FARs) for the project would be 1.05, 0.63 and 0.88, respectively, which are below the maximum FAR permitted in the district of 1.50. The Open Space Ratios (OSRs) would be 0.177, 0.156, 0.185, which are all above the minimum required OSR in the B-2 district of 0.15. The proposed structures would be in full compliance with the development regulations for the B-2 district, with the exception of two requested changes allowable through the Boneyard Creekway Permit approval process. First, the structures' maximum building heights would be between 41 and 43 feet (note that height is measured to the midpoint for pitched roofs). The maximum height in the B-2 district is 35 feet. Per Section XIII-4.G of the Zoning Ordinance, this maximum may be increased up to 12 feet with the granting of the creekway permit. This additional height would allow for the buildings to have mezzanine levels, which reduces the overall footprint of the buildings and minimizes the amount of building within the floodplain.

Development Regulations

Lot	FAR (Max 1.50)	OSR (Min 0.150)	Height (Max 35' + 12')
402 Springfield	1.05	0.177	41' 5"
408 Springfield	0.63	0.156	42' 0"
412 Springfield	0.88	0.185	41' 2"

The second exception is an allowable reduction of required yards. The subject lots are 12 to 20 feet narrower than the required 60 feet in the B-2 district. In the B-2 zoning district, required side yards are a minimum of 7 feet per Table VI-3 of the Zoning Ordinance, but are required to be deeper if the primary structure is over 25 feet in height. For every ten feet or portion thereof above 25 feet, the side yard is increased by three feet. Because the proposed apartments would be 42 feet in height, the required side yards would therefore be 13 feet. In this block the homes were built close together, and very few of the existing structures meet the minimum required setback of 7 feet. The previously existing setbacks on the lots varied, and were roughly five feet in average. With the existing nonconforming lot widths and additional required side yard setbacks, the buildable lot width for the subject properties would range from 14 to 22 feet unless the bonus provisions are granted.

While the proposed development would meet front and rear setback requirements, all three buildings would encroach into the required side yards. Side yard setback encroachments would come within seven feet of the property line at 408 Springfield, seven feet, six inches at 402 Springfield, and seven feet, eight inches at 412 Springfield. These encroachments would allow for bays to be added that would include windows, kitchens, and bathrooms. The majority of the buildings would be set back ten feet from the side lot lines. The encroachments into the required 13 foot side yard are requested in order to locate the buildings as far south of the creek as possible and to reduce the amount of building footprint within the 100-year flood plain, as allowed per Section XIII-4.F.

Required Yards

Lot	Front Yard (Min 15')	Rear Yard (Min 15')	East and West Side Yards (Min 13')	Lot Width
402 Springfield	15'	21' 3"	7' 6", 8' 6"	46'
408 Springfield	18' 6"	29' 7"	8' 0", 7' 0"	40'
412 Springfield	17' 3"	38' 10"	8' 6", 7' 8"	48'

Under Section XIII-4.G.3 of the Zoning Ordinance, the Zoning Administrator, in consultation with the City Engineer and Boneyard Creekway Commissioner, may approve up to 12 feet of additional building height and encroachments of less than 30 feet into the required yards. The Plan Commission may authorize additional reduction of required yards beyond 30 feet.

Criteria for Approval

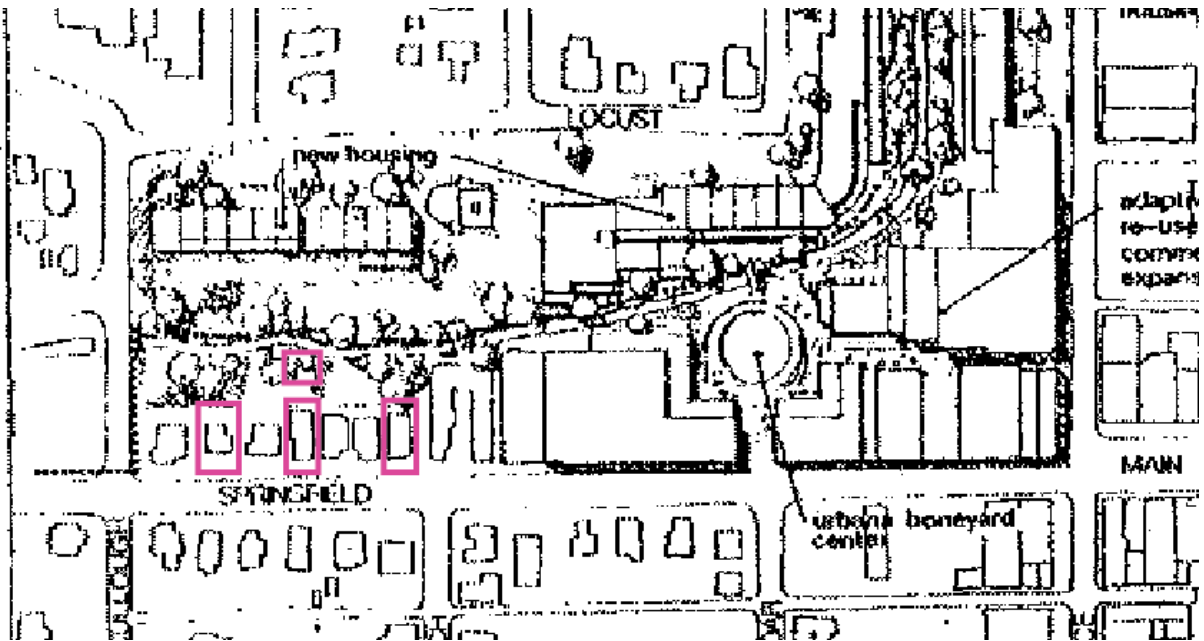
Section XIII-4-C of the Zoning Ordinance lays out a series of factors that must be considered during review of a Creekway permit. They are as follows:

- 1. Whether the Creekway permit is compatible with the 2008 Boneyard Creek Master Plan as it may be amended from time to time in a manner consistent with the Urbana Comprehensive Plan.*
- 2. Whether the location, size, and type of the proposed use is appropriate to the objectives of the Boneyard Creek District.*
- 3. Whether the proposed use is compatible with the character of the area in which it is located.*
- 4. Whether the proposed use would be compatible with the spirit of the underlying zoning district.*
- 5. Whether there are adequate community services to support the proposed use, such as, but*

not limited to, streets, water, sewer, recreational, and public school facilities.

6. Whether the design of the proposal as to size, height, and open space allows adequate access to light and air and to surrounding streets, parkways, and properties.

The relevant section of the Boneyard Creek is outside the project area of the 2008 Boneyard Creek Master Plan. The 1978 plan called for a major re-alignment of Main Street north and east of the subject site, but depicts the subject parcels along Springfield Avenue on this block in the same configuration as proposed in the Creekway Permit application (shown below).



The proposed project would be in conformance with Comprehensive Plan Goal 7.0: “[p]rotect and beautify existing waterways.” Specifically, Objective 7.1 calls for development to “[p]rotect the floodway of the Boneyard Creek,” which this development would accomplish because no development is being proposed in the floodway. A portion of the proposed buildings would be within the 100-year floodplain, but would be constructed as required to follow local, state, and federal standards for flood-proofing. Objective 7.2 requires that “development regulations protect floodways and major drainageways,” This proposal is in keeping with that objective as well.

The nature and design of the proposed buildings are appropriate to the purposes of the Boneyard Creek District as laid out in Section XIII-4-A of the Zoning Ordinance, and would allow for adequate access, light, and air in conformance with the regulations of the district. The proposed structures would also be in keeping with the downtown-to-campus neighborhood’s multi-family residential character as well as the spirit of the underlying B-2 zoning district. One of the key goals of the 2012 Downtown Plan is to provide additional housing options within and near

downtown. The proposed units would help attract professionals or graduate students to the Downtown area. In terms of physical development, the project would add seven dwelling units to the block, which would not noticeably increase traffic. Finally, there is the issue of sanitary sewer connections. Homes on this block are connected to private sanitary sewer lines that connect to the UCSD collectors in the street. Upon redevelopment, the subject properties would need to connect to a public sewer. Urbana's Engineering Division is currently working with the owners on this block to convert the private sewer lines to a public line.

Preserving Open Space

During the preliminary conference, the Creekway Commissioner expressed concern that the site plan, as originally submitted, would not promote the fulfillment of the 1978 Boneyard Creek Master Plan for the area. Of primary concern was the need to provide open space adjacent to the creek, either for a shared-use path or as a green space amenity. Further planning will be needed to determine more detailed plans for, including the exact location of a future pathway along the creek.

To provide for future open space development, the owner has tentatively agreed to grant the City an easement covering the entirety of Lot 3, which is the 40-foot deep lot adjacent to the creek. It should be noted that Section XIII-4.E.11 calls for dedication of up to 20%, or 20 feet, whichever is narrower, to be dedicated for open space purposes when bonus provisions for height or reduced setbacks are granted. Beyond this requirement, the owner is offering to provide an easement covering the entirety of Lot 3, not just 20% (eight feet). This easement would be granted at the time of the creekway permit, but the land would not be vacated until such time as the trail or open space for this segment is developed. In the meanwhile, the owner would be able to use the space to provide required parking for the apartments. A temporary pavement solution would be used, such as permeable pavers or chip and seal. Once the open space plan for this section of the Boneyard Creek is implemented, the owner would remove the parking and work with the City to find off-site parking within 600 feet of the apartments. One possibility is to provide parking at the adjacent Opera House apartments (312 West Springfield). Staff has drafted the language for this potential easement (attached). The Zoning Administrator had conditioned the approval of the creekway permit on the applicant negotiating the easement for a strip of land devoted to the potential future development of the open space or trail along the creek. It should be noted that the City would compensate the owner for the fair market value of the easement area beyond that required by the Zoning Ordinance.

Trees

The Creekway Commissioner expressed concern that the multi-trunk tree on the southeast corner of Lot 3 should be preserved in order to provide shade for the creek to limit algal blooms. The architect has reconfigured parking and refuse container placement on the site to preserve this tree, as shown on the attached site plan.

Options

The Plan Commission has the following options in Creekway Case CW-2015-04:

1. Grant the Creekway permit as presented as approved by the Zoning Administrator, in consultation with the Creekway Commissioner and City Engineer, subject to the conditions listed in the recommendation;
2. Grant the Creekway permit subject to required changes or additional conditions; or
3. Deny the Creekway permit based upon the application's failure to present the plan in accordance with the Boneyard Creek Master Plan, the Comprehensive Plan and any amendments thereto, and other ordinances or agreement regulating development in the Boneyard Creek Corridor and the provisions in Section XIII-4 of the Zoning Ordinance. In this case Plan Commission shall make findings on why the application does not meet the approval criteria.

Recommendation

The Zoning Administrator, in consultation with the Boneyard Creek Commissioner and City Engineer found that the development is in conformance with the regulations of the Zoning Ordinance as they relate to the B-2 District and the Boneyard Creek District, including the allowed bonus provisions. The project is also in general compliance with the 2005 Urbana Comprehensive Plan and the 1978 Boneyard Creek Master Plan. The Boneyard Creekway Permit is recommended for **approval**, subject to the following conditions:

1. The applicant agrees to immediately provide a public access easement extending 25 feet south of the centerline of the creek as shown on the site plan, prior to construction of the proposed apartments.
2. The applicant agrees to enter into negotiations with the City to sell at fair market value (as determined by a certified appraiser) an additional easement for future public use of the remainder of Lot 3 that is not covered by the public access easement required in Item 1, the terms of which are outlined in the attached draft easement, which provides for the installation of a dust-free temporary parking surface on Lot 3.
3. The applicant agrees to preserve the tree located on Lot 3 as shown on the site plan.

Staff recommends **approval** as described above.

Attachments:

Location and Land Use Map

Zoning Map

Future Land Use Map

Meeting Notes from 09/02/2105 Boneyard Creek Preliminary Conference

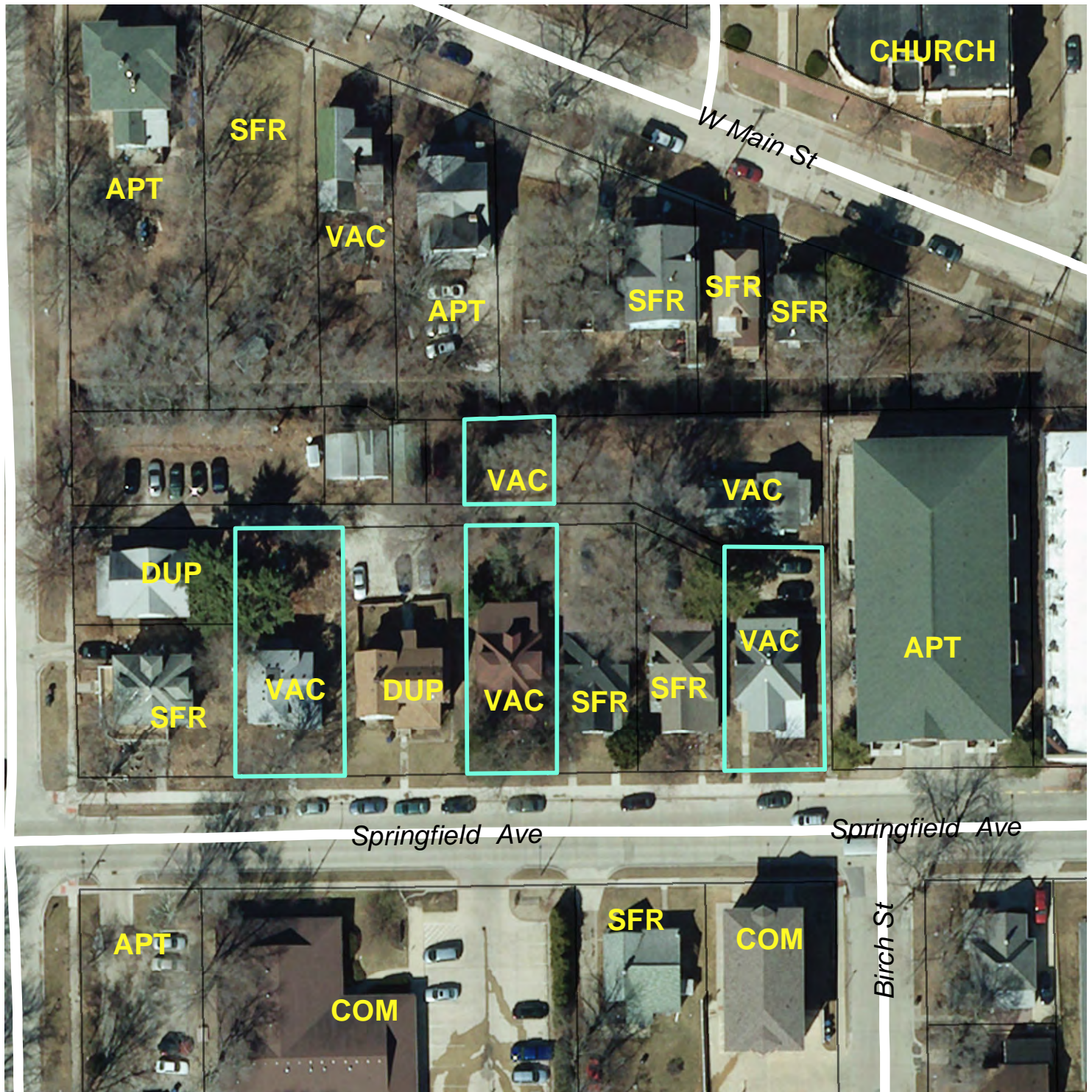
Meeting Notes from 09/23/2105 Boneyard Creek Preliminary Conference

Floodplain Map

Application with Site Plan

Draft Easement for Lot 3

Exhibit A: Location and Land Use Map

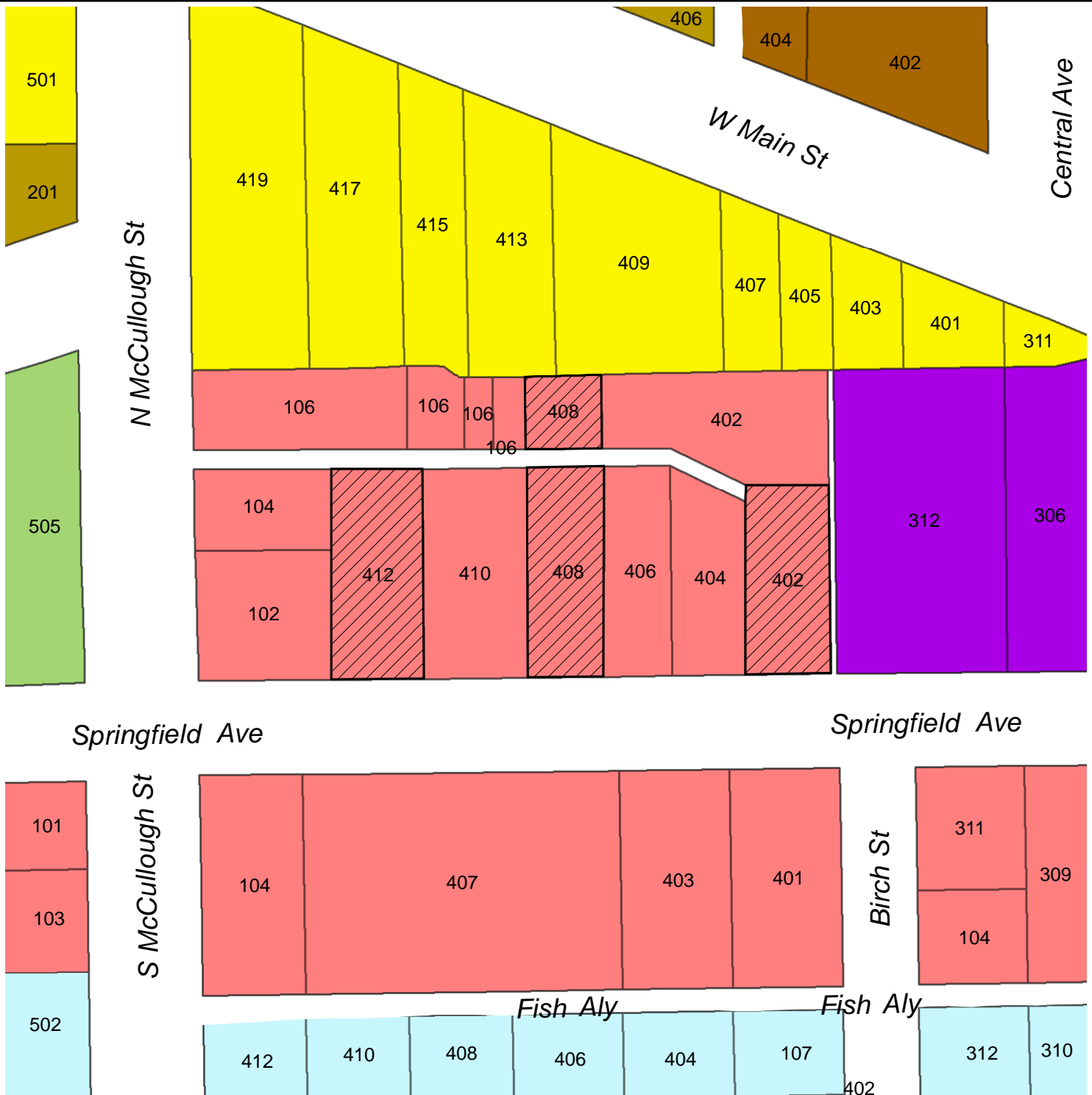


Case: Boneyard Creekway Case No CW-2015-04
Redevelopment of 402, 408, 412 W Springfield
Petitioner: Peter Baksa



 Subject Property

Exhibit B: Zoning Map



Case: Boneyard Creekway Case No CW-2015-04
 Redevelopment of 402, 408, 412 W Springfield
 Petitioner: Peter Baksa

 Subject Property








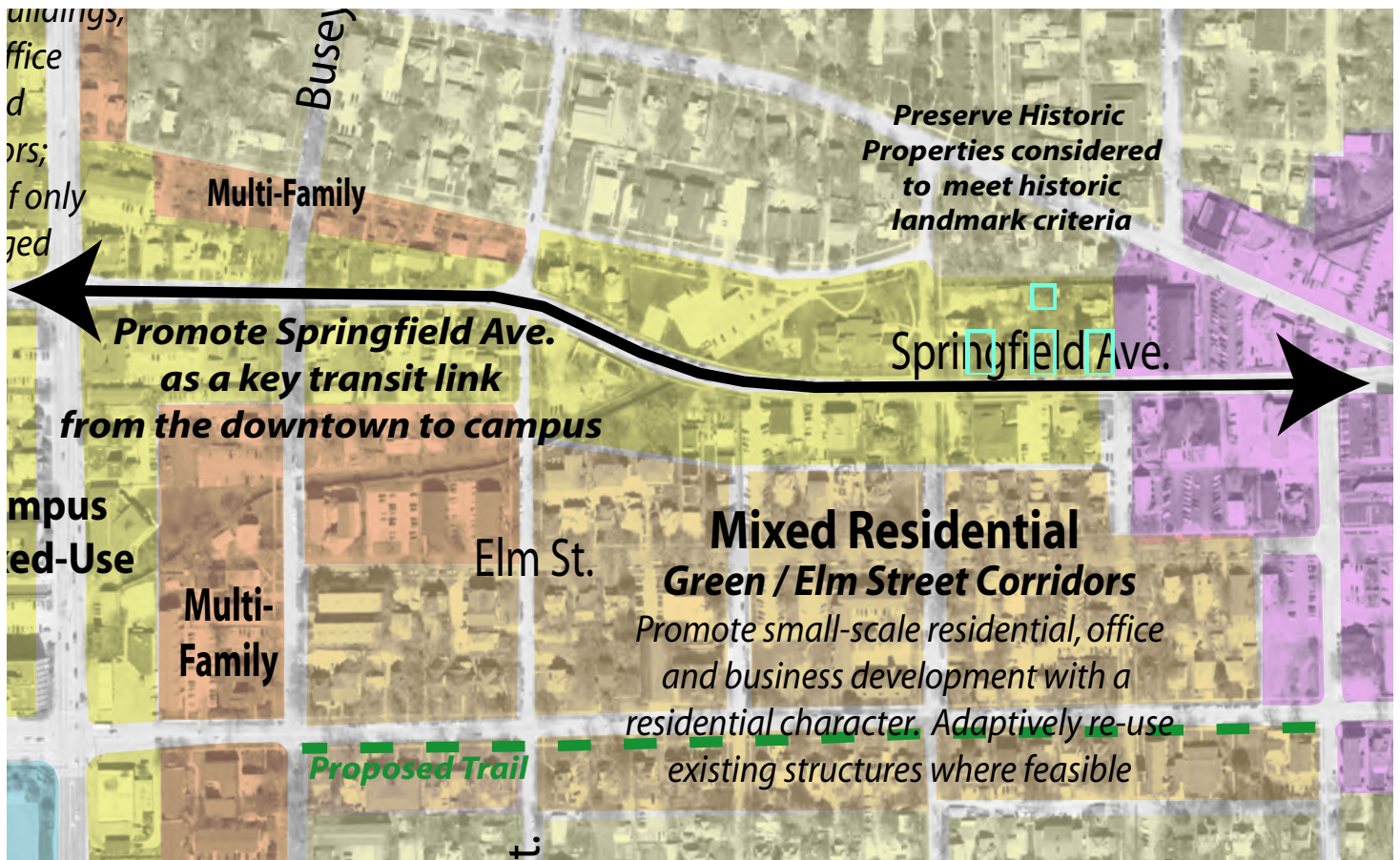
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|  B2 |  MOR |  R5 |
|  B4 |  R2 | |
|  CRE |  R4 | |



Exhibit C: Future Land Use Map



Case: Boneyard Creekway Case No CW-2015-04
 Redevelopment of 402, 408, 412 W Springfield
 Petitioner: Peter Baksa




 Subject Property

Exhibit D: Floodplain Map



Case: Boneyard Creekway Case No CW-2015-04
Redevelopment of 402, 408, 412 W Springfield
Petitioner: Peter Baksa

 Subject Property

 FLOODWAY
 FLOODPLAIN



08AUG15

Jeff Engstrom
Community Development Director
400 South Vine Street
Urbana, IL 61801

Re: Creekway Permit Application
402, 408, and 412 West Springfield Avenue
Urbana, Illinois

Jeff,

Attached are plans, renderings, and supporting documents for the proposed redevelopment of lots 402, 408, and 412 West Springfield Avenue in support of the Creekway Permit Application. Also attached are the Application itself and a check for the Application fees

We are asking for two bonus provisions under the application process:

- 1) A reduction of the setback to 10' for the entire height of the buildings. This is only the elimination of the zoning requirement for additional setback distances for structures over 25' in height. The required setback is 10' to begin with.
- 1A) An allowance for the 'bays' to extend a further distance of 3'-0" (maximum) into this setback. The aggregate length of the bays will take up no more than 1/3 the length of the building façade they are on.

Please note that assuming the pending Zoning Text Amendment passes Council, this request is modified to only eliminate the increased setback for buildings over 25' in height. The 'bay's', at 7' from the property lines will already be within the new setback requirement.

- 2) An increase of the allowable building height by 8 to a maximum of 43'.

To offset these bonus provisions, a portion of land abutting the Boneyard, 25' in width from the centerline of the creek, will be dedicated to the City. At this point the Boneyard is assumed to be 10' in width and the easement is measured from the centerline of the creek. We are in the process of getting this additional area surveyed and will adjust the easement into the lot as necessary. This space is currently a Maintenance Easement and will be converted to a Creekway Public Use Easement.

Please note that the Ordinance calls for a dedication of not more than 20% of the lot depth. The only lot in this development (Lot #3) to abut the Boneyard is only 42' deep, so this results in a dedication of almost 48% of the lot depth.

Additionally, it is most likely that the project will require the existing private sewer line serving lots 402 thru 412 West Springfield be replaced with a new line (some additional capacity may be required and/or the existing line is not in acceptable condition). The applicant will bear the cost to replace this line (assumingly approximately in its current location) and then dedicate it to the City.

The narrowness of these lots makes them economically unviable for redevelopment without these Bonus Provisions. While we have kept the individual buildings as small in scale as possible, we still need some concession to have the project sensibly work. For example, the lots, under the current zoning requirements have buildable footprints of only fourteen feet, twenty feet, and twenty three feet in width. Obviously this creates a condition that is nearly impossible to work with. The increase in height being requested is not for an additional floor to the buildings, but to allow for the inclusion of a loft level on the top of the buildings at 402 and 412 West Springfield, and rooftop deck areas for the units at 408 West Springfield.

I would like to point out that the Owner of these lots has tried multiple times to acquire other adjacent property in order to create a single larger development, but those landowners have made unreasonable requests for compensation. It has been the Owner's ongoing desire to combine two or more lots for an increased proposal, but he has been unsuccessful in procuring contiguous properties under economically viable conditions.

If you have any questions or require any additional information please feel free to contact me.

Sincerely,



Andrew Fell

ATF:st

A N D R E W F E L L
ARCHITECTURE AND DESIGN

Enc.

xc: Illinois Properties



Application for Construction or Zoning Use Permits within the Boneyard Creek District

Boneyard Creekway District

APPLICATION AND SITE PLAN REVIEW FEE - \$150.00

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 _____ Case No. _____
Fee Paid - Check No. _____ Amount _____ Date _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): ANDREW FELL Phone: 217.363.2850
Address (street/city/state/zip code): 515 N. HICKORY, SUITE 101, CHAMPAIGN, IL 61820
Email Address: andrewfell@comcast.net
Property interest of Applicant(s) (Owner, Contract Buyer, etc.): ARCHITECT

2. OWNER INFORMATION

Name of Owner(s): ILLINOIS PROPERTIES SERIES Phone: 312.933.7382
LLC-312 SPRINGFIELD (PETER BAKSA)
Address (street/city/state/zip code):
Email Address: illinoisprop@gmail.com
Is this property owned by a Land Trust? [] Yes [X] No
If yes, please attach a list of all individuals holding an interest in said Trust

3. PROPERTY INFORMATION

Name or Description of Development: SPRINGFIELD AVENUE APARTMENTS
Project: Address/Location of Subject Site: 402, 408, 412 W. SPRINGFIELD AVENUE
PIN # of Location: SEE ATTACHMENT A

Lot Size(s): SEE ATTACHMENT B

Current Zoning Designation(s): B-2

Current Land Use(s) (vacant, residence, grocery, factory, etc):
RESIDENCE

Number and type of existing principal buildings:
3 RESIDENTIAL BUILDINGS

Number and type of existing accessory buildings and structures:
-0-

Are any of the existing buildings or structures to be demolished? Yes No

If yes, please describe the building or structure: ALL THREE HOUSES TO BE DEMOLISHED

Do any of the buildings involve a change in use group classification? Yes No

Proposed Land Use(s): APARTMENTS (MAXIMUM OF 4 UNITS PER BUILDING)

Present Comprehensive Plan Designation(s): CAMPUS MIXED USE

Does this request conform to the Urbana Comprehensive Plan? Please Explain. YES

APARTMENT BUILDINGS: 402 W. SPRINGFIELD = 4 UNITS
408 W. SPRINGFIELD = 3 UNITS
412 W. SPRINGFIELD = 4 UNITS

Number and type of proposed principal buildings:
APARTMENT BUILDING - EACH LOT

Number and type of proposed accessory buildings and structures:
NONE

4. CONSULTANT INFORMATION

Name of Architect(s): ANDREW FELL ARCHITECTURE AND DESIGN Phone: 217-363-2890
Address (street/city/state/zip code): 515 N. HICKORY, SUITE 101, CHAMPAIGN, IL 61820
Email Address: andrewfell@comcast.net

Name of Engineers(s): BKB ENGINEERING Phone: 217-531-2971
Address (street/city/state/zip code): 301 N. NEIL, SUITE 400, CHAMPAIGN, IL 61820
Email Address: bb@radshaw@bkbeng.com

Name of Surveyor(s): BKB ENGINEERING Phone: 217-531-2971
Address (street/city/state/zip code): 301 N. NEIL, SUITE 400, CHAMPAIGN, IL, 61820
Email Address: bb@radshaw@bkbeng.com

Name of Professional Site Planner(s):

Phone:

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

Email Address:

Name of Attorney(s):

Phone:

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

Email Address:

5. SITE DEVELOPMENT PLAN

i) Are the underlying zoning district development standards being requested to be approved in conformance with Zoning Ordinance development standards under Section XIII-4G.3 "Zoning Administration Permit"?

Yes. Please answer the following items:

a) Front yard (setback) _____ ft.

b) Rear yard (setback) _____ ft.

c) Setback from creek corridor line _____ ft.

d) Access: Is access and maintenance easement being dedicated? Yes No

No. Please answer the questions in 6. PLAN COMMISSION APPROVAL.

No (Conforms totally with underlying zoning development standards.)

NOTE: A Site Development Plan MUST be attached to this application.

If the proposed development is:

(a) *Located in downtown Urbana, please refer to the 2008 Boneyard Creek Master Development Plan recommendations.*

(b) *Located upstream of the Main Street Bridge, refer the 1978 Boneyard Creek Masterplan recommendations.*

ii) Identify and describe any discrepancies between the proposed development and the recommendations of either the 2008 Boneyard Creek Master Plan or the 1978 Boneyard Creek Master Plan, as applicable.

NOHE KNOWN

iii) How will the proposed development affect the creek's capacity to carry the flow from a 10 year storm within the confines of the banks designated for the specific reach in the Master Plan?

Increase

Decrease

No effect

iv) How will the proposed development affect the potential for bank erosion?

- Increase Decrease No effect

If the proposed development will 'Increase' the potential for bank erosion, describe the proposed treatments and the extent to which they will minimize bank erosion. If applicable, include a reference to the site drawing demonstrating this information:

v) Will the proposed development affect (improve or degrade) the chemical water quality or aquatic life?

- Yes No

If you answered 'Yes' please describe:

vi) Will the proposed development (if 'Yes', please describe):

a. Enhance the habitat at the river bend near Silvercreek Restaurant? Yes No

b. Include vegetation that could provide shade and improve habitat for fish and wildlife?

- Yes No

c. Improve pedestrian and bicycle access to Downtown and the surrounding community?

- Yes No

d. Connect the Boneyard to existing parks and open spaces?

Yes No

e. Provide physical or visual access to increase safety of the creek?

Yes No

f. Create open spaces along the creek that will increase the vitality of Downtown?

Yes No

g. Create public gathering spaces adjacent to the creek?

Yes No

h. Affect the privacy of residential neighborhoods?

Yes No

vii) Describe any additional features of the proposed development that contribute to changing the Boneyard Creek from a liability to a community asset:

EXISTING EASEMENT TO BE CONVERTED TO PUBLIC
USE EASEMENT

viii) List additional exhibits submitted by applicant:

SEE ATTACHMENTS

ix) Time schedule for development (if applicable):

PROPOSED CONSTRUCTION TO BEGIN SPRING 2016

6. PLAN COMMISSION APPROVAL

Is the requested modification from Zoning Ordinance Boneyard Creek district development regulation within the bonus provision authority of the Zoning Ordinance?

Yes No

NOTE: See Listing, Variance Authority of the Zoning Ordinance Section XI-3.C.

List the specific section(s) of the Zoning Ordinance under which bonus provisions of Boneyard Creek district development regulation(s) is being requested. VI-F.3 - SEE

ATTACHMENT C, TABLE VI-3 FOR HEIGHT INCREASE OF 8'.

In detail, please justify why you believe the current underlying zoning standards are not appropriate at this location for this proposal. EXISTING LOTS ARE TOO NARROW

FOR ECONOMIC DEVELOPMENT.

BONUS PROVISIONS:

Does this application contain any requests for bonus provisions? Yes No

If yes, please check appropriate box(es):

- Development rights transfer [XIII-4. F (1)]
- Extra lot size computation [XIII-4. F (2)]
- Waiver of yard requirements [XIII-4. F (3)]
- Increase in height (maximum 12 ft. increase) [XIII-4. F (4)]
- Off site parking approval [XIII-4. F (5)]
- Mixed uses approval [XIII-4. F.6]

Do you, as applicant, understand if any of the above bonus provisions being requested are approved, the City may require dedication to the City of a portion of the lot adjacent to the Boneyard [see Section XIII-4. E (11)]? Yes No

Is an increase in number of apartments or size of building being requested above the underlying zoning district standards?

Yes No *If yes, please specify requested increase:* _____

If any, list the area(s) of the Zoning Ordinance beyond the variance limitation(s) or bonus provisions requiring other modification in land use or Boneyard Master Plan. _____

NONE

In making this application, is it your determination the current underlying zoning is in need of change? Yes No If yes, what zoning classification is required? _____

What changes or changing conditions warrant the favorable review of this application? _____

DETERIORATING HOUSING STOCK TO BE REPLACED

List other circumstances which justify favorable review of this application by the Boneyard Creek Commissioner and Plan Commission. MORE RESIDENTS CLOSE TO THE

DOWNTOWN AREA. ADDING TO THE POTENTIAL DEVELOPMENT OF THE BONEYARD PUBLIC PATHWAY

WHEREFORE, Petitioner prays that this application be heard by the Plan Commission, if applicable, on the basis of its merits.

Respectfully submitted this 8th day of AUGUST, 2015, A.D.


SIGNATURE OF APPLICANT

08/20/15
DATE

LIST OF ATTACHMENTS

ATTACHMENT A: Warrantee Deeds

ATTACHMENT B: Lot descriptions

ATTACHMENT C: Requested bonus provisions and Dedication

ATTACHMENT D: Development proposal for each lot

ATTACHMENT E: Building descriptions

ATTACHMENT F: 1961 Boneyard Improvement Easement plat

ATTACHMENT G: City sewer overlay map showing existing private sewer line.

ATTACHMENT H: Survey

ATTACHMENT I: Overall Site Plan

ATTACHMENT J: Building plans, Elevations, and Renderings

2



Champaign County
Transfer Tax \$ 46.25



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Tx:4046117

2014R15436

REC ON: 08/21/2014 4:30:00 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER

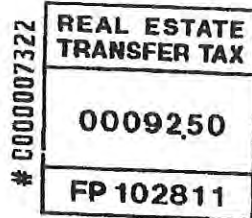
REC FEE: 44.00

RHSPS Fee: 9.00

REV FEE: 138.75

PAGES 2

PLAT ACT: 0 PLAT PAGE:



Prepared by:

Cherie Kesler
Attorney at Law
1403 E. Washington St.
Urbana, IL 61802
217/299-3216

Above Space for Recorder's Use Only

WARRANTY DEED

5253402120

THE GRANTORS, GARY L. STEBBINS, a married person, of the City of Urbana, County of Champaign, and State of Illinois, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, **CONVEYS** and **WARRANTS** to the **GRANTEE, ILLINOIS PROPERTIES SERIES LLC-312 SPRINGFIELD**, an Illinois limited liability, duly organized and existing under and by virtue of the laws of the State of Illinois, the following described real estate:

Lot 13 in Porter Replat in the City of Urbana, Illinois, as per plat recorded in Book "D" at Page 86, in Champaign County, Illinois.

Permanent Index No.: 92-21-17-130-013

Commonly known as: 402 W. Springfield, Urbana, IL 61801

- Subject to:
- (1) Real estate taxes for the year 2013 and subsequent years;
 - (2) Covenants, conditions, restrictions and easements apparent or of record;
 - (3) All applicable zoning laws and ordinances;

2



2014R20634
REC ON: 11/05/2014 4:30:00 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 44.00
RHSPS Fee: 9.00
REV FEE: 67.50
PAGES 2
PLAT ACT: OPLAT PAGE:

512374

WARRANTY DEED

The Above Space is For Recorder's Use Only

THE GRANTOR, MARCUS L. HARRIS, of the City of Urbana, in the County of Champaign, and State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to the GRANTEE, ILLINOIS PROPERTIES SERIES, LLC - 312 SPRINGFIELD, an Illinois limited liability company, the following described real estate, to-wit:

Lot Ten (10) and Three (3) in Piorter's Replat in the City of Urbana, as per plat recorded in Plat Book "D" at page 86, in Champaign County, Illinois.

P.I.N.: 92-21-17-130-010

Commonly known as: 408 W. Springfield, Urbana, IL

- Subject to:
- (1) Real estate taxes for the year 2014 and subsequent years;
 - (2) Covenants, conditions, restrictions and easements apparent or of record;
 - (3) All applicable zoning laws and ordinances.

situated in the County of Champaign and State of Illinois. Grantor represents and warrants that the real estate is not homestead property and has never been the homestead property of Grantor and Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

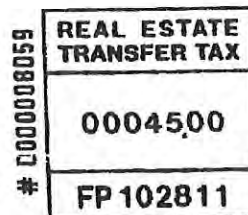
Dated this 31st day of October, 2014.


MARCUS L. HARRIS



Champaign County

Transfer Tax \$ 22.50





2

WARRANTY DEED

5253-1500876

THE GRANTORS, ANTHONY KIRWAN, CORA KIRWAN, and IAN KIRWAN, of the City of Cooltubrid, Kilmacthomas, in the County of Waterford, and Republic of Ireland, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, CONVEY and WARRANT to the GRANTEE, ILLINOIS PROPERTIES SERIES LLC - 312 SPRINGFIELD, an Illinois Limited Liability Company, of the City of Champaign, County of Champaign, and State of Illinois, the following described real estate, to-wit:

2015R06143
REC ON: 04/13/2015 3:34:50 PM
CHAMPAIGN COUNTY
BARBARA A. FRASCA, RECORDER
REC FEE: 44.00
RHSPS Fee: 9.00
REV FEE: 143.25
PAGES 3
PLAT ACT: OPLAT PAGE:

Lot 8 in Porter Replat in the City of Urbana, Illinois, as per plat recorded in Book "D" at Page 86, in Champaign County, Illinois.

Permanent Index No.: 92-21-17-130-008

Commonly known as: 412 West Springfield Avenue, Urbana, Illinois

- Subject to:
- (1) Real estate taxes for the year 2014 and subsequent years;
 - (2) Covenants, conditions, restrictions and easements apparent or of record; and
 - (3) All applicable zoning laws and ordinances;

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois..

Dated this 3rd day of April, 2015.

Anthony Kirwan, by Phillip R. Van Ness

ANTHONY KIRWAN by Phillip R. Van Ness, Attorney in Fact

Cora Kirwan, by Phillip R. Van Ness

CORA KIRWAN by Phillip R. Van Ness, Attorney in Fact

x

Ian Kirwan
IAN KIRWAN

ATTACHMENT B

Lot 13

402 West Springfield Avenue

Lot Size: $46' \times 100.27' \times 46' \times 100.27' = 4612.42$ S.F.

Lot 10

408 West Springfield Avenue

Lot Size: $40.03' \times 111.11' \times 39.93' \times 111.03' = 4440.78$ S.F.

Lot 8

412 West Springfield Avenue

Lot Size: $49.15' \times 110.92' \times 49.15' \times 110.82' = 5448.61$ S.F.

Lot 3 (outlot abutting the Boneyard with lot 10)

Lot Size: $40.08' \times 40.04' \times 42.1' \times 42.1' = 1686.37$ S.F.

ATTACHMENT C

REQUESTED BONUS PROVISIONS

- 1 WAIVER OF SECTION VI-F.3.
THIS REQUIRES AN INCREASED SIDE YARD SETBACK OF 3 FEET FOR BUILDINGS EXCEEDING 25 FEET IN HEIGHT.

- 1A PROVISION TO CONSTRUCT 'BAYS' (OR BUMP OUTS) AN ADDITIONAL 3' INTO SIDEYARD SETBACKS PROVIDED THEY DO NOT OCCUPY AN AGGREGATE LENGTH OF MORE THAN 1/3 THE LENGTH OF THE BUILDING FACE THEY ARE PLACED ON.

FOR ECONOMICALLY VIABLE REDEVELOPMENT THE BUILDING FOOTPRINTS MUST BE MAXIMIZED. THE LOTS WE ARE WORKING WITH ARE VERY NARROW AND INCORPORATING THE REQUIRED INCREASED SETBACKS RESULT IN BUILDABLE FOOTPRINTS OF ONLY 20 FEET, 14 FEET AND 23 FEET RESEPECTIVELY. THESE MAXIMUM DIMENSIONS ARE TOO NARROW FOR VIABLE REDEVELOPMENT.

PLEASE NOTE THAT THIS WAIVER MAY BE REVISED UPON APPROVAL OF PENDING TEXT AMMENDMENT TO TABLE VI-3

2. TABLE VII-3 DEVELOPMENT REGULATIONS BY DISTRICT
INCREASE IN BUILDING HEIGHT BY 8' TO A MAXIMUM HEIGHT OF 42'-0"

DEDICATION

A STRIP OF LAND ABUTTING THE BONEYARD ON LOT 3, WHICH IS 16'-2 ½" IN DEPTH OR 25' FROM THE CENTERLINE OF THE CREEK. THIS IS THE ONLY LOT OF THE DEVELOPMENT WHICH ACTUALLY FRONTS ON THE BONEYARD. THE EXISTING 25' MAINTENANCE EASEMENT IS TO BE CONVERTED TO A PUBLIC USE EASEMENT.

SANITARY SEWER

IF REQUIRED, THE EXISTING PRIVATE SEWER LINE SERVING LOTS 402 THRU 412 WEST SPRINGFIELD BE REPLACED WITH A NEW LINE IF IT IS FOUND TO BE OF INADEQUATE CAPACITY AND/OR CONDITION. THE APPLICANT WILL BEAR THE COST TO REPLACE THIS LINE, APPROXIMATELY IN ITS CURRENT LOCATION, AND THEN DEDICATE THE LINE TO THE CITY.

DEVELOPMENT PROPOSAL

402 WEST SPRINGFIELD AVENUE
408 WEST SPRINGFIELD AVENUE
412 WEST SPRINGFIELD AVENUE

ZONED B-2 NEIGHBORHOOD BUSINESS – ARTERIAL

MINIMUM LOT SIZE = 6000 SQUARE FEET

ALL LOTS NON-CONFORMING

402 WEST SPRINGFIELD = 4,600 S.F.

408 WEST SPRINGFIELD = 4,400 S.F. + 1,684 S.F.

412 WEST SPRINGFIELD = 5,439 S.F.

MINIMUM LOT WIDTH = 60 FEET

ALL LOTS NON-CONFORMING

402 WEST SPRINGFIELD = 46 FEET

408 WEST SPRINGFIELD = 40 FEET

412 WEST SPRINGFIELD = 49 FEET

MAXIMUM HEIGHT = 35 FEET

PROPOSED HEIGHTS (REQUESTING BONUS PROVISION OF 8' ADDITIONAL HEIGHT.)

402 WEST SPRINGFIELD = 41'-5"

408 WEST SPRINGFIELD = 42'-0"

412 WEST SPRINGFIELD = 41'-2"

MAXIMUM FLOOR AREA RATIO = 1.50

PROPOSED FLOOR AREA RATIO

402 WEST SPRINGFIELD = 1.05

408 WEST SPRINGFIELD = .63

412 WEST SPRINGFIELD = .88

NOTE PROVISIONS OF SECTION V-7.A DO NOT APPLY

MINIMUM OPEN SPACE RATIO = .15

PROPOSED

402 WEST SPRINGFIELD = .177

408 WEST SPRINGFIELD = .156

412 WEST SPRINGFIELD = .185

REQUIRED SETBACKS

FRONT = 15 FEET

SIDE = 10 FEET (REQUESTING WAIVER OF FOOTNOTE 3, AND ALLOWANCE TO PLACE 'BUMP OUTS AN ADDITIONAL 3' INTO SIDE YARDS.)

REAR = 15 FEET

PARKING

REQUIRED: 1 SPACE PER APARTMENT UNIT

TOTAL = 11 SPACES

PROPOSED: 1 SPACE PER APARTMENT UNIT

TOTAL = 11 SPACES (11 PROVIDED, INCLUDING ONE H/C SPACE)

BUILDING DESCRIPTIONS

402 AND 412 WEST SPRINGFIELD

THESE BUILDINGS ARE EACH FOUR LOFTED EFFICIENCY APARTMENTS, SUBJECT TO THE INTERNATIONAL BUILDING CODE

EACH UNIT HAS THE MAIN LIVING SPACE, KITCHEN, AND A HALF BATH ON THE LOWER LEVEL WITH AN OPEN LOFT/BEDROOM, FULL BATH AND WALK-IN CLOSET ON THE UPPER LEVEL. EACH UNIT WILL BE EQUIPPED WITH A STACKED WASHER/DRYER.

THE LOFT CONSTITUTES A 'MEZZANNINE' UNDER THE DEFINITION IN THE BUILDING CODE AND THEREFORE DOES NOT CONTRIBUTE 'FLOOR AREA' OR A 'FLOOR LEVEL' UNDER THE BUILDING CODE. SO WHILE THESE TWO BUILDINGS ARE THE HEIGHT OF A FOUR STORY BUILDING, THEY ARE TECHNICALLY TWO STORY BUILDINGS. AS SUCH, THEY CAN BE CONSTRUCTED WITH A SINGLE COMMON STAIRWAY.

THESE BUILDINGS ARE REQUIRED TO BE SPRINKLED.

THE AREA OF EACH UNIT, INCLUDING THE LOFT AREA:

402 WEST SPRINGFIELD = 1,006 SQUARE FEET.

412 WEST SPRINGFIELD = 990 SQUARE FEET.

TOTAL GROSS BUILDING AREA:

402 WEST SPRINGFIELD = 4,812 SQUARE FEET.

412 WEST SPRINGFIELD = 4,766 SQUARE FEET.

408 WEST SPRINGFIELD

THIS BUILDING IS CONSTRUCTED AS TOWNHOUSES, SUBJECT TO THE INTERNATIONAL RESIDENTIAL CODE.

THERE ARE THREE TOWNHOUSE UNITS PROVIDED. EACH UNIT HAS THE MAIN LIVING SPACE, KITCHEN, AND A HALF BATH ON THE FIRST FLOOR. THE SECOND AND THIRD FLOORS EACH CONTAIN BEDROOM WITH A FULL BATH AND WALK-IN CLOSET. THERE IS A ROOF DECK ON THE FOURTH LEVEL OF THE BUILDING WHICH IS PARTIALLY COVERED. EACH UNIT WILL BE EQUIPPED WITH A STACKED WASHER/DRYER.

AS TOWNHOUSES, EACH UNIT IS SEPARATED BY A TWO HOUR FIRE WALL, AND IS CONSIDERED AN INDEPENDENT RESIDENTIAL UNIT.

THIS BUILDING IS NOT REQUIRED TO BE SPRINKLED.

THE AREA OF EACH UNIT (NOT INCLUDING THE ROOF DECK) = 975 SQUARE FEET.

TOTAL GROSS BUILDING AREA = 3,885 SQUARE FEET.

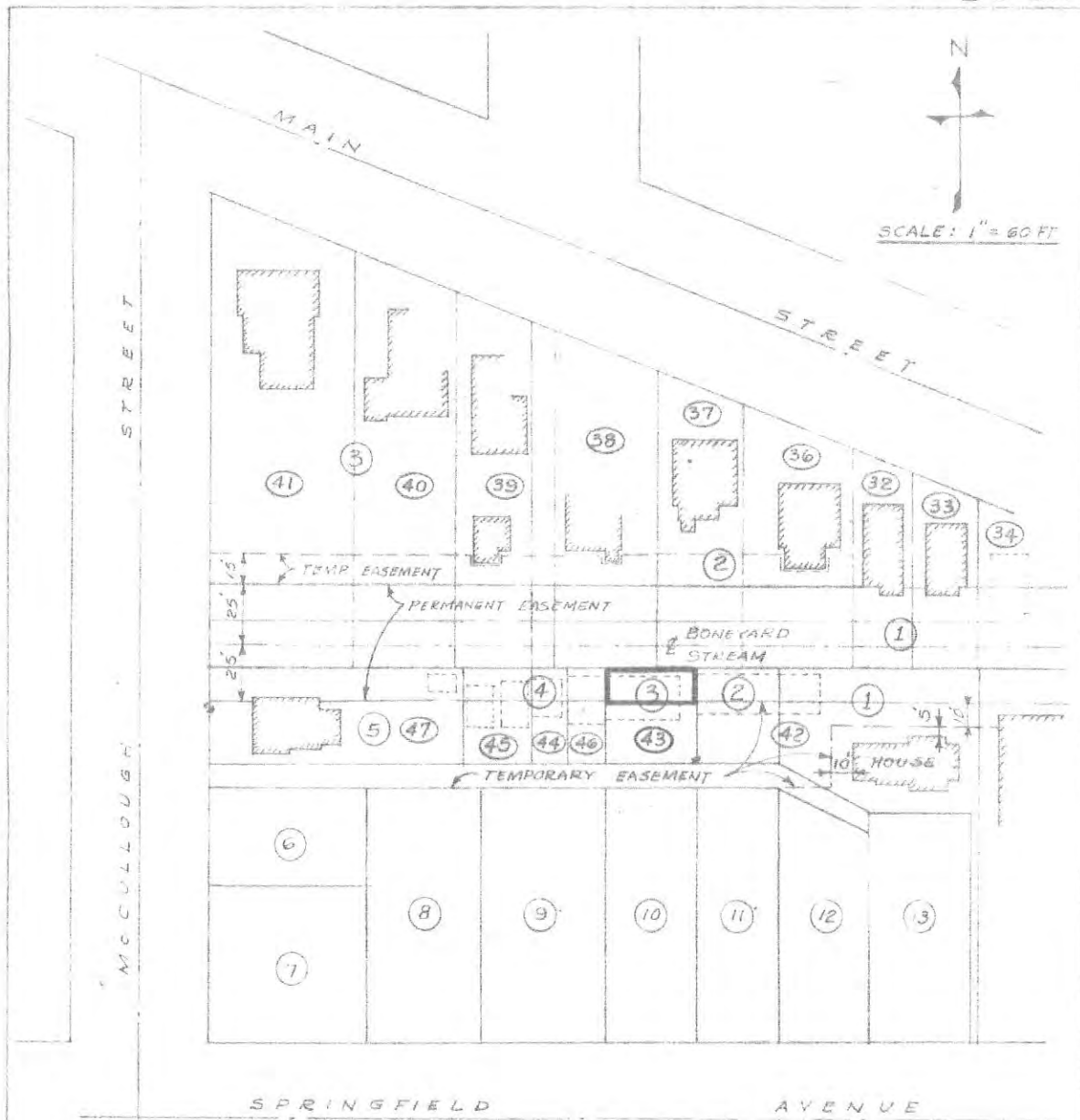


EXHIBIT "A"

Part of the SE 1/4 of the SW 1/4 of Section 8, and part of the NE 1/4 of the NW 1/4 of Section 17, T19N, R 9 East of 3rd P.M., in the City of Urbana, County of Champaign, Illinois.

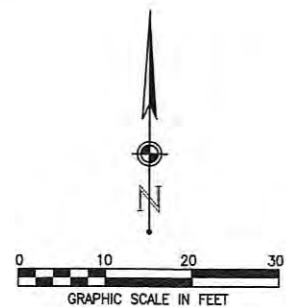
Plat of Parcel(s) of Land Described as follows:

- (43) Lot 3 in the Porter Replat in Urbana, Illinois, as shown by Plat thereof recorded in Book D of Plats on page 86 of the Champaign County, Illinois, records situated in City of Urbana, Champaign County, Illinois.



ATTACHMENT G

PRIVATE SANITARY SEWER

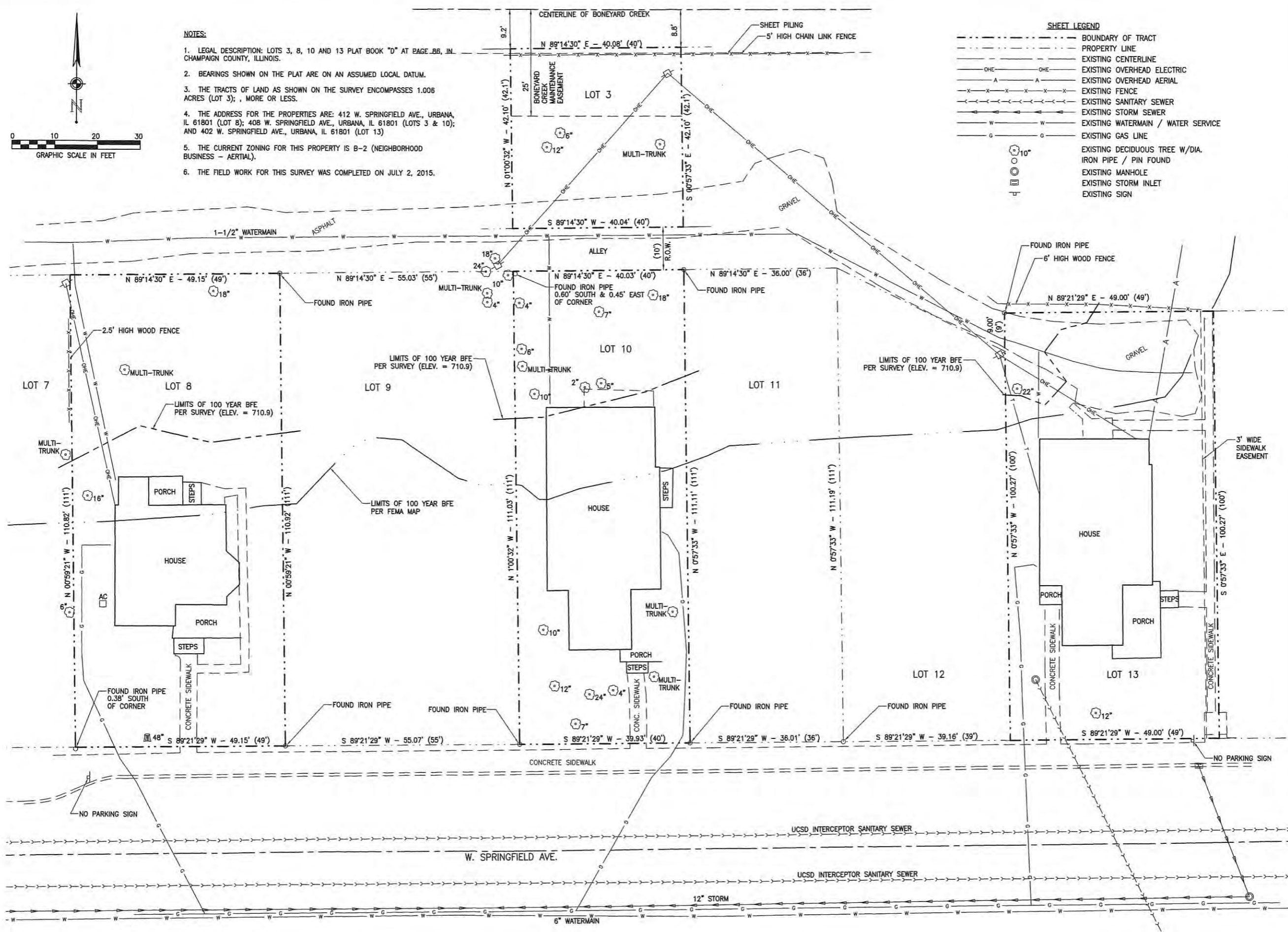


NOTES:

- LEGAL DESCRIPTION: LOTS 3, 8, 10 AND 13 PLAT BOOK "D" AT PAGE 86, IN CHAMPAIGN COUNTY, ILLINOIS.
- BEARINGS SHOWN ON THE PLAT ARE ON AN ASSUMED LOCAL DATUM.
- THE TRACTS OF LAND AS SHOWN ON THE SURVEY ENCOMPASSES 1.006 ACRES (LOT 3); MORE OR LESS.
- THE ADDRESS FOR THE PROPERTIES ARE: 412 W. SPRINGFIELD AVE., URBANA, IL 61801 (LOT 8); 408 W. SPRINGFIELD AVE., URBANA, IL 61801 (LOTS 3 & 10); AND 402 W. SPRINGFIELD AVE., URBANA, IL 61801 (LOT 13)
- THE CURRENT ZONING FOR THIS PROPERTY IS B-2 (NEIGHBORHOOD BUSINESS - AERIAL).
- THE FIELD WORK FOR THIS SURVEY WAS COMPLETED ON JULY 2, 2015.

SHEET LEGEND

	BOUNDARY OF TRACT
	PROPERTY LINE
	EXISTING CENTERLINE
	EXISTING OVERHEAD ELECTRIC
	EXISTING OVERHEAD AERIAL
	EXISTING FENCE
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING WATERMAIN / WATER SERVICE
	EXISTING GAS LINE
	EXISTING DECIDUOUS TREE W/DIA. IRON PIPE / PIN FOUND
	EXISTING MANHOLE
	EXISTING STORM INLET
	EXISTING SIGN



REVISIONS

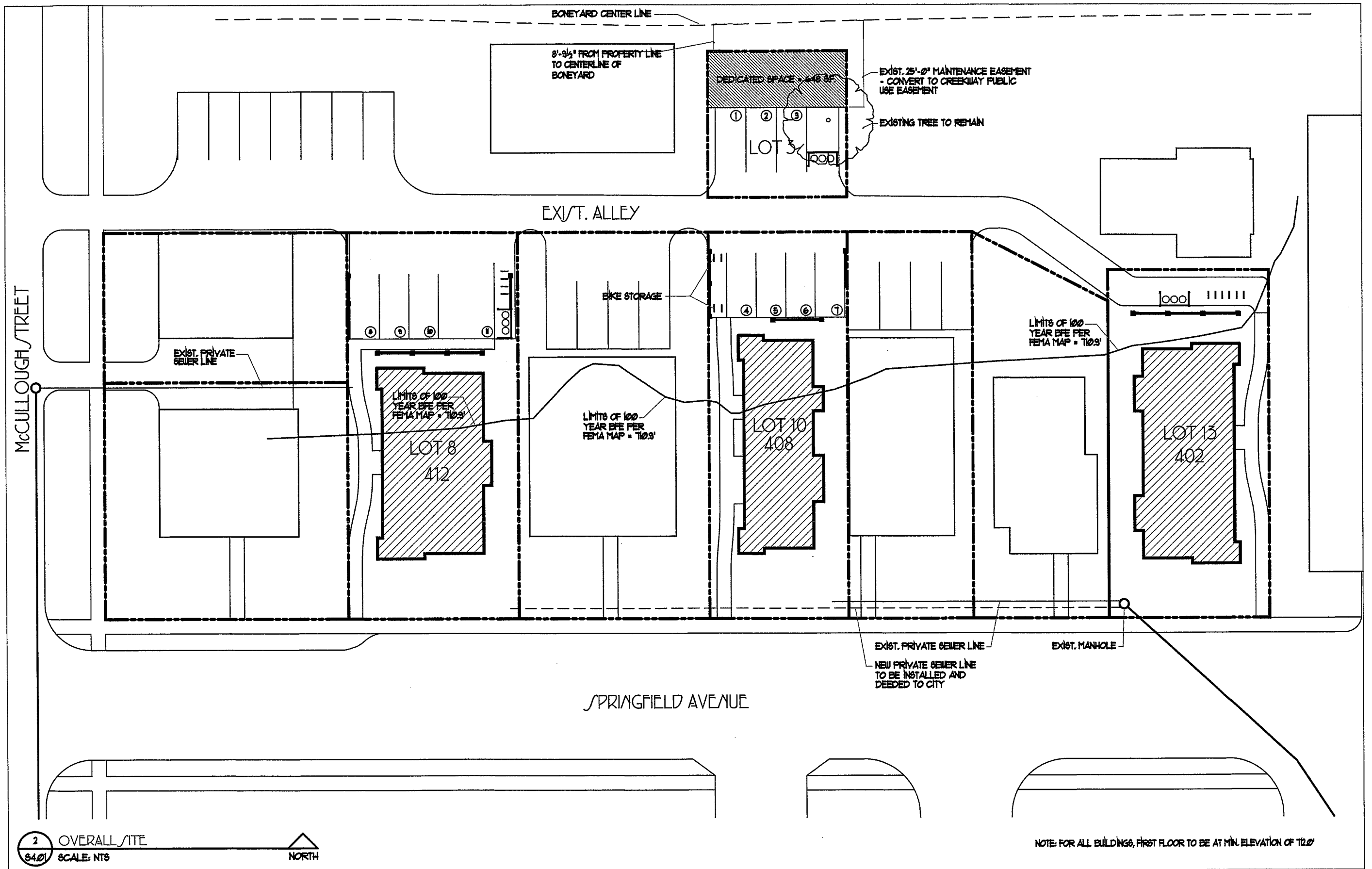
NO.	DATE	DESCRIPTION

BKB
B K B
B K B
 ENGINEERING
 301 N. NEIL STREET, SUITE 400 | CHAMPAIGN, IL 61820
 CELL 217.840.3546 | OFFICE 217.531.2971 | FAX 217.531.2211

TOPOGRAPHIC / BOUNDARY SURVEY
 402, 408 & 412 W. SPRINGFIELD AVE.
 URBANA, ILLINOIS

PROJECT: 40-1504
DESIGN BY: BKB
DRAWN BY: BKB
DATE: 7/6/15
SHEET:





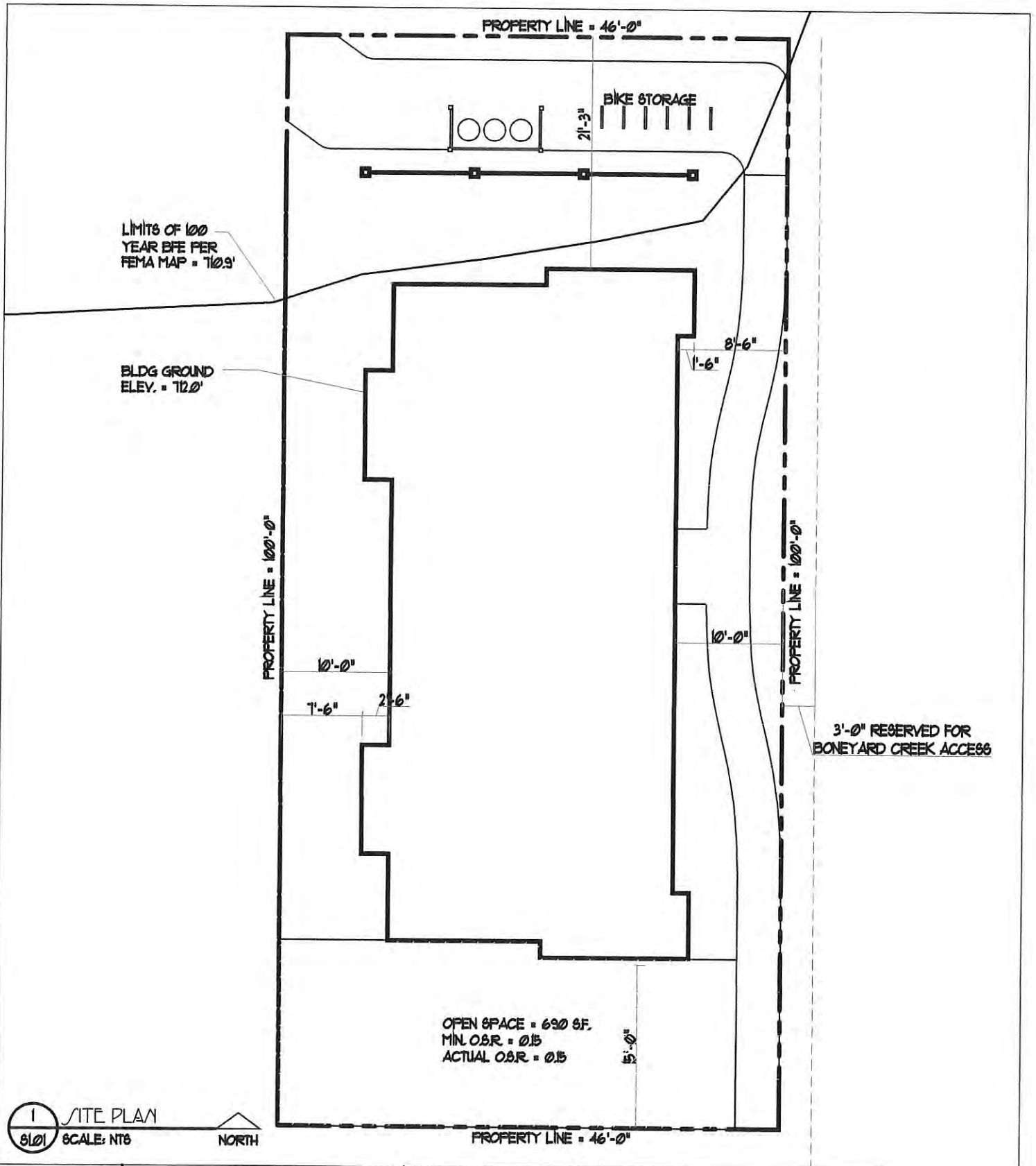
2 OVERALL SITE
 64.01 SCALE: NTS



NOTE: FOR ALL BUILDINGS, FIRST FLOOR TO BE AT MIN. ELEVATION OF 12.0'

ATTACHMENT J

BUILDING PLANS, ELEVATIONS AND RENDERINGS



1 SITE PLAN
6101 SCALE: NTS



1.01

402 W. SPRINGFIELD
NEW CONSTRUCTION

402 W. SPRINGFIELD AVE.
URBANA, IL 61801

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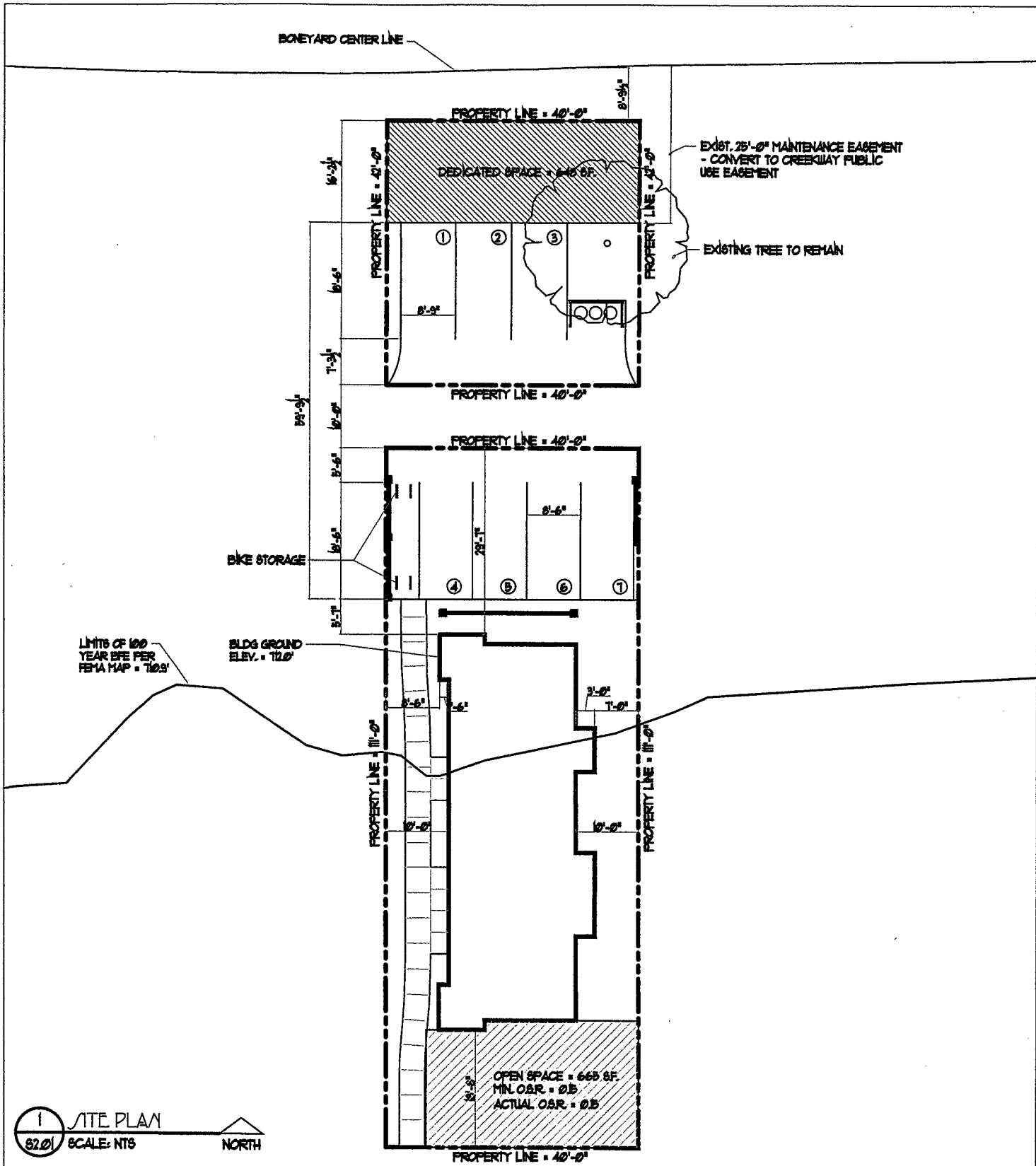
ANDREW FELL
ARCHITECTURE AND DESIGN

815 N. HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.303.2800
FAX: 217.303.8403
EMAIL: andrew@andrewfell.net

PROJECT # 15022

DATE: 19MARCH15

REVISIONS:



1 SITE PLAN
 82.01 SCALE: NTS
 NORTH

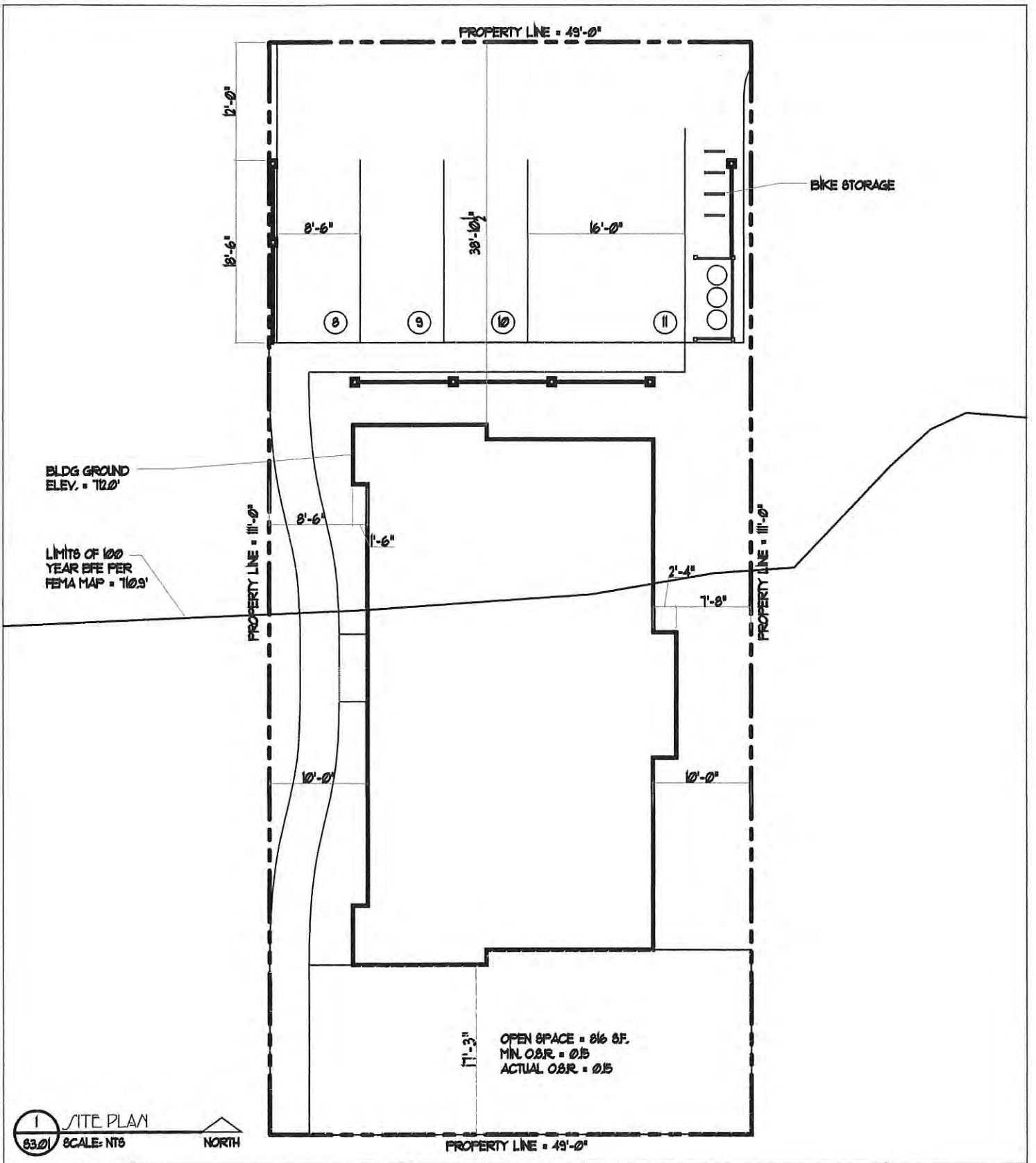
PROJECT
 2.01

408 W. SPRINGFIELD
 NEW CONSTRUCTION
 408 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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ANDREW FELL
 ARCHITECTURE AND DESIGN
 615 N. HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.353.2890
 FAX: 217.359.8493
 EMAIL: andrewfell@comcast.net

PROJECT # 15022
 DATE: 19MARCH15
 REVISIONS:



1 SITE PLAN
83.01 SCALE: NTS



3.01

412 W. SPRINGFIELD
NEW CONSTRUCTION

412 W. SPRINGFIELD AVE.
URBANA, IL 61801

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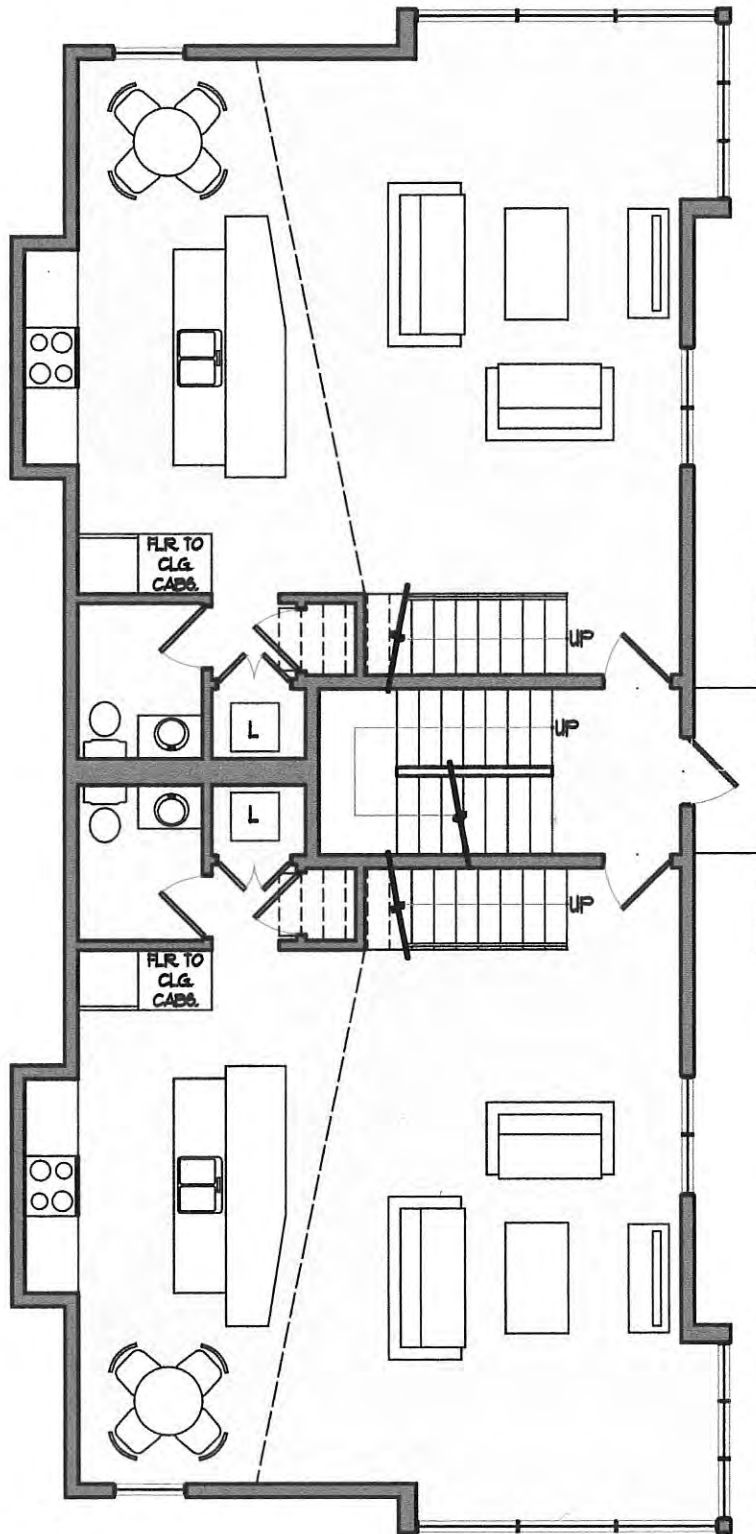
ANDREW FELL
ARCHITECTURE AND DESIGN

615 N. HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.553.2660
FAX: 217.558.9493
EMAIL: andrewfell@comcast.net

PROJECT # 15022

DATE: 19MARCH15

REV/10/15:



2 FIRST FLOOR PLAN - SECOND SIMILAR
 A1.01 SCALE: 1/8" = 1'-0"



SHEET

402 W. SPRINGFIELD
 NEW CONSTRUCTION

A1.01

402 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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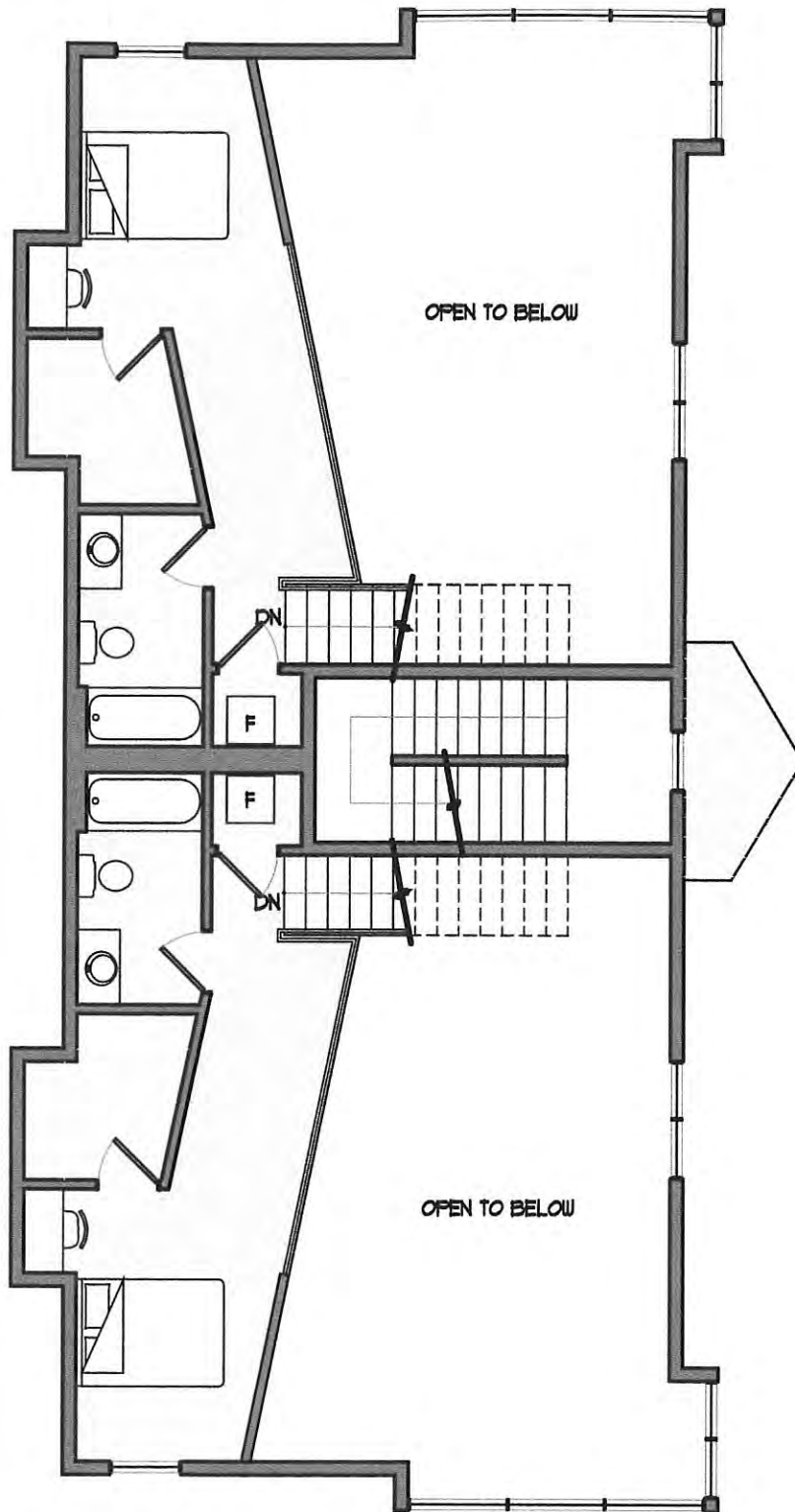
ANDREW FELL
 ARCHITECTURE AND DESIGN

816 N. HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.353.2800
 FAX: 217.350.0403
 EMAIL: andrewfell@comcast.net

PROJECT # 15022

DATE: 19MARCH15

REV/NO/S:



2
A1.02

MEZZANINE FLOOR PLAN (FOR 1ST AND 2ND FLOOR)

SCALE: 1/8" = 1'-0"



SHEET

402 W. SPRINGFIELD
NEW CONSTRUCTION

A1.02

402 W. SPRINGFIELD AVE.
URBANA, IL 61801

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ANDREW FELL
ARCHITECTURE AND DESIGN

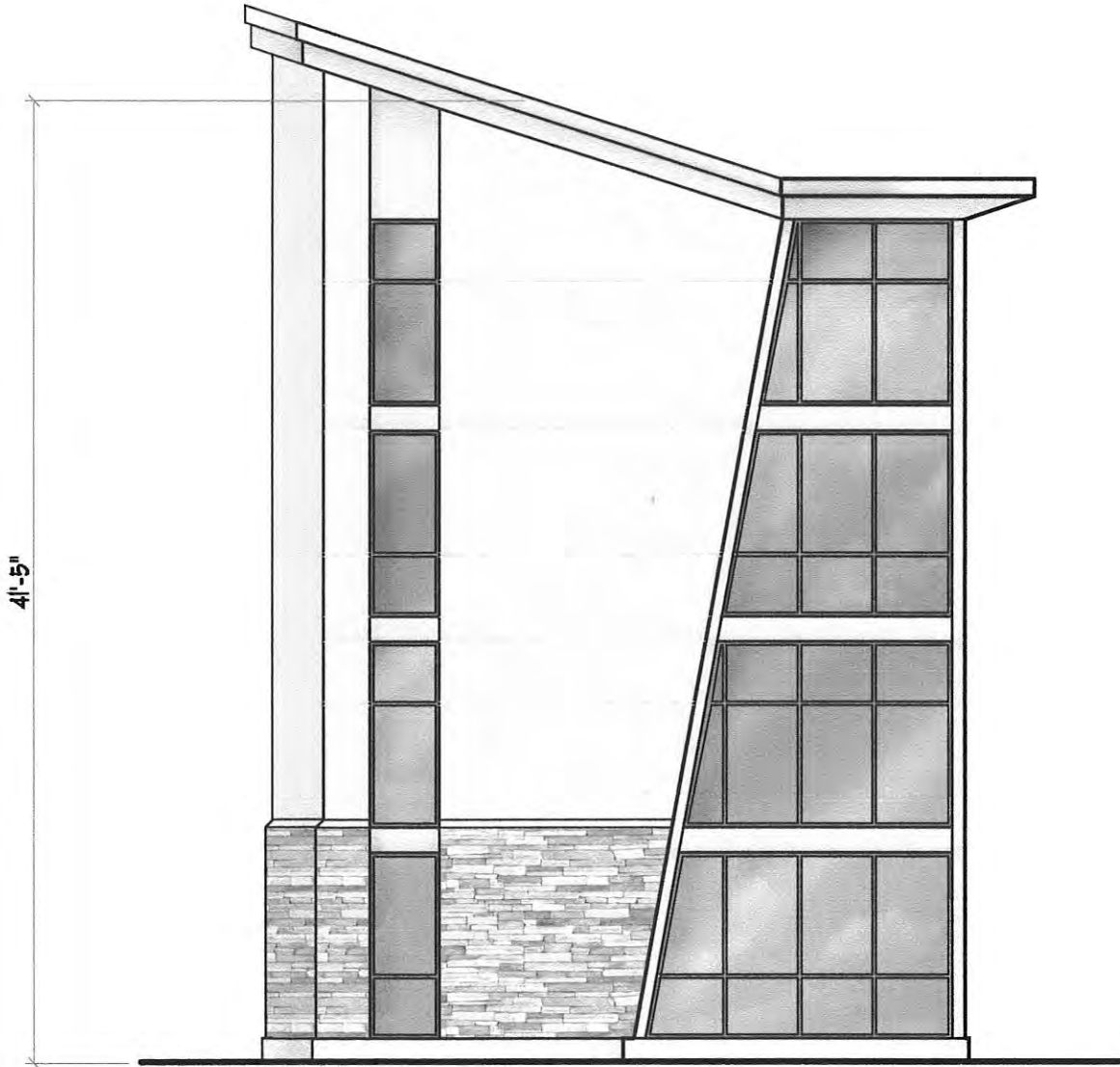
615 N. HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2860
FAX: 217.366.6463
EMAIL: andrewfell@comcast.net

PROJECT # 15022

DATE: 19MARCH15

REVISIONS:

NOTE: BUILDING HEIGHT MEASURED TO CENTERLINE OF ROOF SLOPE.



2 ELEVATION
A1.03 SCALE: 1/8" = 1'-0"

SHEET

402 W. SPRINGFIELD
NEW CONSTRUCTION

A1.03

402 W. SPRINGFIELD AVE.
URBANA, IL 61801

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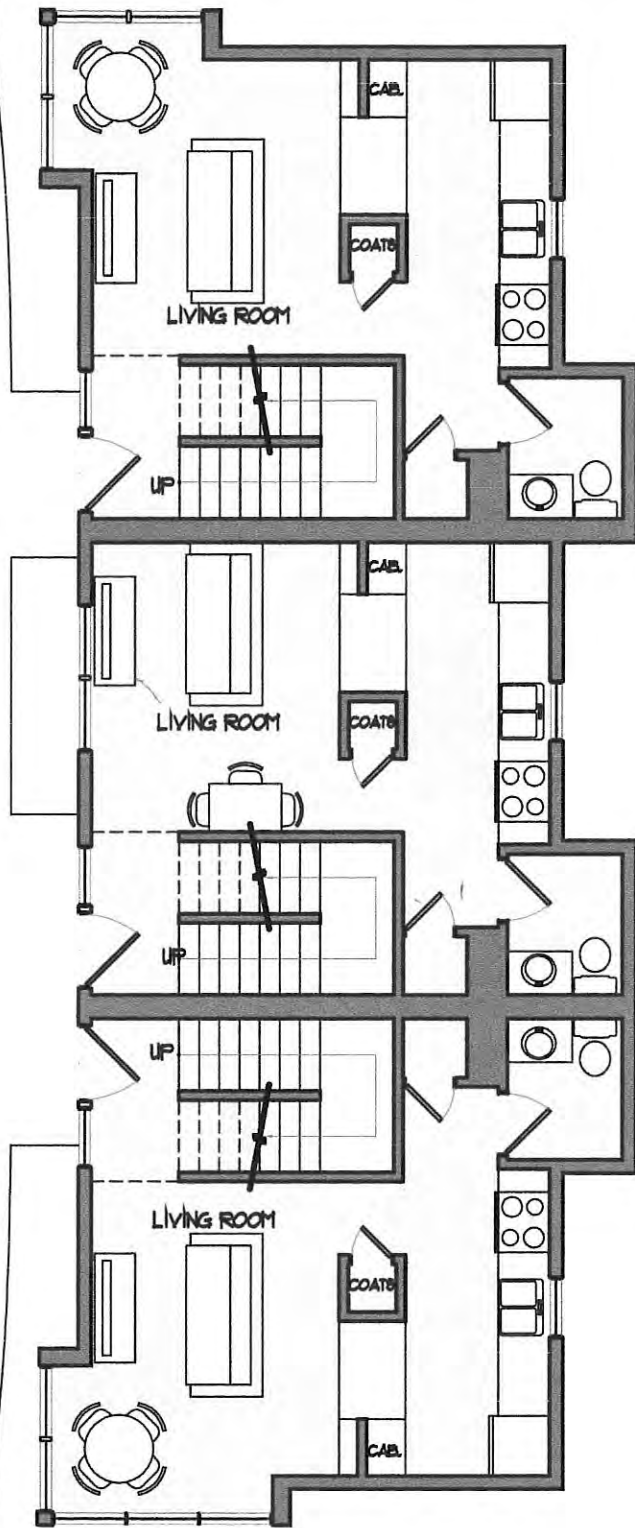
ANDREW FELL
ARCHITECTURE AND DESIGN

616 N. HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.353.2800
FAX: 217.353.5493
EMAIL: andrewfell@comcast.net

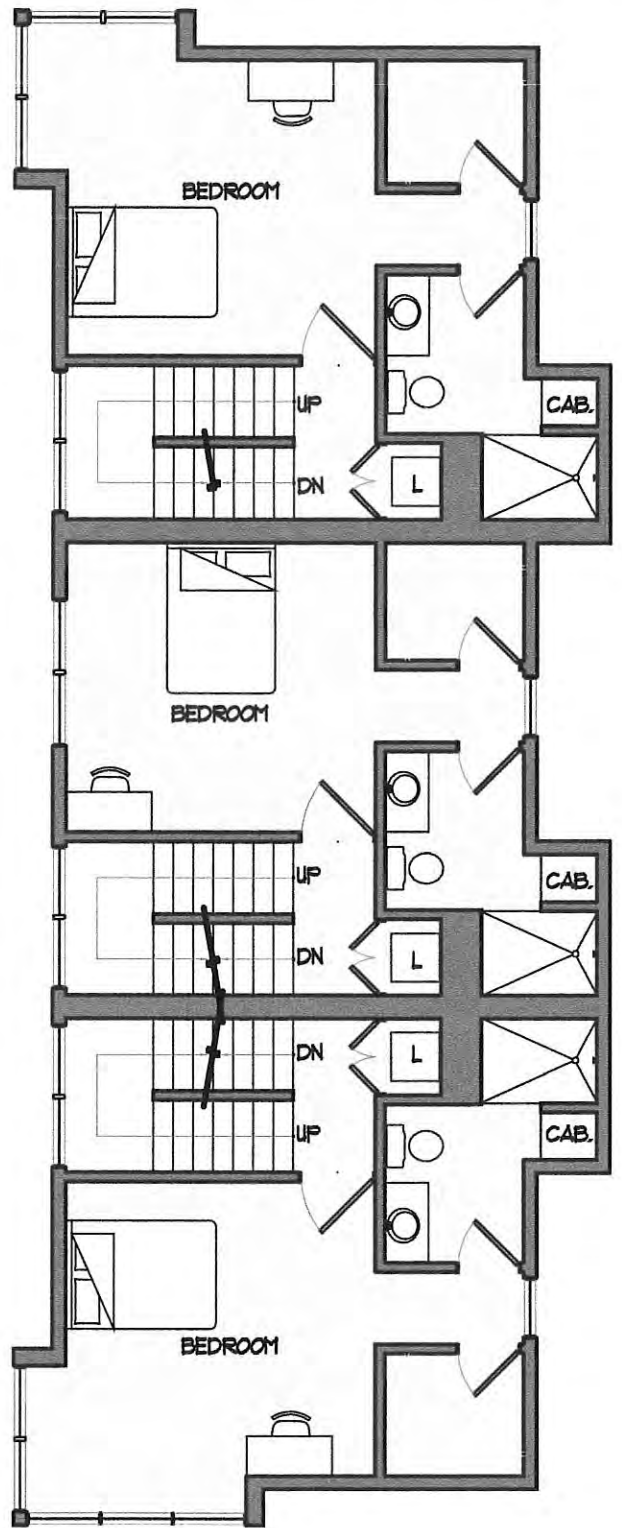
PROJECT # 15022

DATE: 19MARCH15

REV/NO/S:



1 FIRST FLOOR PLAN
 A2.01 SCALE: 1/8" = 1'-0" NORTH



2 SECOND FLOOR PLAN
 A2.01 SCALE: 1/8" = 1'-0" NORTH

408 W. SPRINGFIELD
 NEW CONSTRUCTION

A2.01

408 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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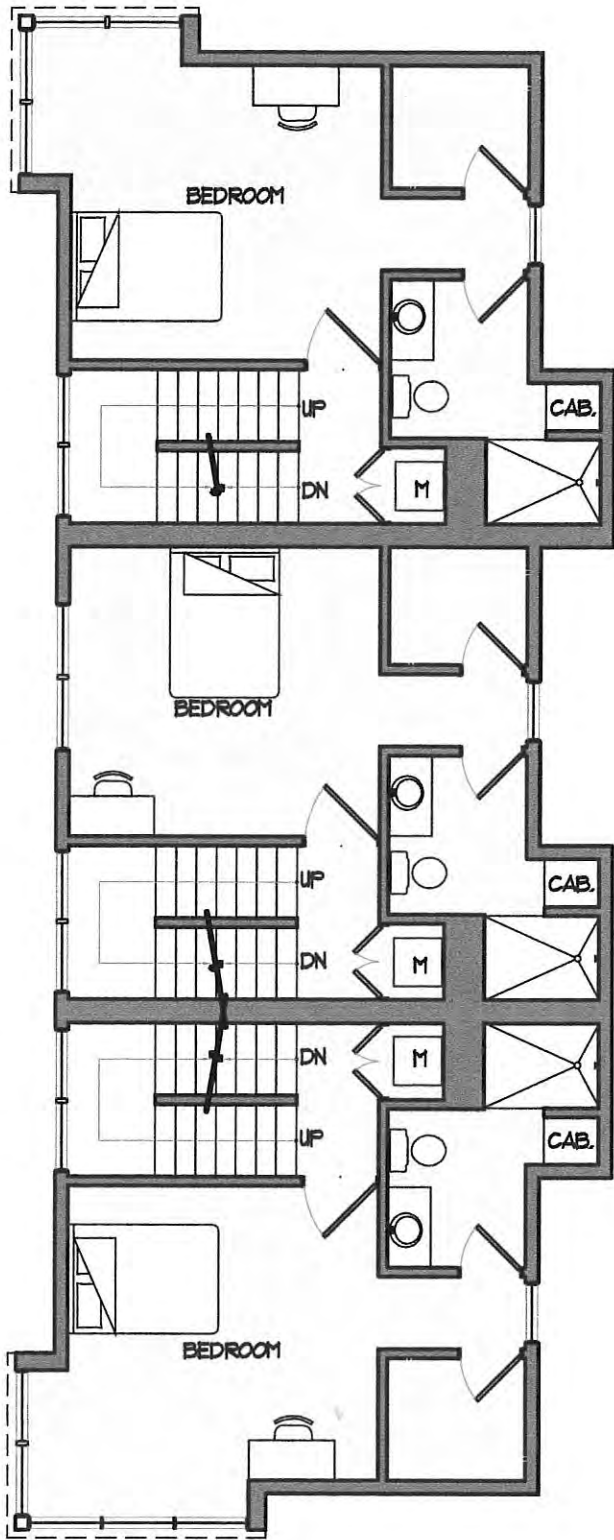
ANDREW FELL
 ARCHITECTURE AND DESIGN

616 N. HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.353.2890
 FAX: 217.350.8405
 EMAIL: andrewfell@comcast.net

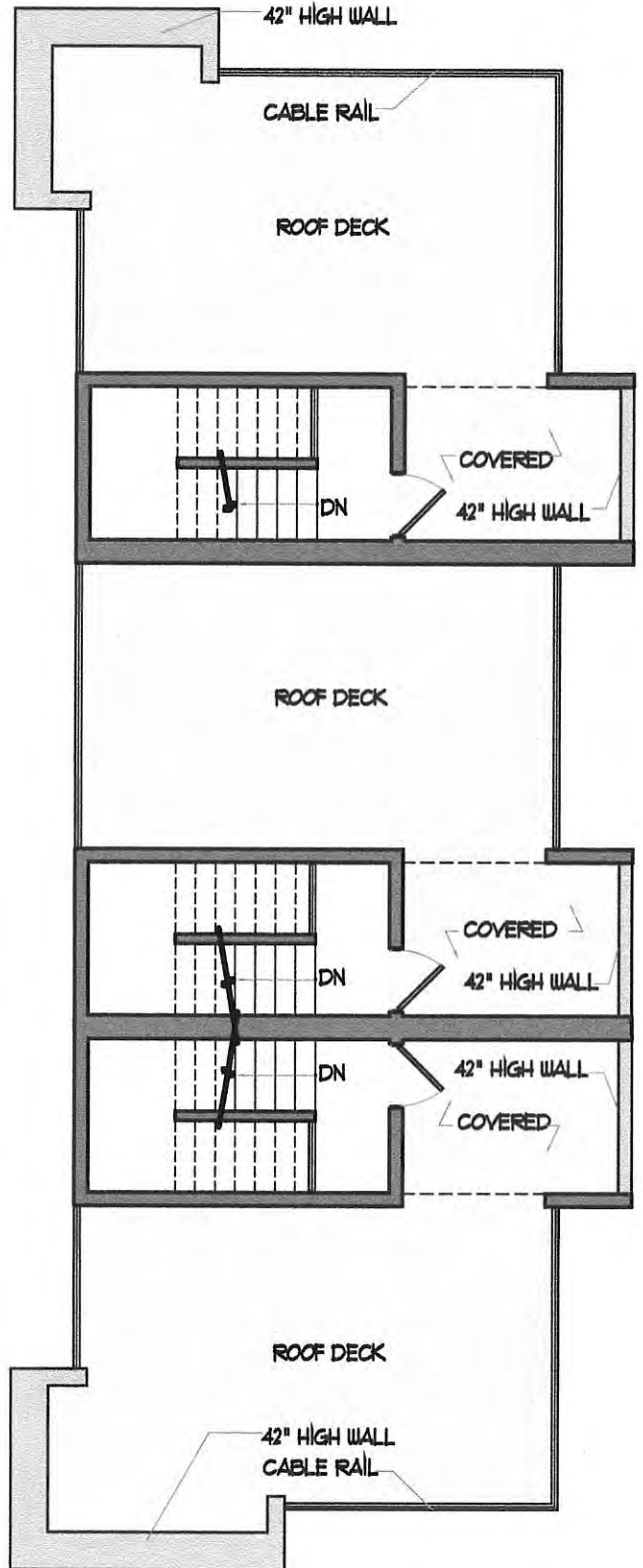
PROJECT # 15022

DATE : 19MARCH15

REV/NO/S/:



1 THIRD FLOOR PLAN
 A2.02 SCALE: 1/8" = 1'-0" NORTH



2 ROOF DECK PLAN
 A2.02 SCALE: 1/8" = 1'-0" NORTH

408 W. SPRINGFIELD
 NEW CONSTRUCTION

408 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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 ARCHITECTURE AND DESIGN

615 N. HICKORY STREET, SUITE 101
 CHAMPAIGN, ILLINOIS 61820
 PHONE: 217.353.2890
 FAX: 217.358.8483
 EMAIL: andrefell@comcast.net

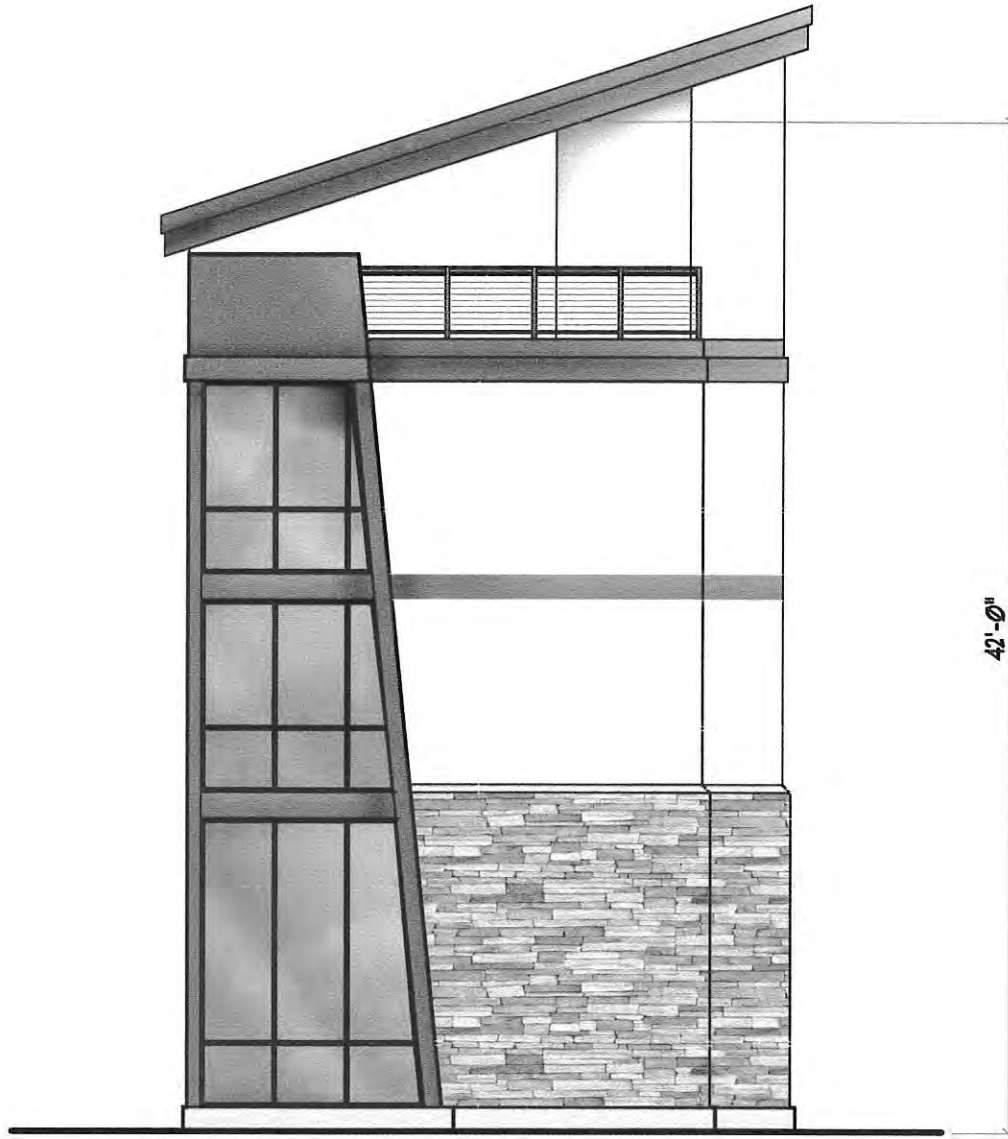
PROJECT # 15022

DATE : 19MARCH15

REVISIONS :

A2.02

NOTE: BUILDING HEIGHT MEASURED TO CENTERLINE OF ROOF SLOPE.



2 ELEVATION
A2.03 SCALE: 1/8" = 1'-0"

SHEET

408 W. SPRINGFIELD
NEW CONSTRUCTION

A2.03

408 W. SPRINGFIELD AVE.
URBANA, IL 61801

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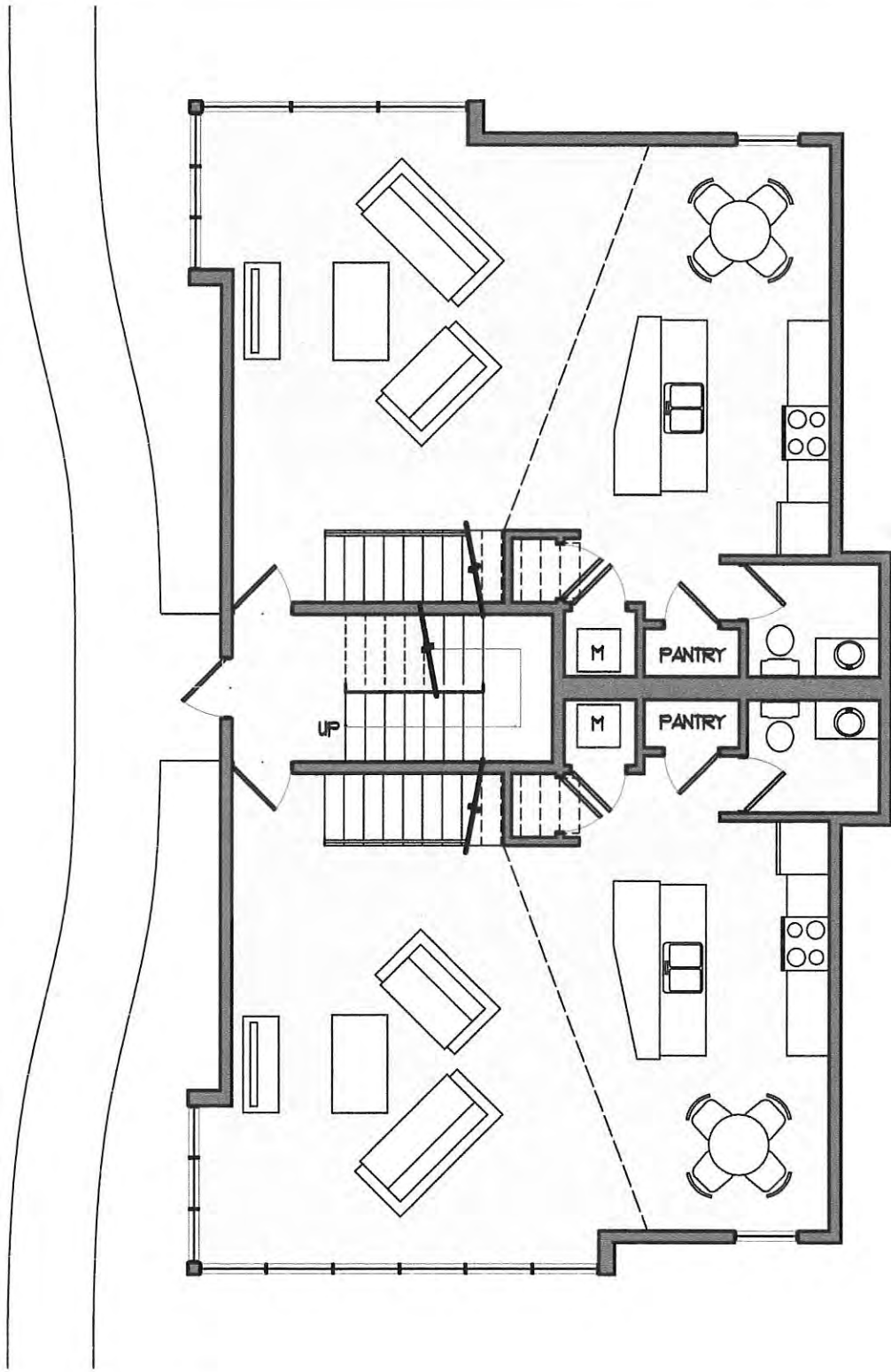
ANDREW FELL
ARCHITECTURE AND DESIGN

616 N. HICKORY STREET, SUITE 101
CHAMPAIGN, ILLINOIS 61820
PHONE: 217.363.2800
FAX: 217.360.8403
EMAIL: andrewfell@comcast.net

PROJECT # 15022

DATE : 19MARCH15

REVISIONS:



2 FIRST FLOOR PLAN - SECOND SIMILAR
 A3.01 SCALE: 1/8" = 1'-0" NORTH

412 W. SPRINGFIELD
 NEW CONSTRUCTION

A3.01

412 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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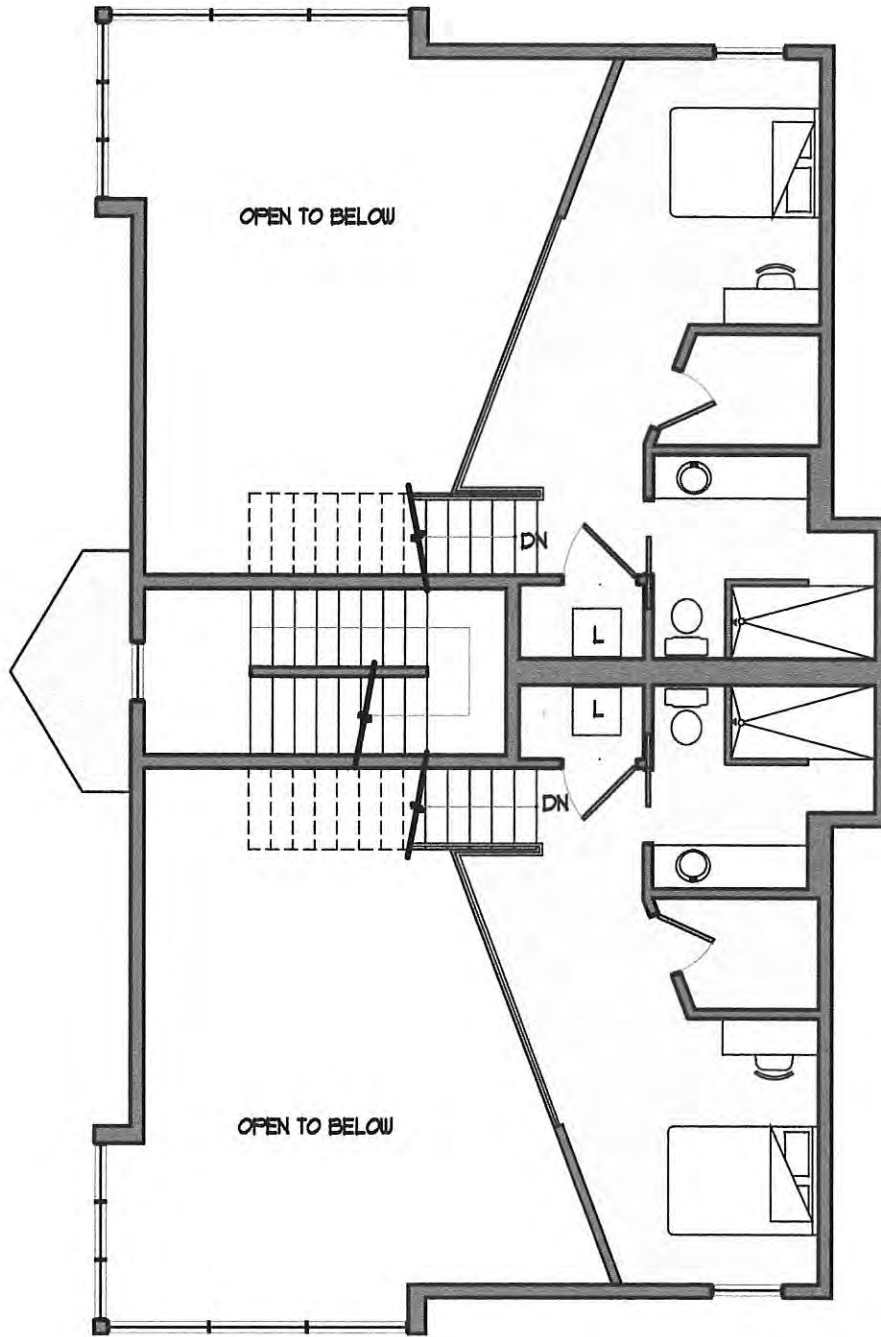
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 FAX: 217.388.8493
 EMAIL: andrewfell@comcast.net

PROJECT # 15022

DATE : 19MARCH15

REVISIONS:



2 MEZZANINE FLOOR PLAN (FOR 1ST AND 2ND FLOOR)
 A3.02 SCALE: 1/8" = 1'-0" NORTH

PROJECT

412 W. SPRINGFIELD
 NEW CONSTRUCTION

412 W. SPRINGFIELD AVE.
 URBANA, IL 61801

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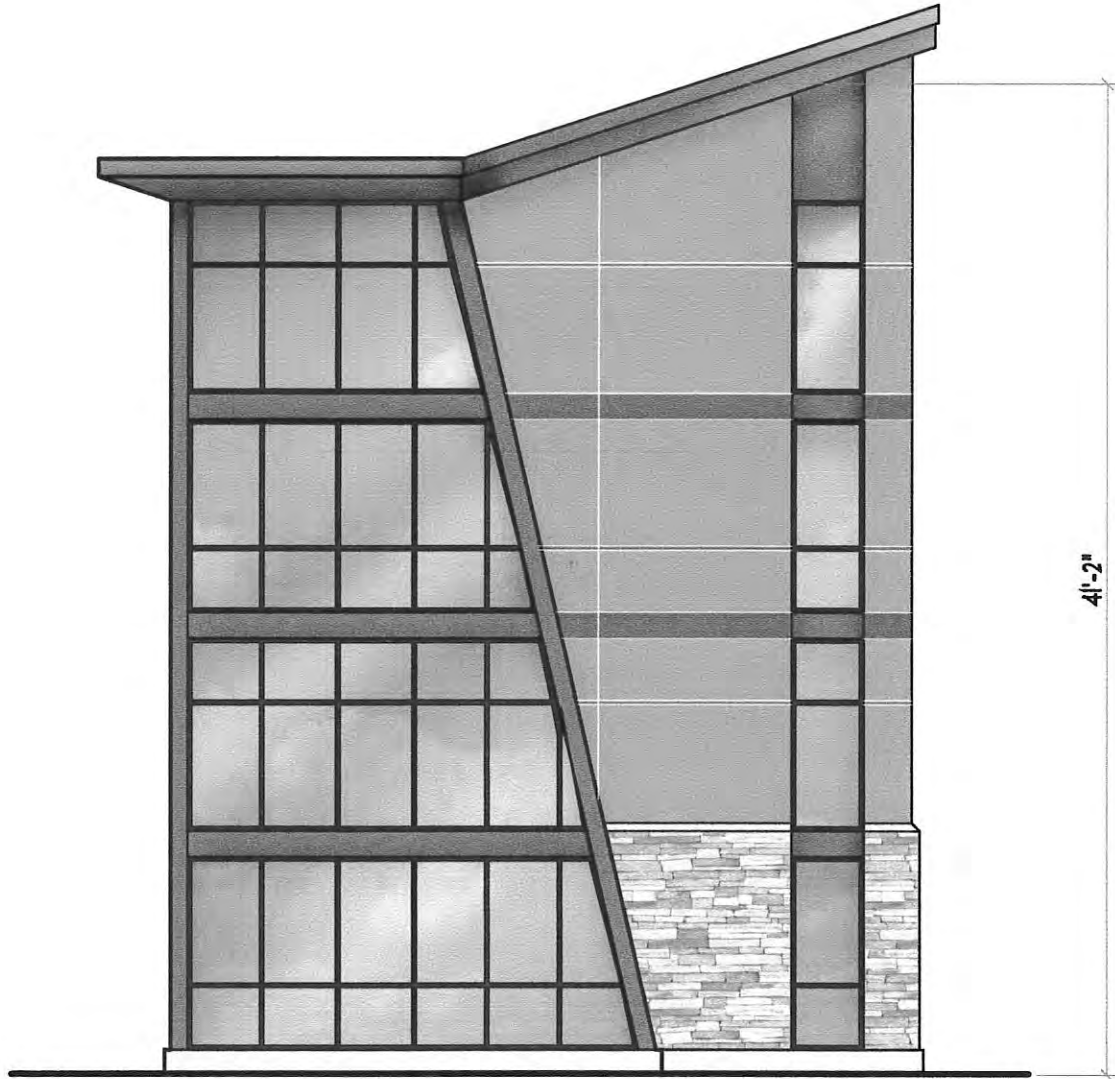
PROJECT # 15022

DATE : 19MARCH15

REVISIONS:

A3.02

NOTE: BUILDING HEIGHT MEASURED TO CENTERLINE OF ROOF SLOPE.



2 YELLOW LOT ELEVATION
A3.03 SCALE: 1/8" = 1'-0"

SHEET

412 W. SPRINGFIELD
NEW CONSTRUCTION

412 W. SPRINGFIELD AVE.
URBANA, IL 61801

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PROJECT # 15022

DATE: 19MARCH15

REV/NO/S:

A3.03





PERMANENT EASEMENT

The GRANTOR, ILLINOIS PROPERTIES SERIES LLC - 312 Springfield, for and in consideration of One Dollar and other good and valuable consideration, herewith and hereby gives, grants and conveys unto the GRANTEE herein, the CITY OF URBANA, a municipal corporation of the State of Illinois, a perpetual easement, privilege, right, and authority to construct, reconstruct, repair and maintain improvements upon, under and within a part of the real estate described as follows:

Lot Three (3) in Porter Replat in the City of Urbana, as per plat recorded in Plat Book "D" at page 86, in Champaign County, being a part of permanent index number 92-21-17-130-010 and having a common address of 408 West Springfield Avenue.

In consideration of the grant of the easement hereinabove contained and of payment thereof, the GRANTOR and GRANTEE hereby agree as follows:

1. During the performance of any repairs, maintenance, or construction work, the GRANTEE, its contractors, and agents shall have exclusive use of the permanent easement area as is necessary to the orderly and economical performance of such repair, maintenance, or construction work.
2. Any creekway improvements occurring in the easement area shall be constructed, repaired, and maintained in such manner as the GRANTEE may deem suitable.
3. The GRANTEE, or its contractor, shall regrade all ground disturbed by its work, so that the surface of the real estate above described shall be restored to a condition of safety and amenity, and shall remove from the above described real estate all surplus soil and debris resulting from any such work.
4. The GRANTOR shall have all rights, not herein granted, to the ownership, use, and occupation of the above described real estate, except that the GRANTOR shall place no permanent building, structure, or fence within the permanent easement herein granted, in such a manner as to restrict the use thereof or deny the GRANTEE reasonable access thereto for the purpose of the use, repair, replacement, or maintenance thereof. The GRANTOR may construct a parking area upon the above described real estate for use in parking vehicles, bicycles, and placement of refuse containers until such time as the GRANTEE in keeping with the Boneyard Creek Master Plan, as amended, develops a park, pathway, or other amenity and improvement upon the site. Said parking area may be surfaced with permeable pavers and/or other temporary

dust-free surfaces as approved by the GRANTEE'S Zoning Administrator and City Engineer. At such time as any required vehicle or bicycle parking is removed from the parking area, the GRANTEE shall work with the GRANTOR to assist in locating replacement parking within 600 feet of the easement area, including possible lease of off-street parking within GRANTEE-owned lots in this area.

5. The GRANTEE shall indemnify and save harmless the GRANTOR and its assigns from any and every claim, demand, suit, damage, and payment thereof, in respect thereto, or in respect of any of them with reference to injury to persons or damage to property caused by any of the work performed by the GRANTEE under this grant, and shall require its contractors to so indemnify and save harmless the said GRANTOR and its assigns.

6. The GRANTOR shall provide ingress and egress rights to the GRANTEE for public access to the creekway improvements.

7. The grant herein contained shall constitute a covenant which runs with the land and shall be binding upon the assigns of the GRANTOR, and the terms and conditions herein set forth shall be binding upon the GRANTOR and the GRANTEE.

8. The grant herein contained shall take effect twelve months after the GRANTEE provides written notice of intent to develop a park, pathway, or other amenity to the GRANTOR.

The duly authorized representative of the GRANTOR is signing this Permanent Easement on the date stated below.

ILLINOIS PROPERTIES SERIES LLC – 312

By: _____
Peter E. Baksa
Manager of Park Place Financial LLC

STATE OF ILLINOIS)
) ss.
COUNTY OF CHAMPAIGN)

I, the undersigned, a notary public in and for the said County, in the State aforesaid do hereby certify that Peter E. Baksa, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument in his capacity as the duly authorized Manager of Park Place Financial LLC, the said Park Place Financial LLC being the Manager of Illinois Properties Series LLC - 312 Springfield, as his free and voluntary act, and the free and voluntary act of Park Place Financial LLC and Illinois Properties Series LLC - 312 Springfield for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____ 2015.

Notary Public

Accepted by the City of Urbana.

By: _____
William R. Gray
Public Works Director/City Engineer

Date: _____

DRAFT

Return to:
City of Urbana
Public Works Department – Engineering Division
706 S. Glover Ave.
Urbana, IL 61802
(217) 384-2342

DRAFT

Boneyard Creekway Preliminary Conference

CD Conference Room
400 South Vine Street
Urbana, Illinois 61801
September 2, 2015

NOTES

Reviewers Present: Elizabeth Tyler, Urbana Zoning Administrator
Clark Bullard, Boneyard Creek Commissioner
Brad Bennett, Assistant City Engineer

Staff Present: Lorrie Pearson, Planning Manager
Jeff Engstrom, Planner II
Kevin Garcia, Planner II
Teri Andel, Planning Administrative Assistant II
John Schneider, Building Safety Division Manager

Others Present: Scott Dossett
Andrew Fell
Darrel Foste
Dennis Roberts, City Councilmember of Ward 5
Brad Smith
Adrienne Strohm

The preliminary conference began at 3:10 p.m.

CW-2015-04 – 402, 408 and 412 West Springfield Avenue Apartments

PARCEL INDEX # 92-21-17-130-013, 92-21-17-130-010, 92-21-17-130-008

This was a continuation of a preliminary conference held in order to determine whether or not a Creekway Permit should be issued by the Zoning Administrator (in accordance with Article XIII, Section 4 of the Urbana Zoning Ordinance).

Jeff Engstrom, Planner II, presented a summary of the proposed permit application. He talked about parking requirements, zoning of the properties, the floodplain impact on the proposed properties, and the development regulations, which result in the applicant's request for bonus provisions for increased height and reduced side yard setbacks.

Andrew Fell, architect for the proposed development, mentioned that they had the properties engineered and discovered that the floodplain is actually 20 feet north from where it is shown on the Federal Emergency Management Agency (FEMA) map. Mr. Bennett stated that he was not surprised. He suggested that they submit the engineered findings to help reduce the cost of floodplain insurance on the properties. The group discussed how FEMA determines the floodplain and that it was based on the general topography of the area.

Darrel Foste mentioned that he had contacted the owner, Peter Baksa, about a possible trade of properties to allow Mr. Baksa to build a larger development. Ms. Tyler explained that approval

Boneyard Creekway Preliminary Conference

of the proposed permit would not obligate the owner to build as proposed. The owner could come back and request another permit if such a deal happened.

Mr. Engstrom reviewed the procedures for a Boneyard Creek permit, which is required for demolition of existing structures and for development of new structures. He explained that the Zoning Administrator has the authority under Section XIII-4.G.3 of the Urbana Zoning Ordinance to grant the bonus provisions being requested as long as they do not require more than 12 feet of additional building height and encroach less than 30 feet into the required yards.

The group discussed the easement that the owner would be dedicating to the City of Urbana. Mr. Fell pointed out that per the Boneyard Creek Ordinance, Mr. Baksa only had to dedicate an easement of 20% of the lot; however, he is willing to dedicate the entire Lot 3 to the City. Dennis Roberts stated that the City should solidify the easement agreement in writing.

The group talked about the possibility of vacating the alley. Mr. Bennett stated that it would not be possible at this time because people currently use the alley to access parking spaces in the rear of properties fronting on Springfield Avenue.

Mr. Bullard expressed concern about the preservation of the tree on Lot 3 in the space where parking space #4 was indicated on the Site Plan. Ms. Tyler felt it would be best to have the City Arborist look at the tree to see if it is worth preserving. Mr. Bullard suggested moving the location of the dumpsters and bicycle parking from the rear of 408 West Springfield Avenue to Lot 3 north of the alley in order to preserve the tree. Mr. Fell agreed it might be a possibility to do this.

Parking along the Boneyard Creek was discussed. Ms. Tyler explained that parking is allowed in this location. Mr. Engstrom noted that the build line for this segment would be 30 feet wide from the centerline of the creek. Mr. Fell pointed out that the four parking spaces in Lot 3 are well away from the building line.

There was concern about the effects of the height of the proposed buildings on the neighboring lots. Mr. Fell stated that technically each building would be the height of a four-story building; however, each building would only be two-stories. They would have mezzanines.

The owner could by right build a 35 foot structure on each lot. He stated that without having to ask for a variance, they could put a gable roof on top of a 35 foot structure with a 12 and 12 pitch roof that would make the peak 6 feet taller than what they are proposing to build. Mr. Roberts replied that there would not be as much of a shadow line on the neighboring properties.

Ms. Tyler pointed out that there are certain opportunities and benefits that can occur in the Boneyard Creek District. In this case, the opportunity would be for the City of Urbana to get an access easement, and the benefits would be for the developer to get some allowance on the height of the buildings and some allowance on the side-yard setbacks.

Mr. Bullard wondered if any engineering studies had been performed to see what is underground. He expressed concern about the possibility of ground water bubbling up and causing the foundation to crack. Mr. Fell stated that they are in the beginning stages of design, so an engineering study has not been performed yet. They do plan to build as far back as possible from the creek, and they plan to follow the building code.

Boneyard Creekway Preliminary Conference

Mr. Dossett inquired about whether the Boneyard District regulations require modifications to what the minimum loadings are. Mr. Fell replied that would be more of a building code issue than zoning.

They discussed the process and talked about their options. Ms. Tyler stated that she did not feel comfortable denying the permit application without legally solid grounds. She would rather refer the case to the Plan Commission. They also have the option to grant the permit request as being proposed or with conditions. They could continue the preliminary conference if there were any unanswered questions. They could move the demolition permit and continue the construction permit.

Mr. Bullard recommended continuing the preliminary conference so City staff could draft some easement agreement language and have the City Arborist look at the trees on the lots, specifically the tree on Lot 3. He moved that they recommend the Zoning Administrator approve a demolition permit for the existing structures on each lot. Mr. Bennett seconded the motion. A call for vote showed all in favor of the motion.

The decision was made to continue the portion of the case pertaining to the development to a future date.

There was discussion about other options should the owner be able to purchase additional properties and wish to build a larger scaled building. These options include upzoning, Planned Unit Development, using Tax Increment Financing (TIF) funds and asking for a variance to remove the requirement to provide retail space in a building over 6,000 square feet.

The preliminary conference was adjourned at 5:04 p.m.

Prepared By:
Teri Andel
Planning Administrative Assistant II

Boneyard Creekway Preliminary Conference

Executive Conference Room
400 South Vine Street
Urbana, Illinois 61801
September 23, 2015

NOTES

Reviewers Present: Elizabeth Tyler, Urbana Zoning Administrator
Clark Bullard, Boneyard Creek Commissioner
William Gray, Urbana City Engineer

Staff Present: Lorrie Pearson, Planning Manager
Jeff Engstrom, Planner II
Teri Andel, Planning Administrative Assistant I
John Schneider, Building Safety Division Manager
Brad Bennett, Assistant City Engineer

Others Present: Andrew Fell
Adrienne Strohm

The preliminary conference began at 9:00 a.m.

CW-2015-04 – 402, 408 and 412 West Springfield Avenue Apartments

PARCEL INDEX # 92-21-17-130-013, 92-21-17-130-010, 92-21-17-130-008

This is a continuation of a preliminary conference held to determine whether or not a Creekway Permit should be issued by the Zoning Administrator (in accordance with Article XIII, Section 4 of the Urbana Zoning Ordinance).

Enlarged copies of the revised site plan and of the written staff memorandum were made available.

Jeff Engstrom, Planner II, presented an update on the case. He had spoken with Mike Brunk, City Arborist, about the preservation of a tree located in Lot 3. At the time, Mr. Brunk did not feel that the tree itself was worth preserving. Mr. Bullard, later, discussed his concerns with Mr. Brunk about the tree serving as a water quality benefit for the creek, and Mr. Brunk did not object to the preservation of the tree. Mr. Engstrom stated that the relocation of parking space #4 is noted on the revised Site Plan to preserve the tree.

Another change to the Site Plan was the preservation of an open space area for when the City of Urbana eventually makes improvements to the Boneyard Creek. City staff also drafted an easement agreement stating that the applicant agrees to allow the City to develop a park, pathway, or other amenity and to provide public access across Lot 3. Until such time, the applicant can use a portion of Lot 3 as a parking lot and to install a temporary parking surface.

Mr. Fell stated that the owner, Peter Baksa, had no issues with the draft easement agreement and has had his lawyer review it. The question is what type of material to use for the parking surface. Mr. Gray replied that they could use a gravel that is dust free, chip and seal, recycled

Boneyard Creekway Preliminary Conference

asphalt, etc. Chip and seal is a low cost, durable method; however, it might make it difficult to stripe the parking spaces. Mr. Engstrom added that they could use wheel stops to mark the parking spaces.

Ms. Tyler pointed out that the easement agreement mentions helping the owner find replacement parking at such time when the City makes improvements constructing a pathway along the Boneyard Creek. Mr. Fell stated that there were extra parking spaces within 100 feet at the Opera House that could be used for the proposed development. Ms. Tyler also noted that the City may need to offer compensation for the portion of the easement that extends beyond what the Zoning Ordinance requires.

Mr. Engstrom distributed draft language for a potential motion. After discussing the intent of the easement agreement and the timeline of the easement process, changes were made to the draft motion.

Mr. Bullard inquired about the possibility of the two owners of the properties in this area to work together. Mr. Fell replied that Mr. Baksa and Mr. Foste both tried to reach an agreement, but it was unsuccessful. Ms. Tyler commented that the review process, discussions held for the proposed development and the easement that Mr. Baksa is giving to the City, can help to set a positive precedent for future redevelopment in the middle of the block, so the two owners or possible future owners would be aware of the City's concerns.

Ms. Tyler moved to approve the proposed Creekway permit for construction of the three apartment buildings as shown on the attached site plan (submitted on September 18, 2015), subject to the following conditions:

1. The applicant agrees to immediately provide a public access easement extending 25 feet south of the centerline of the creek as shown on the site plan, prior to construction of the proposed apartments.
2. The applicant agrees to enter into negotiations with the City to sell at fair market value (as determined by a certified appraiser) an additional easement for future public use of the remainder of Lot 3 that is not covered by the public access easement required in Item 1, the terms of which are outlined in the attached draft easement, which provides for the installation of a dust-free temporary parking surface on Lot 3.
3. The applicant agrees to immediately preserve the tree located on Lot 3 as shown on the site plan.

Mr. Bullard seconded the motion. The motion was approved by unanimous voice vote. Mr. Engstrom noted that the Zoning Administrator would send out a Notice of Intent to Issue a Permit to the Plan Commission and the City Council.

Mr. Fell had a question about a three-foot wide sidewalk that exists between 402 West Springfield Avenue and the old Opera House. Mr. Gray stated that he would have one of his staff research it to see if there is an easement.

[Note: Following the meeting, a release of mortgage was located indicating that the three-foot strip of land was previously mortgaged with the property at 402-½ West Springfield Avenue, the property immediately to the north of 402 West Springfield Avenue and belonging to Mr. Darrel Foste.]

The preliminary conference was adjourned at 9:50 a.m.

Boneyard Creekway Preliminary Conference

Prepared By:
Teri Andel
Planning Administrative Assistant II