

**MINUTES OF A REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DATE: May 18, 2011

APPROVED

TIME: 7:30 p.m.

PLACE: Urbana City Building
City Council Chambers
400 S. Vine Street
Urbana, IL 61801

MEMBERS PRESENT Paul Armstrong, Stacy Harwood, Nancy Uchtmann, Charles Warmbrunn, Harvey Welch

STAFF PRESENT Robert Myers, Planning Manager; Rebecca Bird, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT Paul Myers, Bryan Wilcox

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

Chair Armstrong called the meeting to order at 7:32 p.m. Roll call was taken, and a quorum was declared present with all members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the March 30, 2011 Zoning Board of Appeals special meeting were presented for approval. Ms. Uchtmann moved to approve the minutes as presented. Ms. Harwood seconded the motion. The minutes were approved by unanimous voice vote.

4. WRITTEN COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

Chair Armstrong swore in members of the audience who wished to address the Zoning Board of Appeals regarding the public hearing during this meeting.

6. NEW PUBLIC HEARINGS

Case No. ZBA-2011-C-01: A request by Bryan Wilcox for a Conditional Use Permit to allow an “Engineering, Laboratory, Scientific and Research Instruments Manufacturing” business to operate at 722-726 Killarney Street (Lincoln Commerce Center) in the B-3, General Business District.

Rebecca Bird, Planner I, presented this case to the Zoning Board of Appeals. She began by stating the reason for the conditional use permit request. She gave a brief background of the proposed site. She noted the zoning, existing land use and the Comprehensive Plan future land use designation of the proposed site as well as that of the surrounding properties. She discussed the plans for the proposed use stating that it would involve an interior remodel of three units in the building to accommodate for a small retail store, a lounge, a kitchen and a conference room available for customers to use. She reviewed the requirements for a conditional use permit according to Section VII-2 of the Urbana Zoning Ordinance. She presented staff's recommendation. She pointed out that the petitioner is available to answer any questions.

Ms. Harwood asked if the businesses in the area had a certain time of operation that they have to follow or will they be able to operate any time of the day. Ms. Bird replied that most of the businesses in the neighborhood are not limited. The motel operates 24 hours a day. The church has evening services as well as on the weekends. The restaurant is open late hours. The applicant has expressed that they might want their business to be open up to 24 hours a day, but that does not mean that they would use all of the machinery during that time. They plan to install sound absorption in the areas where the heavy machinery will be located not only to keep the noise level down in the neighborhood but inside the building as well, because they will be providing shared work space for other clients.

Mr. Armstrong inquired as to whether the petitioner would be using any chemicals or hazardous materials. Ms. Bird deferred this question to be answered by the petitioner when he speaks. Mr. Welch pointed out that they would be required to comply with building codes for handling chemicals and hazardous materials. Ms. Bird stated that this is correct. The process would be that they get approval of the conditional use permit, and then submit plans for the renovation, which would include review of building codes and environmental codes that are necessary. Robert Myers, Planning Manager, added that the City's Building Inspector has been attending staff meetings when they have discussed the proposed conditional use permit and he does not anticipate unusual problems in meeting Building and Fire Codes.

With no further questions for City staff, Chair Armstrong opened the hearing up for public comment.

Bryan Wilcox, petitioner, stated that he is available to answer any questions that the Zoning Board of Appeals may have.

Mr. Armstrong questioned if Mr. Wilcox anticipated any special problems or issues in terms of the facility. Mr. Wilcox mentioned that sound enclosures and a dust collection system will be installed. They do not want to even disturb the interior environment much less than neighbors. They want their business to be an inviting space for clients to come in and work. Any type of heavy machinery making noise will be enclosed, and they will have suitable dust collection installed. As far as fumes from chemicals, they are planning to install a paint hood. The type of hood depends on what type of chemicals their clients would be using. They would just be using water based paints to begin, and then if clients need to use other types of paints they would install whatever system necessary to allow that.

Ms. Uchtmann remarked that the proposed business seems like a good investment for the City of Urbana. Mr. Wilcox responded that they want to help build a strong community, so they plan to be responsible tenants and do what they need to do to keep the noise, fumes and dust levels down.

Mr. Welch asked if the making or manufacturing of prototypes would be occurring occasionally or all the time. Mr. Wilcox explained that in a typical manufacturing environment, manufacturers would not be making prototypes all of the time, but the equipment necessary to make prototypes can be a huge capital investment which would otherwise sit unused most of the time. This is the sort of problem that they are trying to solve. The proposed business would allow these people to buy time for use of the equipment for only what they need. So they do not have capital tied up that is not doing any use for them. He would anticipate that the machines would be running close to capacity. The nature of things being made will be small prototypes of products that they are hoping to develop into something more substantial, so the idea is to give them the opportunity to try these things. As a product developer, he has found that you need the good product to sell the investor, but then you need an investor to build a good product. They are trying to break this cycle.

With no further questions or comments from audience members, Chair Armstrong closed the public input portion of the hearing and opened it up for Zoning Board of Appeals discussion and/or motion(s).

Mr. Warmbrunn moved that the Zoning Board of Appeals approve Case No. ZBA-2011-C-01 for the reasons articulated in the written staff memo with the following conditions:

1. All proposed renovations meet the Urbana Building Code.
2. Appropriate dust collection systems are installed.
3. Appropriate sound absorbing enclosures are installed.

Ms. Uchtmann seconded the motion. Roll call was as follows:

Ms. Harwood	-	Yes	Ms. Uchtmann	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Welch	-	Yes
Mr. Armstrong	-	Yes			

The motion was passed by unanimous vote.

Case No. ZBA-2011-MAJ-01: Request by Paul Tatman for a Major Variance to allow a reduction in the side yard setbacks to subdivide 806 and 810 East Perkins Road into two parcels.

Rebecca Bird, Planner I, stated that the Planning staff requests that this case be forwarded to the special meeting of the Zoning Board of Appeals scheduled for May 25, 2011. She explained that there was a change in the request, which required the legal ad in the News-Gazette to be re-noticed for the public hearing. The Zoning Board of Appeals then forwarded the case as requested.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Armstrong adjourned the meeting at 7:59 p.m.

Respectfully submitted,

Robert Myers, AICP, Secretary
Urbana Zoning Board of Appeals