

CITY OF URBANA
Monday, August 2, 2004

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

There being a quorum, Mayor Pro Tem Hayes called the meeting to order at 7:30 p.m.

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

Also present were staff Members: Assistant Police Chief Mike Bily, Public Works Director Bill Gray, Planning Division Manager Rob Kowalski, Planner Paul Lindahl, Senior Planner Michaela Bell-Oktay, Economic Development Division Manager John Regetz, Community Development Director Libby Tyler, and Chief Administrative Officer Bruce Walden.

MINUTES OF PREVIOUS MEETING

Alderman Patt moved to approve the minutes of the July 19, 2004 City Council Minutes. The motion was seconded by Alderman Wyman and carried by a voice vote.

ADDITIONS TO THE AGENDA

There were none.

PETITIONS AND COMMUNICATIONS

John Lee Johnson, 501 East Columbia, Champaign, addressed the Council regarding youth violence at the Champaign County Fair. Mr. Johnson requested that the Urbana Human Relations Commission have joint hearings with Champaign to determine what happened at the Champaign County Fairgrounds.

Henry Spies, 800 La Sell, Champaign, addressed the Council to urge them to add a sentence to the building code to protect the investment of their residence. That sentence being "All components shall be installed according to the manufacturer's instructions." Failure to follow instructions voids the manufacturer's warranty.

Scott Dossett, 501 East High Street; Christopher Stohr, 405 East High Street; George R. Carlisle, 406 East Green Street; and Alice Englebretsen, 501 East California, addressed the Council in opposition to the rezoning of 505 South Urbana Avenue.

Gabe Omo Osagi, 2409 North Highcross Road, addressed the Council regarding the zoning at 505 South Urbana Avenue and at-large representation on the Council.

The following people addressed the Council in support of the rezoning of 1801 North Lincoln Avenue and the Gateway Condominiums: R.M. Hill, Baton Rogues, LA; Matt Deering, 306 West Church Street, Champaign; Tom Berns, 405 East Main Street; and David B. Owen, MBO Corp.

Christopher Alix, 301 East George Huff, addressed the Council in support of at-large representation.

Aldерwoman Wyman stated that she had complaints about the visibility at Main and McCullough or Central due to people parking in no parking zones and requested that Public Works look into the issue.

Chair Hayes announced the National Night Out Celebration to thank residents for their continued efforts working to keep the community safe. It will be Tuesday, August 3, 2004 from 5:00 p.m. to 7:30 p.m. at West Side Park in Champaign.

OLD BUSINESS

There was none.

REPORTS OF STANDING COMMITTEES

Committee of the Whole

Alderman Otto moved to approve **Ordinance No. 2004-07-084: An Ordinance**

Authorizing the Mayor To Establish A Parking Meter Zone On Certain Streets (Goodwin Avenue).

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

Alderman Otto moved to approve **Ordinance No. 2004-07-085: An Ordinance Revising**

The Annual Budget Ordinance (Fire Saw, Terrorism Grant). The motion was seconded by Alderwoman

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

Alderman Otto moved to approve **Ordinance No. 2004-07-086: An Ordinance Revising**

The Annual Budget Ordinance (Fema Grant, PW Radios). The motion was seconded by Alderwoman

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

Alderman Otto moved by omnibus motion to approve **Ordinance No. 2004-07-088: An**

Ordinance Approving and Authorizing the Execution of an Agreement for Promotion and Marketing

Services (Urbana Business Association 2004-2005) and **Ordinance No. 2004-07-089: An Ordinance**

Approving and Authorizing the Execution of an Agreement for TIF Promotion and Marketing

Services (Urbana Business Association). The motion was seconded by Alderwoman Wyman and

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

Alderman Otto moved to adopt **Resolution No. 2004-07-017R: A Resolution Authorizing A Further Extension Of An Agreement For Use Of The Right-Of-Way (Illinois-American Water Company)**. The motion was seconded by Alderwoman Wyman and carried by a voice vote.

The next meeting of the Committee of the Whole will be at 7:30 p.m., Monday, August 9, 2004 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 distributed information regarding the closing of Vine Street for reconstruction on August 9th through 13th during the evening hours between 8:00 p.m. and 6:00 a.m.

Mr. Walden discussed issues regarding billboards and suggested that the City should look at regulations regarding the location of billboards. Mr. Walden suggested an interim development ordinance and take some time to review regulations and make some changes.

Economic Development Manager John Regetz read a Proclamation from the Department of Agriculture, Office of the Secretary Commemorating National Farmers Week August 1 through 7, 2004.

Mr. Regetz presented a **Report On Economic Conditions In The Sunnycrest/Philo Road Business District.**

This is an initial study phase in response to the interest expressed by Council and members of the community as to the economic conditions in the Sunnycrest/Philo business district. This district lies between Florida Avenue to the north and Mumford Drive to the south, and Cottage Grove to the west and Sunnycrest Apartments to the east. It is a mix of neighborhood business with a very active real estate market.

Mr. Regetz discussed the history, current uses, market study and infrastructure of the Sunnycrest/Philo Road Business District.

More study is needed to determine the most feasible types of redevelopment in this business district. Completed and analyzed survey information will help identify consumer and development marks. No action was required on this item.

NEW BUSINESS

Planning Division Manager Rob Kowalski presented staff report on **Ordinance No. 2004-08-090: An Ordinance Annexing Certain territory to the City of Urbana (1501 North Lincoln Avenue / Bushman, LLC)**. This is an undeveloped 2.71-acre tract of property located at the southwest corner of Lincoln Avenue and Bradley Avenue. A restaurant/convenience store will be built on the northern lot of the two-lot parcel. The .63-acre lot to the south will be marketed for future commercial development.

Alderwoman Patt moved to approve **Ordinance No. 2004-08-090: An Ordinance Annexing Certain territory to the City of Urbana (1501 North Lincoln Avenue / Bushman, LLC)**. The motion was seconded by Alderwoman Wyman and carried 6-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, and Wyman – 6; voting nay: none.

Mr. Kowalski presented staff report on **Ordinance No. 2004-08-091: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 505 South Urbana Avenue from R-3, Single- and Two-Family Residential, to R-4, Medium Density Multiple-Family Residential – Plan Case No. 1901-M-04)**. This case comes to Council from the July 22, 2004 Plan Commission Meeting. Plan Commission unanimously recommend changing the zoning from R-3 to R-4. The plan for the lot is to demolish the vacant structure on the lot to redevelop with a four-unit apartment building. Staff concurs with the Plan Commission decision.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2004-08-091: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning of 505 South Urbana Avenue from R-3, Single- and Two-Family Residential, to R-4, Medium Density Multiple-Family Residential – Plan Case No. 1901-M-04)**. The motion was seconded by Alderman Otto

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

Mr. Kowalski presented staff report on **Ordinance No. 2004-08-092: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning for a 9.57-Acre Tract of Property at 1801 North Lincoln Avenue from B-3, General Business, to the R-4, Medium Density Multiple-Family Residential Zoning District (Plan Case No. 1868-M-03) and Ordinance No. 2004-08-093: An Ordinance Approving a Special Use Permit (Request to Establish Residential Planned Unit Development in the R-4, Medium Density Multiple-Family Residential Zoning District (Plan Case No. 1868-SU-03))**.

Hills For College, LLC is requesting both a rezoning and a Special use permit in order to establish a Multi-Family Residential Planned Unit Development on an undeveloped 9.57 tract a 1801 North Lincoln Avenue. Hills For College, LLC intends to purchase the property and develop 136 condominiums within 17 separate multi-family buildings. The building would resemble the adjacent Melrose Apartments with the exception that it would offer fee simple condominiums.

Staff did not offer a favorable recommendation for the rezoning of this property from business down to commercial.

Following debate, Alderwoman Wyman moved by omnibus fashion to approve **Ordinance No. 2004-08-092: An Ordinance Amending the Zoning Map of the City of Urbana, Illinois (Rezoning for a 9.57-Acre Tract of Property at 1801 North Lincoln Avenue from B-3, General Business, to the**

R-4, Medium Density Multiple-Family Residential Zoning District (Plan Case No. 1868-M-03) and **Ordinance No. 2004-08-093: An Ordinance Approving a Special Use Permit (Request to Establish Residential Planned Unit Development in the R-4, Medium Density Multiple-Family Residential Zoning District (Plan Case No. 1868-SU-03))**. The motion was seconded by Alderwoman Patt. Following debate, the motion carried 4-2 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Patt, and Wyman – 4; voting nay: Huth and Otto – 2.

Senior Planner Michaela Bell-Oktay presented staff report on **Ordinance No. 2004-08-094: An Ordinance Approving a Major Variance (Increase in the Floor Area Ratio in the City's R-4, Medium Density Multiple-Family Residential Zoning District from 0.5 to .57 / 1704 Lydia Court West, Case No. ZBA-04-MAJ-7)** and **Ordinance No. 2004-08-095: An Ordinance Approving a Major Variance (Increase in the Floor Area Ratio in the City's R-4, Medium Density Multiple-Family Residential Zoning District From 0.5 to .59 / 1703 East Amber Lane, Case No. ZBA-04-MAJ-8)**. The two requested variances are all requests to increase the floor area ratios for common-lot-line homes in the Ridge Development, a project by the Atkins Group.

The Zoning Board of Appeals voted 4-0 to forward these variance requests to Council with a recommendation for approval. Staff concurs.

Alderwoman Wyman moved by omnibus motion to approve **Ordinance No. 2004-08-094: An Ordinance Approving a Major Variance (Increase in the Floor Area Ratio in the City's R-4, Medium Density Multiple-Family Residential Zoning District from 0.5 to .57 / 1704 Lydia Court West, Case No. ZBA-04-MAJ-7)** and **Ordinance No. 2004-08-095: An Ordinance Approving a Major Variance (Increase in the Floor Area Ratio in the City's R-4, Medium Density Multiple-Family Residential Zoning District From 0.5 to .59 / 1703 East Amber Lane, Case No. ZBA-04-MAJ-8)**. The

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

Alderman Otto recused himself from discussion and action on **Ordinance No. 2004-08-096** due to a possible conflict of interest.

Planner Paul Lindahl presented staff report on **Ordinance No. 2004-08-096: An Ordinance Approving a Major Variance (Allow an Increase in the Maximum Allowable Height of a Freestanding Institutional Sign From 6' to 8'8 ¼" in the MOR, Mixed Office Residential Zoning District / 602 West Green Street, Case No. W. Green Street, Case No. ZBA-04-MAJ-4)**. First Presbyterian Church of Urbana has a freestanding institutional sign in front of their building at 602 W. Green Street in the MOR Mixed Office Residential Zoning District. The church proposes to replace the current sign with a new taller one to be relocated approximately twenty-five feet to the east. The new sign would be a less commercial design than the current one and is intended to better complement the church building architecture.

Institutional signs such as these may be up to six feet in height. The variance request is for a 45% increase in maximum allowable institutional sign height from six feet to 8 feet 8 ¼ inches.

The Zoning Board of Appeals forwarded this variance to Council with a recommendation for approval. Staff concurs.

Following debate, Alderwoman Wyman moved to approve **Ordinance No. 2004-08-096: An Ordinance Approving a Major Variance (Allow an Increase in the Maximum Allowable Height of a Freestanding Institutional Sign From 6' to 8'8 ¼" in the MOR, Mixed Office Residential Zoning District / 602 West Green Street, Case No. ZBA-04-MAJ-4)**. The motion was seconded by Alderwoman Huth and carried 5-0 by roll call vote. Voting aye were Members of the Council: Chynoweth, Hayes, Huth, Otto, Patt, and Wyman – 5; voting nay: none.

Mr. Lindahl presented staff report on **Ordinance No. 2004-97-097: An Ordinance Approving a Major Variance (Allow a Side Yard Setback Reduction from 5' to 3' in the R-3, Single- and Two-Family Residential Zoning District / 210 E. Mumford Drive, Case No. ZBA-04-MAJ-5)** and **Ordinance No. 2004-08-098: An Ordinance Approving A Major Variance (Allow a Front Yard Setback reduction from 25' to 15' in the R-3, Single- and Two-Family Residential Zoning District / 210 E. Mumford Drive, Case No. ZBA-04-MAJ-6)**. This case is a request for two major variances filed by Allen Marx. The variances are to allow side yard and front yard setback reductions. These variances will allow for the enclosure of an existing carport and its conversion to interior living space and for a garage addition to be added in front of the carport conversion. The new garage addition will be accessed from Mumford using the existing driveway.

The Zoning Board of Appeals recommends Council approval with the condition that the development on the site must generally conform to the site plan submitted with the application. Staff concurs.

Following debate, Alderwoman Patt moved by omnibus motion to approve **Ordinance No. 2004-97-097: An Ordinance Approving a Major Variance (Allow a Side Yard Setback Reduction from 5' to 3' in the R-3, Single- and Two-Family Residential Zoning District / 210 E. Mumford Drive, Case No. ZBA-04-MAJ-5)** and **Ordinance No. 2004-08-098: An Ordinance Approving A Major Variance (Allow a Front Yard Setback reduction from 25' to 15' in the R-3, Single- and Two-Family Residential Zoning District / 210 E. Mumford Drive, Case No. ZBA-04-MAJ-6)** with one change to the findings, to change number two to state "The variances would not constitute a special privilege because of the unusual shape of the lot." 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: Chynoweth, Hayes, Huth, Otto, Patt, and Wyman – 6; voting nay: none.

Mayor Pro Tem Hayes stated that there is not information to proceed with **CLOSED**

SESSION: Pending Litigation.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tem Hayes declared the meeting adjourned at 10:45 p.m.

Tod Satterthwaite
Mayor

Phyllis D. Clark, City Clerk

MINUTES APPROVED: August 16, 2004, as amended.

AMENDMENT TO THE AUGUST 2, 2004 CITY COUNCIL MINUTES

Aldерwoman Wyman requested to amend the minutes on page 4, to add "Market" between "Farmers" and "Week" in paragraph 6 on page 4, and to change the "5" to "6" in the last line on page 8.

There were no objections. The minutes were approved as amended.