

July 19, 2001

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: Thursday, July 19, 2001

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Randy Kangas,
Michael Pollock, Joseph Rank, Marilyn Upah- Bant

MEMBERS EXCUSED: Gerrit Knaap, Bernadine Stake

STAFF PRESENT: Elizabeth Tyler, AICP/ASLA, Planning Manager
Rob Kowalski, Senior Planner
Bill Gray, City Engineer

OTHERS PRESENT: John Goodell, Susan Taylor, Scott Weller

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

The meeting was called to order at 7:30 p.m. Roll Call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Alix motioned to approve the minutes from the meetings of June 21, 2001. Mr. Rank seconded the motion. The minutes were then approved by unanimous vote.

Mr. Rank motioned to approve the minutes from the July 5, 2001 meeting. Mr. Kangas seconded the motion. The minutes were then approved by unanimous vote.

4. COMMUNICATIONS

- Letter from Mayor Tod Satterthwaite
- Letter from Don Adams of Farnsworth Group
- Preliminary Plat for Lincolnwood IV
- Staff Report on Urbana & Champaign Sanitary District Long Range Plan

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Plan Case #1788-S-01, Combination Preliminary and Final Plat of Lincolnwood IV Subdivision.

Mr. Kowalski gave the staff report. He began the presentation with a brief introduction and background report. Next, he gave a discussion on the land use, Zoning, and the Comprehensive Plan Designations, in addition to access, drainage, and utilities. He listed the waivers requested. He went over the Summary of Findings and read the Plan Commission their options. Mr. Kowalski stated that Staff recommended that the Plan Commission forward this case to the City Council with a recommendation to approve the Preliminary and Final Plats of Lincolnwood IV Subdivision along with the requested waivers.

Mr. Kangas asked if the diagram of curb cuts was intended for an alternative type of curbs to be used? Mr. Kowalski replied that the proposed curbs were adequate. The diagram was only to provide details of how the curbs would look and how the driveways would be cut into the curbs. Mr. Alix asked if the curbs would be on a new street in the development? Mr. Kowalski replied that was correct.

Mr. Alix asked if the eastern half of the parcel was large enough to require a detention? Mr. Kowalski responded that the site as a whole was large enough to require detention. If the site were divided in half with four acres on each side, then a detention would not be required. Mr. Alix asked if a detention would only be required for the eastern half if the area to the east had already been developed? Mr. Kowalski stated that a detention would be required for the eastern half of the site if the western half would be proposed to be picked up by the inlet.

Mr. Alix inquired as to whether there was an issue with the Plan Commission not having an option or bonding for a provision for drainage on the Savannah Green site. Mr. Kowalski stated that his understanding was that August 1, 2001 was the deadline for the closing of the sale for the property of Savannah Green to the St. Agnes Company. He mentioned that there was a letter from the St. Agnes Company stating that once the St. Agnes Company closes the sale and owns the property, then the St. Agnes Company agreed to provide for the detention whether they develop Savannah Green or not. Mr. Alix asked what would happen if Mr. Weller sold the land to the St. Agnes Company and they fail to develop the land, who would then be responsible for building the detention basin? Mr. Kowalski noted that the agreement in the letter written by the

St. Agnes Company stated if they do not provide the detention area, then Mr. Weller would provide the detention basin even if he does not own it. Mr. Alix asked in theory if the letter created a covenant running with the land? Would it require that whoever buys the land would provide a detention basin at Mr. Weller's expense? Mr. Kowalski replied that was correct. Mr. Alix commented that he did not want to be in a situation where the detention was not built because the responsibility of building the detention was not covered by a provision or bond. Ms. Tyler added that if the Savannah Green development was not developed and the land remained farmland, and then the water from the surrounding developments would use the undeveloped land as a natural detention.

Scott Weller, of Weller's Community Homes, Inc., introduced himself to the Plan Commission. He believed that Mr. Kowalski's presentation was very informative and articulate. Mr. Weller addressed the question from Mr. Alix regarding the drainage. He mentioned that if St. Agnes Company does not develop the land, then the next developer who purchases the land would either have to follow the plan that the Plan Commission had approved for the site or a new developer will have to come forward at which point, the commitment made by St. Agnes Company and the Farnsworth Group would come before the Plan Commission again. Therefore, there is a safety valve. Mr. Alix asked if it was Mr. Weller's intention to put a covenant on the land when he sells it to require the new buyer to detain the water for him? Mr. Weller replied that if something should happen and St. Agnes does not buy the property, then there would be a three-year waiting period. After which, Mr. Weller would be obligated to build the storm water detention for the proposed subdivision.

Mr. Kangas moved to forward this case to the City Council with a recommendation for approval of the proposed Preliminary and Final Subdivision Plats of Lincolnwood IV, along with the requested waivers. Mr. Alix seconded the motion. The roll call was as follows:

Mr. Douglas	-	Yes	Mr. Kangas	-	Yes
Mr. Pollock	-	Yes	Mr. Rank	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Alix	-	Yes

The motion was passed by unanimous vote.

Policy Recommendation to City Council on UCSD Long Range Plan

Ms. Tyler commented that the Plan Commission would not vote on this policy recommendation at that time. She began her staff presentation by giving a brief introduction and background. In the discussion, she stated the relevant goals, objectives, and policies of the City's Comprehensive Plan. She reviewed the staff recommendations.

Mr. Alix asked if staff was proposing that the differential rate apply only to the connection fee in the staff recommendation of not supporting the financial plan? Ms. Tyler replied that by not recommending the financial plan, Staff would be asking UCSD to evaluate that plan. Mr. Gray added that UCSD needs an assignment given to their Trustees. UCSD needs to look at user fees and connection fees in addition to other options.

Mr. Alix asked if Staff believed that UCSD should treat the areas served by the southwest plant and the areas served by the northeast plant independently in terms of determining rates. Mr. Gray replied yes.

Mr. Alix inquired as to whether Urbana would have to bear the entire cost of constructing a new southeast plant to serve primarily southeast Urbana? Mr. Gray commented that if UCSD breaks the path of uniformly applying rates across the district, then Mr. Alix's analysis might be correct. Mr. Alix commented that his concern was that by not supporting the financial plan because of the uniform rates might set a dangerous precedent. Urbana is trying to do a quick fix to make the rates fair, however, it might come back to haunt Urbana. Ms. Tyler agreed that was a potential risk. UCSD kept the rates low for so long. The growth that occurred in the southwest basin occurred at the low rates. One argument might be to let us adjust the rates this one time, then go back to uniform rates. UCSD was underfunding themselves. Now who has to pay, and who benefited from the lower rates. Mr. Alix mentioned that an argument to that would be that the people who benefited were the people who connected to UCSD. There was and still is a large area of land in Urbana available for development, and had that area been developed, then the developers of that land would have benefited from the low connection fees.

Mr. Alix commented that this should not be turned into a Champaign versus Urbana issue. He does not want UCSD, forty years from now, saying that they need to build a \$40,000,000.00 treatment plant in Urbana, and that Urbana will have to pay for it since Urbana is now requesting that the users pay for the pairs on the treatment plant they use.

Ms. Tyler stated that those were good questions. The City of Urbana is only asking for UCSD to reevaluate a different type of rate structure.

Mr. Kangas agreed with what Mr. Alix had to say, except Mr. Kangas felt that they need to separate the issues. He stated that you have to decide what you have to do, and then have to decide how to fund it.

Mr. Alix commented that he would be disinclined to support the recommendation that the City of Urbana asks UCSD to look at differential pricing. He felt that UCSD had given a compelling argument for equity in terms of treating users the same from a rate standpoint regardless of topography or municipality.

Ms. Upah-Bant asked if Mr. Gray had commented that he had not found a place that had differential pricing? Mr. Gray replied that throughout his research of other communities, he had not found any communities that differentiate the rates to different areas. The closest he found was that some communities have meters at each residence that measures the amount of waste in gallons and the Sanitary Districts charge extra per gallon to transport and treat the waste.

Mr. Rank asked if the role of the Plan Commission and the City Council was purely advisory? Mr. Gray replied that was correct.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Tyler gave staff report with the following items highlighted:

- In regards to the last two cases, the following results were noted: 1) the OASS moratorium was passed, and 2) the Build Urbana Tax Rebate Program was extended to duplexes, condominiums and co-operatives.
- There will be an Amendment to the Annexation Agreement for Berringer Commons coming soon.
- There will be a Study Session from Carle Hospital during the summer.
- There will be a Study Session on Multiple-Family Parking later this summer.
- There will be a Downtown Plan Steering Committee meeting on August 28, 2001.
- The next meeting for the Comprehensive Plan Steering Committee will be on August 16, 2001.
- Ms. Tyler will be on vacation for three weeks. If any of the Plan Commissioners have any questions, they can contact Rob Kowalski or Tim Ross.
- Welcome to Michael Pollock as the new Chair of the Plan Commission.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Elizabeth H. Tyler, Secretary
Urbana Plan Commission