

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: **April 4, 2019**

TIME: **7:00 P.M.**

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Nancy Ouedraogo, Jonah Weisskopf, Chenxi Yu

MEMBERS EXCUSED: Lew Hopkins

STAFF PRESENT: Lorrie Pearson, Planning Manager/Zoning Administrator; Kevin Garcia, Planner II; Lily Wilcock, Planner I; Sam Stewart, Planning Intern; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Yu Du, Karen Fresco, Dennis Roberts, Chris Saunders, Josh Stroot, Yihnnny Zhui

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

Chair Fitch called the meeting to order at 7:00 p.m. Roll call was taken and a quorum of the members was declared present.

2. CHANGES TO THE AGENDA

There was none.

3. APPROVAL OF MINUTES

The minutes of the March 7, 2019 regular Plan Commission meeting were presented for approval. Mr. Fell moved that the Plan Commission approve the minutes as written. Ms. Billman seconded the motion. The minutes were approved as written by unanimous voice vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2359-T-19 – An application by the Urbana Zoning Administrator to amend the Zoning Ordinance with changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations) and other relevant section, to facilitate solar energy system installation.

Chair Fitch continued this case to the May 9, 2019 regular meeting of the Plan Commission.

Plan Case Nos. 2373-PUD-19 and 2374-PUD-19 – A request by Chris Saunders of 1007 West University, LLC, for preliminary and final approvals of a mixed use Planned Unit Development at 1007 and 1011 West University Avenue under Section XIII-3 of the Urbana Zoning Ordinance.

Chair Fitch re-opened the public hearings for the preliminary and final Planned Unit Development requests. Kevin Garcia, Planner II, presented the staff report to the Plan Commission. He introduced the case by giving brief background information on the subject properties. He talked about the layout and access of the proposed development. He showed photos of the existing subject lots and of the adjacent properties to the north, south, east and west and noted the existing uses and zoning of each. He stated that the future land use designation of the subject properties are “Campus Mixed Use” and explained what that meant. He mentioned that the applicant had asked for a waiver for a reduction in the number of required parking spaces and a waiver for a reduction in the required setback regulations. Referring to Exhibit F: Parking Supply Table, he pointed out that City staff found in a recent study that the City’s requirements ask for significantly more parking than what the demand is. He highlighted the key goals and objectives of the 2005 Comprehensive Plan that pertain to the proposed development. He reviewed how the proposed planned unit development would relate to the goals outlined in Section XIII-3.C of the Zoning Ordinance. He talked about Criteria #5 from Section XII-3 of the Zoning Ordinance concerning architectural design, access, bicycle parking, maximum parking and rear parking. He read the options of the Plan Commission and presented City staff’s recommendation, which was as follows:

The Plan Commission forward Plan Case Nos. 2373-PUD-19 & 2374-PUD-19 to the City Council with a recommendation for APPROVAL with the following conditions:

1. *That construction be in general conformance with the attached Site Plan and Elevations; and*
2. *That the applicant will have the alley on the south side of the parcels reconstructed to City standards; and*
3. *That the bicycle parking area under the building will be fenced and secured.*

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Mr. Fell questioned if City staff was okay with the repaving of only half the alley. Mr. Garcia replied yes, because we would not have a standing to ask the applicant to repave the whole alley. Mr. Fell wondered if the City would consider vacating the alley. Mr. Garcia responded no. The

two apartment buildings on the south end take access off the alley. So, they would benefit from half of the alley being repaved as well as the future tenants of the proposed development.

Mr. Ackerson stated that he was in favor of high-density residential developments and in alternative forms of transportation such as mass transit and walking. In comparing the proposed development to other recent developments, specifically the one on Lincoln Avenue and Nevada Street, the proposed development would have a mixed use with residential and retail/commercial. The Lincoln Avenue/Nevada Street development was primarily residential, which is why they were required to provide more parking. He asked City staff to address the parking requirements for the retail aspect of the proposed development. Mr. Garcia replied that the parking area labelled “Private Parking” would be for the residential use, and the other parking spaces would be used for the retail use. Mr. Ackerson stated that there is a difference in the amount of parking needed for a low volume retail use and a high volume retail use.

Ms. Yu wondered about the setback for the Latitude development. Mr. Garcia stated that he spoke with a planner from the City of Champaign about the Latitude development, and it does meet the City of Champaign’s setback requirements, which is zero feet for that property.

Mr. Weisskopf inquired about the area labelled “Institutional” on Exhibit C: Future Land Use Map. Mr. Garcia noted that it and the adjacent area labelled “Community Business” are both parts of the Retreat townhouse development and are zoned R-4, Medium Density Multiple Family Residential.

Mr. Weisskopf asked what the parking requirement is for a B-3, General Business Zoning District. Mr. Garcia replied that it depends on the use.

Ms. Billman wondered what the difference was between “amenity” and “retail space” on Exhibit E: Site Plan and Elevations – Proposed Ground Floor Plan. Mr. Garcia said that the applicant could speak to the use of the proposed development. He believed that the amenity area would be for the residential tenants.

Ms. Billman inquired about the language used on Page 1, Paragraph 1 where it says, “The applicant seeks zoning flexibility ...”. Why not use the term “variance” instead? Mr. Garcia explained that this is the language used in the Planned Unit Development section of ordinance. It essentially is the same as asking for a waiver, and it is not the same as a variance. A variance would be reviewed and considered by the Zoning Board of Appeals.

Ms. Billman questioned who would maintain the alley. Mr. Garcia answered that the alley would remain a public alley so the City would continue to maintain it. The applicant would be required to reconstruct the alley to City standards.

Mr. Fell asked if the Campus Circle development had rented any of their commercial space. Mr. Garcia replied no, their commercial space is still for lease.

With no further questions for City staff, Chair Fitch reviewed the rules of procedure for a public hearing. He, then, opened the hearing for public input.

Chris Saunders, applicant, approached the Plan Commission to speak. He stated that retail use, especially along University Avenue, is changing. The amenity space may become additional retail space. He believed that the other housing developments in the area (Campus Circle across the street, the Retreat and the Gather on Lincoln Avenue) and the proposed development would increase the demand for retail. A retail tenant looking for an area with high traffic needs, requiring a lot of parking spaces and/or a drive-through would not be interested in this location.

The same goes for parking. He is not in favor of having no parking, but it is demand driven. If a person needs a parking space, then the proposed development would not be the place for them to live. Green Street Realty is not concerned with spending money to develop the proposed apartment building and worry that parking would be an issue.

He talked about the previous proposal for the property at 1007 West University Avenue only. He stated that after the Plan Commission meeting ended after considering the proposal, a representative from the University of Illinois, who had attended the meeting, approached him offering to sell him 1011 West University Avenue. Green Street Realty decided to design a new development because they felt that they could construct a better development with the extra space.

Green Street Realty would love Niro's Gyros to continue doing business in the new development, but they would have to be willing to operate without a drive-through. He planned to make an offer to them.

Green Street Realty took the comments received by the Plan Commission during the first proposal and incorporated them into the design of the proposed development, such as developing the building closer to the street and locating the parking in the back of the site. Another comment directed at City staff was from the neighbors regarding the conditions of the alley. As part of trying to show that they are willing to do something that would benefit not just them but the public in general, they are proposing to reconstruct/repave a portion of the alley.

They are planning a heavy mix of 36 one-bedroom, 36 two-bedroom and 4 four-bedroom unit apartments. The City's current parking requirements ding a developer for offering one-bedroom units. They believe the proposed development would attract young professionals as well as students given the location.

Mr. Fell asked if they decided to put a drive-through in, would it be located on the east side of the proposed site. Mr. Saunders replied that they do not intend to have a drive thru because it was too complicated last time. There may be room to do it, and it would be great to leave the option open; however, it is not a deal killer to leave it out.

Mr. Ackerson questioned if Mr. Saunders anticipated more walk up traffic for the retail space. Mr. Saunders said yes. They have other developments similar to the proposed. The retail tenant may even be an office use. He expected it to be a popular location.

There was no further input from the audience. Chair Fitch closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Mr. Fell mentioned that one of his clients did his own study on parking in the City of Champaign. All of his properties were built when parking requirements were slightly less stringent than they are now in the City of Urbana. His client currently leases 31% of his parking to his tenants, 34% to other nearby uses and 35% is vacant because he cannot rent it. He believed that the demand for parking is 1/3 of what is required. In the proposed planned unit development requests, he approves of the reduction in parking for residential tenants and is fine with the reduction in parking for retail as well. Many times retail tenants have to pay for additional parking that they do not use or need, so having the flexibility of retail spaces that can essentially reduce their leasing rate is a good alternative to have.

Mr. Ackerson stated that he likes the proposed development much better than the previous one. He approves of the reduction in parking spaces for the residential use; however, it depends on the retail use as to whether he agreed with the reduction in parking spaces for it. This is a prime location with its proximity to the medical campuses and to the University of Illinois. If the retail use were one that has a lot of walk up clients, then a reduction would be fine. He applauded the applicant's effort to provide covered secure bike parking.

Ms. Billman liked not having a curb cut. She felt it would cause more traffic congestion along University Avenue. Her main concern with the proposed development was parking, but after hearing the discussion and testimony from this meeting, she is fine with the reduction in parking. She stated that she liked the front facade of the proposed building much better than Campus Circle across University Avenue because it is not flat across the front.

Mr. Weisskopf liked the covered secure bike parking, encouraging people to walk more places, discouraging students bringing cars to school and discouraging the amount of cars on the roads.

Chair Fitch stated that he liked the discussion and the proposed development. He encouraged City staff to review the City's parking requirements. This topic comes up frequently.

Mr. Fell recalled that the applicant mentioned the amenity space might be used for additional retail space. Would the proposed development still be in general conformance with the Site Plan if the applicant should use the amenity space as retail? Lorrie Pearson, Planning Manager, replied that it would be beneficial to have clear language in the motion. In the event the applicant would want to do this in the future, it would increase the waiver they are requesting for a reduction in parking. Mr. Garcia noted that the current layout requires 17 parking spaces and the proposed layout for additional retail space would require 24 parking spaces. Ms. Pearson suggested that the Plan Commission add a condition to provide flexibility in the Site Plan without impacting the parking requirements to allow conversion of the amenity space and/or the retail space to restaurant so they do not have to worry about the specific numbers. A restaurant would likely be the most intense use that go into the space.

Chair Fitch suggested the following language be added to Condition #1: *That construction be in general conformance with the attached Site Plan and Elevations, providing flexibility for changing the configuration of retail versus amenity space with implications for parking.*

Mr. Fell moved that the Plan Commission forward Plan Case Nos. 2373-PUD-19 and 2374-PUD-19 to the City Council with a recommendation for approval with the following conditions:

1. *That construction be in general conformance with the attached Site Plan and Elevations, providing flexibility for changing the configuration of retail versus amenity space with implications for parking;*
2. *That the applicant will have the alley on the south side of the parcels reconstructed to City standards; and*
3. *That the bicycle parking area under the building will be fenced and secured*

Mr. Ackerson seconded the motion. Roll call on the motion was as follows:

Ms. Billman	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Weisskopf	-	Yes	Ms. Yu	-	Yes
Mr. Ackerson	-	Yes			

The motion was approved unanimously.

Mr. Garcia noted that these cases would be forwarded to City Council on April 15, 2019.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2371-T-19 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article IV (District and Boundaries), Article VI (Development Regulations), Article VII (Conditional and Special Use Permits), Article VIII (Parking and Access), Article IX (Signs and OASS Regulations), Article XI (Administration), and Article XIII (Special Development Provisions).

Chair Fitch opened the public hearing for this case. Lily Wilcock, Planner I, and Sam Stewart, Planning Intern, presented the staff report for this case to the Plan Commission. They reviewed the proposed changes to the Urbana Zoning Ordinance, which are summarized as follows:

1. Remove the requirement to approve and republish a paper zoning map once a year by designating the online map as the Official Zoning Map;
2. Amend Section VII-2, Conditional Use Permit procedures and Section VII-4, Special Use Permit procedures to allow contract purchasers and individuals with written consent from the owner to apply;
3. Amend Section VIII-3.A. Design and Specifications of Off-Street Parking requirements to refer to the latest version of the Champaign-Urbana Urbanized Area Transportation Study (CUAATS) Access Management Guidelines;
4. Clarify in Section VIII-4.G. Location of Parking Facilities that when screening is required, a parking lot must be set back at least three feet to accommodate that screening.
5. Amendments to Article IX – Sign and OASS Regulations – Various changes including modifying and adding definitions for temporary signs, blade banner, and non-commercial institutional signs. Changes also included allowing temporary signs in the B-1

(Neighborhood Business), B-2 (Neighborhood Business – Arterial), and CCD (Campus Commercial) Zoning Districts AND increase the number of flags permitted from two to three in Section IX-4.J. Signs Authorized Without a Permit AND add Table IX-19 for Temporary Sign Regulations.

6. Amend Section XI-3. Zoning Board of Appeals to clarify what parties can apply for a variation from the Zoning Ordinance.
7. Amend Section XIII-3. Planned Unit Developments to clarify what parties can apply for a Planned Unit Development.

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Ms. Ouedraogo commented that she liked the addition of Table IX-19 and felt it would be helpful and increase the ease for a person applying for a temporary sign permit.

With no further questions and no audience input, Chair Fitch closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Ms. Billman moved that the Plan Commission forward Plan Case No. 2371-T-19 to the Urbana City Council with a recommendation for approval. Mr. Ackerson seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Weisskopf	-	Yes
Ms. Yu	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion passed by unanimous vote.

Ms. Wilcock announced that this case would be forwarded to the City Council on April 15, 2019.

8. NEW BUSINESS

Case No. CCZBA-927-AM-19 – A request by Dan Cothern to amend the Champaign County Zoning Map to rezone 3804 North Cunningham Avenue from AG-2, Agriculture Zoning District, to B-4, General Business Zoning District.

Chair Fitch opened this item on the agenda. Kevin Garcia, Planner II, presented the staff report to the Plan Commission. He explained the proposed County rezoning. He presented City staff's recommendation to defeat a resolution of protest.

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Ms. Billman inquired what uses would be allowed in the County B-4 Zoning District. Mr. Garcia answered by saying that the B-4 is the County's general business district, so it would be similar to the uses allowed in the City's B-3, General Business Zoning District.

Mr. Fell asked how big the subject property is. Ms. Wilcock replied that it is five acres.

There were no further questions and no input from the audience. Chair Fitch opened the case for Plan Commission discussion and/or motion(s). He explained the protest procedure.

Ms. Ouedraogo moved that the Plan Commission forward Case No. CCZBA-927-AM-19 to the Urbana City Council with a recommendation to defeat a resolution of protest. Mr. Weisskopf seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Weisskopf	-	Yes	Ms. Yu	-	Yes
Mr. Ackerson	-	Yes	Ms. Billman	-	Yes
Mr. Fell	-	Yes			

The motion passed by unanimous vote.

Mr. Garcia noted that this case would be forwarded to the City Council on April 15, 2019.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Lorrie Pearson, Planning Manager/Zoning Administrator, reported on the following:

- Daycare Text Amendment – She mentioned that City Council would be reviewing and considering this case on April 15, 2019. There was a delay in taking it to Council in an effort to be more efficient with staff resources.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission