

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: August 10, 2006
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Ben Grosser, Lew Hopkins, Bernadine Stake, James Ward, Don White

MEMBERS EXCUSED: Jane Burris, Michael Pollock, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Matt Wempe, Planner II; Jeff Engstrom, Planner I; Becca Bicksler, Community Development Associate; Teri Andel, Planning Secretary

OTHERS PRESENT: Fred Schlipf, Susan Taylor

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.

NOTE: In the absence of Chair Pollock, the Plan Commission agreed that Lew Hopkins should serve as Acting Chairperson.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. White moved to approve the minutes from the July 6, 2006 Plan Commission meeting as presented. Mr. Ward seconded the motion. Mr. Grosser requested a change to the minutes, which was to change “regarding” to “regrading” in the third paragraph, first sentence on page 19. The minutes were approved by unanimous vote.

4. WRITTEN COMMUNICATIONS

- 2006 Update to the Comprehensive Plan
- Copy of Implementation Program: Existing Strategies 2006 Update

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 1993-CP-06 – Make various minor amendments to the 2005 Urbana Comprehensive Plan and review the 2006 Comprehensive Plan Annual Report.

Becca Bicksler, Community Development Associate, presented the staff report for this case to the Plan Commission. She gave a brief background on the 2005 Urbana Comprehensive Plan. The proposed changes to the Comprehensive Plan are as follows:

1. Change the future land use shown for the area north of Oaks Road, east of U.S. Route 45, and wholly contained within the extraterritorial jurisdictional (ETJ) area from “Agriculture” to “Future Planning Area”.
2. Update the Greenways and Trails Map to show newly constructed bike paths that have been completed in the last year and to also show some newly planned routes.
3. Add additional strategies to the Implementation Program based on the City Council goals. Add two more columns to the table of Implementation Program to make it easier to refer to each strategy and to show the progress of each strategy.

Matt Wempe, Planner II, suggested one additional change on page 17 of the Implementation Program: Proposed Strategies, under # 91, to remove “Council Action” from the type of strategy.

Ms. Stake stated that there were many people involved in creating the 2005 Comprehensive Plan. She questioned how many people were notified of the proposed changes. Mr. Wempe answered by saying that the proposed changes were proposed and reviewed by City staff and the Plan Commission public hearing was noticed as would be done for any amendment to the Comprehensive Plan. Staff did not feel that the changes would be potentially controversial. As already indicated, the proposed additional implementation strategies are based on the adopted City Council goals.

Ms. Stake questioned why they could not leave the future land use designation for the area north of Oaks Road and east of U.S. Route 45 as “Agriculture” rather than “Future Planning Area”. Mr. Wempe stated that when you look at the mobility map, there is a potential to relocate Olympian Drive east of U.S. Route 45. With modern planning practices, more emphasis is being

placed on the link between transportation and land use planning. So, if a route were to go through to High Cross Road via a new Olympian Drive, it would make sense to also simultaneously study future land uses within the corridor. This does not preclude keeping it zoned as Agriculture in certain places. It just simply says that the City is going to study the area to see what land uses best fit the transportation improvements that are chosen for the area.

Ms. Stake objects to changing it to “future planning area” because people could plan the area without changing the designation from Agriculture. So many people were involved in the original Comprehensive Plan. This would be a really big change, because it would allow the City to do what they want in the proposed area. She was positive that people would like to know about the proposed change and talk about it more. Mr. Wempe pointed out that there is already a “future planning area” shown for east of High Cross Road, south of Interstate 74. So, the proposed change is similar in that the City would study land uses in conjunction with transportation.

Ms. Stake commented that staff could do that without changing the zoning. Mr. Wempe noted that this is not changing the zoning. It is future land uses. Ms. Stake said that the Comprehensive Plan is used in deciding rezoning cases. If it is shown as a “future planning area”, then the area could be rezoned to anything. Mr. Wempe pointed out that the definition of “future planning area” states that the area should be studied, so it does not necessarily connote a specific zoning district. Ms. Stake argued that it would be studied, and then from the study comes action, recommendations and changes. She really objects to this.

Mr. Hopkins stated that even though they do not have an outside petitioner, the Plan Commission should separate questions from discussion. This has become discussion at some point rather than requesting clarification of the proposal.

Mr. White asked if the area in question would still remain zoned AG, Agriculture Zoning District. Mr. Wempe said yes. Mr. White clarified that City staff was only saying that the proposed area requires some careful study, because the area could have a major road going through it.

Acting Chair Hopkins opened the public hearing up to questions or concerns from anyone in the audience. With no public participation, he closed the public input portion of the hearing and opened the case up for Plan Commission discussion.

Mr. Grosser felt that because there is a potential for Olympian Drive to change its location, it would make sense to put on the map that it is a “future planning area”. There are potential changes that could happen in this area. The “future planning area” definition simply says that the City should study the area in case they would need to change the Comprehensive Plan in the future. Ms. Stake responded that people would want to know about any potential changes now rather than later. In her experience, when the City uses the Comprehensive Plan as a guide in determining how to vote on a case, if it says “future planning area”, then the City is much more likely to vote in favor of a case no matter what the development is or what the surrounding neighbors say. So, all the people who have attended meetings to help create the Comprehensive Plan during its lengthy process would not like to find that one of the main areas that they are

concerned about has been changed from agriculture to future planning area. Mr. Grosser commented that he saw this as a pre-cursor to a change. Ms. Stake said that it does not work that way. It leaves open what could happen in this area.

Mr. Ward stated that he could not oppose studying an area. To oppose this change would be saying that the City does not want to study the area. Ms. Stake replied that the City has studied many areas without changing the Comprehensive Plan to show "future planning area". She feels that it is unfair to the people who worked on creating the Comprehensive Plan for so long and then to have no notice that it is being changed. This is the City's Comprehensive Plan, and it is a very important part of the City.

Mr. Hopkins commented that part of the reason that the distinction matters is because there are areas within the ETJ that are not designated as "future planning areas". Given this fact, then "future planning areas" are different from other areas in the ETJ that are labeled "Agriculture". When looking at the east side along IL Route 130, you see a part that has been planned. There is another part that has been indicated that it would be planned, and there is a third part that was not designated either way and was labeled "Agriculture". This is a set of distinctions that arguably could be inferred to have some distinction. So, on the north side, they would actually be making a change because of this.

Mr. Ward agreed that these distinctions are very important. If and when this area is annexed into the City, he hoped the City would not zone it without studying it. He looked at the map and saw the part of the ETJ that is closest to the City as having already been studied and made some designations about future land use. Then, the next ring out is to be designated for study, because that will probably be the next ring of development. The ring furthest out is labeled as "agriculture", because we do not see that as being eminent for development. He hoped that at some point it would be designated as a "future planning area", so when it becomes part of the City it could do so in a rational way and not simply transfer County zoning.

Mr. Hopkins asked if he could infer from this that Mr. Ward interprets the proposed change to mean that the City believes this area will develop sooner than the Comprehensive Steering Committee did a year ago. Mr. Ward stated that he implied that because of the presence of Olympian Drive. If a decision is made about Olympian Drive, then that area will be developed in one way or another. It seems to him that the City either studies the area or not. He favors studying the area first.

In the northeast area around the proposed Olympian Drive, there is a good reason to designate it as a "future planning area", because there is likely to be a need for planning in the near future. For the same reason, the ring on the east and the southeast part of Urbana has already been or are being designated as "future planning area", because that is the next area for potential development. His position is very simple. It is if the City is going to develop, then it is better to plan than not to plan. If the City is going to plan, then it is better to study than not to study.

Mr. Grosser moved that the Plan Commission forward this case to the City Council with a recommendation for approval, including the additional correction suggested by Mr. Wempe. Mr. Ward seconded the motion.

Ms. Stake argued that by changing the designation from “Agriculture” to “future planning area” it gives City staff permission to decide what happens. However, if it is left designated as “agriculture”, then the community would be involved, so the community would have an opportunity to decide what would happen. Mr. White pointed out that any change in zoning would have to come before the Plan Commission and before City Council, and there would be public input at that time. He felt that the proposed amendment is the way to go about studying, planning and developing an area.

Ms. Stake noted that there are places in the Comprehensive Plan that states that the City will involve people in gathering input. Up until the proposed amendment, the City has involved people. But now, City staff is going to plan without the people. When the City spends all the time, money and effort on planning how Olympian Drive should be developed, then is that what is going to happen? Some people don't want Olympian Drive, and some people do. She believed that this is a way of saying that Olympian Drive would be developed. Mr. Wempe stated that transportation is separate from the future land use issue. The fact that Olympian Drive, east of U.S. Route 45, would be studied is part of the Mobility Map that was adopted in 2005 when the entire Comprehensive Plan was adopted. Olympian Drive has come about publicly as part of the Long Range Transportation Plan that the Champaign County Regional Planning Commission has been working on for quite some time. Therefore, it is not a roadway that is unheard of being planned for. The Future Land Use map supports having a link between transportation and land use, which is a very good link to make when it comes to planning.

Mr. Hopkins expressed concern about adding the Council's strategic plan goals to the Comprehensive Plan without the level of awareness from the people who participated in creating the content of the Comprehensive Plan in what these goals are. He stated that he normally would not worry about this, because he did not think that it mattered too much. However, there is a problem that he now sees with this, which is that one of the Council's goals is specifically to support the recommendation of the Route 130 Corridor Study when evaluating transportation projects. The Route 130 Corridor Study is an independently generated plan by a group that does not solely constitute the City of Urbana. To suddenly and accidentally backdoor into the City's Comprehensive Plan that the City would follow the results of a process without knowing what those results are would be potentially problematic. After recognizing a problem with this goal, he is disinclined to formally incorporate the Council's strategic plan goals and strategies into the Urbana Comprehensive Plan at all. There is no reason why the City would need to do this.

Mr. Wempe explained that the reason City staff proposed to incorporate the Council's goals is because they relate to planning and development and because they have already been incorporated into City staff's work plan. Many of the goals overlap with implementation strategies that are already in the Comprehensive Plan. He mentioned that with Strategy #91, he tried to match it with the existing language that was approved in the Long Range Transportation Plan.

Mr. Hopkins commented that they did not need to incorporate the Council's goals into the City's Comprehensive Plan, because they are not assuming that the Comprehensive Plan is the place where all the City's plans are thrown together. They have the system of plans instead. The City

Council Plan has been identified and exists. It has its role as a statement by the City Council, but it does not gain the same kind of potential legal backing that the Comprehensive Plan would in terms of infrastructure, funding and backing of land use decisions. Because he sees #91 is a concern, it leads him to the conclusion that there is no reason to include any of the Council Plan strategies.

Mr. Myers recommended that the Commission review each implementation strategy and consider them separately and recommend striking the ones that they felt posed a problem. Mr. Hopkins pointed out that the difficulty would be that if the Plan Commission strikes some of them out, then they would be making a statement that some of the Council's ideas were okay to add to the Comprehensive Plan, but other ideas were not acceptable for the Comprehensive Plan. The Council's Plan serves a particular role, but it is not the same role as the goals and strategies in the Comprehensive Plan. He suggested keeping the documents separate and using both of them.

Mr. Wempe pointed out that not all of the proposed new strategies are from the City Council's goals. Mr. Hopkins questioned which ones were not parts of the Council's goals. Mr. Wempe said that for instance Goal #88 was not part of the Council's goals.

Mr. Hopkins moved to amend the main motion to delete from the recommendation the inclusion of the Council's goals as expressed in the Implementation Program: Existing Strategies from page 17 through page 19 into the Urbana Comprehensive Plan. Mr. White seconded the motion for the amendment.

Ms. Stake felt that separating the plans would be a good idea.

Mr. Ward asked for clarification as to if the amendment passes, then the Plan Commission would be voting on strategies 1 through 87. Mr. Hopkins said that the Plan Commission would be voting to recommend changes made to strategies 1 through 87 in the Implementation Program and on changes to the Greenways and Trails Map and Future Land Use Map.

Mr. Myers stated that some of the Council's goals overlap with the Comprehensive Plan's goals and therefore should not be altogether rejected. Mr. Hopkins stated that none of the Council's goals are bad. The issue for him is that the Plan Commission is being asked to recommend including as an equal part of the Comprehensive Plan goals and strategies the content of a different kind of plan, adopted in a different way by a different group. In other words, none of the Council's goals were reviewed and/or approved by the Plan Commission before or went through a public hearing process other than what is happening right now. Mr. White added that the Comprehensive Plan is a work product of the community; whereas, the Council goals are not a work product of the community, but if they incorporate the Council goals into the Comprehensive Plan and someone reads it a few years from now, then Council goals will seem to be a work product of the community, and they are not. Once they start allowing different concepts being incorporated into the Comprehensive Plan from other sources, it would not be proper.

Mr. Ward asked if Mr. Hopkins meant to say that what is in the Comprehensive Plan goes through the comprehensive planning process, and what comes through another process goes elsewhere. Mr. Hopkins stated that was very well put.

Mr. Myers asked if these proceedings were not part of the comprehensive planning process and at which a public hearing is held. City staff has proposed to amendments, and input is taken from the public and the Plan Commission. Mr. Hopkins responded by saying superficially yes. The Plan Commission and City staff is following all of the rules by holding a public hearing, noticing the hearing, etc. However, the process of discussion and deliberation and discovery and consideration of all these elements and how they fit together and who thinks what about them would not happen in this way. Mr. Myers stated that if this is the case then there could never be minor amendments made to the Comprehensive Plan. City staff would have to update the Plan every five years through a huge process involving resident workshops, etc. Mr. Hopkins felt that minor amendments could be made as the Plan Commission and City Council could consider specific substantive amendments. As it appears tonight if the proposed amended motion passes, then the Plan Commission would indeed be recommending one or two changes as minor amendments.

Roll call on the amendment to the main motion was as follows:

Mr. White	-	Yes	Mr. Ward	-	No
Ms. Stake	-	Yes	Mr. Hopkins	-	Yes
Mr. Grosser	-	Yes			

The amendment to the motion carries by a vote of 4-1.

Acting Chair Hopkins stated that they were back to the amended main motion, which he interpreted to include the Greenways Trail extension item, the modifications to the maps to identify a “future planning area” and the editing changes to Items 1 through 87 in the Implementation Program. Mr. White called for question. Mr. Hopkins explained that calling the question requires a vote on the call of the question.

Mr. Ward explained that he voted no on the amendment because he had thought about what Mr. Myers had said. The Plan Commission is in the process of amending the Comprehensive Plan. He did not see the distinction after consideration between the Implementation goals and the rest of the Comprehensive Plan. It all falls into the same category. He has no problem amending the Comprehensive Plan through this process. Mr. Hopkins commented that this argument could be used to suggest that the Plan Commission should not pass the rest of the amendments either.

Mr. Grosser voted in favor of the amendment because he felt that the Plan Commission could take any one of the additional strategies #88 through the end to consider it as an amendment to the Comprehensive Plan. But to add all of them as a lump from another plan’s goals does not give due consideration to each one of them. The Plan Commission could sit and go through each strategy, but they do not have prepared staff input on each one.

Mr. Hopkins stated that the Greenways and Trails map amendments are only updates of information. They do not actually change what has been planned. They do, however, include additional information about the University of Illinois. One could argue about the “future planning area” question. His suggestion would be regardless of how the vote turns out on the main motion, City staff should find a better representation for future planning areas. Part of the problem is how they are describing what they are planning. However, he did not believe they should reject this for that reason though.

Mr. Grosser inquired as to why the area east of U.S. Route 45 was not designated “future planning area” in the original 2005 Urbana Comprehensive Plan. Mr. Wempe stated that he believed it was an oversight. Ms. Stake commented that it says the study of this area is a priority when you designate it as “future planning area”.

Roll call on the main motion with the amendment was as follows:

Mr. Ward	-	Yes	Ms. Stake	-	No
Mr. Hopkins	-	Yes	Mr. Grosser	-	Yes
Mr. White	-	Yes			

The motion was passed by a 4-1 vote. Mr. Myers noted that this case would go before City Council on Monday, August 21, 2006.

Plan Case No. 2007-M-06 – A request to rezone 201 South Race Street and 205 West Elm Street from R-6, High-Density Multiple Family Residential, to B-4, Central Business Zoning District.

Jeff Engstrom, Planner I, gave the staff report for this case to the Plan Commission. He began with a brief introduction and history of the proposed property. He described of the proposed site, pointing out the adjacent land uses and zoning designations. He talked about the Master Plan for the Urbana Free Library and summarized the La Salle National Bank Criteria as they pertain to the proposed rezoning request. He reviewed the summary of findings and read the options of the Plan Commission. He presented staff’s recommendation, which is as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during this public hearing, staff recommended that the Plan Commission forward Plan Case No. 2007-M-06 to the Urbana City Council with a recommendation for approval.

Mr. Grosser pointed out that there are currently four buildings on the block that are zoned R-6, High Density Multiple-Family Residential. He understood why the Fejes and the Auler properties were not being proposed to be rezoned. However, the parking lot along Green Street is currently used as a parking lot for the library. So, why isn’t it part of this proposal? Mr. Engstrom believed this may have been an oversight. The property is owned by the library. Mr. Myers added that City staff considered rezoning the properties for the library itself. If the Plan Commission recommended that this parcel be rezoned, then City staff could look at it and follow

up with the cooperation of the Library. Mr. Grosser commented that if the City is looking at cleaning up the zoning, then maybe staff should look at this in the future.

Ms. Stake moved that the Plan Commission forward this case to the City Council with a recommendation for approval. Mr. Grosser seconded the motion.

Mr. Myers had understood there was a question before the meeting as to why the property was not being rezoned CRE, Conservation-Recreation-Education Zoning District. CRE zoning has setback requirements of 25 feet for front-yard setbacks, 15 feet for side-yard setbacks, and 25 feet for rear-yard setbacks. The B-4, Central Business Zoning District, does not have any required front, side or rear-yard setbacks which is more in keeping with urban development we envision downtown. Also, City staff thought it was most appropriate to rezone the proposed site to B-4 to reflect what is shown in the 2005 Urbana Comprehensive Plan as "Central Business".

Mr. Hopkins inquired if the Plan Commission could include rezoning the other parcel that is not included in the proposed rezoning in their recommendation to the City Council. Mr. Myers explained that the Plan Commission could not recommend enlarging the area to be rezoned due to the notification process. Mr. Hopkins suggested that City staff rezone this parcel in conjunction with some other cleanup zoning like this, so as to not make an unnecessary case.

He went on to say that he understood the reason for the proposed rezoning is to legalize the café, which is already opened in the library. Mr. Myers commented that it is pretty standard for cafes and gift shops to be part of larger libraries these days and that although it is considered an accessory use to the library, much like a snack bar within an apartment complex, it certainly fits better with B-4 zoning.

Roll call was taken and was as follows:

Ms. Stake	-	Yes	Mr. Hopkins	-	Yes
Mr. Grosser	-	Yes	Mr. White	-	Yes
Mr. Ward	-	Yes			

The motion was passed by unanimous vote.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers reported on the following:

- Reynolds Annexation Agreement and Rezoning will be heard at the August 21, 2006 City Council meeting.
- Signs Without A Permit Text Amendment has been held over to the August 21, 2006 City Council meeting. Some City Council members have suggested reducing the size of future apartment building signs in residential zoning districts from 20 square feet down to 12 square feet.
- Varble Annexation and Rezoning was approved by the City Council. The owner will have to do quite a few repairs and changes in order to meet the current building codes, including electrical upgrades and the number of units.
- The Pines at Stone Creek Commons was approved by the City Council.
- The Gateway Shoppes at Five Points Special Use Permit, Rezoning and Subdivision Plats were approved by City Council. Development on this project has already begun with O'Brien's relocating to their new site. Some demolition permits for the old O'Brien's buildings have been issued, and the developer is anxious to move dirt.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Robert Myers, AICP, Planning Division Manager
Urbana Plan Commission