

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** July 24, 2008

**TIME:** 7:30 P.M.

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

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**MEMBERS PRESENT:** Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White

**MEMBERS EXCUSED:** Jane Burris

**STAFF PRESENT:** Robert Myers, Planning Manager; Lisa Karcher, Planner II; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Tim Pellegrini; Susan Taylor; Robert Walsh

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**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 of the May 22, 2008 and June 5, 2008 meetings as presented. Mr. Fitch seconded the motion. Both sets of 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. 2078-SU-08: A request by Trammell Crow Company to amend their existing Special Use Permit for a multi-family dwelling development at 1008, 1010 and 1012 West University Avenue to include a parking lot at 508 North Goodwin Avenue, in the B-3, General Business Zoning District.**

Lisa Karcher, Planner II, presented the case to the Plan Commission. She began with a brief introduction of the background and history of the proposed development. She described the proposed site and the surrounding adjacent properties noting their current zoning and land use. She reviewed the proposed site plan and explained the changes from the original site plan submitted in the first special use permit request. She talked about access to the site, retail and residential space, and parking.

Ms. Stake asked if parking would take up more space than the actual building. Using the site plan and the conceptual elevation plan, Ms. Karcher showed that on the first floor, the building is represented by two rectangles on the east end. Commercial space will be located in these two rectangles on the first floor, while the rest of the first floor will be for parking. The residential component of the development will make up the upper floor levels.

Ms. Stake commented that she believes there should not be a parking lot when a building of this size is developed. Parking should be provided for under the building.

Ms. Karcher continued with the staff presentation by discussing the landscape plan. She reviewed the requirements for a special use permit according to Section VII-4 of the Urbana Zoning Ordinance. She read the options of the Plan Commission and presented staff's recommendation, which is 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 recommends that the Urbana Plan Commission recommend approval of the Special Use Permit in Plan Case No. 2078-SU-08 to the Urbana City Council with the following conditions:*

- 1. The development shall be constructed in general conformance with the site plan submitted and attached. The Zoning Administrator shall have the power to approve minor changes necessary for the project to comply with City regulations including building, fire, and site development codes.*
- 2. The design and appearance of the development shall be of a high standard of quality in substantial conformance to the illustration submitted as part of the Special Use Permit application submitted and attached. This condition shall*

*include a requirement for masonry construction such as brick, stone, tile and the like whether weight bearing or veneer.*

Mr. Grosser stated that it appears the only way to access the residential parking spaces under the proposed building is from the surface parking lot. Is this correct?

Ms. Karcher said no. She understands that there will be a gate at both entrances. There will be a gate between the commercial parking area and the residential parking area so that commercial users will not be able to go into the residential parking area.

With no further questions for City staff, Chair Pollock opened the hearing up for public input.

Robert Walsh and Tim Pellegrini, representatives of the Trammell Crow Company, approached the Plan Commission to answer any questions that they might have. Mr. Walsh explained the reason why the project had not been started. They ran into some difficulties with the property survey. This is also the main reason for the proposed change in the parking. There is a dispute concerning one property boundary, and they felt that they could not construct the underground parking because of the dispute. It is now in litigation and planned to go to trial in August. Meanwhile, they approached Robert Dayton about purchasing his property at 508 North Goodwin Avenue. Mr. Dayton is interested in selling the property. He wants to relocate his business elsewhere in the City of Urbana.

In response to Mr. Grosser's question about accessing the residential parking areas, residents will be able to go from one parking lot to the other. There will be a driveway between the two first floor retail spaces leading to the commercial parking area. There will be a gate separating the commercial and residential parking areas. The gate will allow traffic to go both ways. He stated that one of the advantages of the proposed layout is that they will be minimizing traffic exiting onto University Avenue. Most of the residents will probably be using Goodwin Avenue to exit the development.

Chair Pollock inquired as to whether the proposed changes and the development hinges upon the outcome of the litigation. Mr. Walsh said that Trammell Crow will go ahead with construction of the proposed development as presented in these plans regardless of the outcome of the litigation.

Ms. Stake did not understand why they are now planning to construct another parking lot. Mr. Walsh explained that surveys performed found that most of the lots along University Avenue are 132 feet deep. They also discovered that the utility poles were on Trammell Crow's property, and there were no easements for them. Trammell Crow representatives spoke with the utility company, and they agreed to remove the poles and relocate the utility lines at their expense. Then an adjacent property owner a common property line surveyed, and that surveyor found an extra 4 to 5 feet. The surveyor, according to regulations, split the difference between Trammell Crow's property and the adjacent property. However, Trammell Crow's civil engineering and survey groups did a lot of research going back to the 1800s, and they feel that they have enough evidence to prove that they are correct. As a result, the adjacent property owner is now suing Trammell Crow, and vice-versa.

Consequently, Trammell Crow would not be able to excavate the basement areas and provide the necessary foundation walls at that location without going onto the property in litigation. They are now planning for an alternate way to provide parking.

Mr. Grosser questioned then the real reason for not constructing underground parking. It is because of the property dispute and not because of the sanitary sewer lines as mentioned in the written staff report. Mr. Walsh replied that the underground sanitary line was a problem but they resolved that issue by planning to relocate the sanitary line around the building. Now the sanitary line can remain in place because of the change in the development plans.

Chair Pollock commented that Trammell Crow's choice is to either go ahead with the new plan or wait until the court resolves the litigation which could take a long time. Mr. Walsh said that is correct. Even if the court decides to rule in favor of Trammell Crow, the adjacent property owner could appeal the decision, and it could take a long time.

Mr. Grosser wondered how many bedrooms would make up the residential components of the development. Mr. Walsh said that there would be about 280 bedrooms. They are trying to provide one parking space for each bedroom which is more than what the City of Urbana requires. Ms. Karcher added that her information shows 161 dwelling units – 35 efficiency units, 40 one-bedroom units, and 86 two-bedroom units.

Mr. Grosser questioned if they want to have as much parking as they are planning to provide. Mr. Walsh said yes. Mr. Grosser asked if they expect all of their residential tenants to have vehicles. Mr. Walsh said yes. They expect them to be graduate students or upper classmen. They hope to also attract other people from the hospital in the area.

Mr. Hopkins asked for clarification regarding the commercial parking area. Commercial guests will enter and exit onto University Avenue and will not have access to the exit gate into the residential parking area, correct? Mr. Walsh replied that is correct. This is the way it was previously designed as well when they wanted to provide underground parking.

Ms. Stake wondered how far away the building and the parking lot would be from University Avenue. Ms. Karcher explained that the proposed development essentially complies with the setback requirements for the B-3 Zoning District. Trammell Crow did receive variances for the rear and side-yard setbacks. In the B-3 Zoning District, a residential use requires additional side and rear-yard setbacks based on the height of the building. There is no height requirement. So for the proposed development, they would have been required to have about a 22-foot rear yard setback and approximately 10 or 11 feet for the side-yard setback, which are more than what would be required if it would be a commercial building only. As a result Trammell Crow received a variance to allow them to have a 5-foot side-yard setback and a variance for the rear-yard setback to allow for terrace overhang. Other than this the development would comply with the B-3 Zoning District requirements for a commercial structure.

Ms. Stake commented that the proposed development will be located close to the railroad tracks. Ms. Karcher stated that the surface parking area does meet the required setbacks. It is just the building that required variances.

Ms. Stake said that there will hardly be any open space. Ms. Karcher responded that there are no Open Space Requirements (OSR) for a B-3 Zoning District, so the proposed development will comply with the regulations. Mr. Walsh showed where they plan to have open plazas on each floor between the units.

Mr. Grosser inquired about their intentions to relocate the Odman-Hecker Company. Do they plan to relocate within the City limits of Urbana? Mr. Walsh said that he did not know Mr. Dayton's intentions because he had not spoken to him. His counterpart, Rick Dickerson, indicated to him that Mr. Dayton would like to relocate. Any help in this matter would be appreciated, but Trammell Crow will be helping them relocate their business.

Ms. Stake asked how many feet the litigation was over. Mr. Walsh said it is about 4 feet. After the dispute came up the utility company refuses to touch the utility poles because now a portion of the poles is on the adjacent property.

Ms. Upah-Bant asked for clarification on the retail spaces. Mr. Walsh explained that there will be two separate retail spaces with the driveway access between them. The apartment units will be located above.

Mr. Grosser then asked City staff about the relocation of Odman-Hecker & Company. Ms. Karcher said that she has not spoken with Mr. Dayton about relocating. She has already inquired with Tom Carrino, City of Urbana Economic Development Manager, about doing so. Mr. Walsh noted that Mr. Dayton was in Arizona for the early part of this year and that he just recently came back in May or June.

Chair Pollock opened the meeting to Plan Commission discussion and motion(s).

Mr. Grosser moved that the Plan Commission recommend approval of Plan Case No. 2078-SU-08 to the Urbana City Council with the conditions listed in the staff recommendation. Ms. Upah-Bant seconded the motion.

Chair Pollock then said that it would be proper before any further action to ask if anyone in the audience had any comments or questions for or against this application. No one came forward to speak.

Mr. Grosser stated that he liked the project when it was originally presented. It looks nice and will be a great use of the land. Having spaces for graduate students to live nearby would be a good thing. He is not happy about tearing down a business building to construct a parking lot, but it is clear that the project is not going to be built otherwise. So, if they are going to construct a parking lot somewhere then it might not be such a bad thing to put it here.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. White	-	Yes			

The motion was approved by unanimous vote.

Robert Myers, Planning Manager, stated that the case would go before the City Council on August 4, 2008.

**8. NEW BUSINESS**

There was none.

**9. AUDIENCE PARTICIPATION**

There was none.

**10. STAFF REPORT**

Mr. Myers reported on the following:

- ✚ **Vacancy on the Plan Commission**: The Mayor is looking for someone to appoint to fill the vacant position left by Mr. Ward moving to Arizona. If you know of anyone who may have an interest, please let them know they can apply through the Mayor's office.
- ✚ **Planner's Exchange with Bloomington/Normal** is scheduled for August 1<sup>st</sup>. The Plan Commission members are welcome to attend.
- ✚ **August 21, 2008 Plan Commission Meeting**: City staff will be presenting a rezoning case for specific properties in the Historic East Urbana Neighborhood Area.
- ✚ **Lincoln-Busey Corridor Design Guidelines** are expected to be presented to the Plan Commission in September 2008.
- ✚ **July 31, 2008 Special Meeting**: City staff will be presenting a rezoning for 804-1/2 West Main Street. An application has been submitted that cannot wait until a regular meeting date due to financial consequences for the applicant.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

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Robert Myers, AICP  
Secretary, Urbana Plan Commission