



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

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

**TO:** Urbana Plan Commission

**FROM:** Liila Bagby, Community Development Associate

**DATE:** June 2, 2017

**SUBJECT:** Plan Case 2302-T-17: An amendment to Article XIII of the Urbana Zoning Ordinance to establish the Southeast Urbana Overlay District and special procedures for multiple-family dwellings to promote neighborhood safety and quality of life, Urbana Zoning Administrator, applicant.

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### **Introduction**

In response to property owner and resident concerns over neighborhood safety and quality of life in a portion of Southeast Urbana, the Zoning Administrator proposes an amendment to the Urbana Zoning Ordinance. The proposed amendment would establish the Southeast Urbana Overlay District along with procedures for review of new development within the Overlay District. The proposed procedures would require a Special Use Permit for the construction of a new multiple-family structure or a major addition or major renovation of an existing multiple-family structure within the Overlay District. The Special Use Permit would be evaluated in part on whether the project is able to address the Guidelines for Construction, which are based on Crime Prevention Through Environmental Design (CPTED) principles.

### **Background**

The area referred to as Southeast Urbana or the “Silver/Vawter area” presents unique compatibility issues due to the placement of high density residential uses adjacent to low density residential uses and in close proximity to a commercial area. Over the last ten years the area has seen a reduction in the overall maintenance and condition of the multiple-family properties along with a more transient rental population and increases in crime have become a concern of the residents in the neighborhood. This section will give a summary of a previous study of the area conducted by a University of Illinois Student/city intern, an overview of Crime Prevention Through Environmental Design principles and how it is used, as well as the public input that has been conducted thus far.

### **Silver/Vawter Area Safety: Planning Solutions**

The [Silver/Vawter Area Safety: Planning Solutions](#) is a study completed in 2015 by a former University of Illinois student and City of Urbana intern Maximillian Mahalek. The project studied a portion of Southeast Urbana and identified planning solutions to specific issues. Mahalek conducted an in-depth stakeholder survey, interviews and worked with SUNA representatives in order to gather information on planning related solutions for the community. The project identified that:

- Maintenance issues can lead to additional nuisances and portrays a lack of pride in the area;
- Problematic site designs create physical opportunities for crime to occur; and
- A majority of crime took place in or around the multiple-family residential area.

Among its recommendations, the study recommended the incorporation of Crime Prevention Through Environmental Design principles as part of zoning regulations to promote neighborhood safety.

### **Crime Prevention Through Environmental Design**

Crime Prevention Through Environmental Design (CPTED) are principles that focus on passive strategies incorporated into the built environment, and are intended to deter crime.<sup>1</sup> Crime Prevention Through Environmental Design principles have evolved over time and many variations exist. Mahalek's Planning Solutions study focuses on four key areas: Natural Surveillance, Territoriality, Accessibility, and Maintenance. A brief description of each principal is as follows:

*Natural Surveillance*- The placement of buildings, lighting, landscaping, and other features, to ensure lines of sight are not blocked and to eliminate potential hiding places. By increasing the perception of supervision, a person may be less likely to commit a crime as they will think they could be observed.

*Maintenance*- Maintain a clean and orderly environment to communicate that an area is cared for and to reduce the opportunity for inappropriate behavior.

*Territoriality*- Clearly identify private and public property to remove ambiguity and create a sense of clarity for what is appropriate behavior within each area. This can help to instill a sense of positive ownership.

*Accessibility*- In a manner that preserves transparency, limit access to private property and provide a pedestrian friendly environment to guide people to proper entrances and discourage offenders.

### **Other Cities**

Many examples of how CPTED principles are used across the country exist. Three examples are listed below:

- Riverside, CA- Uses the Crime Free Multi-Housing Program. A three phase approach offered by the Police Department that includes education and certification based on CPTED principles. This program is similar to a Wichita Falls, TX program which saw a drop in calls for service to apartment complexes, as much as 85%.<sup>2</sup>
- Providence, RI- One Neighborhood Builders, a nonprofit agency, worked to revitalize the Olneyville neighborhood using CPTED principles. Before the intervention the

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<sup>1</sup> Carter, Sherry; Zelinka, Al. "Community CPTED" *PAS QuickNotes*, Feb. 2013.

<https://www.planning.org/pas/quicknotes/previous.htm>

<sup>2</sup> Riverside Police Department. *Crime Free Multi-Housing*. <https://www.riversideca.gov/rpd/CFMH/default.asp>

neighborhood saw a disproportionately high number of calls for service to the area. After the intervention the calls for service was proportionate to the rest of the city.<sup>3</sup>

- Sarasota, FL- Created a new zoning district and used CPTED principles to guide development in the “North Trail” area, an area that struggled with crime and poor property maintenance. The result was a statistically significant decrease in calls for service.<sup>4</sup>

### **Public Input**

Resident concerns documented during the Mahalek study initiated the creation of the proposed regulations demonstrating that public input has been a component throughout the process. Since the input received as part of that earlier study, the following additional outreach has been conducted:

October 11, 2016, City staff held an initial meeting with South Urbana Neighborhood Association (SUNA) representatives during which questions regarding the zoning, setbacks, open space, and allowed uses were discussed. This discussion spurred research into Floor Area Ratios (FAR) and existing regulations of the area.

January 12, 2017, a meeting with property managers, Community Development staff, and police representatives took place to discuss concerns of the Southeast Urbana area.

March 8 & 21, 2017, City staff met with SUNA representatives to present research and help draft proposed language for the guidelines for construction.

May 16, 2017, a follow-up meeting with property managers to discuss possible solutions to the area’s challenges and threats took place. Topics of discussion included a presentation of crime statistics by Lt. Sanders, a presentation of CPTED principles, presentation of draft language for guidelines for construction, and updates from property managers.

May 24, 2017, City staff provided a handout summarizing the proposed Southeast Urbana Overlay district at the SUNA annual meeting.

May 26, 2017, City Staff followed up with property owners within the proposed Overlay District to answer any questions on the district or proposed guidelines.

These efforts have been in addition to the usual requirements of legal publication in the newspaper, notification letters to residents within and in the immediate area of the proposed overlay district, and the posting of signs notifying residents of the upcoming Plan Commission public hearing.

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<sup>3</sup> Choice Neighborhoods Conference. (2016). *CPTED: It’s more than just Lighting* [PowerPoint slides]. Retrieved from <https://portal.hud.gov/hudportal/documents/huddoc?id=CrimePreventEnvironDesign.pdf>

<sup>4</sup> Carter et al. “Zoning out Crime and Improving Community Health in Sarasota, Florida: Crime Prevention Through Environmental Design.” *American Journal of Public Health*, Sept. 2003, pp. 1442-1445.

## Discussion

### Proposed Regulations

The proposed regulations are designed to help promote neighborhood safety and quality of life in the Silver/Vawter area. In addition, the intent is to preserve and enhance the overall condition of the neighborhood to protect property owners' investments. Following is a summary of the proposed additions to Article XIII of the Urbana Zoning Ordinance. The full proposed text is attached.

### Location

The location of the proposed Southeast Urbana Overlay district, a subset of Mahalek's study, is generally bounded by Colorado Avenue to the north; Philo Road to the East; East Harding Drive and East Mumford Drive to the South; and Fletcher Street, Bruce Drive and Anderson Street to the west (see map below). The underlying zoning of the proposed district is primarily R-4, Medium Density Multiple-Family Residential, with several parcels zoned B-3, General Business, and one parcel with R-6, High Density Multiple-Family Residential zoning (see the attached zoning map).

### Proposed Figure XIII-1: Southeast Urbana Overlay District



### Procedures

The proposed regulations indicate that if a property is located within the Overlay District, a Special Use Permit would be required in some instances. The procedures would only apply to multiple-family buildings as the Mahalek study identified that much of the crime that occurred took place in or near these buildings. Additional regulations for multiple-family buildings are appropriate to address the crime and safety issues observed in the area. Specifically, a Special Use Permit would be required for development which involves:

- Construction of a new principal use multiple-family residential structure; or
- Increasing the building footprint or the floor area ratio of an existing multiple-family residential structure by more than 15%; or
- Renovations of a multiple-family residential structure that would result in an estimated construction cost of more than 50% of the current estimated market value of the improvements on the property, as calculated by the Champaign County Assessor

A Special Use Permit will **not** be required for:

- Commercial buildings
- Duplexes
- Single family homes
- Minor changes to multiple-family residential buildings

The Staff, Plan Commission, and City Council would review and administer the district through the Special Use Permit process. The procedures for a Special Use Permit would be the same as those currently required for other Special Use Permits, but additional criteria beyond the standard Special Use Permit criteria would be also considered. Those additional criteria are:

1. That the proposed use is consistent with the 2005 Comprehensive Plan, as amended, as it pertains to the protection and preservation of Urbana’s Neighborhoods.
2. That the location, size, and type of proposed development are appropriate to and compatible with the area in which it is to be located.
3. That the proposed use is designed and located so that it is in conformance with the intent of the guidelines for construction.
4. That the proposed development meets the standards contained herein without creating an unreasonable burden on the property owners.

As the proposed Southeast Urbana Overlay District would be an overlay review district, it would not affect the underlying zoning designations. All of the other regulations associated with the underlying zoning designations would remain in place.

### **Guidelines for Construction**

As one of the Southeast Urbana Overlay District approval criteria for a Special Use Permit, the proposed guidelines will help architects and site designers design buildings and sites that provide Natural Surveillance, Maintenance, Territoriality, and Accessibility. Each application would be reviewed to ensure that it is in conformance with the intent of the following guidelines:

1. *Pedestrian Access Networks and Points.* Development patterns that are appropriate and of human scale for pedestrians shall be promoted. Access provisions that are connected and continuous without the need to cross barriers to and from sidewalks, carports, parking lots, bus stops, entrances and exits of buildings shall be ensured.
2. *Landscaping and Screening.* Each Special Use Permit application shall include a landscape plan indicating the type, number, size and location of trees, shrubs and any other landscaping features to be retained or provided. The use of low maintenance landscaping is encouraged. Placement of landscape materials should be such that it does not interfere with sight lines.

For example, shrubs should be no higher than three (3) feet tall and tree canopies shall be no lower than eight (8) feet, especially around entryways and windows.

3. *Facades.* Blank facades should be avoided in order to encourage natural surveillance of the area. As a general guideline, no more than one third of a façade should be blank. In addition, windows that look out on streets and alleys should not be blocked by landscaping.
4. *Lighting.* Lighting shall be appropriately placed and oriented and should not result in excessive shadow or glare. For example, pedestrian access networks should not have unnecessarily tall, upwards-facing lighting. Lighting fixtures should be well spaced and kept in good working order. Alleys, walkways, and parking lots should be well lit. Lighting should be placed in outdoor common spaces and apartment lobbies and should reflect the intended hours of operation. Motion sensing lights are optimal for these common areas (refer to Section VI-8 Outdoor Lighting Requirements for more detailed lighting standards).
5. *Entrances/ Exits.* Entrances and exits should be clearly visible and well-lit both internally and externally, without excessive shadow or glare. Entrances and exits should be located such that they can be clearly legible from the street. Signage should be clearly legible from the street, with lobbies that are visible from the outside. Recessed doorways should be avoided.
6. *Public versus Private Spaces.* A thoughtful separation between public and private property should be created, taking into consideration fencing, landscaping, screening and sight lines. These distinctions may be made using features such as low walls, fencing, seating, landscape features, and changes of material and texture. Unnecessarily high fences and “keep out” signs should be avoided.
7. *Materials.* The use of context appropriate, durable and low-maintenance building materials are encouraged. Materials should also be graffiti and vandalism-resistant.
8. *Natural Imperatives.* Additional items not listed herein should be considered to promote healthy behaviors and reduce mental fatigue. These can include such measures as providing adequate natural lighting, ventilation for fresh air, additional, landscaping, and access to water features. In addition, proximity to bus stop locations, provision of tenant amenities, and access to exercise equipment can improve health outcomes.
9. *Security.* The installation of appropriately placed security cameras is encouraged, such as in stairwells and elevators and other locations where sight lines may be blocked or which may feel isolated. Elements should be employed which help to clearly define private property from the public domain. When considering fencing, medium to low heights and use of transparent durable materials should be considered.

## **2005 Comprehensive Plan**

The following goals and objectives of the 2005 Urbana Comprehensive Plan are supported by the intent of the Southeast Urbana Overlay District:

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

*Objectives*

2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.

2.2 Encourage the use of landscape materials and ornamentation to improve the appearance and functionality of new developments

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

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

*Objectives*

3.1 Encourage an urban design for new development that will complement and enhance its surroundings.

3.2 Promote new developments that are unique and capture a “sense of place.”

**Summary of Staff Findings**

1. The creation of the Southeast Urbana Overlay District is an extension of the Silver/Vawter Area Safety: Planning Solutions research and incorporates the study’s recommendations.
2. Increase in crime rates, reduction in overall maintenance and condition of multiple-family properties, as well as proximity of high density residential to low density residential has created concerns and challenges in the neighborhood.
3. The Zoning Administrator proposes the establishment of the Southeast Urbana Overlay District and special procedures that apply within the Overlay District.
4. The overlay district will require a Special Use Permit for construction of a new multiple-family structure, or a major addition or renovation to an existing multiple-family structure.
5. The proposed district will encourage developers to incorporated CPTED principles into new or renovated developments to protect the health, life, safety, and welfare of the residents living within and near the District. It will protect the property owners’ investments by preserving and enhancing the overall condition of the neighborhood.
6. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan, particularly as it relates to Urbana’s Neighborhoods.

**Options**

The Plan Commission has the following options for recommendation to the Urbana City Council regarding Plan Case 2302-T-17

- a. forward this case to City Council with a recommendation for approval as presented;
- b. forward this case to City Council with a recommendation for approval as modified by specific suggested changes; or
- c. forward this case to City Council with a recommendation 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 that the Plan Commission recommend **APPROVAL** of the proposed text amendment to the Zoning Ordinance as presented herein.

### Attachments

1. Proposed Zoning Ordinance Text to Establish the Southeast Urbana Overlay District
2. Excerpt of Proposed Zoning Map



## **Attachment 1: Proposed Zoning Ordinance Text to Establish the Southeast Urbana Overlay District**

*Note: While all of the following text would be a new section in the Zoning Ordinance, underlining was omitted for ease of reading.*

### Section XIII-8. Southeast Urbana Overlay District

#### A. Background and Intent

1. *Location.* Generally bounded by Colorado Avenue to the north; Philo Road to the east; East Harding Drive and East Mumford Drive to the south; and Fletcher Street, Bruce Drive, and Anderson Street to the west. The exact boundaries of the Southeast Urbana Overlay District are shown in Figure XIII-1.
2. *Land use.* This area is primarily comprised of medium-to-high density residential and commercial land uses and is located adjacent to low density residential. The area is nearby and to the west of the Philo Road Commercial Area.
3. *Intent.* To improve the quality of life within the District and in the surrounding neighborhood, specific environmental design standards are established and which apply to certain properties in the District. These standards are referred to herein as the Guidelines for Construction, and are set forth in Section XIII-8.E below. The guidelines for construction focus on four key areas: Natural Surveillance, Maintenance, Territoriality, and Accessibility.
4. *Exemptions.* The provisions listed within this section only apply to multiple-family residential principal use structures within the District; Lower density residential and commercial principal use structures are exempt.

#### B. The Purposes of the Southeast Urbana Overlay District are as follows:

1. To ensure that planning and development are consistent with the goals and objectives of the Urbana Comprehensive Plan, particularly as this plan relates to the protection of neighborhoods.
2. To protect the health, life, safety and welfare of the residents residing within and nearby the District.
3. To ensure that any new development or substantive redevelopment is constructed so as to be compatible with the fabric and character of the surrounding neighborhood.
4. To build residential pride through the promotion of development and redevelopment that residents and visitors recognize as being of a high quality.
5. To encourage the incorporation of design elements in new developments and redevelopments that contributes to and improves the functionality and appearance of the area.
6. To protect property owners' investments in the area by encouraging the timely and appropriate maintenance of property within the District.
7. To preserve and enhance the overall quality and condition of the neighborhood.
8. To prevent and ameliorate any evidence of blight within the area.

C. Applicability to Urbana Zoning Ordinance and Zoning Map

1. Definitions and requirements of the Urbana Zoning Ordinance are applicable within the District unless specifically modified pursuant to this section; however, no lawful existing use or building shall be made nonconforming by virtue by the provisions of this section so long as the existing use or building is not modified and remains in compliance with Article X. Nonconformities in Zoning Ordinance.
2. The provisions of this section are applicable to all properties within the Southeast Urbana Overlay District, the boundaries of which are shown in Figure XIII-1 and which shall be shown as an overlay district on the Official Zoning Map of the City.
3. This section establishes new standards for the development of property within the District and may require the obtainment of a Special Use Permit for such development as identified in Section XIII-8.D.

D. Special Use Permits Required

1. No building permits within the Southeast Urbana District shall be granted except in compliance with the provisions of this section.
2. A special use permit shall be required for any development which involves:
  - a. Construction of a new principal use multiple-family residential structure; or
  - b. Increasing the building footprint or the floor area ratio of an existing multiple-family residential structure by more than 15%; or
  - c. Renovations of a multiple-family residential structure that would result in an estimated construction cost of more than 50% of the current estimated market value of the improvements on the property, as calculated by the Champaign County Assessor.
3. Construction of single family homes, duplexes, and structures used solely for commercial purposes shall be exempt from the provisions in this section.

E. Guidelines for Construction

1. *Generally.* The provisions of the City of Urbana Zoning Ordinance, as amended, apply to all new construction, major additions, and major renovations of multiple-family residential structures in the Southeast Urbana District, except as otherwise stated or modified in this section. The following are Guidelines for Construction:
  - a. *Pedestrian Access Networks and Points.* Development patterns that are appropriate and of human scale for pedestrians shall be promoted. Access provisions that are connected and continuous without the need to cross barriers to and from sidewalks, carports, parking lots, bus stops, entrances and exits of buildings shall be ensured.
  - b. *Landscaping and Screening.* Each Special Use Permit application shall include a landscape plan indicating the type, number, size and location of trees, shrubs and any other landscaping features to be retained or provided. The use of low maintenance landscaping is encouraged. Placement of landscape materials should be such that it does not interfere with sight lines. For example, shrubs should be no higher than three (3) feet tall and tree canopies shall be no lower than eight (8) feet, especially around entryways and windows.

- c. *Facades.* Blank facades should be avoided in order to encourage natural surveillance of the area. As a general guideline, no more than one third of a façade should be blank. In addition, windows that look out on streets and alleys should not be blocked by landscaping.
- d. *Lighting.* Lighting shall be appropriately placed and oriented and should not result in excessive shadow or glare. For example, pedestrian access networks should not have unnecessarily tall, upwards-facing lighting. Lighting fixtures should be well spaced and kept in good working order. Alleys, walkways, and parking lots should be well lit. Lighting should be placed in outdoor common spaces and apartment lobbies and should reflect the intended hours of operation. Motion sensing lights are optimal for these common areas. (Refer to Section VI-8 Outdoor Lighting Requirements for more detailed lighting standards.)
- e. *Entrances/ Exits.* Entrances and exits should be clearly visible and well-lit both internally and externally, without excessive shadow or glare. Entrances and exits should be located such that they can be clearly legible from the street. Signage should be clearly legible from the street, with lobbies that are visible from the outside. Recessed doorways should be avoided.
- f. *Public versus Private Spaces.* A thoughtful separation between public and private property should be created, taking into consideration fencing, landscaping, screening and sight lines. These distinctions may be made using features such as low walls, fencing, seating, landscape features, and changes of material and texture. Unnecessarily high fences and “keep out” signs should be avoided.
- g. *Materials.* The use of context appropriate, durable and low-maintenance building materials are encouraged. Materials should also be graffiti and vandalism-resistant.
- h. *Natural Imperatives.* Additional items not listed herein should be considered to promote healthy behaviors and reduce mental fatigue. These can include such measures as providing adequate natural lighting, ventilation for fresh air, additional landscaping, and access to water features. In addition, proximity to bus stop locations, provision of tenant amenities, and access to exercise equipment can improve health outcomes.
- i. *Security.* The installation of appropriately placed security cameras is encouraged, such as in stairwells and elevators and other locations where sight lines may be blocked or which may feel isolated. Elements should be employed which help to clearly define private property from the public domain. When considering fencing, medium to low heights and use of transparent durable materials should be considered.

#### F. Approval Criteria

In addition to the criteria of approval for Special Use Permits set forth in Section VII-4. A, the Plan Commission shall also find that the following criteria are met:

1. That the proposed use is consistent with the 2005 Comprehensive Plan, as amended, as it pertains to the protection and preservation of Urbana’s Neighborhoods.

2. That the location, size, and type of proposed development is appropriate to and compatible with the area in which it is to be located.
3. That the proposed use is designed and located so that it is in conformance with the intent of the guidelines for construction as contained herein.
4. That the proposed development meets the standards contained herein without creating an unreasonable burden on the property owners.

G. Application Procedures

The procedures for a special use permit within the Southeast Urbana Overlay District shall be the same as those required in Section VII-4, except as modified herein.

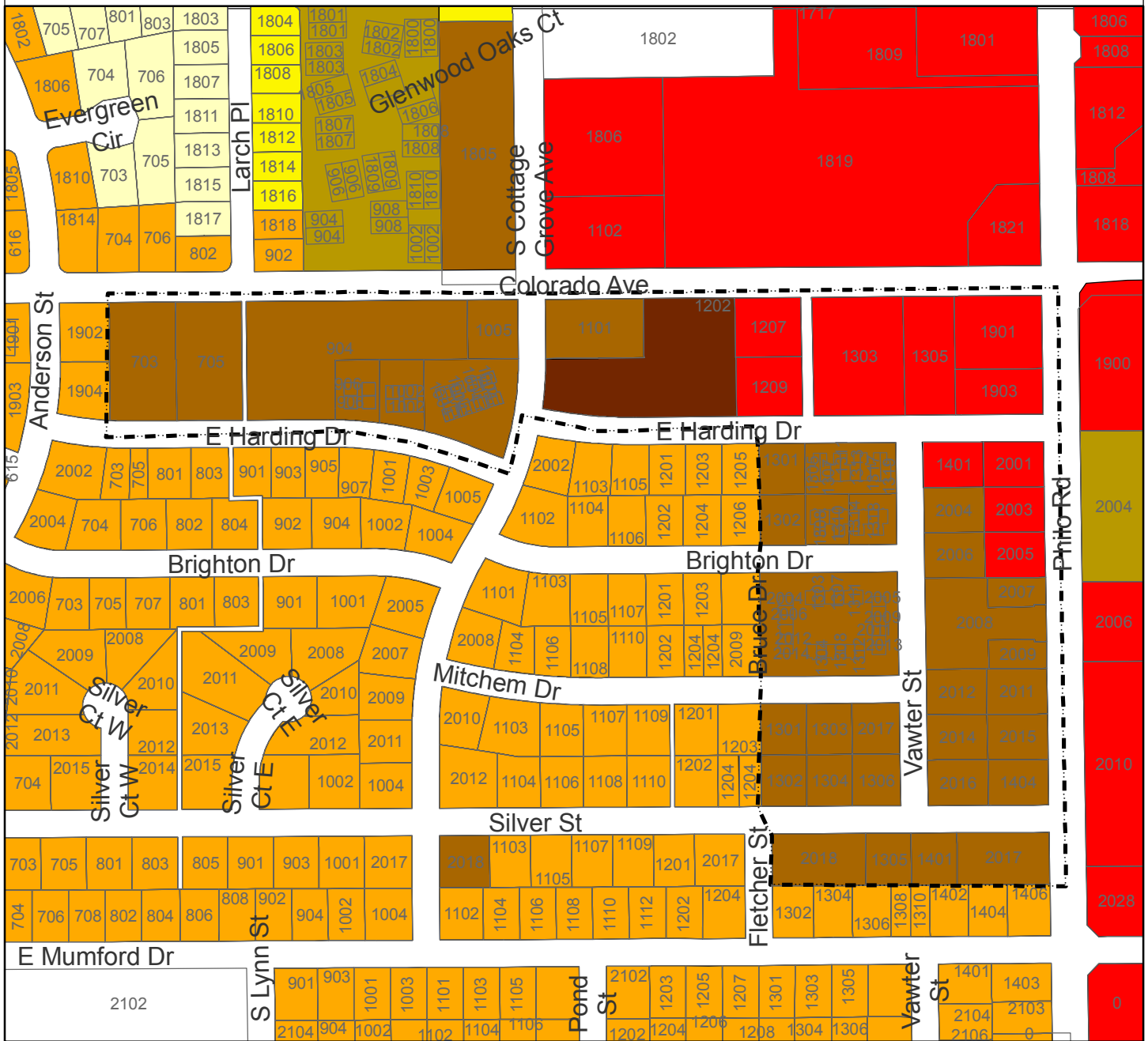
H. Submittal Requirements

In addition to the submittal requirements listed in Section VII-4, the Special Use Permit application for this District shall also demonstrate conformance with the approval criteria contained herein.









Figure XIII-1 Southeast Urbana Overlay District

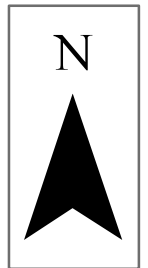


# Attachment 2: Excerpt of Proposed Zoning Map



## Zoning Legend

-  Proposed Southeast Urbana Overlay District
-  B3 - General Business
-  R1 - Single-Family Residential
-  R2 - Single-Family Residential
-  R3 - Single and Two-Family Residential
-  R4 - Medium Density Multiple-Family Residential
-  R5 - Medium High Density Multiple-Family Residential
-  R6 - High Density Multiple-Family Residential



0 250 500 Feet

Created by LCB on 6/1/17