



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Lisa Karcher, Planner II

DATE: April 18, 2008

SUBJECT: 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 W. Clark Street in the B-3U, General Business – University Zoning District.

Introduction

Vermilion Development Corporation, contract purchaser for the subject property, requests a special use permit to allow for the establishment of an off-site accessory parking lot located at 908 W. Clark Street. The proposed parking lot is to serve a three-story, mixed-use retail/office building that is proposed at the southwest corner of University and Lincoln Avenues. The proposed parking lot site is zoned B-3U, General Business-University and is occupied by a single-family residence. The property is adjacent to commercial uses to the north and apartment buildings to the east, west and south.

Section VIII-4.L of the Urbana Zoning Ordinance allows for accessory off-street parking to be located in a separate zoning lot within 600 feet of the principal use. If the parking is located within 600 feet of property zoned R-1, R-2 or R-3, a Special Use Permit is required. The site is approximately 320 feet from property zoned R-2 located on the east side of Lincoln Avenue and north of W. Main Street.

It is the Plan Commissions' responsibility to make a recommendation to City Council for or against a request for a Special Use Permit. Pursuant to Section VII-4, the Plan Commission may also recommend such additional conditions as are deemed appropriate or necessary for the public health, safety and welfare, and to carry out the purpose of the Zoning Ordinance.

Background

In March of this year the petitioner proposed a three-story, mixed-use retail/office building to be located on property at the southwest corner of University and Lincoln Avenues. The site to be developed for this building consists of three parcels known as 901 W. University Avenue, 902 W. Clark Street and 904 W. Clark Street, herein referred to as 901 W. University Avenue. The property is currently owned by the University of Illinois Foundation. In 2001, the University and the City of Urbana entered into an Agreement Concerning the Vacation of Certain Rights-of-Way, adopting ordinance No. 2001-08-083, in which the parties agreed to work jointly to market the subject property for private development. The intent of the agreement was to create a significant architectural presence at the location to serve as an improvement to the

University Avenue corridor’s urban character and to create a development that generates tax revenues for the City of Urbana.

The petitioner secured two major variances to allow for the development of 901 W. University Avenue due to constraints with the site. The variances, which were approved by City Council on March 24, 2008 by Ordinance Nos. 2008-03-019 and 2008-03-020, allow for front yard setbacks along both University and Lincoln Avenues ranging from zero to ten feet and to allow parking to encroach greater than ten feet into the front yard setback along Lincoln Avenue. A site plan of the proposed development and its relationship to the proposed off-site accessory parking lot can be found in Exhibit E.

Providing for as much on-site parking as possible is a priority for 901 W. University in order to successfully lease its retail and office space. There are approximately 49 parking spaces provided on-site. The developer is proposing to provide the remaining required parking for the development through agreements with the University of Illinois and Carle Foundation. In addition, the petitioner has determined that additional parking in closer proximity to the site to provide for employee and overflow parking is needed for the project at 901 W. University Avenue to be viable. The petitioner is under contract to purchase the property at 908 W. Clark Street with the intent to develop the lot for off-site parking.

Description of the Site

The subject property is located on the north side of Clark Street and approximately 66 feet east of Gregory Street. The property is commonly known as 908 W. Clark Street. A single-family home and garage currently occupy the property. According to the site plan submitted by the petitioner, the lot measures approximately 66 feet by 132 feet, or 8,712 square feet in area.

Adjacent Land Uses and Zoning Designations

The area to the north of the subject property is commercial in nature and is zoned B-3, General Business. Businesses such as the Dairy Queen, Taco Bell and Niro’s Gyros are located north of the site. The area to the east, west and south is zoned B-3U, General Business – University. The area consists of apartment buildings and associated parking lots.

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

Location	Zoning	Existing Land Use	Comprehensive Plan Future Land Use
Site	B-3U, General Business-University	Single-Family Residence	Campus Mixed-Use
North	B-3, General Business	Dairy Queen	Campus Mixed-Use
South	B-3U, General Business-University	Apartment Buildings	Campus Mixed-Use
East	B-3U, General Business-University	Apartment Building	Campus Mixed-Use
West	B-3U, General Business-University	Apartment Building	Campus Mixed-Use

Comprehensive Plan

The 2005 City of Urbana Comprehensive Plan designates the future land use for the subject property and surrounding property as “Campus Mixed-Use”. The plan defines Campus Mixed-Use as:

“The Campus Mixed-Use classification is intended for limited areas that are close to campus. These areas promote urban-style development with a mix of uses that commonly include commercial, office and residential. Design Guidelines shall ensure that developments contain a strong urban design that emphasizes a pedestrian scale with buildings close to the street, wide sidewalks, and parking under and behind structures. The design and density of development should capitalize on existing and future transit routes in the area. Large-scale developments containing only single uses are discouraged within this classification.”

Discussion

The petitioner is proposing a parking lot with 26 parking spaces that are at a 90 degree angle to the access aisle. Access will be a single two-way aisle onto Clark Street and the abutting alley to the north with parking spaces on either side of the aisle facing to the east and west. The parking lot has been designed to meet the parking lot and parking space standards of the Urbana Zoning Ordinance. A side yard set back of 3.75 feet is proposed along both the east and west property line; however, a side yard setback of five feet is required in the B3-U zoning district. To accommodate the properly designed parking lot, a minor variance to allow for the reduction of the required side yard setback is needed. The Zoning Board of Appeals approved the minor variance to allow the reduction of the side yard setback by 1.25 feet on April 16, 2008 with the following three conditions:

1. The parking lot shall be constructed in general conformance to the site plan layout submitted as part of the application and attached hereto.
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 layout of the parking lot be reversed so that the 10 foot setback would be provided along Clark Street rather than the alley, if determined practical by the developer, Zoning Administrator and City Engineer.

The Urbana Zoning Ordinance allows for off-site parking to be provided within 600 feet of the principal use it is to serve. If the proposed parking is located within 600 feet of property zoned R-1, R-2 or R-3, a special use permit is required. The subject site is approximately 320 feet from property zoned R-2 located on the east side of Lincoln Avenue and north of W. Main Street, and therefore requires a special use permit. Since both Lincoln and University Avenues are major four lane thoroughfares, it is not opportune to provide parking to the north or east. In looking at the area to the southwest of 901 W. University Avenue and within 600 feet, the majority of the property is developed mainly for either apartments or University uses. Parking is a necessity for both of these uses. The mixed-use development and the accessory parking lot to serve the development are consistent with the commercial character of the surrounding property to the north. The parking lot is consistent with surrounding property to the east, west and south in that there are a number of other surface lots in the vicinity that serve the current use of the surrounding properties.

The Urbana Zoning Ordinance is sensitive to the location of parking adjacent to residential uses by requiring an adequate screen fence or screen planting per Section VIII-3.F. If screening is proposed by means of a shrub planting hedge, a three feet wide planting area is required. The proposed 3.75 foot side yard setback would be adequate to provide the required screening whether via a fence or landscape buffer. The

petitioner has indicated that a landscape buffer will be provided along the east and west property lines. The Zoning Ordinance also requires that shade trees be planted for parking lots greater than 20 spaces. The landscape buffer and shade trees will minimize any impact of the parking area on the adjacent uses. It is also important to note that although there is an apartment building on the property to the west, the ground floor of the building is dedicated for parking.

The exact amount of parking required for the development cannot be determined at this time because the occupants of the building are not yet known. For discussion purposes, staff has estimated that 117 spaces would be required for the project based on recently submitted building plans. This is assuming that the second floor (11,032 SF), third floor (11,032 SF) and a portion of first floor (3,936 SF) will be used for office uses that require one parking space for every 300 square feet of floor area. In addition, it is assumed that the remainder of the first floor (2,922 SF) will be used as a restaurant or similar use that requires one parking space for every 100 square feet. There are approximately 49 parking spaces provided on-site at the development at 901 W. University Avenue. As proposed, the proposed parking lot would yield 26 additional parking spaces. Providing for as much parking on-site or near the site as possible is a priority for the petitioner in order for the project to be viable. The parking lot will provide parking for employees and overflow parking so that the retail and office space can be successfully leased. The remaining required parking spaces will be provided on the University of Illinois campus via a Memorandum of Understanding between the petitioner and the University. In addition, the petitioner is working with Carle to provide additional off-site parking.

Requirements for a Special Use Permit

According to Section VII-4 of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

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

The proposed off-site accessory parking lot at 908 W. Clark Street would be conducive to the public convenience. The parking lot at 908 W. Clark Street provides for required parking spaces to serve the proposed mixed-use development at the southwest corner of University and Lincoln Avenues that is in close proximity to the development. Provision for additional off-site parking spaces that are within 100 feet of the principal use at 901 W. University Avenue will better serve the users of the facility.

- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.*

The proposed use will not be injurious to the public welfare. The Urbana Zoning Ordinance is sensitive to the location of parking adjacent to residential uses by requiring adequate screening. An apartment building with ground floor parking is located to the west. The west bay of the proposed parking will face the parking for the apartment building and therefore will not directly impact residential units. An apartment building with ground floor residences is located to the east. A landscape buffer will be installed along the east and west property lines and will therefore minimize the impact of the parking lot on the adjacent apartment buildings. The petitioner has indicated that there will be no lights installed to serve the parking lot.

- 3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located, except where such regulations and standards are modified by Section VII-7.*

The proposed parking lot will be constructed to conform to the parking lot and parking space requirements of the Urbana Zoning Ordinance. Allowing the proposed parking lot to be constructed will not alter the essential character of the neighborhood. The proposed parking lot will serve the development proposed for 901 W. University Avenue. The development will be a mixed-use retail/office building. The mixed-use development and the accessory parking lot to serve the development are consistent with the commercial character of the surrounding property to the north. The surrounding property to the east, west and south are apartment buildings with associated parking lots. The addition of a parking lot will not alter the essential character of the neighborhood.

Additional Requirements for Accessory Parking Lot Special Use Permits

In addition to the procedures and requirements of Section VII-4, review of an application for an accessory parking lot Special Use Permit shall consider the following factors:

1. protection of adjacent residences from lighting
2. provision of adequate drainage facilities as required by the Urbana Land Development and Subdivision Ordinance
3. required landscape buffering and/or fencing; and
4. traffic access and safety.

The petitioner has indicated that they will not be installing lighting in the proposed parking lot. In addition the petitioner has indicated in their Application for Special Use Permit, that the developer's will install the required landscape buffer along both of the side lot lines of the subject parcel as well as comply with all the regulations associated with on-site storm drainage as required by the Urbana Land Development and Subdivision Ordinance. The proposed parking lot has been designed with 90 degree parking to allow for two-way traffic flow. The parking lot can be accessed from Clark Street or from an alley on the northern border of the subject property.

Summary of Findings

1. Section VIII-4.L of the Urbana Zoning Ordinance allows for accessory off-street parking to be located in a separate zoning lot within 600 feet of the principal use, unless the parking is located within 600 feet of property zoned R-1, R-2 or R-3, the a Special Use Permit is required. A Special Use Permit is required since the subject site is within 600 feet of property zoned R-2.
2. The petitioner is proposing an off-site accessory parking lot to serve the proposed mixed-use office/retail development at 901 W. University Avenue. Additional parking is needed both to meet the minimum required parking under the Zoning Ordinance and for the development to be viable.
3. The proposed parking lot is conducive to the public convenience at the proposed site since it is in close proximity to the proposed development at 901 W. University Avenue. The parking lot will provide parking for employees and overflow parking thereby providing adequate parking for the tenants of the development at 901 W. University Avenue.
4. The proposed parking lot is generally compatible with surrounding uses and should not be injurious or detrimental to the public welfare. The proposed parking lot will be adequately screened with landscaping materials to minimize the impact on surrounding properties.

Options

The Plan Commission has the following options for recommendations to the City Council regarding Plan Case No. 2065-SU-08:

1. Recommend approval of the Special Use Permit request, as presented herein; or
2. Recommend approval of the Special Use Permit request, with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance; or
3. Recommend denial of the request for a Special Use Permit.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends 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 attached hereto.
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 W. University is not constructed.
4. The parking lot shall only serve as accessory parking for the development at 901 W. University Avenue.

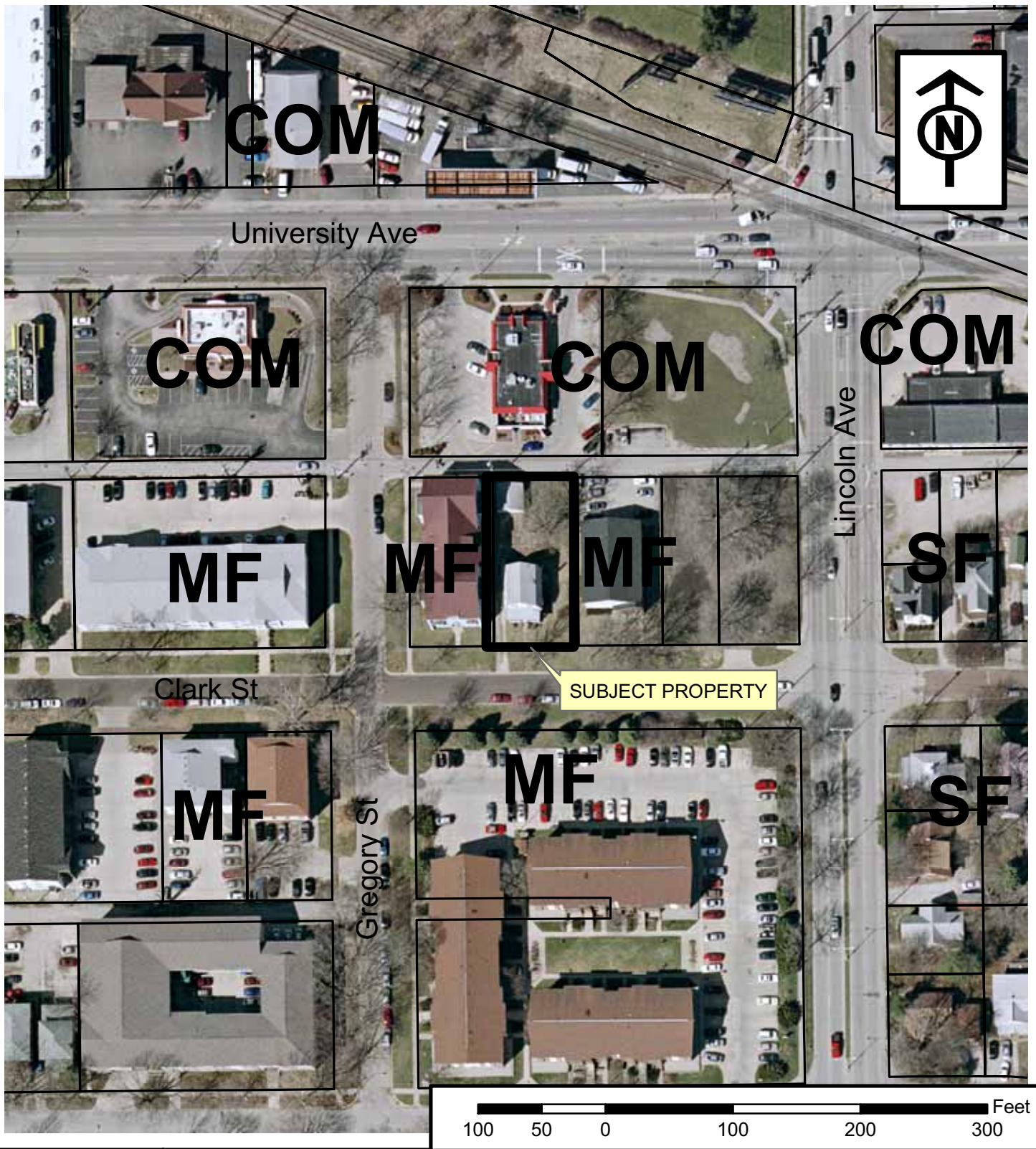
Attachments: Exhibit A: Location and Existing Land Use Map
Exhibit B: Existing Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Site Photos
Exhibit E: Site Layout Plan
Exhibit F: Special Use Permit Application

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Exhibit A: Location and Existing Land Use Map



Plan Case: 2065-SU-08

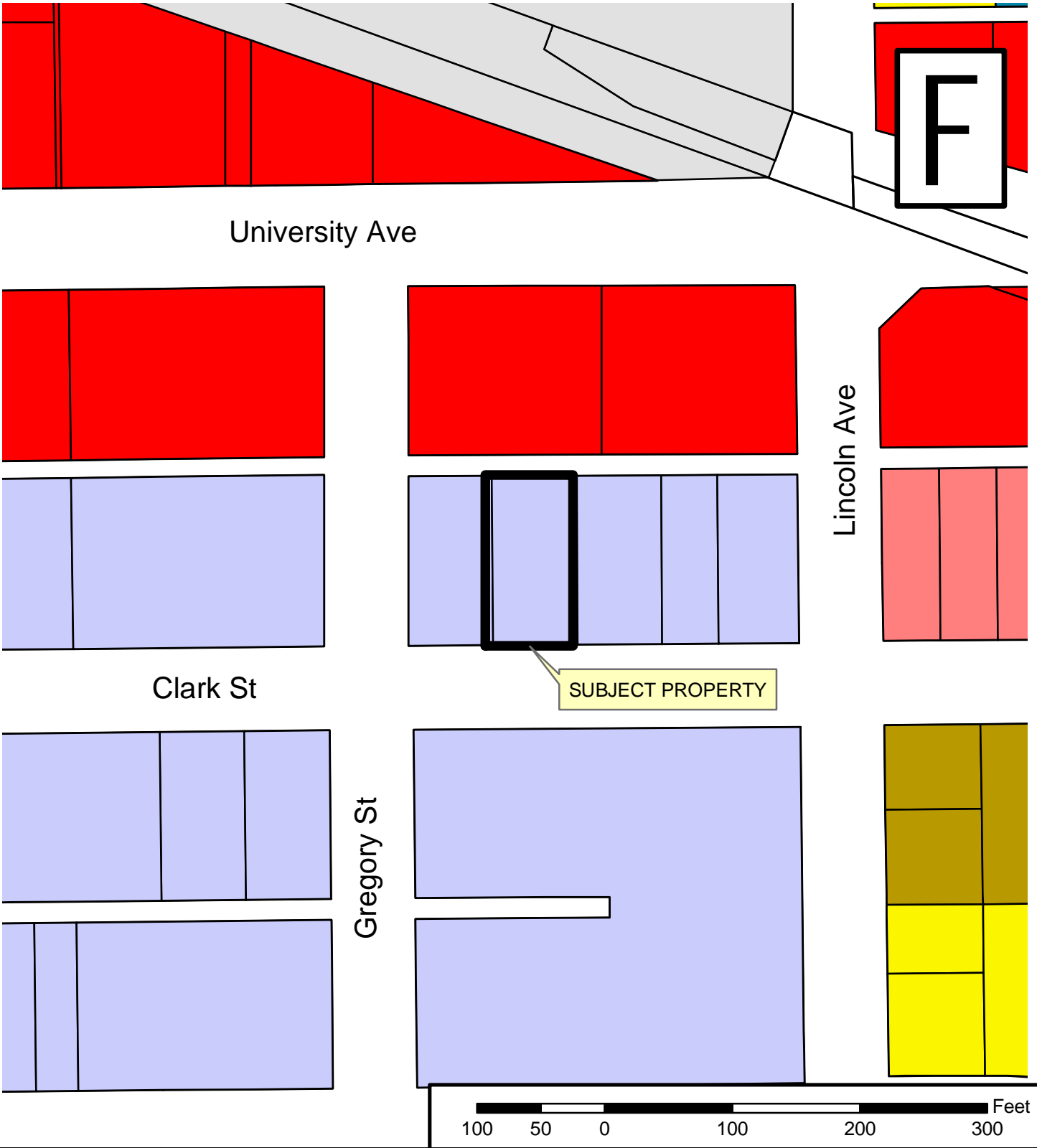
Description: Special Use Permit to allow for the establishment of an off-site accessory parking lot.

Petitioner: Vermilion Development Corporation

Location: 908 W. Clark St.

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Exhibit B: Existing Zoning Map



Plan Case: 2065-SU-08

Description: Special Use Permit to allow for the establishment of an off-site accessory parking lot.

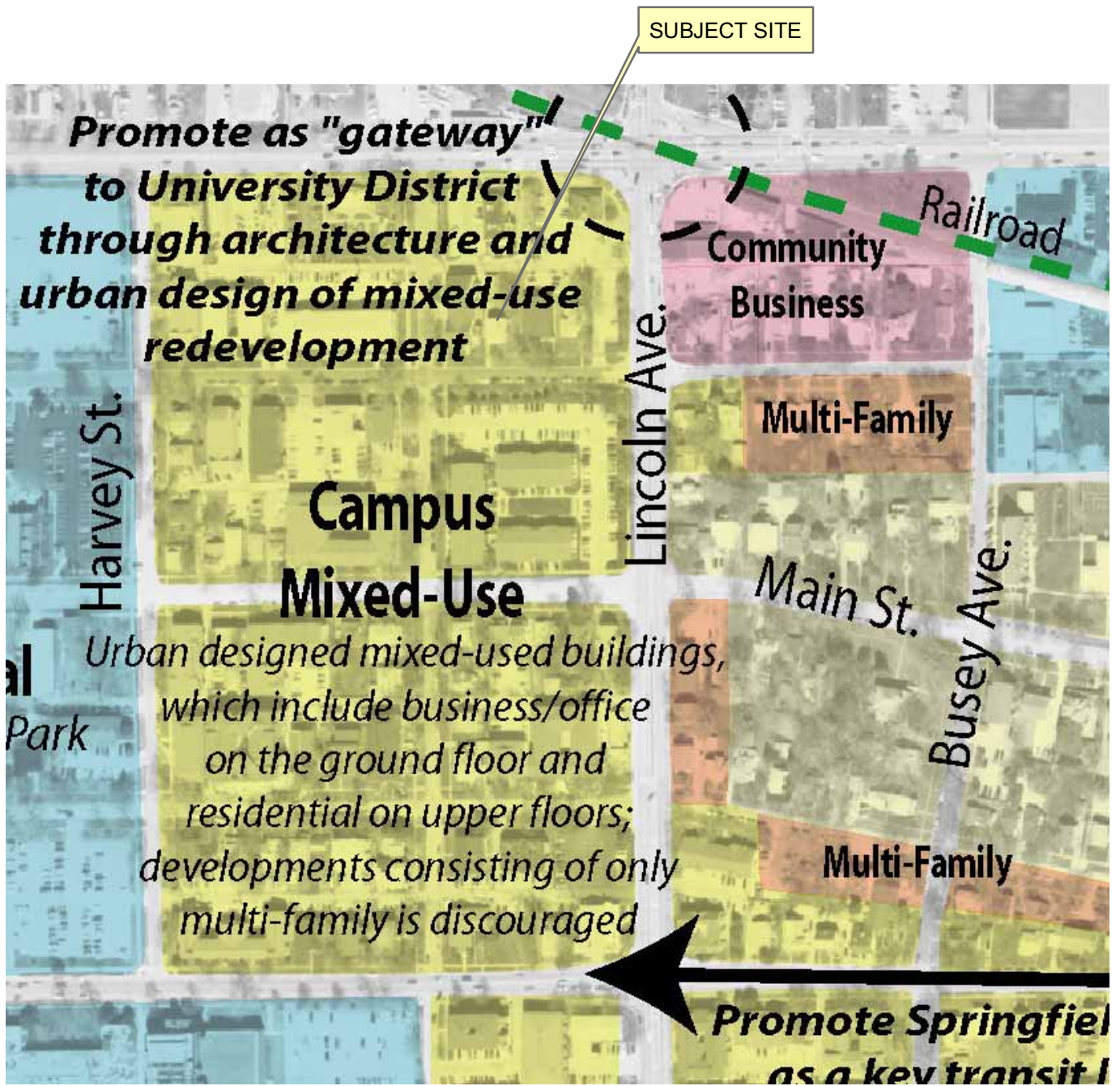
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	B2
	B3
	B3U
	R2
	R4
	IN

Exhibit C: Future Land Use Map



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Description: Special Use Permit to allow for the establishment of an off-site accessory parking lot.

Petitioner: Vermilion Development Corporation

Location: 908 W. Clark St.

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Exhibit D: Site Photos



Looking north at site from Clark Street



Looking southwest at site from alley



Looking south from alley at parking under the apartment building to the west of subject site