

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: December 21, 2006

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward

MEMBERS EXCUSED: Don White

STAFF PRESENT: Robert Myers, Planning Manager; Matt Wempe, Planner II; Jeff Engstrom, Planner I

OTHERS PRESENT: Greg Abbott, Sandy Bales, George Carlisle, Marianne Downings, Scott Dossett, Alice Englebretsen, Tyler Fitch, Rick Kallmayer, Dennis Roberts, Christopher Stohr, 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 present.

2. CHANGES TO THE AGENDA

Robert Myers, Planning Manager, requested that CCZBA 562-AM-06 under Item 8 be heard first due to the fact that the staff person presenting this case has a scheduling conflict. The Plan Commission agreed to the agenda change.

3. APPROVAL OF MINUTES

The minutes from the November 30, 2006 and December 7, 2006 meetings were presented for approval. Mr. Grosser moved that the Plan Commission approve both sets of minutes. Mr. Ward seconded the motion. Both sets of minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

Presentation of Historic East Urbana Neighborhood Comprehensive Plan – Drafted by the Historic East Urbana Neighborhood Association

Matt Wempe, Planner II, began his presentation with a brief introduction of the Plan. He discussed the trends and issues, the vision for the neighborhood, and the existing City plans, programs and policies that are related to the recommendations of the Historic Comprehensive Plan. He read the options of the Plan Commission and presented staff's recommendation, which is as follows:

Staff recommended that the Plan Commission review the Historic Neighborhood Plan and recommend that the City Council accept the Historic East Neighborhood Association Neighborhood Plan as an informational tool for the Historic East Urbana Neighborhood.

Ms. Upah-Bant commented that the City just finished the Comprehensive Plan less than a year ago. She wondered whether the Plan Commission and the City Council were going to see this type of addendum from every neighborhood in the City. Mr. Wempe said that it should be viewed as an addendum. The Historic East Urbana Neighborhood Association (HEUNA) plan and the City's Comprehensive Plan did happen concurrently. HEUNA did try to follow the format of the City's Comprehensive Plan. There are many issues in the HEUNA Plan that expand on issues and ideas that are in the Comprehensive Plan as they specifically relate to the Historic East Urbana neighborhood. Having both the HEUNA Plan and the Comprehensive Plan is a good way for the City to say that we really know what the residents are thinking. The West Urbana Neighborhood Association (WUNA) has done a white paper on issues that are important to their neighborhood as well.

Ms. Upah-Bant inquired as to whether WUNA's Plan went to the City Council as well. Mr. Wempe explained that this is the first time City staff has followed this process for an unofficial neighborhood plan.

Scott Dossett, of 501 East High Street, representative of the HEUNA Plan approached the Plan Commission to present on overview of the Plan. Neighborhood organization grants really fueled HEUNA from the very beginning. The grants gave HEUNA a chance to do some capacity building and some outreach to the people in the community. As a result, HEUNA has developed good relations with the Urbana Park District as well. HEUNA is trying to interact with City staff in terms of things that the residents of Historic East Urbana Neighborhood believe would benefit the community that we live in.

Mr. Dossett gave a PowerPoint presentation on the HEUNA Plan. He discussed the following topics:

- HEUNA Neighborhood Plan Goal
- Who is HEUNA?
- Economic Development Priorities
- Transportation Concerns

- Green Street Corridor
- Curbs and Gutters
- Neighborhood Preservation Strategies
 - Neighborhood Conservation District
 - Demolition Review
 - Rebuild Urbana Program
 - Brick Sidewalk Conservation
 - Historic Landmark Designations
- Housing
 - Home and Yard Maintenance
 - Down-Zoning
 - In-Fill Development
 - Rental Housing Registration
- Park Improvements

Dennis Roberts, of 507 East Green Street, mentioned that he lives diagonally from the blue and white house shown in Mr. Dossett's presentation. He talked about the property and the buildings on the lot. He stated that it is one property that the residents in the neighborhood would like to see more care given to it. There is also incompatible development adjacent to the property. This is one reason why HEUNA is interested in the Neighborhood Conservation concept.

He talked about the projects that the Public Works Department has planned for the Historic East Urbana neighborhood, including new curbs and gutters and repaving of Green Street. These projects have been delayed partly due to the concern of the residents in the neighborhood about their brick sidewalks. He is a proponent for brick sidewalks, but he believes that the sidewalks should not be done in chunks, but rather they should be done in blocks.

Mr. Roberts believes that the HEUNA Plan is well written. It is a neighborhood grass roots recommendation. The Historic East Urbana neighborhood is a small neighborhood which thinks deeply and worked well with the Urbana Park District to renovate Victory Park. HEUNA has done a lot in the five years since they started the neighborhood organization group.

Ms. Stake wondered if the City could look at repairing brick sidewalks. It could be really economical to replace them as they last a long time.

Mr. Wempe noted that the City Council has already approved the Brick Sidewalk Plan as part of the Capital Improvements Plan. It identifies all the existing brick sidewalks throughout the City of Urbana. It is written so that if you have a property zoned R-1, R-2 or R-3, if the City comes in to repair the sidewalk and the existing sidewalk is brick, then it has to be maintained as a brick sidewalk. The problem is that there is split zoning along Green Street and that brick sidewalks on the south side are required to be preserved while they are not required on the north side. City staff has talked about the possibility of down-zoning. The Director of Public Works has been made aware of this issue, and he said to go ahead and rezone if it is the right thing to do.

Mr. Wempe agreed that brick sidewalks do last a long time and require about the same amount of maintenance as any other types of sidewalks would. However, the initial cost is about three

times as much when compared to concrete sidewalks. Public Works can do brick sidewalk restoration as they have done throughout the HEUNA neighborhood, and they have started to focus on the West Urbana and North Urbana neighborhoods.

He mentioned that HEUNA has helped in maintaining the brick sidewalks in the Historic East Urbana neighborhood. There are weed control issues that they have. Mr. Roberts added that part of the Brick Sidewalk Ordinance that was passed actually had an article in it about how the City would be maintaining them by clearing or cleaning them. The City comes out on an annual basis and sprays weed control on the sidewalks. The City has not come out and cleaned up the dead weeds though so this is why it is mentioned in the neighborhood plan.

Chair Pollock stated that there are other neighborhood plans, such as the Woodlawn Park Area Plan. Is there a plan on the time table in the works for the Historic East Urbana neighborhood? Mr. Wempe commented that many of the issues that would come from a City neighborhood plan have already been started to be done, such as a Neighborhood Conservation District, Housing Investment Corporations, etc. Therefore, a City plan could be considered redundant. One thing that has not been addressed is the zoning study, which City staff plans to do. So, there would not be a City plan for the neighborhood.

Mr. Myers clarified that City staff recommends that the Plan Commission forward this to the City Council to accept the HEUNA Plan as an expression of the issues and goals most important to them. The City would then be able to use the Plan as a guide. He added that to take a neighborhood's plan and revise it as the City's plan would cause the neighborhood to no longer identify with it the way they do now. It would be a disservice to the neighborhood's hard work. In this case City staff would like to use HEUNA's Plan as a guide for solving problems they've identified.

Mr. Ward moved that the Plan Commission forward the proposed plan to the City Council and recommend that the City Council accepts the Historic East Urbana Neighborhood Association's Plan as an informational tool for the neighborhood. Ms. Stake seconded the motion. The Plan Commission passed the motion by unanimous hand vote.

5. NEW BUSINESS

CCZBA 562-AM-06: Review of a request by Ivanhoe Estates, LLC to amend the Champaign County Zoning Map for the West 500 feet of the Ivanhoe Estates Manufactured Home Park; generally located north Perkins Road, south of I-74, and west of Brownfield Road; from County R-2, Single-Family Zoning District to County R-5, Manufactured Home Park Zoning District.

Jeff Engstrom, Planner I, presented this case to the Plan Commission. He gave background information on the zoning history of the mobile home park known as Ivanhoe Estates. He described the adjacent properties noting their zoning and existing land uses. He discussed the County R-5, Manufactured Home Park Zoning District and the County R-2, Single-Family Zoning District. He talked about how the 2005 Comprehensive Plan's Future Land Use Designations and Goals and Objectives relate to the proposed rezoning to County R-5. He pointed out that if the mobile home park should ever be annexed into the City of Urbana, the

County R-5 zoning designation of the mobile home park would be converted to City AG, Agriculture Zoning District. He reviewed the LaSalle National Bank criteria that pertained to the proposed County rezoning case. He summarized staff findings and read the options of the Plan Commission. He presented staff's recommendation, which was as follows:

Based upon the findings in the written staff report, staff recommended that the Plan Commission forward this case to the City Council with a recommendation to defeat a resolution of protest.

Ms. Stake wondered if there is pedestrian access and other means of traveling available to the mobile home park. Mr. Engstrom reported that there are no sidewalks on Perkins Road in front of the mobile home park. Most of the properties nearby are in the County. The City of Urbana's Public Works Department considers any properties in the City limits in this area to be considered fringe, semi rural development which has an impact on its ranking for future sidewalks. However, there is a bus stop right outside the park along Perkins Road.

Chair Pollock opened the hearing up to hear input from the public. With no input or testimony from the public, Chair Pollock opened the meeting up for Plan Commission discussion.

Mr. Grosser moved that the Plan Commission forward this case to the City Council with a recommendation to defeat a resolution of protest. Mr. Ward seconded the motion. Roll call was as follows:

Ms. Burris	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Ward	-	Yes			

The motion was approved by unanimous vote. Mr. Myers noted that this case would be forwarded to the January 8, 2007 City Council meeting.

6. NEW PUBLIC HEARINGS

Plan Case No. 2027-SU-06: Request by METCAD 9-1-1 for a Special Use Permit to construct a 285-foot tall public communications tower and equipment enclosures at 1905 East Main Street for emergency service communications in the R-4, Medium Density Multiple Family Residential Zoning District.

Mr. Myers gave the staff report for this case. He began with an introduction by stating the reason for the Special Use Permit request, which is to install a 285-foot tall communications tower with an equipment enclosure at 1905 East Main Street in Urbana. He presented background information on METCAD 9-1-1 and described the proposed site and surrounding properties noting their zoning designations and existing land uses.

Mr. Grosser inquired as to what the width of the base of the proposed tower would be. Mr. Myers replied that it would have three sides, and it would measure 33 feet wide on each side of the triangle. The top would measure four feet wide on each side.

Mr. Myers went on to discuss the goals and objectives of the 2005 Urbana Comprehensive Plan that pertained to this request. He stated the zoning requirements for towers and equipment enclosures and the requirements for a special use permit according to the Zoning Ordinance. He summarized staff 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 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 design, installation, and operation of the equipment enclosure and associated cellular equipment shall be in accordance with all applicable city, state, and Federal codes, ordinances, and regulations, including health and safety regulations required by the Federal Communications Commission.*

And with the variations and waivers from standard Special Use Permit requirements for towers:

- 1. Variation from the 50 foot height limit for towers in R-4 zoning districts, to advance the goals of safeguarding the public and providing emergency communications quickly, effectively, and efficiently, as permitted in Section XIII-1.E.6 of the Zoning Ordinance.*
- 2. Variation from property boundary setback requirements for towers in residential zoning districts equal to or greater than twice the tower height, based on public safety and welfare and other public policy considerations, as permitted in Section XIII-1.E.5 of the Zoning Ordinance. The tower would be located less than 285 feet from a parcel boundary in common with the Illinois Army National Guard.*
- 3. A waiver from the landscape screening requirements for towers, as permitted in Section XIII-1.R.7, and based on the tower being located behind the existing METCAD building and among remaining mature trees.*

Ms. Stake inquired as to how dangerous it would be in terms of the tower falling over. Mr. Myers replied that according to the applicants, the tower is designed such that it would withstand a ninety mile an hour wind with a half inch of ice covering the tower. It would be designed to remain standing even when other towers fail.

Chair Pollock opened the hearing up to hear input from members of the audience.

Rick Kallmayer, Director of METCAD, and Greg Abbott, Project Manager for the proposed project, approached the Plan Commission.

Mr. Abbott responded to Ms. Stake question by saying that constructing a tower to withstand a 90 mile an hour wind with a half inch of ice covering the tower is a Federal standard dictated for public safety towers. The previous standard was modified after Hurricane Katrina. If you think about a half inch of ice, it is a lot of weight. Mr. Kallmayer added that the tower manufacturer and the company that will make the precast building that will be located at the base of the tower have informed him that all the other buildings in the area will be razed by weather conditions that might occur before the proposed tower would fall over.

Chair Pollock inquired as to how tall the existing tower is. Mr. Abbott replied that it is 235 feet tall.

Chair Pollock asked if the proposed tower would go into the ground. Mr. Abbott answered by saying that it would and it would not go into the ground. There are 35-foot deep caissons at each of the legs that go into the ground, which are nine feet in diameter. Chair Pollock explained that he asked this not because he is worried about 90 mile an hour winds, but because we are on a fault line. If there is an earthquake, it could hurt people in the County buildings. People outside the area will be fairly safe, but there are three buildings in the path if the tower should come down.

Ms. Upah-Bant wondered how far away the tower would be from Main Street. Mr. Abbott mentioned that the tower would be located around 300 to 350 feet away from Main Street. Chair Pollock commented that the tower could fall and bounce and still not endanger anyone outside the METCAD campus.

Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission discussion.

Mr. Grosser moved that the Plan Commission forward the proposed special use permit request to the City Council with a recommendation for approval including the condition and waivers recommended by City staff. Ms. Upah-Bant seconded the motion. Roll call was as follows:

Ms. Burris	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Ward	-	Yes			

The motion was approved by unanimous vote. Mr. Myers commented that this case would be brought before the City Council on January 8, 2007.

7. CONTINUED PUBLIC HEARINGS

Plan Case No. 2020-T-06: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance by revising Section XIII-3. Planned Unit Developments (PUDs).

Chair Pollock reopened this case. Mr. Wempe stated that he would not be again reviewing what has already been presented. He emphasized what Mr. Ward had stated at the previous meeting about the existing Planned Unit Development (PUD) regulations. They have not been used because they are very onerous in their requirements. In effect, we really do not have a PUD that can achieve the goals of what the City would like to encourage. City staff feels that what is being proposed can achieve those goals.

He mentioned that there were two minor changes to the proposed revisions issued on December 7, 2006. Those changes are as follows:

- 1) On page 200, under D. Applicability 1.a, City staff would like to change the wording to read as such, “Mixed-Use. Either in the same building or with a “campus” approach, provide for a mixture of single, two-family, multi-family, commercial, office, industrial, and/or recreational uses”.
- 2) On page 203, under I. Permitted Uses, Items 2 and 3, City staff would like to change the wording to be consistent as in Item 1 and read as such, “... identified in Table V-1 may be permitted except the following uses and use categories:”

Chair Pollock opened the hearing for input from the members of the audience. With none, he closed the public hearing portion of the case and opened it up for Plan Commission discussion.

Ms. Stake suggested that a preliminary plan be required separate from the final plan. She believes that there needs to be a preliminary process, especially with a Planned Unit Development. With a preliminary plan, the Plan Commission would have some input into what is happening, and it would allow more input from the public. Mr. Wempe stated that we currently have a preliminary and a final process. It is basically doubling the process for the same outcome. City staff feels that by holding public hearings for final plans, there is notification to neighbors, which allows an opportunity for the public to speak. It also allows the Plan Commission and the City Council to review what is being proposed.

Ms. Stake commented that with a preliminary plan it is not so difficult to change a developer’s mind. However, if a developer has a final plan, they are less anxious to change their minds because so much work has gone into the final plan. She believes that there should be two hearings. Mr. Wempe replied that if there is a change that the Plan Commission or City Council feels should be done, then it would be required to be done or else the permit would not be approved.

Mr. Grosser wondered if it would be possible for the Plan Commission to request a change and ask for a plan to come back before them prior to going on to the City Council. Chair Pollock interjected by saying that the Plan Commission does not get to require anything. The Plan

Commission can make recommendations to the City Council. The City Council does have the ability to design in or out any features they think is in the public interest. The point City staff is making is that we want to encourage developers to use PUDs, because the existing PUD ordinance is not used. If we narrow down the requirements from having to return with two complete plans as we do now, it makes it more likely for developers to take advantage of PUDs. The City will not lose any ability to make changes either at the Plan Commission in terms of recommendations or at the City Council in terms of passage.

Ms. Stake hoped that there were other changes that would encourage developers to develop PUDs. It is easier when you have preliminary ideas to give input and provides a little more chance to come to some agreements. There should be a process that is much more amenable to some cooperation.

Mr. Ward moved that the Plan Commission forward the proposed PUD text amendment to the City Council with a recommendation for approval. Mr. Grosser seconded the motion.

Mr. Ward reiterated that the City does not have PUD regulation at this time that is workable. City staff has presented the proposed text amendment, which is a very workable recommendation which he is prepared to support. The justification that City staff provided for how the text amendment is currently written and constituted makes a great deal of sense.

Ms. Burris believes that to require a preliminary review of a plan is cumbersome. It requires too much work. Development ideas can change and quite often do between a preliminary review and final plan. A final plan shows what a developer really wants to do. Why review something that is likely to be altered before receiving final approval? The existing PUD regulations require a preliminary plan and a final plan, yet the City staff now waives the preliminary portion of the process. If we leave the process as it currently exists, staff will keep waiving the preliminary portion. Why should the Plan Commission tell City staff what they decided works best for them is not working best for the Plan Commission when it is staff's job to do the work? Therefore she supports the motion to recommend approval as presented.

Ms. Stake moved to make an amendment to the motion to require a preliminary plan to come before the Plan Commission prior to the final plan. With no second, the motion fails.

Chair Pollock mentioned that he really likes that the proposed text amendment lists uses a developer cannot do in a PUD and allows all other uses. The fact is that the developers, who read these regulations, understand them and work with City staff, will submit plans that meet the requirements. If they do not, then the Plan Commission can make a recommendation, and the City Council can change or ask for the plans to be altered. He supports the proposed text amendment as well.

Mr. Ward stated that one thing he really likes about the proposed text amendment is that far too often the City of Urbana gets the reputation and is charged with being anti-development. He does not believe this to be true. The City of Urbana is in favor of good development. It seems to him that the proposed text amendment has a nice balance between being open to innovation, creativity, and new ideas on the part of developers who want to develop in our community, and it still protects the public's interests as represented by the City's review of those plans in such a

way that allows developers to go ahead and foster good economic development and growth in this community. He commended staff for putting together an outstanding text amendment. In given the experience we have had with the current PUD ordinance, the proposed text amendment is a major step forward for this community, and he is very proud to recommend it to the City Council.

Mr. Grosser really likes the text amendment as being presented. He feels that the City is giving the developers an opportunity to be creative. What the City gets back for this is the opportunity to see every detail and reject things that are not appropriate and approve things that are appropriate.

Ms. Stake wanted to say that the Plan Commission should not be thinking about the people who say that the City of Urbana is against development, because it is absolutely not true. She is not talking about not having some innovation or some creativity. She only wants to have a process that makes it a little easier for the City to change a proposed development that might not look quite right in the beginning. At this point, City staff has that opportunity, but the Plan Commission does not. The Plan Commission gets a proposed development when plans are already decided.

A roll call vote taken on the motion was as follows:

Ms. Burris	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	No	Ms. Upah-Bant	-	Yes
Mr. Ward	-	Yes			

The motion was passed by a vote of 6-1. Mr. Myers stated that the proposed PUD text amendment would go before the City Council on January 8, 2007.

Chair Pollock commented that the PUD text amendment is a very well conceived amendment and it shows a lot of work.

8. OLD BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers gave a brief report on the following topics:

- **Cross Construction Special Use Permit** was approved by City Council with an additional condition that any grinding equipment is set back from the property line boundary near the residence at least 25 feet.

- **Outdoor Storage Text Amendment** was approved by City Council.
- **Rezoning of the former Girl Scout offices** was approved by City Council.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Robert Myers, AICP, Planning Division Manager
Urbana Plan Commission