

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: November 4, 2004

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Chris Alix, Laurie Goscha, Lew Hopkins, Randy Kangas, Bernadine Stake, Marilyn Upah-Bant, Don White

MEMBERS EXCUSED: Michael Pollock

STAFF PRESENT: Rob Kowalski, Planning Manager; Paul Lindahl, Planner; Teri Andel, Planning Secretary

OTHERS PRESENT: Amy Ando, Joshua Busar, Jonathon Freund, Eric Haluursen, Seungmo Kang, Ji-Yun Lee, Ted Massey, Bill Meier, H. James Miller, David Sidney, Kyle Sprague, Susan Taylor

NOTE: In the absence of the Chairperson, Michael Pollock, Ms. Stake moved that Randy Kangas serve as Acting Chairperson. Mr. Alix seconded the motion. The Plan Commission agreed by unanimous vote.

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

The meeting was called to order at 7:30 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. White moved to approve the minutes from the October 7, 2004 meeting of the Plan Commission as presented. Ms. Stake seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

- ▶ A Directory of Who's Who in Government
- ▶ Planning Commissioners Journal

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case # 1910-SU-04: Request for a Special Use Permit to establish a Church in the R-2, Single Family and R-3, Single and Two-Family Residential Zoning Districts at 806 and 808 West Michigan Avenue.

Paul Lindahl, Planner, presented this case to the Plan Commission. Using the Elmo device, Mr. Lindahl showed how the petitioner, Twin City Bible Church, planned to replace the two existing houses with one new building. He mentioned that the house at 808 West Michigan Avenue was zoned R-3, Single and Two-Family Residential Zoning, and 806 West Michigan Avenue was zoned as R-2, Single Family Residential Zoning District. He noted that a church or temple use was permitted in both the R-2 and the R-3 Zoning Districts only with a Special Use Permit. He talked about the surrounding land uses of the adjacent properties.

Mr. Lindahl talked about the proposal for the Special Use Permit, parking and access to the proposed site, and about the related case for a major variance that the Zoning Board of Appeals forwarded to the Urbana City Council with a recommendation for approval. He reviewed the requirements for a Special Use Permit according to Section VII-6 of the Urbana Zoning Ordinance. He summarized staff's findings, read the options of the Plan Commission, and presented staff's recommendations, which were as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Plan Commission recommend approval of the proposed special use permit to the City Council as presented with the following conditions:

- 1. The Special Use approval is contingent upon the ability of the petitioner to obtain a Major Variance approval from the Urbana Zoning Board of Appeals and City Council for an increase in maximum allowable Floor Area Ratio to accommodate the plan as designed.*
- 2. The project shall conform to all other City of Urbana Engineering, Building Safety, and Zoning Ordinance regulations.*

3. *The design and site layout of the Church annex shall be in general conformance to the plan submitted and identified as Exhibit "F" in the staff report.*

Ms. Stake mentioned that 14 cars were a lot of cars, and she did not feel that the neighbors should have to look at 14 cars parked in the parking lot. Was any screening required? Mr. Lindahl pointed out that there was an existing fence along the south side to screen the play area and a neighboring garage and on the east side to screen the neighboring yard from the proposed property. The fence on the east side would be moved over to the property line or replaced with a new screening fence.

Ms. Stake inquired what type of screening would be used. Mr. Lindahl replied that could be up to the Plan Commission. They could require a fence or some bushes in front of a fence.

Ms. Stake questioned if there would be any greenery on the proposed site? Mr. Lindahl stated that the front yard was all grass. It would be nice to have trees between the petitioner's property and the adjacent neighboring property on the east side.

Mr. Alix stated that it appeared on Exhibit "F" that the west 12 feet of the exit driveway would be new and that the east 8 feet was an existing driveway for the neighboring resident. Mr. Lindahl replied that was correct. There was an existing, neighboring driveway going back to the garage at 804 West Michigan Avenue. There was a bit of a change in topography between the two driveways in that there would be a retaining wall constructed. Mr. Alix noted that on Exhibit "F", the retaining wall would only be about 30 feet long. Did that mean that the proposal was for the exit driveway to be a shared driveway with the neighbor to the east? Mr. Lindahl said no. The proposal was for the petitioner to have a single-shared exit.

Mr. Alix inquired if the neighbor's garage only had one door and would the garage only be accessed by the neighbor's driveway? Mr. Lindahl said that was correct.

Mr. Alix questioned what the current parking configuration was? Mr. Lindahl answered by saying that it was a gravel parking lot.

Mr. Alix asked if the petitioner was planning on moving the existing eastern fence over to the property line? Mr. Lindahl responded by saying that was correct.

Mr. Alix inquired if the parking requirements by the City would still be met with one fewer space or were 14 spaces required? Mr. Lindahl stated that the parking requirements could still be met, because the petitioner was planning to provide one more handicap parking space than they were required to. Mr. Alix asked from a screening standpoint, if the Plan Commission decided that landscape screening was required, then it could go into the area where the petitioner was planning to have parking space #1? Mr. Lindahl stated that the City Engineers would need to look at that.

Mr. Alix questioned if there was currently a second entrance to the parking lot off of Michigan Avenue between the two existing homes? Mr. Lindahl said that was correct. The driveway that was between the houses served as an in/out access for the church.

Mr. White questioned if the retaining wall would be constructed next to the existing neighbor's garage? He wondered what the retaining wall would do to the garage. Mr. Lindahl referred the question to the architect for the proposed project. Mr. White asked if there were any setback requirements in the covenants? Mr. Lindahl replied no.

Mr. Kangas inquired if the Special Use Permit would transfer to a new owner of the proposed site if the site were used for the same purpose. If the use of the proposed facility would change, then the Special Use Permit would expire? Mr. Lindahl responded by saying that was correct.

Mr. Kangas asked if there would be a daycare in operation through the week? Mr. Lindahl said that the petitioner did not intend to have a daycare through the week. Mr. Kangas inquired if a daycare would be permitted? Rob Kowalski, Planning Manager, pointed out that if the daycare was considered an accessory to the church use overall, then it would be allowed during the weekday or some other time besides on Sundays. If some other organization wanted to operate a daycare on the proposed site, then the City would require approval of a Conditional Use Permit, which would be reviewed and decided upon by the Zoning Board of Appeals.

Mr. Kangas questioned if the parking spaces could be rented out during the week? The church would not be allowed to operate the parking lot as a principal use parking lot, where the church had a business of renting spaces to others. There were provisions to be able to share excess of parking spaces with a neighboring use. He added that since the petitioner was essentially scraping the proposed site clean and redeveloping it, the petitioner was required to bring everything into compliance with the city's current code and regulations. So, the current parking lot layout probably did not meet many of the current codes and regulations for parking layout, the size of spaces, and aisle widths and handicap spaces. Although 14 spaces was not the minimum number of parking spaces required, the church made up for the amount required by providing for parking in the lot across Lincoln Avenue at the University of Illinois. Of course, they wanted to get as many spots as they could right next to the facility, which is why they were proposing to move the eastern fence over and get an extra parking space in the lot.

Ms. Stake questioned how the petitioner would move the east fence over? It appeared to be on the property line now. Mr. Kowalski stated that the fence was not on the property line. The proposal was to relocate the fence four feet to the east right along the property line. If the Plan Commission required landscaping in addition to the fence, then the petitioner would need at least four feet to meet that condition.

Ms. Stake inquired what was in the back of the lot between the neighbor's garage to the north and the proposed parking lot? Was it an alley? Mr. Lindahl replied that there was a grassy area next to the neighbor's garage to the north. Mr. Kowalski added that it was a power easement. It was not an area that the church could pave and incorporate into the parking area.

Jim Miller, architect for the proposed project, pointed out that the fence was a relatively new wood fence, and it was about four feet in height. The petitioner planned to move the fence four feet to the east to correct the previous mistake of where the fence was originally placed. They had discovered the mistake when the platting for the site was done.

He stated that there would have to be a retaining wall to separate the exit driveway for the church from the east neighbor's driveway. How they develop the retaining wall and driveway would be between the church and the neighbor to the east. Those details had not been worked out. By having a common driveway, it should help the neighbor, because the neighbor's driveway was very narrow.

Mr. Miller talked about the use of the parking lot. Use of the parking lot would be intermittent. During the week, the parking lot would not be fully utilized. The parking lot was designed for the elderly and the handicapped. It would only be fully utilized on Sundays. The rest of the congregation would park in the University of Illinois parking lot.

As far as landscaping, he pointed out on a map where green space currently existed. If they decided that they needed more green space, then they could lose parking space #1.

Mr. White questioned how the petitioner planned to construct a retaining wall without the neighbor's garage falling in? Mr. Miller stated that the church would have to build the retaining wall on their property. They planned to build the retaining wall up to the neighbor's garage. If any problems come up during the time of construction, then they would work it out with their neighbor.

Mr. White inquired if the petitioner had talked to that neighbor as of yet? Mr. Miller answered by saying that the church had talked to the neighbors, but found it difficult because there were three ladies in the family from three different generations that lived next door. When the church gets to the point after the proposed plan was approved by City Council, then they would try to discuss with the neighbors to work things out.

Ms. Stake felt that a shared driveway would not be a good idea. If the neighbors wanted to park in their driveway, then they could not. Mr. Miller stated that having a shared driveway would not mean that the church or its congregation would use the shared driveway. It meant that it would give the neighbors a little more space to maneuver their vehicles. The church would have to enforce a policy that the congregation, who used the parking lot, stay off of the neighbors' driveway.

Mr. Alix expressed concern about the proposed parking layout with the entrance off of Lincoln Avenue and the exit onto Michigan Avenue. He was uneasy with the idea that people would circle the property to find a parking space. Was the church prepared to address this issue? Mr. Miller responded by saying that there was a very large sign, which stated that the parking lot was only for the elderly and the handicap, posted in the current entrance/exit driveway. The sign has worked thus far. Other people know that they are not allowed to park in the parking lot.

Ms. Goscha asked if the church owned a portion of the parking lot that they shared with the neighboring sorority? Mr. Miller mentioned that the church shared the access; however, the church did not have any ownership of the parking lot. The church did have legal documentation stating that the church could use the driveway.

Ms. Goscha questioned if the petitioner had thought about the implications of changing the flow of traffic through the parking area? Mr. Miller stated that there were very few visitors. It would

be nicer if they could enter off of Michigan Avenue as well. After talking with the traffic engineers and looking over how the flow of traffic would work best, the City staff felt it would be best to have all traffic enter the parking area from Lincoln Avenue and exit onto Michigan Avenue. Mr. Kowalski noted that there were two problems with having a two-way driveway onto Michigan Avenue. The first problem was that the church could not get a wide enough access drive to meet the City's code. The second problem was that the City Engineer preferred not to have vehicles turning left off of Michigan Avenue into the church's parking lot and creating a backup of vehicles trying to get in. Just having a one-way out would lessen traffic and potential conflicts on Michigan Avenue.

Jonathan Freund, of 811 West Michigan Avenue, noted that he lived on the corner of Michigan Avenue and Lincoln Avenue across from the Twin City Bible Church. His family was pleased with the plans and was very thankful about how responsive the church and the architect had been in seeking the neighbors' input. The proposed building was quite tasteful. However, it did not look like a house, and it would change the character of the street. He expressed his concerns, which were as follows:

1. *The walkway between the proposed annex and the current church.* The walkway appeared to be very institutional looking. It would be very much out-of-character with both the design of the new annex and the existing church.
2. *Lit signs.* He noted that his family live in the glow of the existing lit sign for the church. It is so bright at night that he could see the light through his curtains. The light was on all night long. This was his biggest concern. He noted that he would be thrilled if there was a provision preventing any more signs to be put up on the new annex.
3. *Landscaping.* The photos provided by the architect only showed grass. The proposed project would stand out, because most of the structures on the street currently have some sort of shrubs and trees.
4. *The tree in front was misleading.* He noted that the mature tree in one of the photos was located in the wrong place. This led him to think that the petitioner had not spent much time on the landscape plan. The existing tree would need to be removed in order to build the proposed walkway shown in the site plan.

Ms. Stake wondered why there needed to be a walkway between the proposed annex and the existing church. Why could not the petitioner place the two structures next to each other and provide a door between them? Mr. Freund commented that the walkway did break the two buildings up. He was not opposed to the walkway itself. He was opposed to the glass structure of the walkway.

Amy Ando, of 712 West Michigan Avenue, stated that she did not consider herself against the proposal, but she had some concerns with signs, lights, and irreversibility. In terms of irreversibility, she commented that if the church demolished the two existing houses, then if and when the church decided to move from the current location, there would be a case before the Plan Commission for adaptive reuse of the building. Chances would be that the adaptive reuse would not be for residential use.

She was also concerned about signs and lights. The Urbana Zoning Ordinance did not have provisions against signs and lights in a residential neighborhood. Currently the existing two

houses did not have any signs or any external illumination. This was a very nice thing for the people living across the street and for the neighbors walking past those houses. Until this case came up, she did not know that the Twin City Bible Church even owned those houses. It was not clear that the houses were being used for anything but homes. Obviously, when the houses are demolished and the proposed annex is built, this would change. However, she did not see any reason why anything more than a one square foot nameplate should be allowed or why there should be any more lighting than that which would be absolutely necessary for safety to get in and out of the building after dark. Although she did not think that the church would put up a big, lit sign, the Special Use Permit would outlive the current leadership of the church. So, it seemed prudent for the Plan Commission to add conditions to the approval of the Special Use Permit to restrict signs and lights.

Ms. Ando noted that she had attended a conference on "The Value of Ecosystems". She remembered the negative environmental impact of having extensive impervious surfaces. It was a shame that the Urbana City Code insisted that driveways and parking lots be made out of impervious surfaces. Gravel was much better. Changing from what existed in the parking lot now to what was being proposed in the plan involved a very large increase in the amount of impervious surface, which would be bad hydrologically. Lot by lot, as a community, we should worry about the amount of impervious surface that the City has.

Finally, she did not recommend a shared driveway. It would only be asking for trouble.

Mr. Alix summarized her concerns by saying that her biggest concern was the possibility of additional signage. Other specific concerns included external lighting. Ms. Ando added that currently the Zoning Ordinance did not have a Light Pollution Ordinance, unlike other communities.

Mr. Miller addressed the concerns of Mr. Freund and Ms. Ando. He noted that the church was not planning to add any additional signs, because their intention was to have a sense of residential character with the proposed building.

He mentioned that he had tried to figure out a way to replace each existing house with a new residence that would be used by the church for their uses, but it would still look residential. It would be too expensive to do this, because they would have to have two elevators, two fire stairs, two accessible routes, etc.

As far as the link between the proposed annex and the existing church building, the petitioner wanted to loose the link. The way to loose that link was to make it transparent, so that people could see through it.

Regarding landscaping, Mr. Miller explained that they kept the shrubs out of the illustration so that the Plan Commission could see the building. This did not mean that the church was not going to put lots of shrubs in. Anyone driving by the existing church could see that they have heavily landscaped in front of the church. They planned to carry the landscaping through to the back of the church. Mr. Freund was right about the tree in front of the proposed annex. The draftsman moved the tree on the Site Plan simply to provide the shadows and the effect of a

place that would be landscaped. The tree would be removed, but it would be replaced with two trees. Landscaping was a very important part of providing a fine setting.

Mr. Kangas asked if the petitioner was willing to codify the recommendations to City Council that there would be no external lighting beyond that required by city code? Mr. Miller replied yes.

Ms. Stake noticed that there were stairs in front of the proposed annex. Mr. Miller explained that the stairs were required exit requirements out of the church. They would have to maintain this secondary fire exit out of the church. There needed to be a separation between the two buildings because there was a city sewer easement through there. It was also not good structurally or aesthetically to bang two buildings up against each other.

Ms. Stake inquired if the petitioner would be willing to put in trees on the east side of the property? Mr. Miller responded by saying that there would be shrubs and trees put in to the extent that would be permitted in the space allowed. Ms. Stake asked if they would lose a parking space? Mr. Miller replied that they were not at that point yet. They would have to see if that would be worth the trade off. Ms. Stake asked if there were any existing trees in the back? Mr. Miller pointed out that there was one tree in the gap just east of the transformers. Ms. Stake commented that she would like to see some landscaping between the church and the neighboring resident to the east.

Mr. Alix proposed two conditions be placed on the Special Use Permit if approved by the Plan Commission. The first condition was that no additional signage or external lighting beyond that required for traffic control or safety be permitted. The second condition was that the petitioner must maintain a policy to minimize excessive through trips due to the parking lot being full during church services and events.

Mr. White inquired as to how difficult it would be to scoot the retaining wall over or to make it so that there would be a split driveway all the way out with shrubbery all the way up to the neighbor's front porch. Mr. Miller stated that they could do that. It would not be a problem. Ms. Goscha believed that by sharing the apron, it would be helping the neighbor out with turning out onto Michigan Avenue. She suggested keeping the shared apron, but then begin a shrub after the apron to split the driveway.

Ms. Goscha asked if there was any proposed permanent lighting to be part of the parking lot? Mr. Miller noted that they would keep it to only the minimum required. The lighting would be something closer to the ground.

Bill Meier, Senior Pastor of the Twin City Bible Church, addressed the issue of irreversibility. He noted that the Twin City Bible Church had been around the University of Illinois campus for 70 years. It formerly existed at the corner of Springfield Avenue and Mathews until 1959. The building was condemned, and the Digital Computer Lab took over the building. At that time, the congregation had a huge debate of whether or not to move out where parking could be plentiful. Because of the vision of the church since 1933 to be a home away from home for students, the congregation decided to locate in their current location. The church wanted to be within walking distance for the students.

There were over 400 students who attended the Twin City Bible Church on any given Sunday morning when school is in session. Many of the students walk to the church. Therefore, there were not as many cars. The median age of the congregation was very low. He was convinced that the church would be around for many years to come.

Pastor Meiers apologized to Mr. Freund about the light shining in his window at night. He did not know that the light was on all night, and he would try to do something about it.

He pointed out that they encouraged their members to park at the Dorner/Gregory lot, which was several levels high. The University of Illinois recently built this parking garage within the last two years. It was located just west of the McKinley lot.

There were other times during the week when the proposed parking lot would be used. There was a seminary that used the church as well as a Korean Church that used the Twin City Bible Church early in the mornings.

Mr. Kangas inquired as to how many parishioners the church had on an average Sunday? Pastor Meier replied that there were about 750 parishioners on an average Sunday. They had three services. About 250 parishioners made up of community people with children come to the service at 8:30 a.m. The second service was the big service for students with about 400 parishioners. There were about 150 parishioners who attended the third service, which consisted of students who did not get up early enough.

Ms. Stake commented that the church and the neighbors appeared to be willing to make the proposed plans work.

Mr. Goscha announced that she was a member of the Twin City Bible Church; however, she did not feel in any way that it gave her a conflict of interest on this issue. She did not receive any funding from the church, and she did not intend to get any financial gain from the proposed annex. She had specifically abstained from any public hearings on this issue that the church had sponsored, so that she would only hear the public testimony that the other Plan Commissioners heard at this public hearing.

Mr. Alix inquired if the either or both of the conditions that he had proposed earlier would be acceptable to the Plan Commission. Again, those conditions were as follows:

- 1. The petitioner shall maintain a policy to minimize excessive through trips due to (lot full) situations during services and events.*
- 2. No additional signage or external lighting beyond that required for traffic control or safety shall be permitted.*

Ms. Goscha asked if condition #2 would include parking lot lighting? She felt strongly about having lighting in a parking lot restricted to the site only and not spilled over into neighboring sites. Mr. Alix felt that should be a separate condition. Ms. Goscha suggested that Condition #3 read as such: *Any parking lot lighting should have zero percent spillover on adjacent properties and be directed downward.*

Mr. Alix added to Condition #2 the following language to distinguish it separate from the parking lot lighting: *No additional signage or external lighting on the south or east sides of the property beyond that required for traffic control or safety shall be permitted.*

Ms. Stake suggested having a fourth condition placed on the approval of the Special Use Permit to split the driveway. Mr. White proposed that Condition #4 read as such: The driveway onto Michigan Avenue shall be split, except for the access to the street, with shrubbery planted along the lot line between the church and the neighbors.

Mr. Alix inquired if it was appropriate for the Plan Commission to not allow the neighbor to choose a shared driveway if they would want one? Mr. Hopkins stated that he would argue that it was. Mr. White agreed, because the neighbor would not always be the neighbor, and the church would not always be the church. Ms. Goscha felt that she would feel more favorable if this issue was an option open for discussion between the neighbor and the church. She believed that the adjoining resident ought to have some say in what happens along their property line. Ms. Stake preferred that they did not share a driveway. Mr. White stated that shared driveways were a problem. It was always difficult to keep shared driveways shared as the owners and uses of the properties change. Mr. Alix mentioned that once a shared driveway was on the property line, then it would limit the ability of the property owner to the east to reconfigure the driveway.

Mr. Alix moved that the Plan Commission forward this request for a Special Use Permit to the City Council with a recommendation for approval subject to the conditions recommended by staff and to the conditions proposed by the Plan Commission, which were as follows:

1. *The petitioner maintains a policy to minimize excessive through trips due to lot full situations during services and events.*
2. *No additional signage or external lighting along the south and east frontages beyond that required for traffic control or safety shall be permitted.*
3. *The exit driveway to Michigan Avenue shall be separated from the existing driveway to the east by appropriate landscaped screening.*
4. *The parking lot lighting shall be installed so as to minimize spillage onto adjacent properties.*

Ms. Stake seconded the motion. Roll call was taken and was as follows:

Ms. Goscha	-	Yes	Mr. Hopkins	-	Yes
Mr. Kangas	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Mr. White	-	Yes
Mr. Alix	-	Yes			

The motion was passed by unanimous vote.

Mr. Kowalski stated that the case would move forward to the Urbana City Council to be heard on Monday, November 15, 2004 at 7:30 p.m. In addition, the major variance request for the Twin City Bible Church would be heard at the same time.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski gave a staff report on the following:

- **Aldi Special Use Permit:** The petitioner had requested to hold off on bringing the case to the Urbana City Council so they could address some of the concerns of the Plan Commission and concerns of the neighbors. They wanted to revise their Site Plan based on the Plan Commission's recommendations before bringing it to the City Council. Mr. Kowalski expected it to come before the City Council within the next four weeks.
- **Hazard Mitigation Plan:** This was a project that Elizabeth Tyler, Director of Community Development Services, had been working on. She learned from FEMA and IEMA that they wanted to have some input into the Plan before she brought it to the Plan Commission and to the City Council. It will come before the Plan Commission in the near future as a Study Session item.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission