

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: **October 10, 2002**
TIME: **7:30 P.M.**
PLACE: **Urbana City Building**
 400 South Vine Street
 Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Laurie Goscha, Randy Kangas,
 Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Lew Hopkins, Michael Pollock

STAFF PRESENT: Libby Tyler, CD Director; Teri Andel, Secretary

OTHERS PRESENT: Ahmed Abukhter, Yelias Bender, Andrew Fell, Melissa Headley,
 Chisaki Muraki, Rohit Negi, Justin Placek, Susan Taylor,
 Suzanne Vig, Yu Xiao

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

The meeting was called to order at 7:34 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Douglas moved to approve the minutes from the meeting held on September 5, 2002. Mr. Alix seconded the motion. The minutes were approved by unanimous vote.

4. COMMUNICATIONS

- Self-Storage Facility Schematic Site Plan

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

Plan Case #1841-SU-02: Request for a Special Use Permit to establish a Warehouse, Self-Storage Facility at 1810 Colorado Avenue in the B-3, General Business Zoning District.

Libby Tyler, Director of Community Development, gave the staff report for this case. She presented background information for the request by describing the site and the surrounding properties and by talking about the storm water management, parking, and development regulations for the proposed site. She discussed the requirements for a Special Use Permit according to Section VII-6 of the Urbana Zoning Ordinance. She reviewed the summary of staff findings and read the options of the Plan Commission. She noted that staff recommendation was as follows:

That the Plan Commission recommend approval of the proposed special use permit in this case to the City Council as presented for the reasons articulated in the written staff report, with the following conditions:

- 1. A revised Site Plan be submitted to the City showing the required parking spaces in their allowed location for the proposed use.*
- 2. A storm water management plan be submitted to the City and be approved by the City Engineer.*
- 3. A signed agreement indicating the owners' participation in the maintenance of the drainage swale east of the property be submitted to the City.*
- 4. Lighting emitted from the site be properly shielded from adjacent residential uses, as required by the Zoning Ordinance.*

Mr. Alix commented that one of the site plans indicated a drainage swale. He asked how close the drainage swale would be to the apartment buildings along the east? Would the entire drainage swale be on the apartment building property? Ms. Tyler answered that the drainage swale appeared to be on the east side of the property line according to the second page of the site plan. The City would look for participation of this particular use in maintenance. Since the petitioner would be providing additional drainage; therefore, there should be a shared maintenance of the drainage swale.

Mr. Alix inquired as to how wide the existing swale was? In regards to buffering, he wanted to know how much space there would be between the property line and the apartment buildings and whether or not that space would be used up entirely by the drainage swale. Ms. Tyler stated that it was difficult to judge whether it would be 20 feet or 30 feet when looking at one of the photographs in the staff report. There was a pretty healthy width between the two, which would help to provide the separation between the land uses. She was not sure what responsibility the apartment building owner has for the drainage swale. Since the developer of the proposed use would be using that drainage swale, then the developer would hold partial responsibility for maintaining the drainage swale.

Andrew Fell, architect for the proposed development, approached the Plan Commission to answer any questions. He noted that he was not sure where the property lines were in relationship to the swale. It was his understanding that the swale was at least partially on both pieces of property. Ms. Tyler added that Bill Gray, Director of Public Works, would request a shared maintenance requirement between the apartment owner and the storage-facility owner.

Mr. Alix commented that he was having problems with the pictures in the staff report and the site plan. The site plan shows approximately ten feet between the property line and the drainage swale. He did not see enough room in either of the photos in the staff report to indicate that there was much room between the apartment building and the property line. Mr. Fell noted that the swale was not very wide; however, it is pretty deep. Mr. Alix asked Mr. Fell to guess at how much space there was between the drainage swale and the backs of the apartment buildings? Is there any sort of backyard behind the apartment buildings before the swale? Mr. Fell stated that there was some space between the apartment buildings and the swale.

Mr. Kangas inquired about what types of materials could be stored in the storage facility? Are there prohibitions against hazardous chemicals? Ms. Tyler responded that from a zoning standpoint, the City would expect it to be used only for storage of commercial and/or household goods. No one would be allowed to live in or operate a business from one of the storage units.

Mr. Kangas questioned if the storage units would be climate controlled? Mr. Fell replied that he could not answer that question right now.

Ms. Stake asked what would be illegal to store in the proposed warehouse storage units? Ms. Tyler replied that stolen goods and contraband would be illegal. Ms. Stake asked about combustible material. Mr. Kangas recalled a previous case that was similar to this case. There were prohibitions on non-household types of goods. A person could store a lawnmower and gasoline for the lawnmower; however, they could not store drums of gasoline in the storage units. Ms. Tyler noted that some of that would be the management screening what storage uses would be allowed. Although the City did not have specifics about the rental agreement, it would have to comply with what the City would expect for a short-term rental space: that it not be dangerous, illegal, combustible, or contraband. Mr. Alix added that he expected the limiting factor to be the liability insurance for the owner. The liability insurance carrier for the operator would probably be the most restrictive in terms of enforcing the presence of some agreement with regard to what would be allowed to be stored.

Ms. Upah-Bant noted that when looking at the roads around the proposed development, if there were a fire, then it would be hard for the fire trucks to get back there. Ms. Tyler stated that the site plan was reviewed by the Fire Department. The Fire Department felt that there was adequate access for this use.

Ms. Stake noted that the Zoning Ordinance would not prohibit renters from storing unwanted materials. Ms. Tyler commented that the Zoning Ordinance would control the use or activity, the development and regulations, the setbacks, and the Development Ordinance would control the drainage. Ms. Stake wondered where the laws were that stated that combustible materials could not be stored in one of the proposed storage units? Ms. Tyler mentioned that there might be

some building code restrictions. There are several storage facilities in the community, and she had not heard of any particular problems with the storage of goods. Mr. Kangas suggested that staff provide the Plan Commission with a hard copy of a typical rental agreement and/or City guidance that would prohibit or cover certain materials.

John Fimian, one of the owners of the proposed development, commented that at this point, they did not know how much of the storage facility would be climate controlled. There is a demand for it, and the percentage of the storage facility will be a market driven demand.

Mr. Alix inquired if Mr. Fimian operated other facilities similar to the proposed? Mr. Fimian replied no; however, he runs a heating and air conditioning business in Urbana. Mr. Alix asked Mr. Fimian to describe what the manner of heating and air conditioning would be like. Would there be a common system for an entire building or would each unit have a separate system? Mr. Fimian responded that essentially they would do the entire building at one time and that becomes a climate controlled storage facility. Mr. Alix asked if all the units would be at the same temperature? Mr. Fimian replied that was correct. They would set up a certain percentage of minimum/maximum humidity.

Mr. Alix questioned if there was sufficient space to mount the condensers? Would they be roof-mounted? Mr. Fimian answered that there was sufficient space and the condensers would not be roof-mounted, because the building structure would not lend itself to that. The condensing units would be split and placed off to the side between the buildings and protected by pipe.

Mr. Alix inquired as to whether Mr. Fimian could give the Plan Commissioners any guidance as to what type of rental agreement the owners plan to have in place and what they will let people store in the units? Mr. Fimian replied that it would be a restrictive rental agreement in regards to flammable and illegal substances and objects for their own protection as well as others.

Ms. Stake asked for clarification in that the rental agreement set forth by the owners would be the only document restricting the types of materials to be stored? Mr. Fimian answered yes. As with any landlord, he would make any restrictions on what could be done on his property. There is no way to enforce it. It would be the same with renting homes. He can set up guidelines, but that is all he can do.

Ms. Goscha noticed a discrepancy between the actual site conditions and the site plan with regard to the swale. For example, in the staff memo it talked about a screening wall between the proposed development and the apartment building. We certainly would not want the wall running down the center of the swale. She asked if they would be coming back with a revised site plan? Mr. Fell replied that was correct. Ms. Goscha asked if they would move the storage units further to the west away from the apartment buildings to keep the storage units out of the swale? Mr. Fell replied that they would do that if it would be necessary.

Mr. Alix questioned the other commissioners as to whether they felt it would be reasonable that they attach as a condition to the Special Use Permit that the petitioner provides a sample rental agreement? City staff could evaluate as to whether or not it ensures the safety of the surrounding uses. In response, Mr. Kangas asked if the City requests that condition for this specific storage

unit, then should the City request that of all specific storage facilities? Mr. Alix commented that it seemed reasonable to him. He did not have any problems with the site or the construction. Since some of the Plan Commissioners were concerned with the usage, it seemed reasonable, given that it is a Special Use Permit, to impose as a condition that the petitioner create, maintain, enforce, and provide the City with a rental agreement that ensures the safety of the surrounding uses.

Mr. Douglas wanted to know if Mr. Alix was asking the staff to approve the rental agreement? Mr. Alix responded that he just wanted staff to ensure that a rental agreement was in place. Ms. Tyler added that it could be a supporting document for future cases. Mr. Alix questioned what the time line would be? Ms. Tyler answered that after a Special Use Permit was issued, there are two other milestones, which would be the issuance of a Building Permit and the issuance of a Certificate of Occupancy. There are some analogies like with an owner's certificate for a subdivision or other agreements that staff would want to have on file as supporting documents for the approval. Mr. Alix stated that with Ms. Tyler's assurance that staff would look at the rental agreement, he did not feel the need to attach it as a condition. Mr. Kangas agreed with that. Ms. Tyler said that it would be submitted subject to staff's review and approval as a condition of the Certificate of Occupancy. She stated that the Plan Commissioners could add it as one of the conditions for approval of the Special Use Permit. Ms. Goscha did not feel that would be necessary, since the building code officials of the City of Urbana have to look at the use group for both the building code and their varying levels of actual storage facilities that would be allowed. The architect would speak with the owner to determine what type of storage facility it would be. If it would be a high hazard facility, the architect would then design the building to match that level of hazard.

Mr. Douglas moved to forward this plan case to the City Council with the recommendation for approval with the four conditions requested by staff in the written report. Mr. Alix seconded the motion. The roll call was as follows:

Ms. Upah-Bant	-	Yes	Ms. Stake	-	Yes
Mr. Kangas	-	Yes	Ms. Goscha	-	Yes
Mr. Douglas	-	Yes	Mr. Alix	-	Yes

The motion was passed by unanimous vote.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Tyler reported on the following:

- ✓ The text amendment pertaining to methadone treatment facilities was passed by City Council. The Plan Commission will probably see a follow-on text amendment of some sort to separate the hospital and the clinic uses.
- ✓ City Council has requested review of the B-1 Neighborhood Business Zoning District. Staff is in the process of reviewing the existing B-1 areas. They ordered a planning advisory service review for how other communities deal with neighborhood businesses.
- ✓ The Cunningham Children's Home rezoning and special use permit was passed by City Council.
- ✓ Somerset Subdivision No. 4 pre-annexation agreement was approved by City Council.
- ✓ Upcoming Plan Commission cases will be the following:
 - Historic Preservation text amendment regarding non-contributing structures.
 - Urbana Assembly of God has requested another special use permit for a youth activity center and will also present their Master Plan.
 - CCZBA regarding a major comprehensive review of their Zoning Ordinance.
- ✓ Staff held Focus Group meetings to gather technical input to update the Comprehensive Plan. They have been very successful, and staff received the input that was needed to begin the remapping of the Comprehensive Plan.
- ✓ The City is close to having 170 new housing starts this year, which is over 5 times the average. Those are subdivisions that have been reviewed and approved by the Plan Commission.
- ✓ The Library came in underbid. There is a Ground Breaking Ceremony on Sunday, October 20, 2002 at 2:00 p.m.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Acting Chair Kangas adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission