

**URBANA CITY COUNCIL MEETING
September 3, 2002**

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Tuesday, September 3, 2002 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:31 p.m.

Present at the meeting were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6; absent: Chynoweth – 1 (excused).

Also present were staff members: Police Chief Eddie Adair, Michaela Bell, Bill Gray, Rob Kowalski, Kathy Larson, Acting Division Chief David Newcomb, Tim Ross, Libby Tyler, Jack Waaler, and Bruce Walden.

The Pledge of Allegiance was recited in observance of Labor Day.

MINUTES OF PREVIOUS MEETING

Alderman Patt moved approval of the minutes of the August 19, 2002 regular meeting. The motion was seconded by Alderman Wyman and carried by a voice vote.

ADDITIONS TO THE AGENDA

There were none.

PETITIONS AND COMMUNICATIONS

Dee Miles, 909 N. Busey; Jane Wiles, 907 N. Busey; and Audra Owens, 1211 W. Hill addressed the Council in opposition to the major variances requested by Family Video (Ordinance No. 2002-09-102 and Ordinance No. 2002-09-103).

Dave Nall, representing Family Video, addressed the Council in support of Ordinance No. 2002-09-102 and Ordinance 2002-09-103.

Shirley Moreland, 703 N. Mathews Avenue, addressed the Council to share her concerns regarding the possibility of children having access to pornographic materials which will be available in the adult department of Family Video.

Alderwoman Wyman requested that B-1 zoning and the lighting issue be put on the agenda of the next Committee of the Whole meeting.

Alderman Hayes addressed the concerns of the neighbors in the area of Family Video regarding the effects of the pornographic material from the store and the security around the store.

OLD BUSINESS

There was none.

REPORTS OF STANDING COMMITTEES

Committee Of The Whole

Alderman Whelan moved to approve **Ordinance No. 2002-08-098: An Ordinance Amending Schedule H of Section 23-93 of the Urbana Local Traffic Code Requiring Stop Signs at Certain Intersections (Bermuda Drive at Florida Avenue, Smith Road at Florida Avenue, Abercorn Street at Florida Avenue, Ogelthorpe Avenue at Florida Avenue, Montgomery Street at Florida Avenue, Castlerock Drive at Stone Creek Boulevard, St. Andrews Road at Stone Creek Boulevard, St. Andrews Road at Amber Lane, Stricker Lane at Stone Creek Boulevard, Landis Farm at Airport Road, Grange Drive at George Huff Drive, Boudreau Drive at George Huff Drive, Burlison Drive at George Huff Drive)**. The motion was seconded by Alderwoman Patt and carried 6-0 by roll call vote.

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Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6; voting nay: none.

Alderman Whelan moved to approve **Ordinance No. 2002-08-099: An Ordinance Amending the Simplified Municipal Telecommunications Tax Rate.** The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6; voting nay: none.

Alderman Whelan moved to adopt **Resolution No. 2002-08-027R: A Resolution Determining the Amounts of Money Necessary to Be Raised By the Tax Levy (2002).** The motion was seconded by Alderwoman Patt and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6; voting nay: none.

Alderwoman Huth left the meeting at 8:10 p.m.

Alderman Whelan moved to approve **Ordinance No. 2002-08-100: An Ordinance Revising the Annual Budget Ordinance (Affordable Housing Program Grant).** The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Otto, Patt, Whelan, Wyman, and Mayor Satterthwaite – 6; voting nay: none.

Alderwoman Huth returned at 8:15 p.m.

Alderman Whelan moved to approve **Ordinance No. 2002-09-101: An Ordinance Revising the Annual Budget Ordinance (Redevelopment Incentive Loan Program).** The motion was seconded by Alderwoman Patt and carried 7-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, Wyman, and Mayor Satterthwaite; voting nay: none.

Alderman Whelan moved to approve **Ordinance No. 2002-08-094: An Ordinance**

Approving and Authorizing the Execution of An Intergovernmental Agreement For the Creation of the Champaign County Geographic Information System Consortium. The motion was seconded by

Alderwoman Wyman. Following debate, the motion carried 6-0 by roll call vote. Voting aye were Members of the Council: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6; voting nay: none.

The next regularly scheduled meeting of the Committee of the Whole will be Monday, September 9, 2002, in the Urbana City Council Chambers at 400 South Vine Street.

REPORTS OF SPECIAL COMMITTEES

There were none.

REPORTS OF OFFICERS

Chief Administrative Officer Bruce Walden stated that Environmental Manager Rod Fletcher had provided information on the West Nile Virus.

NEW BUSINESS

Senior Planner Tim Ross presented staff report on **Ordinance No. 2002-09-102: An Ordinance Approving a Major Variance (Request for a major variance to reduce the required front yard setback along Hill Street from 15 feet to 8 feet at 801 North Lincoln Avenue in the B-1, Neighborhood Business Zoning District – Case No. ZBA-02-MAJ-5).** The proposed reduction in setback would be used for employee parking, and the remaining portion of the setback would be landscaped.

Following debate, Alderman Whelan moved to require landscaping plan for the setback to

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be approved by the City Arborist. The motion was seconded by Alderman Otto. Following debate, the motion failed by voice vote.

Following further debate, **Ordinance No. 2002-09-102: An Ordinance Approving a Major Variance (Request for a major variance to reduce the required front yard setback along Hill**

Street from 15 feet to 8 feet at 801 North Lincoln Avenue in the B-1, Neighborhood Business Zoning District – Case No. ZBA-02-MAJ-5) failed 2-4 by roll call vote. Voting aye were Members of the Council: Otto and Whelan – 2; voting nay: Hayes, Huth, Patt, and Wyman – 4.

Mr. Ross presented staff report on **Ordinance No. 2002-09-103: An Ordinance Approving a Major Variance (Request for a major variance to increase the size of a freestanding sign from 32 square feet to 80 square feet at 801-811 North Lincoln Avenue in Urbana's B-1, Neighborhood Business Zoning District – Case No. ZBA-02-MAJ-6)**. The Urbana Zoning Ordinance permits one sign per frontage with up to 32 square feet in area each in the B-1, Neighborhood Business Zoning District. The petitioner is requesting approval to construct one sign with an area of 80 square feet at the northeast corner of the property.

Alderman Whelan moved for approve **Ordinance No. 2002-09-103: An Ordinance Approving a Major Variance (Request for a major variance to increase the size of a freestanding sign from 32 square feet to 80 square feet at 801-811 North Lincoln Avenue in Urbana's B-1, Neighborhood Business Zoning District – Case No. ZBA-02-MAJ-6)**. The motion was seconded by Alderman Otto.

Following debate, Alderman Whelan made a friendly amendment to change the size of the sign from 80 square feet to 50 square feet. There was no objection.

Following further debate, Mayor Pro Tem Hayes took the Chair and Mayor Satterthwaite entered debate. Following further debate, Mayor Satterthwaite resumed the Chair.

Following debate, the motion to approve **Ordinance No. 2002-09-103: An Ordinance Approving a Major Variance (Request for a major variance to increase the size of a freestanding sign from 32 square feet to 80 square feet at 801-811 North Lincoln Avenue in Urbana's B-1, Neighborhood Business Zoning District – Case No. ZBA-02-MAJ-6)**, as amended, carried 4-2 by roll call vote. Voting aye were Members of the Council: Hayes, Otto, Whelan, and Wyman – 4; voting nay: Huth and Patt – 2.

Planner Michaela Bell presented staff report on **Ordinance No. 2002-09-104: An Ordinance Approving a Major Variance (Request to increase the allowed area for an accessory garage from 750 square feet to 960 square feet and to decrease the required five-foot side yard setback to two feet and the required 10-foot rear yard setback to five feet in Urbana's R-3, Single – and-Two Family Residential Zoning District – Case No. ZBA-02-MAJ-7)**. William DeJarnette is requesting a major variance for the construction of a detached accessory garage at 710 East Pennsylvania Avenue. Mr. DeJarnette is proposing to construct the garage with a building area greater than the maximum permitted for an accessory structure with side and rear yard setbacks less than those in the Zoning Ordinance. The proposed garage of 960 square feet would be a 22% increase over the required

building area of 750 square feet. The garage is proposed to have two-foot side yard setback and a five-foot rear yard setback of five feet.

Alderman Hayes moved to approve **Ordinance No. 2002-09-104: An Ordinance Approving a Major Variance (Request to increase the allowed area for an accessory garage from 750 square feet to 960 square feet and to decrease the required five-foot side yard setback to two feet and the required 10-foot rear yard setback to five feet in Urbana's R-3, Single –and-Two Family**

Residential Zoning District – Case No. ZBA-02-MAJ-7). The motion was seconded by Alderwoman Wyman. Following debate, the motion failed 0-6 by roll call vote. Voting aye were Members of the Council: none; voting nay: Hayes, Huth, Otto, Patt, Whelan, and Wyman – 6.

ADJOURNMENT

They're being no further business to come before the Council, Mayor Satterthwaite declared the meeting adjourned at 9:20 p.m.

Tod Satterthwaite
Mayor

Phyllis D. Clark, City Clerk

*This meeting was taped.

**This meeting was broadcast on cable television.

Minutes approved: September 16, 2002