

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 24, 2008

TIME: 7:30 P.M.

PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Jane Burris, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward, Don White

MEMBERS EXCUSED: Tyler Fitch, Bernadine Stake

STAFF PRESENT: Robert Myers, Planning Manager; Teri Andel, Planning Secretary

OTHERS PRESENT: Chris Dillion, Darlene Doloynes-Ferris

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

The meeting was called to order at 7:30 p.m., the roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Grosser moved to approve the minutes from the March 20, 2008 meeting as presented. Mr. Ward seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2065-SU-08: A request by Vermilion Development Corporation for a Special Use Permit to construct an accessory parking lot at 908 West Clark Street in the B-3U, General Business – University Zoning District.

Robert Myers, Planning Manager, presented this case to the Urbana Plan Commission. He began with a brief introduction and background of the proposed site and of the purpose for the proposed Special Use Permit. He referred to Exhibit E, which is the site plan. The site plan shows the distance between the main property at 901 West University Avenue and 908 West Clark Street, where the petitioner is asking for a Special Use Permit to allow an accessory parking lot with 26 parking spaces. He mentioned the setback variances requested by the petitioner and approved by the Zoning Board of Appeals along University and Lincoln Avenues. He described the proposed site at 908 West Clark Street and the surrounding properties noting their zoning and current land uses.

He pointed out that since accessory parking has to be within 600 feet of the main development, then it doesn't make sense for this accessory parking to be located north or east as people would have to cross University or Lincoln Avenues to get to the building. Realistically, this parking would have to be located at the southwest quadrant of University and Lincoln Avenues. In drawing a 600-foot arc southwest of 901 West University Avenue, this accessory parking lot only has a few places where it could be located because it would be cost prohibitive to purchase an apartment building or business only to tear it down for surface parking. 908 West Clark Street is, therefore, one of the few locations where this accessory parking lot could be located.

Mr. Myers reviewed the requirements for a Special Use Permit according to Section VII-4 of the Urbana Zoning Ordinance and the additional requirements for accessory parking lot Special Use Permits. He read the options of the Plan Commission and presented staff's recommendation, which was as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommended that the Plan Commission recommend approval of the proposed Special Use Permit in Plan Case NO. 2065-SU-08 to the City Council, with the following conditions:

- 1. The parking lot shall be constructed in general conformance to the site plan layout submitted as part of the application and labeled as Exhibit E in the written staff report.*
- 2. A landscape buffer shall be provided along the east and west property line to screen the proposed parking from adjacent properties. The landscape buffer shall be reviewed and approved by the Zoning Administrator and the City Arborist.*

3. *The Special Use Permit shall expire if the subject property is not transferred to the petitioner or the proposed development at 901 West University Avenue is not constructed.*
4. *The parking lot shall only serve as accessory parking for the development at 901 West University Avenue.*

Ms. Upah-Bant asked the square footage of the retail/office building and how many parking spaces would be required. Mr. Myers answered that the building will be three-stories, and the City estimates that 135 parking spaces would be required based on square footages and proposed uses. The petitioner plans to provide some of the required parking on the property to the south of the development, 26 parking spaces at 908 West Clark Street, and the remaining off-site parking spaces will be provided at a parking lot owned by the University of Illinois. He said that the University of Illinois is going to be one of the building's users so they will have some control about where their own employees can park.

Ms. Upah-Bant stated that parking is at a premium in this part of campus. She wondered if the petitioner would be renting parking spaces to other people not affiliated with the use of the building. Mr. Myers said no.

With no further questions to the City staff by the Plan Commission, Chair Pollock opened the hearing up to take public comment.

Chris Dillion, Vermilion Development Corporation, LLC, stated that it is important to look at this in context. The building will primarily be an office building – Class A office on par with what you might find at the Research Park – but should also have some retail and/or restaurant space. The 135 required parking spaces is not a definitive number because they do not know exactly how much retail or restaurant there will be in the building.

They are also looking at the development as being an institutional presence on this corner. It is really meant to be a gateway to the campus and to the community. The University of Illinois is going to use office space in the building for their Continuing Education Department. The other office tenant will be Carle Development Foundation which is the foundation arm of the hospital. Carle is also considering taking additional space as well.

There will be some level of retail or restaurant on the first floor. Their best estimates are around 3,000 square feet. This is really what drives the number of required parking spaces to where they are currently projecting 135 spaces.

Mr. Dillion pointed out that there will be 49 parking spaces provided on-site at the two properties located at 902 and 904 West Clark Street. They are also utilizing 60 spaces with the University of Illinois that will be specifically designated for their employees. The proposed accessory lot will be used primarily as an employee lot associated with the Carle employees and any additional employees that the University may have or that the retail uses may have. These parking spaces will essentially be used during the daytime. This is why they do not feel it would be necessary to light the parking lot at night. The spaces will be available by permit to employees at the future development.

Mr. Hopkins asked if the University of Illinois is leasing the property to the petitioner. Mr. Dillion responded that Vermilion is purchasing the land from the University of Illinois Foundation. From his understanding, the University purchased the land about ten years ago to avoid McDonalds purchasing the corner and turning it into a fast food restaurant. This corner, even back then, was seen as a very prominent corner in the community. The University made a promise to the City of Urbana to return the corner back to the private sector in the future. He said that the University of Illinois will be leasing approximately 16,000 square feet in the future developed building.

Mr. Hopkins wondered what the nature of the lease is to the University of Illinois for the 16,000 square feet. What is the time span? Mr. Dillion explained that the time frame on the lease, due to state statutes, is only for two consecutive five year lease terms with two five year options for extension after the initial ten years. The parking agreement with the University of Illinois has almost the same time frame. It actually has a 25 year time frame associated with it. So, if the University was to remove their office from the building, then there is still an agreement in place to provide parking for whatever future use may come in.

Mr. Grosser questioned if the petitioner would want the required amount of parking space. Mr. Dillion explained that they are going to have a hard time marketing the retail space in the proposed building. He pointed out that the future building was envisioned as a mixed use building by both the University and the City. So, Vermilion Development would like to fulfill this. It is important to the character of University Avenue.

Mr. Grosser presumed that they have taken into account that many of their customers would be within walking distance of the future development and would not be driving vehicles. Mr. Dillion said yes. He stated that his background is in retail, and from his experience, ten per thousand restaurant parking spaces may be the minimum requirement, but some of the uses they are considering typically require more parking than this. So, if they show that their building can be easily reached by walking and biking, then they are creating an argument that they have enough parking to meet the needs of their tenants.

Chair Pollock wondered about the nature of the parking lot to the south of the future development. Will this parking area be dedicated to the office tenants? Mr. Dillion explained that the parking will be dedicated to the building itself. They are envisioning that the employees will park either in the University parking spaces or in the proposed accessory parking lot.

Chair Pollock asked how many of the parking spaces would be available on any of the lots for retail use. Mr. Dillion replied that about 30 parking spaces on the south lot would be available for the retail use.

Chair Pollock wanted to know if the retail does not work out, is there an option to have more office space on the first floor. Mr. Dillion said yes. This is one of the attractive features of building a mixed-use building of this nature.

Mr. Hopkins commented that the site plan made it a little hard to understand sidewalk widths. From what he can tell, the sidewalk around the front of the building maintains the current configuration but widens the sidewalk. Mr. Dillion explained that the existing sidewalk is

outside of the property lines in the right-of-way. Essentially the building will be set back from where the sidewalk currently exists. They anticipate that in the process of constructing the building they will be replacing the existing sidewalk with a new sidewalk. The width of the sidewalk will be subject to City code.

With no further comment or input, Chair Pollock closed the public input portion of the meeting and opened it up for Plan Commission discussion and motions.

Mr. Grosser moved that the Plan Commission forward Plan Case No. 2065-SU-08 to the City Council with a recommendation for approval along with conditions 1 through 4 as recommended by City staff in the written staff report. Mr. White seconded the motion.

Mr. Hopkins stated that although he will vote in favor of the proposed Special Use Permit request, he feels that there is an aspect of the parking which should be noted in the record. He understood that the University of Illinois is moving their employees from the Century 21 Tower to this location. They are expecting to use 60 parking spaces for those employees, but not add 60 parking spaces generally to the University of Illinois' parking inventory or particularly to this area. In this sense, the future building will not be providing the addition of the code required number of new parking spaces. You think of parking spaces as a multiplier of building square feet. So, if a building of a given size is constructed, then you add the multiplier number of parking spaces. In this case, we are not doing that. We are accounting for the rights of people using this building to have parking. He is okay with this, but he wants them to be up front about what they are doing. He believes it may amount to a variance on the City's parking requirement.

Chair Pollock commented that this is a tricky formula. There is no addition to the general area parking inventory up to the number that would be needed in order to meet the code, but because the University of Illinois is shifting certain other spaces in this area to use for this building doesn't necessarily mean that it is a violation of the requirements that this developer has to provide for. Mr. Hopkins responded by saying that he did not feel that it causes a problem. He just wants to make clear that this is what he feels is happening. Mr. Pollock stated that it is clear that the University is going to dedicate part of their parking inventory to this building in this area. They are shifting people around, but in doing so it does not mean that the development is not adhering to requirements of the City's code.

Mr. Ward felt that there was a missing piece of information that they do not have that would answer this question. If the University has just enough parking spaces to meet minimal requirements, then Mr. Hopkins is right. However, if the University has created excess capacity of parking and is simply using part of that excess to meet this then it is different. So, he did not feel that they could arrive at a hard and fast conclusion about whether technically this amounts to a variance because they do not know if an excess capacity of University parking now exists. Mr. Hopkins responded that this is simply the reason why he wants it in the record.

Mr. Grosser felt it is an interesting point. From his understanding, the University is not required to provide parking for most of the buildings that they construct. For example, the University was not required to provide any parking spaces for the Beckman Institute. Yet they did build a humongous parking garage across the street of which he presumes that some of the spaces they

are providing for the Vermilion development are coming from. A floor of the parking garage appears to be empty.

Mr. Myers pointed out that the University appears to have excess parking nearby at 901 West University Avenue. There's a large University surface parking lot less than two blocks to the west, which appears to be half full. Then, across Goodwin Avenue, there is a University parking garage which appears to have many excess spaces.

With no further debate or discussion, Chair Pollock called for roll call on the motion. It was as follows:

Ms. Burris	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ward	-	Yes
Mr. White	-	Yes			

The motion was passed by unanimous vote.

Mr. Myers pointed out that this case would go before the City Council on May 5th.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers, Planning Manager, reported on the following topics:

- ◆ Urbana Bicycle Master Plan was approved by the Urbana City Council.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Robert Myers, AICP
Secretary, Urbana Plan Commission