



2011

URBANA PLAN COMMISSION

Annual Report

Prepared By:
Teri Andel, Planning Secretary
March 2012

OVERVIEW

In 2011, the Urbana Plan Commission met 12 times and considered 20 cases. This compares to 2010 when the Plan Commission met 16 times and considered 12 cases. The breakdown of the types of cases considered is as follows:

Boneyard Creekway Permit	1
Champaign County Zoning Board of Appeals Cases	5
Comprehensive Plan Amendment	1
Planned Unit Development	1
Special Use Permit	3
Zoning Map Amendments	5
Zoning Text Amendments	4

The Plan Commission held study sessions on April 7, 2011 and on May 5, 2011 regarding the “White Street and Springfield Avenue Corridors Analysis”. They also held a joint study session with the Urbana City Council and the Urbana Sustainability Advisory Commission on June 22, 2011 regarding “Sustainability in the Northwoods: Reflections and Lessons”. The Plan Commission held a third study session on October 13, 2011 regarding the “Market at the Square Strategic Plan”.

Continuing members of the Plan Commission include Michael Pollock (Chairperson), Andrew Fell, Jane Burris, Tyler Fitch, Ben Grosser, Lew Hopkins, Dannie Otto, Bernadine Stake, and Marilyn Upah-Bant. Jane Burris and Ben Grosser resigned from the Commission, and Carey Hawkins Ash and Mary Tompkins were appointed in September. Plan Commission members who were reappointed this year were Dannie Otto and Marilyn Upah-Bant.

Staff support to the Plan Commission in 2011 was provided by City Planner/Community Development Services Director, Dr. Elizabeth H. Tyler, FAICP; Planning Manager, Robert Myers, AICP; Planners – Rebecca Bird, AICP and Jeff Engstrom, AICP; and Planning Secretary, Teri Andel.

This report lists the plan cases considered by the Plan Commission in 2011 by case type. Associated ordinances and resolutions, as adopted by the Urbana City Council, are attached. Signed copies of Plan Commission minutes are also attached.

2011 PLAN CASE SUMMARY

Boneyard Creekway Permit Case

1. **Plan Case No. 2148-CW-11: A request by the Central Illinois Mosque and Islamic Center for a Creekway Permit to construct a dormitory/gymnasium with a building height increase of up to 12 feet, parking encroachment, a front yard building setback of 15 feet or greater, and allowances for Transfer of Development Rights/Zoning lot provisions, for a parcel located at 711 West Western Avenue in the R-5, Medium High Density Multi-Family Residential Zoning District and the Boneyard Creek District.**

The Plan Commission first reviewed and heard testimony on **July 21, 2011**. They continued the case to a future meeting. On September 8, 2011, the Plan Commission resumed discussing the case and authorized a Boneyard Creekway Permit to be issued with conditions by a vote of 4 ayes to 1 nay.

Champaign County Board of Appeals Cases

1. **CCZBA-665-AT-10: A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning fences for residential properties.**

The Plan Commission recommended defeating a resolution of protest on **February 10, 2011**. The City Council defeated the resolution of protest on February 21, 2011; therefore, Resolution No. 2011-02-004R was not adopted.

2. **CCZBA-666-AT-10: A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance by revising Subsection 6.1 and paragraph 9.1.11 D.1 concerning Special Use Permits.**

The Plan Commission recommended defeating a resolution of protest on **February 10, 2011**. The City Council defeated the resolution of protest on February 21, 2011; therefore, Resolution No. 2011-02-005R was not adopted.

3. **CCZBA-675-AT-10: A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning Expansion of Non-Conforming Uses.**

The Plan Commission recommended defeating a resolution of protest on **March 24, 2011**. The City Council defeated the resolution of protest on April 4, 2011; therefore, Resolution No. 2011-04-009R was not adopted.

4. CCZBA-683-AT-11 & CCZBA-684-AT-11: Requests by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning Rural Residential Overlay Districts.

The Plan Commission recommended defeating a resolution of protest on October 13, 2011. The City Council defeated the resolution of protest on October 17, 2011; therefore, Resolution No. 2011-10-033R was not adopted.

Comprehensive Plan Amendment

1. Plan Case No. 2154-CP-11: A request by the Urbana Zoning Administrator to amend the 2005 Comprehensive Plan to adopt a Complete Streets Policy.

The Plan Commission reviewed the policy and recommended approval on October 13, 2011. On November 7, 2011, the City Council approved the amendment request by adopting Ordinance No. 2011-11-118.

Planned Unit Development

1. Plan Case No. 2146-PUD-11 – A request by Gary Olsen on behalf of Verdant Prairies, LLC for preliminary approval for a Residential Planned Unit Development at 704 East Windsor Road under Section XIII-3 of the Urbana Zoning Ordinance.

The Plan Commission recommended approval of the planned unit development request on June 9, 2011. The City Council approved the request on June 20, 2011 by adopting Ordinance No. 2011-06-057.

Special Use Permits

1. Plan Case No. 2137-SU-11: A request by Urbana-Champaign Independent Media Center for a Special Use Permit to construct a 100-foot radio transmission tower at 202 South Broadway Avenue in the B-4, Central Business Zoning District

The Plan Commission recommended approval on March 24, 2011. The City Council approved the special use permit request on April 4, 2011 by adopting Ordinance No. 2011-04-018.

2. Plan Case No. 2145-SU-11: A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District. (Note: The proposed tower's location is on the rear portion of this property near Race Street and south of the Urbana High School.)

The Plan Commission reviewed this request on June 9, 2011. They agreed to continue this case to a future meeting date. The case was later withdrawn by the petitioner.

- 3. Plan Case No. 2153-SU-11: A request by Illinois Properties, LLC for a Special Use Permit to allow a mixed-use development at 1108 West Nevada Street, 1105 and 1107 West Oregon Street in the CCD, Campus Commercial Zoning District.**

The Plan Commission recommended approval on **October 20, 2011**. The City Council approved the special use permit request on November 7, 2011 by adopting **Ordinance No. 2011-11-120**.

Zoning Map Amendments

- 1. Plan Case No. 2138-M-11: Annual Update of the Official Zoning Map.**

The Plan Commission recommended approval on **March 24, 2011**. The City Council approved the annual update to the Official Zoning Map on March 28, 2011 by adopting **Ordinance No. 2011-03-011**.

- 2. Plan Case No. 2139-M-11: A request by Rudolph A. Frasca, on behalf of Frasca & Associates to rezone a parcel located north of Anthony Drive and east of Willow Road from IN, Industrial Zoning District, to B-3, General Business Zoning District, in order to allow for an indoor soccer facility to be constructed.**

The Plan Commission recommended approval on **April 7, 2011**. The City Council approved the zoning map amendment on April 18, 2011 by adopting **Ordinance No. 2011-04-025**.

- 3. Plan Case 2146-M-11: A request by Gary Olsen on behalf of Verdant Prairies, LLC to rezone a 4.01 acre parcel at 704 East Windsor Road from CRE, Conservation-Education-Recreation District, to R-3, Single and Two Family Residential Zoning District.**

The Plan Commission recommended approval on **June 9, 2011**. The City Council approved the zoning map amendment on June 20, 2011 by adopting **Ordinance No. 2011-06-056**.

- 4. Plan Case 2153-M-11: A request by Illinois Properties, LLC to rezone properties at 1108 West Nevada Street, 1105 and 1107 West Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District, to CCD, Campus Commercial Zoning District.**

The Plan Commission recommended approval on **October 20, 2011**. The City Council approved the zoning map amendment on November 7, 2011 by adopting **Ordinance No. 2011-11-119**.

- 5. Plan Case 2157-M-11: A request from the Benoit Group, LLC to rezone 5 parcels located at 1408, 1410, 1412 and 1414 West Eads Street and 1206 North Wright Street from R-2, Single-Family Residential, to R-5, Medium High Density Multiple-Family Residential.**

The Plan Commission recommended approval on November 10, 2011. The City Council approved the zoning map amendment on November 28, 2011 by adopting Ordinance No. 2011-11-125.

Zoning Text Amendments

- 1. Plan Case No. 2136-T-11: Omnibus Text Amendment to the Urbana Zoning Ordinance**

The Plan Commission recommended approval on February 10, 2011. The City Council approved the zoning text amendment on February 21, 2011 by adopting Ordinance No. 2011-02-007.

- 2. Plan Case No. 2142-T-11: A request by the Urbana Zoning Administrator to create Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.**

The Plan Commission recommended approval on August 4, 2011. City Council approved the text amendment on September 19, 2011 by adopting Ordinance No. 2011-09-108.

- 3. Plan Case No. 2155-T-11: A request by the Urbana Zoning Administrator to amend Section XI-10.A of the Urbana Zoning Ordinance to revise the minimum standards for legal notices published in newspapers.**

The Plan Commission recommended approval on October 13, 2011. The City Council approved the zoning text amendment on November 7, 2011 by adopting Ordinance No. 2011-11-121.

- 4. Plan Case 2162-T-11: A request by the Urbana Zoning Administrator to amend Section VIII-5.K of the Urbana Zoning Ordinance to revise parking requirements in the CCD, Campus Commercial District.**

The Plan Commission recommended approval on November 10, 2011. The City Council approved the zoning text amendment on November 28, 2011 by adopting Ordinance No. 2011-11-123.

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Passed: February 21, 2011
Signed: February 22, 2011

ORDINANCE NO. 2011-02-007

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

(Omnibus Zoning Ordinance Text Amendment - Plan Case No. 2136-T-11)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and

WHEREAS, the Urbana Zoning Ordinance has periodically been recodified and republished by the City of Urbana to incorporate the numerous amendments that have been made since Ordinance #9293-124 was adopted on June 21, 1993; and

WHEREAS, the Urbana Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Ordinance to recodify and republish it; and

WHEREAS, the Urbana Zoning Administrator has submitted a petition to amend the Urbana Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and

WHEREAS, said petition was presented to the Urbana Plan Commission as Plan Case #2136-T-11; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statutes (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing on the petition on February 10, 2011; and

WHEREAS, the Urbana Plan Commission voted four ayes to zero nays with one abstention on February 10, 2011 to forward Plan Case #2136-T-11 to the Urbana City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, after due and proper consideration, the Urbana City Council has determined that the amendments described herein conform to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interest of the City of Urbana to amend the text of the Urbana Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

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Section 1. Paragraph II-3.E is hereby amended as follows:

The word "shall" is mandatory and not discretionary or permissive.

Section 2. Section II-3, Definitions, is hereby amended to include the following terms and their definitions:

Footprint: The total horizontal area measured to the outermost face of the outside walls of the main or principal building(s) exclusive of uncovered porches, terraces, and steps; awnings, marquees, nonpermanent canopies and planters.

Parking Lot, Accessory Use: A parking lot meeting the requirements of Sections VIII-2, VIII-4.L, VIII-5.J that is primarily an accessory use to a particular principal use.

Public Maintenance and Storage Garage: A facility for the repair and storage of maintenance equipment and vehicles owned and operated by a unit of government or taxing body.

Section 3. Paragraph V-2.D.7a is hereby amended as follows:

If the footprint of the single- or two-family dwelling on the lot does not exceed 1500 square feet, the aggregate area of all accessory structures shall not exceed 750 square feet for a single family dwelling or 800 square feet for a two-family dwelling.

Section 4. Paragraph V-13.A.2 is hereby amended as follows:

There are no signs on the premises identifying the home occupation other than a nameplate, not more than one square foot in area, only permitted as a wall-mounted sign and not internally illuminated; and

Section 5. Table V-1, Table of Uses, is hereby amended to change the uses listed in the following table as follows:

Principal Uses	R1	R2	R3	R4	R5	R6	R6B	R7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	IN	MOR	OP
Agriculture																				
Farm Equipment Sales & Service									P			P							C	
Public and Quasi-Public																				
Public Maintenance and Storage Garage												P					P	P		
Business																				
Personal Services																				
Massage Therapist										P	P	P	P	P	P					P
Transportation																				
Airport									C										C	
Taxi Service											C	P	C	C	P				P	
Vehicular Sales and Service																				
Automobile, Truck, Trailer or Boat Sales or Rental												P							P	

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Section 6. Table V-1, Table of Uses, is hereby amended to add the footnote "See Table VII-1 for Conditional Use Standards." for the following uses:

- Outdoor Commercial Recreational Enterprise
- Camp or Picnic Area
- Riding Stable
- Cemetery
- Kennel, Veterinary Hospital
- Airport
- Heliport
- Mineral Extraction, quarrying, topsoil removal, and allied activities
- Outdoor Theater
- Truck Terminal
- Resort or Organized Camp
- Water Treatment Plant
- Fairgrounds
- Public or Commercial Sanitary Landfill
- Sewage Treatment Plant or Lagoon

Section 7. Paragraph VI-5.B.14 is hereby added as follows:

Signs, as permitted in Article IX of this Zoning Ordinance.

Section 8. Paragraph VI-6.B.1.a is hereby amended as follows:

Screening requirements may be met through either landscaping or a solid fence or wall four to six feet in height. Landscaped screening shall be no less than three feet in height; except that in order to enhance visibility along the right-of-way, shrub planting adjacent to an access driveway shall not exceed three feet in height along the lot line adjacent to the right-of-way. The requirements of the visibility triangle set forth in Article VI of Chapter 20 of the Urbana City Code shall supersede the provisions of this Article. Species and planting size for such hedge plantings shall conform with Table VI-5. The Zoning Administrator may approve landscape berms or types of plant material other than those specified in Table VI-5 upon recommendation of the City Arborist.

Section 9. Footnote 8 of Table VI-3 is hereby amended as follows:

See section VI-3.D for additional regulations regarding FAR and OSR in the MOR District.

Section 10. Paragraph VI-6.B.1.a is hereby amended as follows:

Driveways and access drives existing as of March 1, 1990 which are not improved with a surface specified above shall not be required to be paved unless a new structure intended to be occupied by a principal use is constructed or the

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driveway is reconstructed or widened. Access drives resurfaced with additional gravel shall be contained with a curb or approved landscape edging treatment.

Section 11. Table VIII-7, Parking Requirements by Use, is hereby amended to include the following uses and requirements as follows:

Use	Number of Spaces Required
Miscellaneous Business	
Warehouse or Similar Use	1 for every 2,000 sq. ft of floor area

Section 12. Paragraph IX-3.D is hereby amended as follows:

Measurement of Business Frontage: Business frontage is the lineal footage of a lot, fronting the public right-of-way, owned or rented by a person, business, or enterprise, and intended for business usage.

Section 13. Paragraph IX-4.B is hereby amended as follows:

Institutional Signs. In all residential zoning districts, institutions may display either one monument sign or one wall sign per street frontage with a maximum sign size of 25 square feet per sign, except that properties on arterial road as designated in the Comprehensive Plan with a street frontage longer than 300 feet may have one 50 square foot sign per arterial frontage. Such monument signs shall have a maximum height of eight feet. Wall signs shall not project above the roofline or front building façade. Institutional signs in other zoning districts shall conform to the design standards for signs in that zoning district.

Section 14. Table IX-3, Standards for Projecting Signs is hereby amended so that the first cell of the final column, "Location of Sign" reads as follows:

Shall not extend over any public right-of-way. Projecting signs are not allowed above the first story.

Section 15. Table IX-7, Standards for Property Sale and Rental Signs is hereby amended so that the fourth cell of the fourth column, "Maximum Height of Freestanding Sign" reads "16 feet".

Section 16. The title of Table IX-10 is hereby amended to read "Standards for Multi-Family Residential Identification Signs".

Section 17. Paragraph X-1.C is hereby added as follows:

Uses, buildings, or structures on a nonconforming lot shall not be considered nonconforming due solely to the nonconforming lot if they meet the requirements set forth in Section VI-3.A.

Section 18. Paragraph XI-3.A.3 is hereby amended as follows:

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The Chair of the Board shall be designated by the Mayor, with the consent of the City Council. The Chair, or in his/her absence, the Acting Chair, may administer oaths and compel the attendance of witnesses.

Section 19. Paragraph XI-3.C.2.b(9) is hereby amended as follows:

To allow a sign to exceed the maximum height or area, as provided in Article IX by no more than 15% of the specified requirement, in keeping with the legislative intent specified in Section IX-1.

Section 20. Paragraph XI-10.B is hereby amended as follows:

Any applicant for any public hearing under this Zoning Ordinance shall furnish the Secretary of the body conducting the hearing with a complete list of names and last known addresses of owners of properties subject to the petition. Documentation of ownership in the form of an owner's policy or title insurance, warranty deed evidencing ownership of title, trust agreement certified by trustee with evidence of all current ownership of beneficial interest, purchase contract, or records from the County Recorder of Deeds, shall also be submitted. Not less than ten days, but not more than 30 days before a public hearing, the Secretary shall send written notice by first class mail to the owners of the subject property as identified herein, concerning the place and time for the first hearing of the petition. Said notification letter shall state the name and address of the petitioner, the name and address of the owner of the property, the location of the property, and a brief statement of the nature of the requested action. Said letter shall be sent to the last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 250 feet in each direction of the property for which the application for action is requested. The measurement of all public roads, streets, alleys, and other public ways shall be excluded in determining the two hundred fifty foot requirement. If any part of a condominium property is located within 250 feet of the subject property, the name of each taxpayer of record of the condominium shall also be submitted to the Secretary. If after a bona fide effort to serve such written notice, there are returned notices, the notice requirements of this section shall be deemed satisfied.

Section 21. Paragraph XIII-1.D.2 is hereby amended as follows:

A ground or building mounted citizens band radio or personal wireless internet ("wifi") antenna including any mast, if the permanent height (post and antenna) does not exceed 35 feet;

Section 22. Paragraph XIII-3.H.3 is hereby amended as follows:

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Approval of the Preliminary Development Plan by the City Council shall constitute approval of the basic provisions and outlines of the plan, and approval of the representation and provisions of the applicant regarding the plan. City Council approval shall be valid for one year from the date of approval, or longer if specified in the approving ordinance.

Section 23. Paragraph XIII-3.J.4 is hereby amended as follows:

The City Council shall consider the recommendation of the Plan Commission regarding the Final Planned Unit Development plan. The City Council may impose any conditions or requirements, including but not limited to those recommended by the Plan Commission, which it deems appropriate or necessary in order to accomplish the purposes of this Ordinance.

Section 24. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

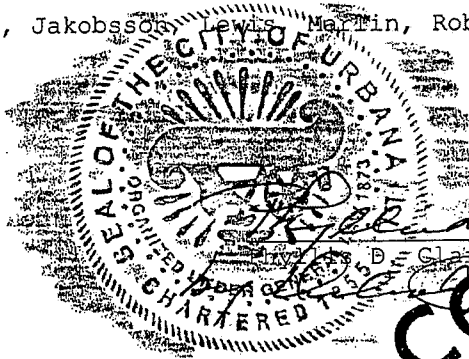
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 21st day of February, 2011.

PASSED by the City Council this 21st day of February,
2011.

AYES: Bowersox, Jakobsson, Lewis, Martin, Roberts, Smyth

NAYS:

ABSTAINS:



[Signature]
D. Clark, City Clerk
[Signature]
Deputy Clerk

APPROVED by the Mayor this 22nd day of February,

2011.

[Signature]
Laurel Lunt Prussing, Mayor

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Passed: March 28, 2011
Signed: March 31, 2011

ORDINANCE NO. 2011-03-011

**AN ORDINANCE APPROVING AND CAUSING PUBLICATION
OF THE OFFICIAL ZONING MAP OF THE CITY OF URBANA, ILLINOIS**

(Plan Case No. 2138-M-11)

WHEREAS, the Illinois Municipal Code requires the City Council of the City of Urbana, Illinois to annually publish a map showing the existing zoning classifications and revisions made during the preceding calendar year and the map so published shall be the Official Zoning Map for the City of Urbana; and

WHEREAS, the City Council of the City of Urbana last approved an Official Zoning Map on February 15, 2010 by Ordinance No. 2010-02-010; and

WHEREAS, the Urbana Zoning Administrator has submitted a request to approve the revised Official Zoning Map; and

WHEREAS, on March 24, 2011 the Urbana Plan Commission considered the proposed Official 2011 Zoning Map and voted 7 ayes and 0 nays to forward to the Urbana City Council with a recommendation of approval of said map; and

WHEREAS, after due consideration, the Urbana City Council has deemed it necessary and to be in the best interest of the City of Urbana to approve the new Official 2011 Zoning Map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The attached map entitled Official 2011 Zoning Map of Urbana, Illinois dated March 28, 2011 is hereby approved as the Official Zoning Map of the City of Urbana, Illinois pursuant to the Illinois Municipal Code and Section IV-3 of the Urbana Zoning Ordinance, which said map reflects the correct location of the official zoning districts in the City of Urbana as of March 28, 2011.

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Section 2. Updated versions of the Official Zoning Map may be printed in the interim between the approval of this Official Zoning Map and the approval of the Official Zoning Map next year.

Section 3. The City Clerk is hereby directed to publish a full-sized copy of the Official Zoning Map and to make copies available in her office for inspection and purchase by the public.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

PASSED by the City Council this 28th day of March, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth
NAYS:
ABSTAINS:



APPROVED by the Mayor this 28th day of March, 2011.
[Signature] City Clerk
[Signature] Deputy Clerk

[Signature]
Laurel Lunt Prussing, Mayor

[Special Council Meeting]

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Passed: April 4, 2011
Signed: April 8, 2011

ORDINANCE NO. 2011-04-018

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(To Allow the Construction of a Radio Transmission Tower in the B-4, Central Business, Zoning District - Plan Case 2137-SUP-11 / 202 S. Broadway Avenue, Urbana-Champaign Independent Media Center)

WHEREAS, the Urbana-Champaign Independent Media Center has petitioned the City for a Special Use Permit to construct a 100-foot tall radio transmission tower at 202 S Broadway Avenue in the B-4, Central Business Zoning District; and

WHEREAS, towers are permitted in the B-4 Central Business zoning district under Special Use Permit review; and

WHEREAS, the proposed use is conducive to the public convenience because it would improve the reception of WRFU-LP 104.5 FM for listeners in areas to the north and west of downtown; and

WHEREAS, the proposed use should not pose a detriment to the district in which it is proposed to be located or any adjoining properties; and

WHEREAS, proposed tower will be designed to meet applicable regulations and standards of the Urbana Building Safety Division as well as applicable Federal Communications Commission regulations; and

WHEREAS, the proposed tower will only be visible at ground level from the west and will be installed in an area that is currently entirely paved and such a location would not provide a hospitable environment for vegetation and adding trees or other landscaping could actually increase the tower's visual impact; and

WHEREAS, the conditions placed on the approval in Section 1 herein are reasonable and intended to insure compliance with City requirements; and

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WHEREAS, the Urbana Zoning Ordinance, Section XIII-1, authorizes the City Council to waive certain tower requirements given specific circumstances; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on March 24, 2011 concerning the petition filed by the petitioner in Plan Case No. 2137-SU-11; and

WHEREAS, on March 24, 2011, the Urbana Plan Commission voted 6 ayes and 1 nay to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions and with the waiver provided herein; and

WHEREAS, approval of the Special Use Permit, with the condition set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the Special Use Permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a radio transmission tower in the B-4, Central Business Zoning District with the following conditions upon approval:

1. The tower location shall closely conform to the submitted site plan attached as Exhibit 1. Any significant deviation from the approved site plan will require an amendment to the Special Use Permit, including further review by the Urbana Plan Commission and approval by the Urbana City Council; and

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2. In accordance with Section XIII-1.E.2 of the Zoning Ordinance, the applicant shall submit a site survey of the subject property indicating that the tower will not encroach on adjoining lots, easements, or utilities; and

3. A minimum six-foot tall security fence, or other appropriate safety protections of the tower from vehicular and related traffic, as well as appropriate anti-climbing measures, as determined by the Zoning Administrator, be constructed and maintained as part of the tower; and

4. The design, installation, and operation of the radio transmission tower 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

5. In accordance with Federal and State laws and regulations, as well as private preservation covenants, the applicant shall submit the proposal to the Illinois State Historic Preservation Officer for review and approval. City of Urbana building permits will not be issued until the City receives documentation of such approval; and

6. If the tower is no longer being used, the applicant shall remove the tower within 180 days. Failure to remove an abandoned tower within said 180 days shall be grounds for the City to cause removal of the tower at the owner's expense; and

7. The applicant shall remove the existing roof-mounted tower.

And with the following waiver from standard Special Use Permit requirements for telecommunication towers:

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1. A waiver from the landscape screening requirements for telecommunication towers, as authorized by Zoning Ordinance Section XIII-1.R.7, and based on the tower only being visible at ground level from the west and the fact that the tower will be installed in an area that is currently entirely paved.

LEGAL DESCRIPTION:

Tract 1: Lots 55 and 56 of the Original Town of Urbana, and the West Half of the alley known as Thorn Alley lying on the East side of said Lot 56, as per play recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

Tract 2: Lot 57 of the Original Town of Urbana, and the East Half of the alley known as Thorn Alley lying on the West side of said Lot 57, as per play recorded in Deed Record "A" at page 33, in Champaign County, Illinois.

Tract 3: The North Half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating Certain Alleys recorded January 6, 1964 in Book 747 at Page 45 as Document 706612:

Commencing at the point where the North line of Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet, thence South to the South line of said Alley, thence West along the South line of said alley to the East line of Broadway Street, thence North along the East line of Broadway Street to the point of beginning, in Champaign County, Illinois.

Tract 4: The North half of that portion of Cherry Alley, being the east-west alley between Elm Street and Green Street in the City of Urbana, Illinois, described and bounded as follows, as per Ordinance Vacating a Portion of an Alley recorded March 13, 1964 in Book 752 at Page 393 as Document 709540 and recorded March 20, 1964 in Book 753 at Page 159 as Document 709879:

Commencing at the point where the North line of vacated Cherry Alley intersects with the East line of Broadway Street, thence East along the North line of said alley 38 feet to the point of beginning, thence East along the North line of said alley 2 feet, thence South to the South line of said alley, thence West along the South line of said

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alley 2 feet, thence North to the point of beginning, in Champaign County, Illinois.

PERMANENT PARCEL No.: 92-21-17-212-004.

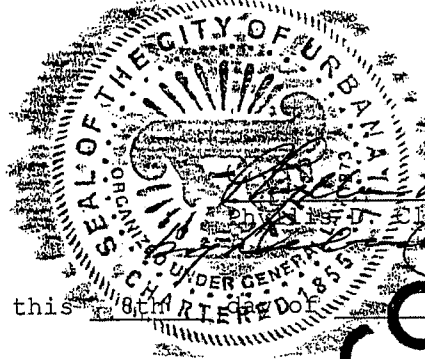
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 4th day of April,
2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



APPROVED by the Mayor this 8th day of April,
2011.

Charles Do
City Clerk
Deputy Clerk
Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

Passed: April 18, 2011
Signed: April 25, 2011

ORDINANCE NO. 2011-04-025

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS

(Rezoning of a 3.423-Acre Parcel Located North of Anthony Drive
and East of Willow Road from IN, Industrial, to B-3,
General Business - Plan Case 2139-M-11 / Soccer Planet)

WHEREAS, Rudolf A Frasca, on behalf of Frasca Associates, has petitioned the City for a Zoning Map Amendment to rezone a 3.423-acre parcel located north of Anthony Drive and east of Willow Road from IN, Industrial, to B-3, General Business; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on April 7, 2011 concerning the petition filed in Plan Case No. 2139-M-11; and

WHEREAS, the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation of approval of the request to rezone the property herein described below from IN, Industrial, to B-3, General Business; and

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning request would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

COPY

Section 1. The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties from IN, Industrial District, to B-3, General Business District.

The subject property is more accurately described as follows:

LEGAL DESCRIPTION:

PART OF THE NORTHWEST QUARTER, SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST, THIRD P.M., CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 19 NORTH, RANGE 9 EAST, THIRD P.M.; THENCE SOUTH 00 DEGREES 43 MINUTES 08 SECONDS EAST ALONG THE WEST LINE OF THE NORTHWEST QUADRANT OF SAID SECTION 4 A DISTANCE OF 1743.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 36 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 621.32 FEET TO THE WEST LINE OF OUTLOT A OF O'BRIEN SUBDIVISION NO. 1 AS RECORDED AS DOCUMENT NO. 2004R36644 IN THE RECORDS OF THE CHAMPAIGN COUNTY, ILLINOIS RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 44 MINUTES 11 SECONDS EAST ALONG SAID WEST LINE OF OUTLOT A OF O'BRIEN SUBDIVISION NO. 1 A DISTANCE OF 240.00 FEET TO THE NORTHEAST CORNER OF LOT 2 OF MICHELLE'S BRIDAL SUBDIVISION AS RECORDED AS DOCUMENT NO. 2011R00460 IN THE RECORDS OF THE CHAMPAIGN COUNTY, ILLINOIS RECORDER'S OFFICE ALSO BEING A POINT ON THE SOUTH LINE OF THE NORTH 1/2, SOUTH 1/2 OF SAID NORTHWEST QUARTER OF SECTION 4; THENCE SOUTH 89 DEGREES 36 MINUTES 03 SECONDS WEST ALONG SAID SOUTH LINE OF THE NORTH 1/2, SOUTH 1/2 OF SAID NORTHWEST QUARTER OF SECTION 4 FOR A DISTANCE OF 621.39 FEET TO SAID WEST LINE OF THE NORTHWEST QUADRANT OF SECTION 4; THENCE NORTH 00 DEGREES 43 MINUTES 08 SECONDS WEST ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 4 FOR A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.423 ACRES MORE OR LESS.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

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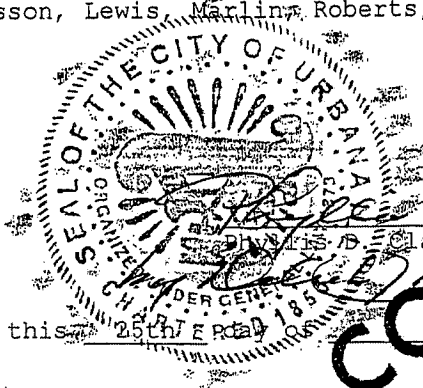
PASSED by the City Council this 18th day of April,

2011.

AYES: Bowersox, Jakobsson, Lewis, ~~Marling~~ Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:



APPROVED by the Mayor this 25th day of April,

2011.

W. B. Clark
W. B. Clark, City Clerk
W. B. Clark
Deputy Clerk
COPY
Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

Passed: June 20, 2011
Signed: June 22, 2011

ORDINANCE NO. 2011-06-056

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS

(Rezoning of a 4.01-Acre Parcel at 704 East Windsor Road
from CRE, Conservation-Recreation-Education to R-3, Single- and Two-Family
Residential - Plan Case 2146-M-11 / Verdant Prairies Condominiums)

WHEREAS, Gary Olsen, on behalf of Verdant Prairies LLC, has petitioned the City for a Zoning Map Amendment to rezone a 4.01-acre parcel located northeast of South Anderson Street and East Windsor Road from CRE, Conservation, Recreation, Education to R-3, Single and Two-Family Residential; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on June 9, 2011 concerning the petition filed in Plan Case No. 2146-M-11; and

WHEREAS, the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation of approval of the request to rezone the property herein described below from CRE, Conservation, Recreation, Education to R-3, Single and Two-Family Residential; and

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning request would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

COPY

Section 1. The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties from CRE, Conservation, Recreation, Education to R-3, Single and Two-Family Residential District. The subject property is more accurately described as follows:

LEGAL DESCRIPTION:

The South 384.305 feet of the East 453.39 feet of the West 758.39 feet of the southwest Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, and a part of the Southwest Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, described as follows:

Beginning at the Northeast corner of Lot 362 in Ennis Ridge Fifteenth Subdivision, a subdivision in Champaign County, Illinois, as per plat recorded in Plat Book "U" at page 16 in the Recorder's office of Champaign County, Illinois; thence East and parallel to the North line of said Lot 362, as extended to the northwest corner of Lot 369 in said Ennis Ridge Fifteenth Subdivision; then south along the West line of Lot 369, 370 and 371 in said Ennis Ridge Fifteenth Subdivision to the Northeast corner of the Windsor Swim club Co. property, as per deed recorded in Book 807 at page 208 as document no. 738389 in the Recorder's office of Champaign County, Illinois; thence West along the North line of said Windsor Swim Club Co. property to the East line of Lot 360 in Ennis Ridge fifteenth Subdivision, thence North along the East line of said Lot 360, and East line of Lots 361 and 362 in Ennis Ridge Fifteenth Subdivision, to the place of beginning, in Champaign County, Illinois.

EXCEPT the following described real estate:

Beginning at a steel pipe monument at the Northeast corner of Lot 362 of Ennis Ridge Fifteenth Subdivision; thence on a local bearing North 89°30'30" East, along the South right-of-way of Scovill Street in the City of Urbana, Illinois, 453.38 feet to an iron pipe set in concrete at the northwest corner of Lot 369 of said Subdivision; thence South 0°43'20" East, along a Westerly line of said Subdivision, 130.00 feet to a steel rod marker; thence South 89°30'30" West, 453.38 feet to a

COPY

steel rod marker located on an Easterly line of said Subdivision; thence North 0°43'20" West, along said Easterly line, 130.0 feet to a point of beginning, in Champaign County, Illinois.

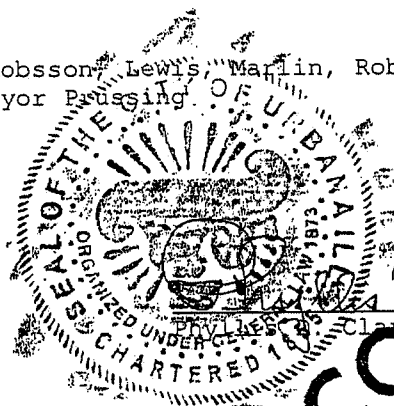
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 20th day of June,
2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth,
Stevenson, Mayor Prussing.

NAYS:

ABSTAINS:



APPROVED by the Mayor this 22nd day of June,
2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

Passed: June 20, 2011
Signed: June 22, 2011

ORDINANCE NO. 2011-06-057

**AN ORDINANCE APPROVING A PRELIMINARY
DEVELOPMENT PLAN FOR A PLANNED UNIT DEVELOPMENT**

(Plan Case No. 2146-PUD-11 - 704 East Windsor
Road / Verdant Prairies Condominiums)

WHEREAS, Gary Olsen, on behalf of Verdant Prairies LLC, proposes to establish a residential planned unit development (PUD) for property known as 704 E Windsor Road in the R-3, Single and Two-Family Residential Zoning District; and

WHEREAS, Section XIII-3 of the Urbana Zoning Ordinance requires the submission and approval of a preliminary development plan for planned unit developments, and that all requested waivers from development standards be expressly written; and

WHEREAS, the applicant has submitted a preliminary development plan with one requested waiver for the proposed Verdant Prairies PUD; and

WHEREAS, after due publication, the Urbana Plan Commission on June 9, 2011 held a public hearing concerning the proposed preliminary development plan and voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the preliminary development plan for the Verdant Prairies PUD with approval of the requested waiver; and

WHEREAS, the approval of the preliminary development plan, with the waiver outlined herein, is consistent with the requirements of Section XIII-3 of the Urbana Zoning Ordinance, Planned Unit Developments, and with the definitions and goals of this Section of the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

COPY

Section 1. A preliminary development plan for the Verdant Prairies PUD, as attached hereto in Exhibit 1, is hereby approved for property known as 704 E. Windsor Road, including the approval of the following waiver:

Maximum height for the two twelve-unit buildings as shown in the attached elevation drawing marked '3 Story 12 DU - Front (South) Elevation' (Exhibit G).

LEGAL DESCRIPTION:

The South 384.305 feet of the East 453.39 feet of the West 758.39 feet of the southwest Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, and a part of the Southwest Quarter of Section 21, Township 19 North, Range 9 East of the Third Principal Meridian, in Champaign County, Illinois, described as follows:

Beginning at the Northeast corner of Lot 362 in Ennis Ridge Fifteenth Subdivision, a subdivision in Champaign County, Illinois, as per plat recorded in Plat Book "U" at page 16 in the Recorder's office of Champaign County, Illinois; thence East and parallel to the North line of said Lot 362, as extended to the northwest corner of Lot 369 in said Ennis Ridge Fifteenth Subdivision; then south along the West line of Lot 369, 370 and 371 in said Ennis Ridge Fifteenth Subdivision to the Northeast corner of the Windsor Swim club Co. property, as per deed recorded in Book 807 at page 208 as document no. 738389 in the Recorder's office of Champaign County, Illinois; thence West along the North line of said Windsor Swim Club Co. property to the East line of Lot 360 in Ennis Ridge fifteenth Subdivision, thence North along the East line of said Lot 360, and East line of Lots 361 and 362 in Ennis Ridge Fifteenth Subdivision, to the place of beginning, in Champaign County, Illinois.

EXCEPT the following described real estate:

Beginning at a steel pipe monument at the Northeast corner of Lot 362 of Ennis Ridge Fifteenth Subdivision; thence on a local bearing North 89°30'30" East, along the South right-of-way of Scovill Street in the City of Urbana, Illinois, 453.38 feet to an iron pipe set in concrete at the northwest corner of Lot 369 of said Subdivision; thence South 0°43'20" East, along a Westerly line of said Subdivision, 130.00 feet to a steel rod marker; thence South 89°30'30" West, 453.38 feet to a

COPY

steel rod marker located on an Easterly line of said Subdivision; thence North 0°43'20" West, along said Easterly line, 130.0 feet to a point of beginning, in Champaign County, Illinois.

Permanent Parcel No.: 93-21-21-357-024

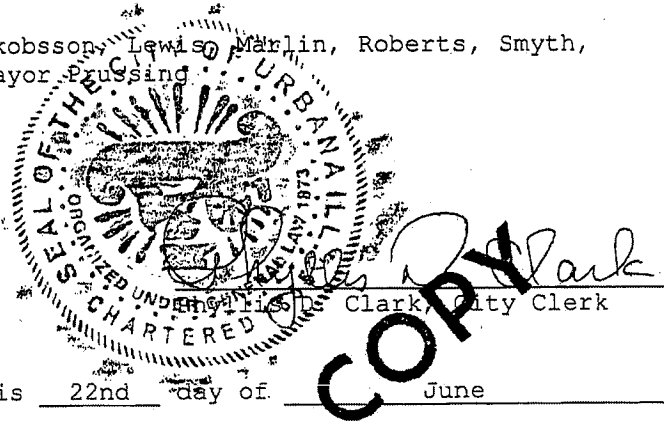
Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 20th day of June,
2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth,
Stevenson, Mayor Prussing

NAYS:

ABSTAINS:



APPROVED by the Mayor this 22nd day of June,
2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

Passed: September 19, 2011
Signed: September 26, 2011

ORDINANCE NO. 2011-09-108

**AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS**

(Adding a New Section VI-9 entitled "Portable Storage
Containers" - Plan Case No. 2142-T-11)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance No. 9293-124 on June 21, 1993 consisting of a comprehensive amendment to the 1979 Zoning Ordinance of the City of Urbana, also known as the Urbana Zoning Ordinance; and

WHEREAS, the Zoning Administrator has applied to adopt a new Section VI-9, Portable Storage Containers, which would provide standards for the time, place, and manner of storage of such containers; and

WHEREAS, said text amendment is consistent with the goals and objectives of the Urbana Comprehensive Plan; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on this application at their May 5, 2011 and August 4, 2011 meetings; and

WHEREAS, the Urbana Plan Commission on August 4, 2011 voted 6 ayes to 0 nays to forward this application to the Urbana City Council with a recommendation for approval; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. That a new Section VI-9, Portable Storage Containers, is hereby adopted to read as follows:

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Section VI-9. Portable Storage Containers

- A. *Purpose and intent.* The purpose of this Section is to insure that portable storage containers as defined herein are used for the short-term, temporary storage and transport of personal property; and do not impede vehicular access, traffic flow or circulation, or create public safety hazards. This section intends that portable storage units be placed on private property unless site constraints dictate placement elsewhere, in which case placement within a public right-of way shall be allowed by a permit issued by and at the discretion of the Urbana Public Works Department.
- B. *Definition.* For the purposes of this section, portable storage containers shall be defined as any container designed to store personal property or construction equipment and which is typically rented, delivered, loaded, and removed by truck.
- C. Notwithstanding provisions of any contrary City ordinance or regulation, portable storage containers located outside of a fully-enclosed structure shall comply with the following restrictions:
1. *Permit.* If the portable storage container is located outside a public right-of-way, the Urbana Zoning Administrator or designee shall issue permits for portable storage containers so placed for more than seven days. Urbana Public Works shall issue permits for portable storage containers located within public rights-of-way for any period of time.
 2. *Maximum number and time limits.* With property owner approval, the Zoning Administrator or Public Works Department may issue permits allowing one (1) portable storage container per each address within any twelve month period. The maximum time period shall be thirty (30) consecutive days for containers located outside a right-of-way or a maximum of 72 hours for containers located on a public right-of-way. When good cause is shown by the applicant, including building permit and other construction and other activities, the Urbana Zoning Administrator may extend additional time and/or ~~one~~ additional storage containers.
 3. *Placement.* Portable storage containers shall be placed on a paved or gravel surface. When space is unavailable due to

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site constraints, the Zoning Administrator may allow placement of containers on other surfaces, or portable storage containers may be placed on the right-of-way in a legal parking space and with approval by Urbana Public Works Department.

4. *Dimensions.* No portable storage container shall have dimensions greater than twenty (20) feet in length, eight (8) feet in width, and eight (8) feet in height. The Urbana Zoning Administrator may make exceptions to dimensional requirements when necessary.
 5. *Identification.* The portable storage container must on its exterior identify the owner and owner's contact information. The City permit shall be attached to the container's exterior for public display.
 6. *Maintenance.* All portable storage containers shall be maintained in a condition reasonably free from rust, peeling paint and other significant visible deterioration. The owner of the container shall be responsible for its maintenance.
- D. *Industrial Districts.* Portable storage containers as defined herein and located on private property in IN, Industrial, zoning districts shall be exempt from the requirements of this Section; provided, such containers located on public rights-of-way however shall comply with this Section and any conditions stipulated by Urbana Public Works.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 19th day of September, 2011.

COPY

PASSED by the City Council this 19th day of September,
2011.

AYES: Bowersox, Lewis, ~~Martin~~, ~~Orberts~~, Smyth

NAYS:

ABSTAINS:



William D. Clark
City Clerk

APPROVED by the Mayor this 26th day of September,
2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

Passed: November 7, 2011
Signed: November 14, 2011

ORDINANCE NO. 2011-11-118

An Ordinance Amending the City of Urbana Comprehensive Plan 2005

(Complete Streets Amendment - Plan Case No. 2154-CP-11)

WHEREAS, the Urbana City Council on April 11, 2005 in Ordinance No. 2005-03-050 adopted the Comprehensive Plan 2005; and

WHEREAS, the term "complete streets" describes an integrated transportation network designed, constructed, and maintained to allow safe and convenient travel along and across streets for all users, whether traveling by foot, bicycle, motor vehicle, or transit, and regardless of age or physical abilities; and

WHEREAS, Urbana Mayor and City Council requested adoption of a complete streets policy in the 2010 Urbana City Council and Mayor Goals; and

WHEREAS, the 2005 Comprehensive Plan and the 2008 Urbana Bicycle Master Plan support adoption of a complete streets policy; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 13, 2011 concerning Plan Case No. 2154-CP-11; and

WHEREAS, the Urbana Plan Commission voted 8 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation to approve the request that the Comprehensive Plan be amended to include a complete streets policy; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

COPY

Section 1. The City of Urbana 2005 Comprehensive Plan, as amended, is hereby amended as follows:

Amend 2005 Comprehensive Plan to include the following (text to be added underlined):

Chapter IV. Goals and Objectives

Goal 47.0 Create a multi-modal transportation system.

Objectives

47.8 Use complete streets concepts in designing, constructing, reconstructing, and maintaining roadways and public rights-of-way.

Chapter VII. Implementation Program

<u>Update appropriate documents such as the Urbana Subdivision and Land Development Code to reflect the complete streets policy.</u>	Action	47.7		Near Term	Community Development: Public Works	
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Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

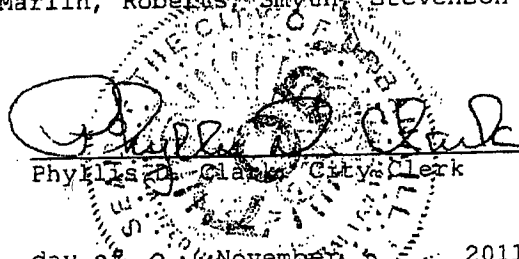
PASSED by the City Council this 7th day of November, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson

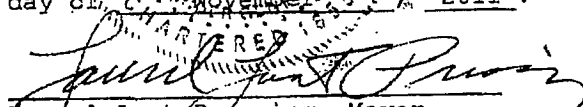
NAYS:

ABSTAINS:


 Phyllis D. Clark, City Clerk



APPROVED by the Mayor this 14th day of November, 2011.


 Laurel Lunt Prussing, Mayor

COPY

ORDINANCE NO. 2011-11-119

**An Ordinance Amending the Zoning Map of the City of Urbana,
Illinois**

(Rezoning 1108 West Nevada Street, 1105 West Oregon Street, and 1107 West Oregon Street from the R-5, Medium High Density Multiple-Family Residential Zoning District, to CCD, Campus Commercial District - Plan Case No. 2153-M-11/Illinois Properties, LLC)

WHEREAS, Illinois Properties, LLC has petitioned the City for a Special Use Permit to establish a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Campus Mixed Use"; and

WHEREAS, except for parking, for which a variance is being sought, all applicable development regulations will be met, including those involving setbacks, drainage, and vehicular access; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 20, 2011 concerning the petition filed by the petitioner in Plan Case No. 2153-SU-11; and

WHEREAS, on October 20, 2011, the Urbana Plan Commission voted 6 ayes and 1 nay to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public; and

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WHEREAS, the application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and enhance the character of the zoning district in which this is located.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District with the following conditions upon approval:

1. The developer shall consult with City staff regarding any specific commercial uses to be located within the commercial space. City staff shall confirm that the uses are permitted in the CCD district and that adequate parking is accommodated to satisfy the development regulations.
2. That the development on the property be in substantial conformance with the attached Site Plan.
3. Should the pending variance or proposed text amendment not be granted, the developer shall provide parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property.
4. Design of screening of parking on the southern façade and the façade in the front setback area shall be approved by the Zoning Administrator to ensure its effectiveness.

LEGAL DESCRIPTION:

Lot 24 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

Lot 25 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

COPY

Lot 13 of the Forestry Heights Addition to the City of Urbana, as per plat recorded in Plat Book "B" at page 190, in Champaign County, Illinois.

PERMANENT PARCEL NUMBERS: 93-21-18-277-006, 93-21-18-277-007, 93-21-18-277-014

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 7th day of November, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

APPROVED by the Mayor this 16th day of November, 2011.

PHYLIS D. CLARK, City Clerk
 LAUREL HUNTER BRUSSING, Mayor

An Ordinance Approving a Special Use Permit

(To Allow a Mixed Use Development in the CCD, Campus Commercial District, Located at 1108 West Nevada Street, 1105 West Oregon Street, and 1107 West Oregon Street - Plan Case No. 2153-SU-11/Illinois Properties, LLC)

WHEREAS, Illinois Properties, LLC has petitioned the City for a Special Use Permit to establish a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District; and

WHEREAS, the 2005 Comprehensive Plan designates the future land use of this property as "Campus Mixed Use"; and

WHEREAS, except for parking, for which a variance is being sought, all applicable development regulations will be met, including those involving setbacks, drainage, and vehicular access; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on October 20, 2011 concerning the petition filed by the petitioner in Plan Case No. 2153-SU-11; and

WHEREAS, on October 20, 2011, the Urbana Plan Commission voted 6 ayes and 1 nay to forward the case to the Urbana City Council with a recommendation to approve the request for a Special Use Permit, subject to the conditions as outlined in Section 1 herein; and

WHEREAS, the approval of the Special Use Permit, with the conditions set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the special use permit would promote the general health, safety, morals, and general welfare of the public; and

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WHEREAS, the application demonstrates that the development will be generally conducive to the public convenience at this location; that it will not be injurious to the public or district in which it is located; and that it will meet the applicable standards of the Urbana Zoning Ordinance and enhance the character of the zoning district in which this is located.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of a mixed use development located at 1108 West Nevada Street; and 1105 and 1107 West Oregon Street in the City's CCD, Campus Commercial Zoning District with the following conditions upon approval:

1. The developer shall consult with City staff regarding any specific commercial uses to be located within the commercial space. City staff shall confirm that the uses are permitted in the CCD district and that adequate parking is accommodated to satisfy the development regulations.
2. That the development on the property be in substantial conformance with the attached Site Plan.
3. Should the pending variance or proposed text amendment not be granted, the developer shall provide parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property.
4. Design of screening of parking on the southern façade and the façade in the front setback area shall be approved by the Zoning Administrator to ensure its effectiveness.

LEGAL DESCRIPTION:

Lot 24 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

Lot 25 in the University Addition, as per plat recorded in Plat Book "B" at page 18, situated in the City of Urbana, in Champaign County, Illinois.

COPY

Lot 13 of the Forestry Heights Addition to the City of Urbana, as per plat recorded in Plat Book "B" at page 190, in Champaign County, Illinois.

PERMANENT PARCEL NUMBERS: 93-21-18-277-006, 93-21-18-277-007, 93-21-18-277-014

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the Corporate Authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 7th day of November, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 16th day of November, 2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor

COPY

ORDINANCE NO. 2011-11-121

**An Ordinance Amending the Zoning Ordinance of the City of
Urbana, Illinois**

(Revision to Section XI-10, Regarding Legal Notice Requirements -
Plan Case No. 2155-T-11)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Zoning Administrator has applied to revise Section XI-10, Notification Requirements, in order to bring the Zoning Ordinance into conformance with changes in the State of Illinois Code of Statutes which would remove the requirement for legal descriptions in legal notices for public hearings in cases where street addresses are available; and

WHEREAS, said text amendment is consistent with the goals and objectives of the Urbana Comprehensive Plan; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on this application at their October 13th, 2011 meeting; and

WHEREAS, the Urbana Plan Commission on October 13th, 2011 voted 8 ayes to 0 nays to forward this application to the Urbana City Council with a recommendation for approval;

COPY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. That Paragraph XI-10.A of the Urbana Zoning Ordinance is hereby amended to read as follows:

- A. At least 15 days, but no more than 30 days before a public hearing, notice of the time and place of the public hearing on any proposed conditional use permit, mobile home park, planned unit development, special use permit, waiver of parking, variance, amendment, annexation agreement proposing a rezoning, or combination thereof shall be published in a newspaper of general circulation in the City of Urbana. The notice of such hearing shall contain the common street address and property index number (PIN) of the property for which such action is sought, or a legal description if a street address is not available, as well as a brief description of the proposed action. The cost of such publication shall be paid by the petitioner, except in the case of an annexation agreement, and is in addition to the application fee.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 7th day of November, 2011.

AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

[Handwritten Signature]
 City Clerk
 PHYLIS D. CLARK, City Clerk

[Handwritten Signature]
 LAUREL LUNT PRUSSING, Mayor

CHARTERED

APPROVED by the Mayor this 16th day of November, 2011.

COPY

ORDINANCE NO. 2011-11-123

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2710 Somerset Drive / Jaren Bowers)

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois, and is part of the Carroll Fire Protection District, and includes certain territory within Urbana Township; and

WHEREAS, a Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on October 26, 2011 stating that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, November 21, 2011; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors residing therein, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois; requesting annexation thereof to the City of Urbana; and

WHEREAS, the City Council passed the following ordinances approving and authorizing the execution of annexation agreements pertaining to Somerset Subdivision Nos. 1, 2, 3, and 4, and adjacent tracts: *Ordinance No. 9495-8 passed July 18, 1994; Ordinance No. 2002-09-112 passed October 7, 2002; and Ordinance No. 2006-07-085 passed July 17, 2006;* and

WHEREAS, the territory to be annexed by this Ordinance in Somerset Subdivision No. 1 is presently located within Champaign County's R-1, Single Family Residence Zoning District and upon annexation will be directly converted to City R-1, Single-Family Residential Zoning District; and

WHEREAS, it has been determined that said petitions comply with all requirements of the law therefore; and

WHEREAS, the majority of the Members of the Council are of the opinion that it would be for the best interests of the people of the City of Urbana, Illinois, that said territory be annexed to and made a part of the said City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

Section 1. That the following described real estate, be and the same are hereby annexed to the City of Urbana, Illinois:

A part of the Northwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lot 101 in Somerset Subdivision No.1, Champaign County, Illinois, as per plat recorded August 24, 1994, in Plat Book "CC" at page 33 as Document No. 94R22638, situated in the City of Urbana, in Champaign County, Illinois.

Said annexation containing 17,170.880 S.F. (0.394 acres), more or less, all situated in Urbana Township, Champaign County, Illinois.

Together with the following described adjacent public Right-of-Way which is by operation of the law, automatically annexed with the adoption of an annexation ordinance pertaining to this tract:

That portion of the Airport Road right-of-way lying adjacent to the herein annexed tract, being sixty feet (60') in width and encompassing 10,182.000 S.F. (0.234 acres), more or less.

The above described territory is more commonly known as 2710 Somerset Drive, Urbana, Illinois, and referenced by the Champaign County Parcel Index Number 30-21-03-126-011.

Section 2. That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory herein above described in the Recorder's Office of Champaign County, Illinois.

Section 3. That the City Clerk be authorized and directed to file, for record, a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

COPY

Section 4. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as R-1, Single-Family Residential.

Section 6. The territory annexed herein is assigned to City of Urbana Ward 5.

Section 7. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 1st day of December, 2011 following its passage by the Urbana City Council.

WHEREAS,

PASSED by the City Council this 28th day of November, 2011.

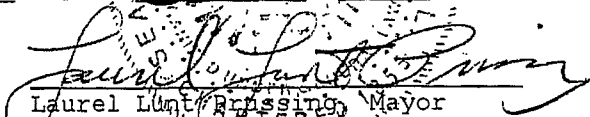
AYES: Bowersox, Jakobsson, Lewis, Marlin, Roberts, Smyth, Stevenson, Prussing

NAYS:

ABSTAINS:


Phyllis G. Clark, City Clerk

APPROVED by the Mayor this 29th day of November, 2011.


Laurel Lunt Prussing, Mayor

COPY

ORDINANCE NO. 2011-11-125

**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA,
ILLINOIS**

(Rezoning of four parcels located north of Eads Street and east of Wright Street from R-2, Single-Family Residential to R-5, Medium High Density Multiple-Family Residential - Plan Case 2157-M-11 / 1410, 1412, and 1414 West Eads Street and 1206 North Wright Street)

WHEREAS, the Benoit Group, LLC, on behalf of the Housing Authority of Champaign County, has petitioned the City for a Zoning Map Amendment to rezone four parcels located at 1410, 1412, and 1414 West Eads Street and 1206 North Wright Street from R-2, Single-Family Residential to R-5, Medium High Density Multiple-Family Residential; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on November 10, 2011 concerning the petition filed in Plan Case No. 2157-M-11; and

WHEREAS, the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the goals of the City of Urbana and Urbana HOME Consortium (Champaign/Urbana/Champaign County) FY 2010-2014 Consolidated Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case to the Urbana City Council with a recommendation of approval of the request to rezone the property herein described below from R-2, Single-Family Residential to R-5, Medium High Density Multiple-Family Residential; and

COPY

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning request would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described properties from R-2, Single-Family Residential to R-5, Medium High Density Multiple-Family Residential.

The subject property is more accurately described as follows:

LEGAL DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

LOTS 4, 5, AND 6 IN PAUL'S REPLAT OF LOTS 2, 3, 4, 5 AND 6 IN BLOCK 3 OF SEMINARY ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "B" AT PAGE 273, IN CHAMPAIGN COUNTY, ILLINOIS; AND

THE SOUTH HALF OF THE VACATED ALLEY LYING DIRECTLY NORTH OF AND ADJACENT TO SAID LOTS 4, 5, AND 6, SAID VACATED ALLEY HAVING BEEN VACATED BY ORDINANCE NO. 9788-3, RECORDED AUGUST 22, 1997 AS DOCUMENT NO. 97R 20363.

AND ALSO:

LOT 7, EXCEPT THE SOUTH 98 FEET THEREOF, IN APUL'S REPLAT OF LOTS 2, 3, 4, 5 AND 6 IN BLOCK 3 OF SEMINARY ADDITION TO URBANA, AS PER PLAT RECORDED IN BOOK "B" AT PAGE 273, IN CHAMPAIGN COUNTY, ILLINOIS; AND

THE SOUTH HALF OF THE VACATED ALLEY LYING DIRECTLY NORTH OF AND ADJACENT TO LOT 7, SAID VACATED ALLEY LYING DIRECTLY NORTH OF AND ADJACENT TO LOT 7, SAID VACATED ALLEY HAVING BEEN VACATED BY ORDINANCE NO. 9788-3, RECORDED AUGUST 22, 1997 AS DOCUMENT NO. 97R 20363.

ALL OF THE ABOVE DESCRIBED TRACTS ARE SITUATED IN THE CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in

COPY

full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this 28th day of November, 2011.

AYES: Bowersox, Jakobsoon, Lewis, Marlin, Roberts, Smyth, Stevenson

NAYS:

ABSTAINS:

Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 29th day of November, 2011.

COPY
Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor
CHARTERED

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: February 10, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Lew Hopkins, Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Andrew Fell, Ben Grosser, Dannie Otto, Michael Pollock

STAFF PRESENT: Robert Myers, Planning Manager; Jeff Engstrom, Planner II; Teri Andel, Planning Secretary

OTHERS PRESENT: Corey Addison, Rodolfo Barcenas, Eric Van Buskirk, Latonya Hazelwood, Latonya Jones, Jean McManis, Jourdan Nash, Katie Romack, Gabriel Wright

At the beginning of the meeting, the Plan Commission nominated and voted unanimously for Tyler Fitch to serve as Acting Chairperson in the absence of Michael Pollock.

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

Acting Chair Fitch called the meeting to order at 7:35 p.m., the roll was called, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the September 9, 2010 Plan Commission meeting were presented for approval. Ms. Stake moved that the Plan Commission approve the minutes as presented. Ms. Upah-Bant seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

- Urbana Zoning Ordinance – 2010 Republication
- Planning Commissioners Journal – Fall 2010
- Planning Commissioners Journal – Winter 2011
- University of Illinois Alternate Proposed Location for Wind Turbine

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2136-T-11: Omnibus Text Amendment to the Urbana Zoning Ordinance.

Jeff Engstrom, Planner II, presented this case to the Plan Commission. He gave a brief explanation of the changes. He then reviewed the more substantial changes being proposed, which are as follows:

1. Article II. Definitions – Add definition for “*Footprint*”.
2. Article II. Definitions – Amend Definition for “*Parking Lot, Accessory Use*”.
3. Article V. Use Regulations – Amend V-2, Principal and Accessory Uses, paragraph D.7.a to allow for a larger area for accessory structures for duplex dwellings.
4. Article V. Use Regulations – Amend V-13, Regulation of Home Occupations, paragraph A to allow home occupations to have a one-square foot in area nameplate.
5. Table V-1. Table of Uses
 - A. Modify certain uses and/or permissions
 - B. Add the footnote, “*See Table VII-1 for Conditional Use Standards*” to certain uses.
6. Article IX. Sign and OASS Regulations – Amend Section IX-4, General Sign Allowances, paragraph B to allow institutions with a street frontage longer than 300 feet to have one 50 square foot sign per frontage.
7. Article X. Nonconformities – Add Section X-1, Continuation of Nonconformities.
8. Article XIII. Special Development Provisions – Amend Section XIII-1, Telecommunications Facilities, Towers and Antennas, paragraph D.2 to allow WI-FI antennas on residential homes.
9. Article XIII. Special Development Provisions – Amend Section XIII-3, Planned Unit Developments, paragraph H.3 to all the City Council to extend the approval period of a preliminary planned unit development.

Mr. Engstrom read the options of the Plan Commission and presented staff’s recommendation.

Ms. Stake wondered if a Planned Unit Development would be approved for an unlimited number of years. Mr. Engstrom explained that staff would make a recommendation for about two years or five years. Then, City Council would make a final decision on it. Robert Myers, Planning Manager, added that a Planned Unit Development case would come before the Plan Commission prior to going to City Council, so the Plan Commission could weigh in on the recommendation for the time period as well as the rest of the approval.

Ms. Stake read an excerpt from an article "Billboards: The Case for Control" which was published in the Planning Commissioners Journal Winter 2011. She is concerned that Article IX, Section IX-4, paragraph B could allow billboard-type institutional signs near residences. She suggested only allowing larger institutional signs along arterial streets. Mr. Engstrom stated that City staff could change into the proposed text amendment prior to presenting it to the City Council.

Ms. Stake asked what the "P" and "C" stands for in Table V-1. Mr. Engstrom replied that "P" means permitted by right, and "C" means that the use is permitted with the approval of a conditional use permit.

Ms. Stake felt the proposed changes were acceptable except for allowing storage permitted by right in the CRE, Conservation/Recreation/Education Zoning District. Mr. Engstrom replied that all of the Urbana Park District properties are zoned CRE, and their equipment is stored in a public storage or maintenance garage. Ms. Stake believes that this change would enable other people to rezone their properties to CRE so they could build a storage building by right. Mr. Myers recalled that there have been two cases in the last five years requesting permission to construct maintenance facilities for vehicles in CRE Zoning Districts, including the Urbana Park District and Champaign County. Ms. Stake commented that the CRE Zoning District is for conservation, recreation and education. The City already has trouble providing enough open space. She does not feel that allowing storage by right would be appropriate. Mr. Engstrom noted that the use is a public maintenance garage, so it would be for a public entity and not for other uses.

Mr. Hopkins questioned if in the definition for "footprint", does "uncovered" refer to porches only? Mr. Engstrom answered by saying that it refers to porches, terraces and steps. Mr. Hopkins asked if in Article V, Section V-2, paragraph D.7 refers to 1,500 square feet for the footprint or the lot size. Mr. Engstrom replied that it refers to the footprint. Mr. Hopkins wondered why the accessory footprint is contingent upon the principal footprint. Mr. Myers said it is to ensure that it remains an accessory use and that the accessory use does not overwhelm the primary use. Mr. Hopkins asked if there was language in the Zoning Ordinance limiting the aggregate area of all accessory structures if the footprint exceeds 1,500 square feet. Mr. Engstrom stated that the next paragraph addresses this.

Mr. Hopkins stated that in Article V, Section V-13, paragraph A, it's unclear why we are deleting "on the premises identifying the home occupation." The nameplate which we are talking about is restricted to that. He does not feel that they want to say that there are no signs permitted other than a nameplate when we are trying to permit something in addition rather than restrict something. The way to address this issue is to keep the crossed out language. Mr. Engstrom agreed.

In Table V-1, Mr. Hopkins feels that Farm Equipment Sales might have conditions other than AG zoning, such as proper roads for commercial traffic. It's not obvious to him that Farm Equipment Sales & Service should be allowed by right in the AG, Agriculture Zoning District.

Mr. Hopkins mentioned that he did not understand the proposed changes to Table IX-1. Mr. Engstrom stated that in the B-4, Central Business District, buildings have no front yard setback requirements. So for buildings set back less than eight feet from the front property line, the current ordinance would not allow those properties to have a freestanding sign.

Mr. Hopkins did not understand the amendment to Table IX-7. Mr. Myers explained that two years ago the City lowered the maximum height of signage overall from 35 feet to 16 feet, this is one place in the Zoning Ordinance that the change was missed. So this is a housekeeping amendment to bring "for sale/for lease" sign heights in line with all other freestanding sign heights.

Mr. Fitch asked if City staff would give examples of variances that have been requested for larger institutional signs. Mr. Engstrom recalled several variances including Stone Creek Commons Church monument sign, Clark-Lindsey Village monument sign, Vineyard Church, the church located on the northwest corner of Philo and Windsor Roads, a church further north on Philo Road and St. Patrick's Church requested a variance as well.

Mr. Fitch noticed that most of the churches were located on arterial streets. Mr. Engstrom said yes, except for St. Patrick Church.

Mr. Fitch felt that there is a triple negative going on in the amended language for Article X, Section X-1, paragraph C. He suggested that it read as such, "C. Uses, buildings, or structures on a non-conforming lot shall be considered conforming if they meet the requirements."

With no further questions for the Plan Commission, Acting Chair Fitch opened the hearing for public input. There was none, so he closed the public input portion of the hearing and opened it for Plan Commission discussion.

Regarding Farm Equipment Sales & Service use being permitted by right in the AG Zoning District, Mr. Hopkins inquired if a specific case brought about the proposed changes. Mr. Engstrom said no. There is one farm equipment sales business, Arends Bros, LLC on Cottonwood Road, in an agricultural area although it's not currently in the City. This type of business needs a larger lot to have all the tractors. This type of business is most likely to be found in the AG District. Mr. Hopkins stated that if there is not a certain case that the proposed changes are about, then he is not worried about the proposed language. He did not feel it would be an issue.

Acting Chair Fitch asked if there is a definition for "*public maintenance garage*" in the Urbana Zoning Ordinance. Mr. Engstrom replied that there is not a definition, but in cases where something is not defined it is up to the Zoning Administrator's interpretation. Mr. Fitch suggested that City staff add a definition for this.

Ms. Stake commented that she did not feel that the larger institutional signs should be allowed unless they are located on arterial streets. Mr. Fitch stated that the real concern is that the signs do not disturb the residential neighborhoods.

Mr. Hopkins stated that he was not clear about whether the specifics apply to each frontage or the aggregate of frontages. Does Stone Creek Church get a big sign because they have two 300-foot frontages or because they have one 300-foot frontage or do they get two big signs because they have two 300-foot frontages? Mr. Myers explained that it is based on the feet of each frontage. He feels that adding the arterial distinction would be good because where the larger signs are useful is where there are higher speed limits and longer stopping distances for vehicles.

Mr. Hopkins suggested that the proposed language in Article IX, Section IX-4, General Sign Allowances, paragraph B, read as such, "...one wall sign per street frontage with a maximum sign size of 25 square feet per sign, except that properties with an arterial street frontage longer than 300 feet may have one 50 square foot sign per arterial 300-foot frontage. Such monument signs shall ...". Ms. Stake feels this could work most of the time; however, they may be residential homes across the street that would not like it.

Ms. Burris wondered how long a City block is in feet. Mr. Myers responded that in an older neighborhood, a block may be 320 to 350 feet. In a newer developed area, a block could be 600 feet.

Mr. Fitch wondered how many feet in length is the frontage of the Twin City Bible Church on Lincoln Avenue. Mr. Hopkins stated that it is not 300 feet long; however, he would understand if they wanted a bigger sign. On the other hand, given the new street dieting on Lincoln Avenue, traffic would not be going 45 mph like on Windsor Road.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2136-T-11 to the Urbana City Council with a recommendation for approval subject to editorial corrections by City staff and changed language by Plan Commission to Section IX-4 to restrict larger signs to arterial streets. Ms. Burris seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Ms. Stake	-	Abstain	Ms. Upah-Bant	-	Yes
Ms. Burris	-	Yes			

The motion was approved by a vote of 4 ayes to one abstention. Mr. Myers pointed out that this case would be forwarded to the City Council on March 7, 2011.

8. NEW BUSINESS

Case No. CCZBA-665-AT-10: Amend the Champaign County Zoning Ordinance concerning fences for residential properties.

Jeff Engstrom, Planner II, presented this case to the Plan Commission. He explained the purpose for the proposed County text amendment and how it relates to the City of Urbana. He read the options of the Plan Commission and presented City staff's recommendation.

Ms. Upah-Bant asked if the new fence transparency requirement was more in line with the City's requirements. Mr. Engstrom mentioned that the City recently changed the transparency requirement for fences in front yards to be at least 50% transparent for the entire fence height. The County is only proposing transparency for the fence above four feet. Fence transparency is for safety purposes such as backing a car out when there is a fence next to a sidewalk and for police to be able to see if they are chasing someone into a yard.

Ms. Upah-Bant moved that the Plan Commission forward Case No. CCZBA-665-AT-10 to the City Council with a recommendation to defeat a resolution of protest. Ms. Stake seconded the motion. Roll call was as follows:

Mr. Hopkins	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Ms. Burris	-	Yes
Mr. Fitch	-	Yes			

The motion was approved by unanimous vote.

Case No. CCZBA-666-AT-10: A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance by revising Subsection 6.1 and paragraph 9.1.11D.1 concerning Special Use Permits.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He related the purpose of the proposed County text amendment, which is to allow some specific conditions for particular Special Uses, including for wind farms, to be waived by the County Board at the time of the approval of the Special Use Permit. Certain special uses have requirements which are "above and beyond" the standard conditions. For example some Special Uses require a six-foot fence be installed around the entire site. Mr. Myers sees this as not really affecting the City because under state law wind farms are not even allowed in the City's 1.5-mile extraterritorial jurisdiction anyway.

Ms. Stake asked if City staff would want the same ability for waivers of standard conditions for wind turbines in the City of Urbana. Mr. Myers replied that the City has a different wind turbine process. Our wind ordinance is set up differently, so he would not see where it would be useful.

Ms. Upah-Bant understood that there cannot be a wind turbine constructed within a mile and a half of the City's limits, is this correct? Mr. Myers said yes. That's the case under both the Illinois Municipal Code and in the Illinois County Code.

Ms. Upah-Bant moved that the Plan Commission forward Case No. CCZBA-666-AT-10 to the City Council with a recommendation to defeat a resolution of protest. Ms. Stake seconded the motion. Roll call was as follows:

Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes			

The motion was approved by unanimous vote.

9. AUDIENCE PARTICIPATION

Gabriel Wright asked what criteria City staff used to determine which signs could be larger than the limit. Mr. Engstrom responded that the City had previous variance requests where churches needed larger signs. He researched the size of these church properties and found that most of them were on larger properties and had frontages that are 300 to 600 feet long. City staff then made a recommendation based on his discoveries.

Mr. Myers added that the current language in the Zoning Ordinance treats all churches as if they were small and located in residential zoning districts. Things have changed. Not all churches are small, and not all of them are located in residential zoning districts. So the current sign allowances do not seem adequate.

10. STAFF REPORT

Downtown Strategic Plan Update

Mr. Engstrom presented the following update:

Overview

- Update of 2002 Downtown Strategic Plan
- Part of 2010 Council Goals relating to Downtown

Process

- Steering Committee
- Background Research
- Public Input
- Graphics
- Draft Plan
- Public Review
- Adoption

Visioning Workshop

- 40 Participants
- Small Group Exercises
- Answers listed out and mapped

Image Preference Survey

- Online Survey with over 500 responses
- Visioning Questions
- Image Preference Questions

Forums – Stakeholder and Creative Input

Graphics

- Analysis Graphics
- Plan Concepts Map
- Redevelopment Site Plans
- Perspective Illustrations
- SketchUp Model Update

Plan Draft

- Background & Process

- Conditions & Trends
- Vision & Goals
- Plan Concepts & Redevelopment Sites
- Implementation & Priorities
- Appendices

Upcoming Tasks

- Draft Graphics
- Plan Concepts Open House in March
- Revise
- Plan Commission Hearing
- City Council Adoption

Ms. Stake inquired as to where the development sites are located. Mr. Engstrom replied that the development sites include the block just north of City Hall, the former Jolly Roger parking lot, the former Denny's site and School District property, and the block where Blockbuster's Video is located.

Acting Chairperson Fitch commented that he is looking forward to seeing the next step in the process.

Downtown Signage and Wayfinding Update

Mr. Myers presented the following update:

Existing Downtown Wayfinding Synopsis

Primary Recommendations

- Vehicle Sign Messages to be given on a "Need to Know" basis
- Establish a Downtown Urbana District Identity/Logo
- Create Gateways at all Entries to Downtown Urbana
- Link Downtown Urbana to U of I Campus via Springfield and Green Streets
- Encourage Vehicles Travelling Eastbound on University Avenue to take Broadway Avenue
- Incorporate Color Coding into Wayfinding System
- Incorporate Clear Direction Signs to Downtown Destinations
- Where Possible, Utilize Existing Infrastructure for Sign Locations
- Clearly Identify Parking Deck and Parking Deck Entrances
- Incorporate Parking Identity and/or Public Art on Parking Deck Stair Tower
- Surface Lot Parking Identity to Feature Long-Distance Visibility
- Clearly Differentiate Public and Permit Parking
- Establish a Pedestrian Sign System with Better Links to Primary Downtown Destinations
- Incorporate Pedestrian Directions at all Primary Downtown Destinations
- Repair/Enhance Pedestrian Crossing at Main Street

Secondary Recommendations

- Paint Railroad Underpass and Potentially add Downtown Urbana Identity
- Incorporate Green Technologies; LED/Solar Power Throughout System

Tertiary Recommendations

- Incorporate Interactive Technology into Sign System and Bus Shelters

Downtown Pedestrian Circulation Strategy

Initial Concept Recap

- History
- Arts & Eclectic
- Green Sustainable

Recommended Wayfinding Concept

- Historic/Green Image Board
- Type, Color, Patterns, Materials
- Downtown District Identity
- Family of Sign Types
 - Vine Street/Cunningham Avenue
 - Vine Street Underpass
 - University Avenue & Broadway Avenue
 - Green Street Entrance
 - Bus Shelter Directory
 - Parking Stair Tower
 - Parking Garage Entrance

Mr. Myers spoke about the process and mentioned that City Council recently amended the budget to implement the first phase, which would be for the parking garage and other parking locations downtown. The monies would come from Motor Vehicle Parking fund.

The second phase would include areas in the Tax Increment Financing (TIF) districts. Funding for this phase will be easier than for areas outside TIF districts.

University of Illinois Wind Turbine Project

Mr. Myers presented the following update:

- Wind Turbine Project Purpose
- Process
- Proposed Tower Sites
- Handout of Alternate Proposed Location
- Project funding

Mr. Fitch asked how tall the proposed wind turbine tower would be. Would it exceed the maximum height for a tower that the City would allow? Mr. Myers replied that it would be about 400 feet to the tip of a blade at its highest point. The City of Urbana's Zoning Ordinance would allow a wind turbine up to 400 feet.

Additional Staff Report

Mr. Myers pointed out that the three cases presented earlier during this meeting would go before City Council on February 21, 2011.

February 10, 2011

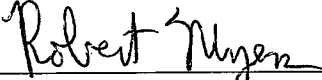
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:17 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: March 24, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Andrew Fell, Ben Grosser

STAFF PRESENT: Robert Myers, Planning Manager; Rebecca Bird, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Jacob Barton, Ricardo Diaz, Joe Futrelle, Mayi Gere, David Gehrig, Bob Illyes, Mike Lehman, Don McClure, Jr., Raymond Morales, Migiko Nishikawa, Judith Pond, Alison Ruyle, Russell Rybicki, Tatyana Saponova, Dan Sedgwick, Susan Taylor, Don Thorsen, James Webster

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

Chair Pollock called the meeting to order at 7:32 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

Chair Pollock requested a change to the agenda. Plan Case No. 2137-SU-11 was officially opened at the March 10, 2011 meeting and continued to this meeting due to lack of a quorum. He asked that this item be moved on the agenda to "Continued Public Hearings." With no objections from the Plan Commission the agenda was revised.

3. APPROVAL OF MINUTES

The minutes of the February 10, 2011 Plan Commission meeting were presented for approval. Ms. Stake moved that the Plan Commission approve the minutes as presented. Mr. Fitch seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

- An Updated List of Conditions for Plan Case No. 2137-SU-11 was distributed by City staff to Plan Commission members.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2137-SU-11: A request by Urbana-Champaign Independent Media Center for a Special Use Permit to construct a 100-foot radio transmission tower at 202 South Broadway Avenue in the B-4, Central Business Zoning District

Rebecca Bird, Planner I, presented this case to the Plan Commission. She began by explaining the purpose for the proposed Special Use Permit request to allow the construction of a 100-foot radio transmission tower. She gave a brief history of the building and described the zoning and current land uses of the proposed site and of the surrounding properties. She reviewed the comments from the Historic Preservation Commission. She discussed staff's findings and reviewed the requirements for a special use permit according to Section VII-4 of the Urbana Zoning Ordinance. She read the options of the Plan Commission and presented staff's recommendation as listed in the handout distributed prior to the start of the hearing.

Mr. Otto wondered if the Historic Preservation Commission only provided comments or were they suppose to vote on this case. Ms. Bird said that they were asked to simply provide comments. Three of the five Historic Preservation Commission members present thought the proposed tower would have a detrimental impact in the downtown area. But two members thought it would not have much of an impact.

Chair Pollock asked City staff to clarify what was meant when Ms. Bird said that the City Council supports the radio station. Ms. Bird said that Resolution No. 2009-03-014R, which was passed by the Urbana City Council on March 16, 2009, supports the expansion of low-power FM radio service. At the time, the Federal Communications Commission (FCC) was considering increasing the number of low-frequency FM community radio stations that they would allow to exist in any particular area. The FCC came before the Urbana City Council and sought support, which they received.

Chair Pollock noticed that there were not going to be any lights on the proposed 100-foot tower. He questioned whether this might be a safety issue with helicopters coming to and from Carle Foundation Hospital. Ms. Bird explained that any tower shorter than 200 feet is not required to have lights on it.

Ms. Burris wondered if City staff had asked the East Elm Street residents how they felt about the proposed tower. Ms. Bird replied that City staff sent out notices to properties within 300 feet of the proposed site so the East Elm neighborhood was not directly notified. When she went into the neighborhood to see how visual the existing tower, she found that because of the tree canopy one can only see the tower when standing in the middle of the street.

Mr. Otto asked Chairman Pollock whether he should abstain since he was a participant in a show during the first year of the radio station's operation. Chair Pollock replied that if Mr. Otto felt he had a conflict of interest, then he should abstain from voting on this case, but the decision is his.

With no further questions for City staff, Chair Pollock opened the hearing up for public comments and/or questions.

Ricardo Diaz, of 1002 East Main Street in Urbana, mentioned that he produces two Spanish speaking shows at the Urbana-Champaign Independent Media Center (UCIMC). It is a community station meaning that anyone with about an hour of training can go on the air. Training involves learning the FCC rules and the basic operation of the board.

One of his shows is an extension for the University of Illinois, and they try to reach people at the University of Illinois, and the second show tries to reach others who are non-university groups in the area. He supports the proposed special use permit to allow construction of a 100-foot tower.

He talked about the regulations. IMC Staff is interested in safeguarding the downtown area, especially the IMC Building, which is one of the reasons why the antenna needs to shift from the top of the roof to a freestanding tower. It will be safer and more secure and for them a better way of managing an antenna on top of the roof. The proposed tower will increase the visibility; however, it will be in an alley and most of it will be covered.

The proposed tower will benefit the community, because the existing signal does not reach much of their intended audience. He asked the University of Illinois to help him sponsor both a physical survey of where the signal reaches and an actual person survey to see how many people are listening. They also helped him fill out a pre-tower and a post-tower application.

Although there is a regional Spanish language paper that publishes every fifteen days, but it does not cover very much local news. They do not have a television station, and there is only one radio station in Spanish that reaches in the area, which is transmitted out of the Village of Rantoul.

In order to determine whether the IMC antenna could be placed on an existing structure, Mr. Diaz surveyed every antenna within the line of sight of the IMC Building with a global positioning system (GPS) device. The best signal and the best line of sight is to the downtown Champaign area, where there happens to be lots of radio antennas. The existing tower does not reach most of the signals due to the size of the tower. Increasing the height of the tower by 35 feet will help more people to access direct information from the only station in which there is regular Spanish programming.

Mike Lehman, of 608 East Green Street in Urbana, is the President of the IMC. He stated that the IMC Staff has looked at other alternatives. They are all more costly and more difficult. They are planning to upgrade the alert systems and want to increase the tower to be able to make more people aware when there are tornados in the area, etc.

The Historic Preservation Commission would prefer not to have a tower in the area near the historic landmark, Urbana Landmark Hotel. However, you can look at postcards from all around the country and see big courthouses or post offices with radio towers next to them. Someone looking out of the hotel will see a tower which will be a little taller than the existing ones. However, people on the street will probably not even notice it. Most people do not typically look up. The bottom 35 feet of the proposed tower will be screened by the surrounding buildings so he believes it will not be obtrusive to the character of the neighborhood.

IMC definitely needs the proposed tower to extend their signal. With the proposed tower, the signal will reach a lot more people. As far as this case setting a precedent, there could conceivably be two to four new radio towers constructed in Champaign County over the next ten years, and none of them will be constructed in Downtown Urbana. It is just not how the low-power FM radio works.

Tatyana Sapronova, of 510 South Elm Street in Champaign, is a volunteer with the IMC. She stated that she has a weekly radio show where she interviews people from around town about their lives and what they are doing. She produced as evidence simulated images of how visible the proposed tower would be from the top of the parking garage diagonally across the street.

In terms of precedent, Ms. Sapronova spoke on the Federal laws mandating regulations on radio towers. In December of 2010, Congress passed a Local Community Radio Act allowing even more low power FM stations. So, the act basically freed up the public airways to allow more low-power FM stations. If other local non-profit agencies, like churches or schools, want to have low-power radio stations, then they now have a greater opportunity to do so. Low-power FM allows organizations like the IMC to reach the community relatively cheaply and on their own terms without relying on advertisers or on media corporations.

WRFU is a progressive community radio station run by local volunteers and committed to social justice. She presented letters from current and past volunteers in support of the proposed tower. WRFU focuses on public affairs issues and the arts. They air opinions and debates in an open and diverse forum that focuses on educating and empowering the public. People only need an idea to start up their own show. IMC Staff train new people on how to operate the sound boards and teach them about FCC regulations. With a new tower, they will reach more listeners and potential volunteers.

Mr. Fitch questioned whether another business/service could co-locate on the proposed tower. Mr. Lehman believes that the IMC would be open to this idea. If they don't have a radio engineer then they will have to pay someone to get connected to the proposed tower. Otherwise, there would be no reason to have another tower. It would be very difficult to add another antenna to the City's tower, because there are already several antennas on it. Having a separate tower for non-commercial use in the downtown area is actually an amenity in terms of the business community.

As far as the building, when they first bought the Post Office building, they wondered if the IMC would be a suitable reuse of the building. The key to historic preservation is to have users in the building that want to invest in the building and take care of it. If you don't have users wanting to

take care of it then it will fall apart. IMC takes great interest in the historic nature of their building.

Ms. Bird pointed out that any additional users would have to come back to the Plan Commission and City Council for review and approval.

Ms. Upah-Bant inquired as to why the IMC doesn't make use of someone else's tower. Mr. Lehman answered by saying that it has to be line of sight, so they can point their antenna at another antenna. They might have to keep a tower around anyway depending on where you point the antenna. The other thing is that they cannot be any higher than 100 feet Height Above Average Terrain (HAAT). The proposed antenna will actually be just a little above and a little below because it will be a two-bay antenna. Basically, this means that they cannot be any higher than this, but if they go on top of another building, then they must be at least fifteen feet above the top of the building for the RF protection factor. So, alternative towers are not available.

Mr. Diaz added that because they only produce a 100-watt signal, the tower needs to be located in the center of the listening area. The other issue is the cost. In order to co-exist on another tower they would have to pay rent, and they would also have to raise the equipment on top of their roof to be able to send the signal to the tower. He referred to the map showing the coverage pattern for WRFU-FM. The red line shows the area that they presently cover with the existing tower. The purple line shows the area they estimate to reach with the proposed 100-foot tower.

The simple solution seems to be to construct a 100-foot ground based-tower rather than co-exist on someone else's tower. The FCC does not require a modification of the present license if they keep the tower on their property.

Mr. Hopkins inquired as to how tall the City's tower is. Mr. Myers guessed 60 to 70 feet but he will research this question. Mr. Lehman feels it is even taller.

Chair Pollock wondered why the City of Urbana was reviewing this case before the Illinois Historic Preservation Agency (IHPA) made a decision. Ms. Bird said that it really doesn't matter what order the steps are taken in. The City of Urbana has the final say because we are the ones that will be issuing the building permit.

With no further questions for the applicants or City staff, Chairman Pollock opened the meeting to comments from the public.

James Webster, owner of Lincoln Square in Urbana, said he wants to be a good neighbor. He has heard a lot of good things during this hearing, and he certainly does not want to step in the way of the admission that the IMC group is trying to accomplish. However, as the property owner he has interest of what happens to the Lincoln Square Mall.

He expressed his concern about the effect the proposed 100-foot radio tower would have on his property. He suggested that the IMC construct the proposed tower on the east side of their property, but Ms. Bird explained that the purpose for locating the tower on the south side was to make the bottom of the tower less visible. Everyone acknowledges that a tower is not very

slightly and not aesthetically pleasing, and he feels that as people enter the north entrance of the mall, they will be able to see the tower. He also believes it is not appropriate for the downtown area. He serves on the Downtown Plan Update Steering Committee and does not agree that this would be the kind of improvement desired for downtown. Another small concern of his is if the tower would fall, which he doubts would happen, but it could fall on his building.

He remarked that his main concern is the visual appearance of the proposed tower. He was surprised to hear that the State of Illinois is not concerned with the sight lines. When Lincoln Square went through the process of being nominated as a historic landmark, he had to revise his redevelopment plans to construct a second and third floor. The Illinois Historic Preservation Agency was concerned that the rooftop addition would change the existing sight lines. He is concerned that if they do construct a second and third floor for apartments, then the proposed tower might impact his ability to market them.

Mr. Hopkins asked for clarification on what Mr. Webster's main concern is. Mr. Webster replied that his main concern is the ground level view from the north entrance and sight line appearance from future floors.

Mr. Fitch inquired as to whether there are any kinds of screening that would make Mr. Webster feel better about that aspect of the proposed tower. Mr. Webster said that he does not know. City staff made a good point in that it is not very feasible or practical to provide vegetation given the paved area around the proposed tower.

Bob Illyes, of 810 South Elm Street in Champaign, mentioned that the City of Champaign has a radio station which carries locally produced shows called WEFT. One of the reasons that WRFU was proposed was because WEFT does not have the capacity to support the number of local shows that people would like to air. He is a little surprised by the discussion of the appearance of the proposed tower. The tower will be in an alley. The alley features a couple of boxes with heavy equipment in them and a dumpster. He believes that no one looks down the alley, and they would not see the proposed tower in the alley. The part of the tower that would appear above the roofline would be very narrow, and most people would not even notice it.

David Gehrig, of 304 West Elm Street in Urbana, mentioned that he served on the Urbana City Council. He reiterated what Ms. Bird had said regarding Resolution No. 2009-03-014R. It is a sign of broad support on the City Council for the concept of low-power FM radio and celebrating the fact that we have this community provided resource which is available for all members of the community. He suspects that the City Council would lean towards approval of the proposed Special Use Permit request.

Jacob Barton, of 906 South Maple Street in Urbana, stated that he has a musical radio show on WRFU. It is run by local, experimental composers of experimental music. They invite composers on to talk about their music and try to stimulate conversations as an educational component to it. He talked about the training process. He has friends in Downtown Champaign that cannot listen to his show because they do not receive a signal for the station. He supports the proposed tower.

Raymond Morales, of 903 North Lincoln Avenue in Urbana, spoke in favor of the proposal. He agreed in that the tower would be placed in an alley and very few people look down an alley. He has been with IMC for five years and never even knew where the existing tower was located. People coming from the Vine and Elm Streets intersection is where the best view of the tower would be and yet that is where the least amount of traffic is in the community. IMC is the most accessible radio station he has ever experienced. He hopes that with the proposed tower, IMC will be able to reach out to a larger listening area and bring more vitality to the Downtown Urbana community in doing so.

With no further input from the audience, Chair Pollock closed the public input portion of the hearing and asked for any Plan Commission discussion and/or motion(s).

Mr. Myers interjected that he wanted to suggest a possible small change which could deal with the visual impacts. The City of Urbana requires a screen fence to be placed around the bottom of most towers. He asked if instead of screening the tower base, a screen fence were to be constructed closer to the north entrance of Lincoln Square Mall. This would block the field of vision of people exiting the north entrance of the mall. However, both the IMC and the Mall owner would need to be in agreement as this screen would not be built on IMC property.

Mr. Otto said he noticed that there is already a small unpaved area between the alley and the north entrance to Lincoln Square. Possibly an evergreen hedge could be planted there.

Mr. Hopkins questioned if the alley is really an alley in the sense of a City right-of-way. Ms. Bird answered that part of the alley has been vacated and part of it is still City right-of-way. Mr. Hopkins responded that by blocking off the alley completely, it will create a significant security issue because the alley would become invisible from anywhere. Ms. Bird also noted that there is an entrance on the south side of the IMC for the Urbana Bike Project.

Mr. Fitch said he walked around the IMC Building and did not even notice the existing tower on top of the roof. He does not feel the proposed tower would be as obtrusive as some people fear.

Ms. Burris stated that she does not feel the proposed tower will help to revitalize the area. She has noticed the existing tower on the roof because she is the type that looks up in the sky. She supports the radio station and sees where it is a value to the community, but at the same time she does not want a tower of any type in the Downtown Urbana area.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2137-SU-11 to the City Council with a recommendation for approval including the seven conditions and one waiver as provided in tonight's handout.

Mr. Hopkins commented that understands the concern about towers. In certain circumstances, he feels that towers can be overpowering such as having high tension wires on the huge stands going through residential neighborhoods, but he does not feel that is what the proposed case is. He looked for the existing tower and noticed it for the first time today. One of the ways to think about this is as historical depth, but it is also a kind of downtown development depth. If we want to keep the old Post Office Building and we want to turn downtown Urbana into a place where

people are going to be (which is crucial to Lincoln Square as well), then he sees this as another element of what does a downtown of a place like Urbana look like and what is included in it now. He believes the proposed tower would be okay in this context.

Ms. Stake seconded the motion.

Ms. Upah-Bant agreed with Ms. Burris's comments in that she does not like the proliferation of towers, but she is convinced in this case that the IMC needs their own tower. Also, she does not hear a lot of objection to the proposed tower from the public so she feels she can support it.

Chair Pollock stated that he as Ms. Upah-Bant is torn about this case. In reviewing the Historic Preservation Commission comments, he noticed that if they would have taken a vote it would have been a very narrow "no". He also serves on the Downtown Plan Update Steering Committee that is revising the Downtown Strategic Plan. A historic feeling and nature of the downtown is the focus of virtually everything the Committee has discussed. Although he is not strongly supportive of the proposed tower, he also sees it as not being very obtrusive. He does not feel the reasons for denying it outweigh the reasons for approval so he will vote to support it.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Ms. Burris	-	No			

The motion was approved by a vote of 6 ayes to 1 nay.

Mr. Myers reported that this case would go before the Urbana City Council on April 4, 2011.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Plan Case No. 2138-M-11: Annual Update of the Official Zoning Map

Rebecca Bird, Planner I, presented this case to the Plan Commission. She reviewed the changes to the official 2010 Zoning Map as a result of rezoning and annexation cases and any minor map editor changes. She read the options of the Plan Commission and presented staff's recommendation.

Ms. Stake inquired about the two shades of yellow used in the West Urbana Neighborhood and asked if there had been any changes in this regard. Ms. Bird explained that R-1, Single Family Residential Zoning District, is represented by the lighter shade of yellow, and the R-2, Single-Family Residential Zoning District, is represented by the darker shade of yellow. No changes have taken place in the past year.

Mr. Hopkins pointed out that along East University Avenue just south of the University Avenue/I-74 Interchange, some of the City of Urbana appears to be disconnected. Three of the parcels are pink in color and one parcel is shaded light yellow. All other properties in the City are connected via right-of-ways, but it does not appear to be so in this specific case. Ms. Bird responded by saying that City staff would check the map and make sure this is represented correctly.

Mr. Hopkins stated that a major portion of Meadowbrook Park is shown as being zoned R-1. He suggested that City staff initiate a map amendment to change the zoning for this portion of land to CRE (Conservation-Recreation-Education). With looking at development of the adjacent Pell Farm tract, having this portion zoned as R-1 seems less than ideal.

Mr. Hopkins also proposed that City staff consider rezoning the two parcels on the northeast corner of Colorado Avenue and Cottage Grove Avenue from B-3, General Business Zoning District, to reflect that these two parcels are currently developed as apartment buildings.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2138-M-11 to the Urbana City Council with a recommendation for approval. Ms. Upah-Bant seconded the motion. Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Ms. Burris	-	Yes
Mr. Fitch	-	Yes			

Mr. Myers noted that this case would be forwarded to the Urbana City Council on Monday, March 28, 2011.

Case No. CCZBA-675-AT-10: A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning Expansion of Non-Conforming Uses.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He explained that the impetus for the proposed County text amendment was the land use and zoning conflicts caused by the mixed residential and industrial properties in the unincorporated Wilber Heights Subdivision in Champaign County. To resolve some of the issues and problems, Champaign County had attempted to rezone parts of the subdivision to Residential, but the City of Champaign protested the County's zoning map amendments because they were concerned that the County would be encouraging a residential subdivision right next door to an industrial park in the City of Champaign. Champaign County staff feels that the proposed text amendment

would provide some relief to County regulations which now prevent residential homeowners there from repairing and renovating their homes.

He reviewed how the proposed County text amendment would affect the City of Urbana. Most of the area within the extra territorial jurisdiction (ETJ) is zoned AG-2, Agriculture. Although Carroll Subdivision is likewise a mixed residential/commercial/industrial area, it has few if any residential use nonconformities. To County staff's knowledge all the residences in Carroll Subdivision are zoned Residential. Therefore, City staff believes that the proposed text amendment would not affect properties within Urbana's ETJ. City staff recommended that the Plan Commission recommend to the City Council that they defeat a resolution of protest in this case.

Mr. Fitch moved that the Plan Commission forward Case No. CCZBA-675-AT-10 to the Urbana City Council with a recommendation to defeat a resolution of protest. Ms. Burris seconded the motion. Roll call on the motion was as follows:

Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes			

Mr. Myers noted that this case would go before the City Council on Monday, April 4, 2011.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Update on Planned Extensions of Olympian Drive and Lincoln Avenue

Mr. Myers gave an update on the planned extensions of Olympian Drive and Lincoln Avenue.

Appendix D Mobility Map from the 2005 Comprehensive Plan essentially shows the proposed skeletal framework for transportation in both the City of Urbana and just beyond the City's limits. Olympian Drive is a segment of a much larger web for future mobility in Champaign-Urbana. He described the proposed alignment for Olympian Drive. The City of Urbana long ago decided not to build Olympian Drive in the existing Olympian Drive right-of-way because there are too many homes along there that would be impacted. So the location was shifted north.

The only east-west routes north of University Avenue that continues across the entire metro area are University Avenue, Interstate 57 and Ford Harris Road. A major reason is that there are two major barriers: the railroad tracks and the Saline Branch. The cost of constructing bridges is extremely expensive. Since the 1960s, planners have been anticipating and preparing for a route that ties together the north ends of both the City of Champaign and the City of Urbana to provide better mobility for the two cities and the region.

The Future Land Use Map in the 2005 Comprehensive Plan is in synch with Olympian Drive plans. From today's perspective the "Light Industrial/Office" designation is misleading because most of the area is Frasca Airfield and now zoned City I, Industrial. Frasca has a development agreement with the City of Urbana to develop around the airfield for businesses that would be complimentary to the airfield. In the next update or republishing of the Comprehensive Plan, City staff is interested in updating the future land use in this area to better reflect development trends. He pointed out that the City has designated the railroad area for heavy industrial uses.

Mr. Myers provided a map showing potential routes for extending Lincoln Avenue included in recent Champaign County Board deliberations. The County Board voted in favor of the so-called "purple" alignment which is a compromise between the "orange" and "green" alignments shown on this map.

Funding is available so it looks like Olympian Drive can and will be extended from the City of Champaign across the railroad tracks to North Lincoln Avenue. The City of Urbana anticipates delaying extending Olympian Drive from North Lincoln Avenue to North Cunningham Avenue at this time. But we still need to plan for the eventual extension of this segment of Olympian Drive.

Mr. Pollock inquired about the time frame for the construction of Olympian Drive and the extension of North Lincoln Avenue. Mr. Myers stated that he understood that plans are to start construction in 2013.

Ms. Stake requested copies of the material that has been approved by the Champaign County Board. Mr. Myers agreed to provide Plan Commissioners with a map showing the Lincoln Ave. route approved by the County Board.

Ms. Stake questioned whether City staff considered using the railroad for freight. Mr. Myers replied that one of the reasons the 2005 Comprehensive Plan shows a heavy industrial designation along the railroad is to provide access to the rail for many properties.

Ms. Stake commented that the City of Urbana should be thinking about light rail and fast trains. However people are still driving cars. Mr. Myers responded that there is a lot of interest in high speed rail. There are discussions going on with elected officials, transportation officials and with the Federal Department of Transportation regarding high speed rail. The logical right-of-way for a high speed rail for the potential route between Chicago and St. Louis would be through Champaign-Urbana. Ms. Stake added that light rail is much cheaper and does not pollute as much as cars do.

Mr. Otto wondered if the revision to not connect Olympian Drive to North Cunningham Avenue at this time comes about from the opposition that the Champaign County Board received last year regarding Olympian Drive. Mr. Myer explained that the County Board did not agree to extend Olympian Drive further east at this time. City staff wants to plan for the segment from North Lincoln Avenue to North Cunningham Avenue as this would happen eventually. The

Champaign County Board is involved because of the right-of-way. Should imminent domain be necessary for any particular parcel, the Champaign County would have to condemn the property.

Mr. Otto asked how the newly approved plans have been received by the opponents to the Olympian Drive extension. Mr. Myers replied that the recently approved plans addressed enough of the concerns of neighboring property owners that the County Board was willing to compromise and move forward with extending N. Lincoln Ave. and extending Olympian Drive to N. Lincoln.

2010 Plan Commission Annual Report

Mr. Myers presented the 2010 Annual Report to the Plan Commission. He mentioned that if anyone needs a paper copy, please contact our office.

11. STUDY SESSION

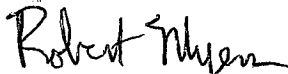
White Street and Springfield Avenue Corridors Analysis

Mr. Myers asked the Plan Commission members to review the report, copies of which were provided to them. He will make a presentation at the next scheduled meeting of the Plan Commission so the members can make a recommendation to forward to the City Council for acceptance.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 7, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Tyler Fitch, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Jane Burris, Andrew Fell, Ben Grosser, Dannie Otto

STAFF PRESENT: Robert Myers, Planning Manager; Teri Andel, Planning Secretary

OTHERS PRESENT: Graham Berry, Bryan Bradshaw, Rebecca Rodgers, Susan Taylor

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

Chair Pollock called the meeting to order at 7:30 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the March 24, 2011 Plan Commission meeting were presented for approval. Ms. Stake moved that the Plan Commission approve the minutes as presented. Ms. Upah-Bant seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

Map Showing the Approved Realignment of Lincoln Avenue to Future Olympian Drive

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2139-M-11: A request by Rudolph A. Frasca, on behalf of Frasca & Associates, to rezone a parcel located north of Anthony Drive and east of Willow Road from IN, Industrial Zoning District, to B-3, General Business Zoning District, in order to allow for the construction of an indoor soccer facility.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He indicated that three City applications are under consideration for this property: a rezoning, Final Plat, and a redevelopment agreement, all three of which would be on the April 18, 2011 City Council agenda barring any delays. The petitioner intends to construct an indoor recreational facility this summer in time for fall soccer leagues, and consequently the applicant is working toward construction beginning this May.

Mr. Myers stated the purpose of the proposed rezoning request. He provided background information on the annexation agreement concerning Frasca Airfield and planned development in the area. He referred to an approved preliminary plat for the proposed site. He noted the zoning and current land uses of the proposed site and of the adjacent properties. He spoke about the different business zoning districts and how the B-3 Zoning District relates to the proposed use of indoor soccer facility. He reviewed the LaSalle National Bank criteria that pertain to the proposed rezoning request. He presented staff's recommendation.

Ms. Stake asked why was the development would include a redevelopment agreement. Mr. Myers said it would actually be a development agreement. The property is located within a City tax increment finance district, and the agreement would be to return a portion of the new property taxes to the developer to offset some of the construction costs.

Ms. Stake asked if the developer would construct the indoor soccer facility if they did not receive TIF funding. Mr. Myers responded that the developer has indicated that the project would not be financially feasible without TIF assistance.

Ms. Stake questioned how much TIF money would be used to help fund this project. Mr. Myers responded that he did not have the figures available at that moment but could provide that information.

With no further questions for City staff, Chair Pollock opened the hearing up for public input.

Graham Berry, developer for the proposed indoor soccer facility, stated that he was available to answer any questions that the Plan Commission may have.

Ms. Upah-Bant asked the petitioner if he could disclose how much TIF money would be provided for the project. Mr. Berry replied that the development agreement is for a maximum of

\$270,000 over a ten year period. More than likely it will be less than this amount though.

With no further comments or questions from the public, Chair Pollock closed the public input portion of the hearing and opened it to Plan Commission discussion and/or motion(s).

Ms. Upah-Bant moved that the Plan Commission forward Plan Case No. 2139-M-11 to the Urbana City Council with a recommendation for approval. Mr. Hopkins seconded the motion.

Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Fitch	-	Yes			

The motion was approved by unanimous vote. Mr. Myers stated that this case would be presented to the Urbana City Council on Monday, April 18, 2011.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

White Street and Springfield Avenue Corridors Analysis

Robert Myers, Planning Manager, gave a presentation on the White Street-Springfield Avenue Corridors Analysis. This study was prepared as part of the Mobility Implementation Plan, a component of the Long Range Transportation Plan funded with a major Federal grant and managed by MTD. When the White Street Springfield Avenue Corridors Study was first proposed in 2008, the City Council was asked for approve a resolution (Resolution No. 2008-07-018R) to indicate their support for City staff participating in the study. The City Council approved that resolution, and now City staff is closing the loop by presenting the study results to the Plan Commission and City Council.

The Mobility Implementation Plan is presently in the second of three phases. Phase 1 included collection of background information and multiple data collection studies were conducted such as onboard bus surveys, neighborhood Transopoly sessions, employer surveys, and stakeholder

surveys. Phase 2 has number of components, including a White Street and Springfield Avenue Corridors Study prepared by the Center of Neighborhood Technology (Chicago).

Chair Pollock assumed that a consulting firm was hired to work with staff from the City of Champaign and the City of Urbana. Was the University of Illinois planning staff involved in the process? Mr. Myers replied yes. The University of Illinois did not want this study to lead to development of a cross campus corridor which would increase traffic say along Springfield Avenue. They want to avoid increasing traffic on campus to reduce conflicts between vehicles and pedestrians/bicyclists. Consequently the concept is to study two development/transit corridors linking the two downtowns to campus, but not a continuous cross-campus corridor.

Chair Pollock asked whether there was any disagreement from the two cities about this. Mr. Myers stated that he was at first skeptical that having two corridors offset by the campus would not lead to increased cross-campus traffic. Chair Pollock commented that he assumed the University of Illinois was quite influential because here is a corridor study without an actual corridor. Mr. Myers remarked that there are two corridors. The White Street corridor is already a high bus usage for the Mass Transit District (MTD) and has higher density residential already. In Urbana, the 2005 Comprehensive Plan, Map 8, shows Springfield Ave. between downtown and campus with a notation "Promote Springfield Ave. as a key transit link from the downtown to campus."

Mr. Myers continued his presentation by reviewing:

- # Corridor Opportunities
- # Transportation and Land Use
- # Retail Opportunities Tomorrow
- # Development Scenarios, including representative blocks
- # Visualizing the Development Process
- # Practices & Policies to Promote Mobility Enhanced Development (MED)
- # Recommendations for MED Implementation, including form-based Zoning.

Chair Pollock asked how long the White Street-Springfield Avenue study has been going on. Mr. Myers replied since 2008. The next step would be the City Council to accept the report.

Chair Pollock inquired as to how much the study cost in terms of consultant fees, etc. Mr. Myers said that he did not know how much the consultant fees were; however, the entire miPLAN process was carried out with a substantial federal grant for several hundred thousand dollars.

Mr. Hopkins stated that his major concern is that the plan relies heavily on developing Springfield Avenue as a mixed use corridor. There are already several mixed use corridors across the two cities that are failing, such as the University parking garage along University Avenue, Lincoln Square Mall, South Neil Street, Green Street MOR Zoning District, etc. We are talking about something that is being imagined in almost total isolation from what is going on in the rest of the City so it probably does not make sense. Before starting a new mixed use corridor we need to support and redevelop what we already have.

Chair Pollock commented that he understands the University of Illinois' influence and the necessity of them being involved in this process. We have what looks like two corridors that are not connected. He would hope that a study like this for the twin cities would be connected because it is one community in terms of transportation. He was concerned about the separation because it is almost like two entirely separate studies, which is probably the only way they could use the federal money, come up with a plan for each city and have the University of Illinois approve of it.

Ms. Stake remarked that she was impressed with all of the work that had been done. There are a lot of good ideas in the report. However, she is disappointed in that the City is not thinking about light rail. Light rail is so much better for the environment. She does not understand why other countries can provide light rail and our country cannot.

Chair Pollock inquired what will happen if the City Council accepts the report as a recommendation of good ideas. What would be needed to begin redevelopment of Springfield Avenue? Mr. Myers replied that he believes the City of Urbana might want to partner with a developer and offer incentives to jumpstart a demonstration development.

Chair Pollock wondered if there were any ideas in the proposed plan that the City could do if there is Tax Increment Finance (TIF) money available and could find developers interested that could be done without the plan. Mr. Myers said yes. One complicating factor is that consolidation of lots to create redevelopment sites is complicated and takes time. Many developers just don't want to deal with this because it can take years.

Chair Pollock questioned if the entire Springfield Avenue area, which is the City of Urbana's segment of the plan, is all located in a TIF district. Mr. Myers answered no, only the eastern portion of Springfield Avenue (east of Coler Avenue) is in a TIF district.

Ms. Stake wondered what the City's main objective is with the proposed analysis. Mr. Myers explained that the main objective of the plan is to show the benefits of the City building up rather than out and doing so in a way that supports transit, walking, and bicycling rather than relying on single-occupancy vehicles. Ms. Stake commented that the City has worked very hard with ideas for bicycling.

Mr. Fitch stated that although he likes the concepts proposed in the plan, he wondered what the point of the plan is. Is the point to have Springfield Avenue be redeveloped or is it to promote traffic into Downtown Urbana so it could be redeveloped? If the point is about Downtown Urbana, unless we punch a hole through campus, it will have limited value. In order to punch a hole through campus, every pedestrian overpass would need to be lifted up; otherwise, vehicle drivers and bicyclists would be driving a block and stopping, drive another block and stopping. The changes that would have to happen for this plan to have an impact would have to be quite profound. We would have to move all the parking off the street, which would be sensitive. He is supportive of the concepts but he is not sure of the point and he is not sure how realistic the plan is.

April 7, 2011

Chair Pollock fears the point is that there is a giant pool of money available to prepare planning studies, and that although we have got a really nice look at these issues there may be virtually no practical application or financial ability to actually see these things happen. The plan is done. It does have some good ideas in it, but as Mr. Hopkins said this is in some sense going down a road that the City has been on for a long time. Mr. Fitch agreed.

Mr. Hopkins said he was tempted to send this to the Urbana City Council with a recommendation to accept the report, but that the implication that a focus on Springfield Avenue for mixed use development initiatives by the City is inappropriate at this time. In addition, other initiatives by the City of Urbana that are already underway should have priority. He is trying to say that the plan is done and we will accept it, but he wants to make a statement that says the City should not do what the plan on the surface implies we should do. Chair Pollock believes that the City should also not do it necessarily where the plan says we should do it. There are some really good ideas in the plan that might be appropriately attempted elsewhere. Mr. Hopkins felt that the City is already trying to do these ideas elsewhere like on North Broadway, at Lincoln Square, across Green Street from the City building, and elsewhere. His key point would be that the City should not focus significant redevelopment efforts on Springfield Avenue at this time. He has trouble accepting the plan report with the implication that by doing so they are accepting its contents.

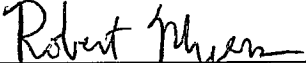
Chair Pollock inquired what it means if the City "accepts" the plan. Mr. Myers interpreted "accept" to mean that we received and acknowledged the information. Mr. Hopkins said that he is not willing to leave it at that because for the general public if the City accepts a plan then it can be seen as approving the contents.

Chair Pollock asked what the Plan Commission would like to do at this point. Ms. Stake did not feel that they have studied the report enough. Chair Pollock pointed out that there are four members absent from the meeting that he would like to get their input as well. It was the general consensus of the Plan Commission to hold this item over until a future meeting to allow all the Plan Commission members to study it and provide more comments. Chair Pollock asked if City staff could mail each Commissioner a paper copy.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:33 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: May 5, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock

MEMBERS EXCUSED: Ben Grosser, Bernadine Stake, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Zach Woolard, Planning Intern; Teri Andel, Planning Secretary

OTHERS PRESENT: Cynthia Hoyle

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

Chair Pollock called the meeting to order at 7:30 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the April 7, 2011 Plan Commission meeting were presented for approval. Mr. Fitch moved that the Plan Commission approve the minutes as presented. Mr. Hopkins seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

✚ MTD Handout, *“Building a Mobility Infrastructure to support Champaign-Urbana becoming a Micro-Urban Community”*

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.

Robert Myers, Planning Manager, introduced Zach Woolard, who is a Planning Division intern.

Zach Woolard presented this case to the Plan Commission. He explained that the main reason City staff proposes a text amendment regulating portable storage containers is a small but growing concern. Some residents have placed them in front yards. Also, some people use them as a garage or shed which can circumvent building codes. Lastly, some people store these containers on the street or in the public right-of-way when there is no space in the driveway. He reviewed the proposed language for Section VI-9, Portable Storage Containers. He read the options of the Plan Commission and presented staff's recommendation.

Chair Pollock asked if there is a local office in Champaign-Urbana that rents out portable storage containers. Mr. Woolard answered no. The closest offices are located in Bloomington and Peoria. The companies are willing to work with the City of Urbana and would inform clients of the City's regulations once enacted.

Mr. Fitch asked if a resident would need one permit or two to have a container in the public right-of-way. Mr. Woolard responded that if a resident wanted to place a unit in the right-of-way, then they would need to obtain one permit from the City's Public Works Department. If the resident wants to place the portable unit on their property then they would obtain a permit from the Community Development Services Department. Mr. Fitch questioned how the resident would know where to go to get a permit.

Mr. Fitch inquired if there would be a fee for each type of permit. Mr. Woolard replied that City staff hasn't determined if any fee would be charged.

Mr. Fitch commented that he is unsure if seven days is long enough. He wondered if a resident could rent a portable unit for two seven-day periods for a total of 14 consecutive days. Mr. Woolard assumed that would be possible. Mr. Fitch asked if that person would need to acquire a second permit for the last seven days. Mr. Woolard said that under the proposed amendment, yes. The Zoning Administrator might decide in a situation like this to waive the process for acquiring a second permit if she knows ahead of time that the person needs a unit for more than seven days.

Mr. Fitch inquired about enforcement of the proposed regulations. There is no language included in the proposed text amendment regarding fines or notices of violation. Mr. Woolard noted that other communities do not give fines. They try to work out any issues with their citizens. Mr. Myers added that a violation of the proposed regulations would be considered a general violation of the Urbana Zoning Ordinance and could be subject to fines. The vast majority of the time, City staff does not have to assess fines because we inform people when they are in violation and give time to correct it.

Mr. Fitch asked for clarification on what zoning districts would allow portable storage containers. Mr. Woolard explained that they would be allowed in any residential zoning district as well as for a residence in any other zoning district. Mr. Fitch questioned whether a business could use a portable unit to move their business. Mr. Woolard said that the proposed Zoning Ordinance amendment would allow them just for residences, but City staff is open to suggestions on how to deal with this issue.

Ms. Burris stated that seven days is not enough time for someone moving. It even contradicts the last regulation regarding maintenance. A portable unit would not rust or fall apart in seven days time. She mentioned that if she wanted to move then she would need at least 30 days to load a storage container as she has lived in her home for 20 years and has accumulated a lot of things. Mr. Woolard explained that City staff has recommended seven days with the idea that people would have already gone through their items and decided what to keep and what to discard.

Mr. Otto was curious as to whether the City of Champaign has an ordinance regulating portable storage units. Mr. Woolard replied that he does not believe the City of Champaign has an ordinance. Mr. Otto stated that we need to be sure, and if they do have an ordinance, then we should try to adopt a similar ordinance. Otherwise it might be confusing to have two standards in adjoining communities.

Mr. Fell understands that the maximum unit size was taken based on one company. However, as they become more popular, a new company renting these units might have different sizes. So City staff might want to allow for this in the proposed regulations.

Mr. Fell wondered if the permit would be issued to a person or to an address. He could see a potential problem with issuing a permit to an address. One person might be moving out and rent a portable storage unit, and then the person moving in might need to rent one as well. Mr. Woolard said that City staff would discuss this issue.

Mr. Hopkins asked what mechanisms are there for exceptions. For example, some people still have gravel driveways, and they live on streets with no parking allowed. Chair Pollock added that there are some residents who do not even have driveways. Mr. Otto questioned if the portable storage container companies are willing to set the units up on dirt or gravel and landowners are willing to accept responsibility for any damages, then what interest does the City have if landowners mess up the surfaces of their own lot? Mr. Myers responded that most of the time, when the companies deliver the units, they will drop them off on hard surfaces because

they would rather not drive over curbs. The City is concerned with rutting, dead grass, units sinking into the ground, and possibly erosion running off into the storm sewers.

Chair Pollock inquired about the range of time limitations that Mr. Woolard found in his research. Mr. Woolard replied that most communities portable units for 14 days or less once a year. The City of Urbana is proposing seven days twice a year.

Chair Pollock questioned who would be responsible for maintaining the units. Even if the City allowed a resident to have a portable unit for 30 days, they would not rust and peel in this period of time. Wouldn't maintenance be an issue for the owners of the units? Mr. Woolard responded by saying yes. Once the City of Urbana has established regulations, City staff will send copies to companies letting them know of those regulations.

With no further questions for City staff, Chair Pollock opened the hearing for public input. There was none.

Chair Pollock closed the public input portion and opened it to Plan Commission discussion and/or motion(s).

Ms. Burris remarked that she would like to see the time period extended to at least 14 days. She would also like to further discuss the requirement that units must be placed on paved surfaces versus gravel.

Chair Pollock suggested that the Plan Commission discuss the proposed text amendment and try to come to some consensus of the changes they would like to see made and send it back to City staff to fine tune the language. He, then, recommended that they discuss the proposed text amendment one concern at a time.

Mr. Otto suggested that the time limit be split for those units placed on private property versus in a right-of-way. The time limit to store a portable unit in the public right-of-way should be quite short. If it is on private property, then seven or fourteen days is not enough, especially if it is being rented to store furniture during construction purposes such as remodeling a house. Typically neighbors are willing to live with this if their neighbor is making improvements to his/her house. The Plan Commission might need to specify that the units be stored behind the front setback so it is not right out on the sidewalk. He feels that there should be quite broad latitude if the unit is stored on private property. Storage of units in public right-of-way should be limited to 48 to 72 hours. He could see where students moving in and out could rent units up to four times in one year.

Mr. Fitch commented that he would even consider exempting construction trailers and tightening up the definition of what is a personal storage portable container and what is a construction storage container. Chair Pollock pointed out that the text amendment is not about construction storage containers. It is about moving things. Mr. Fitch stated that he is not sure the definition is written in such a way that a construction trailer or a portable storage unit used for construction left on a lot for 30 or 60 days would not be covered by the proposed ordinance.

Mr. Hopkins mentioned that a trigger here is complaints from neighbors about portable storage containers being used in permanent ways and being located in front of the front-yard setback for long periods of time. Because they are essentially permanent, the units are not being maintained. It might be useful to work from this towards improving the language. It seems to him that this problem is coming from much longer period than seven days, fourteen days or even thirty days. It is coming from 2 months or 3 months, and it is coming from a perception that it is not being used in an appropriate way. If he knows his neighbor is remodeling his house and it takes three months, has stored his furniture in a portable container and the unit is reasonably located, then it will not be a problem. However, just like parking a car in the front yard off the driveway on a regular basis, which tears up the yard and looks ugly, there is a public interest in this kind of behavior and is what the City is trying to avoid.

Chair Pollock stated that the Public Works staff looks at the public rights-of-way on a regular basis so violations could be easily noticed. Mr. Myers commented that Public Works does not like them to be placed in the public right-of-way just because there are so many factors involved, such as blocking cars and parking, circulation and visibility. If for some reason, the units cannot be located on private property, then Public Works is willing to allow them to be located on public rights-of-way in parking spaces for short periods of time. Mr. Hopkins responded that it appears to him that Public Works is already dealing with portable storage units and construction trailers somehow. He recommended that the Planning staff find out how they deal with them now and figure out whether to reference it in the proposed text amendment or modify it. Then, we could focus on the question of how to control nuisance use of non-permitted accessory buildings.

Mr. Otto asked how the City controls dumpsters that are placed on the street. Do they have to be permitted? Mr. Myers answered that the person renting the dumpster needs to obtain a right-of-way permit. Mr. Otto suggested that the City staff research how long dumpsters are permitted to be on the street. There may already be reasonable time limits and permit applications in place that could be used for portable storage units as well.

Mr. Fell expressed concern about if a portable storage unit company delivers a rusty unit then the homeowner could get fined for poor maintenance. Mr. Myers explained that fines are not issued that fast. City staff would notify the property owner and the company and have the company relocate the unit.

Chair Pollock asked how many complaints has City staff received. Mr. Myers said that over time we have received a half dozen over a few years. It is not a pressing problem at this point.

Chair Pollock stated that one issue the members agree on is that it is clear that seven days is not enough time. He asked how the other members wanted to handle this case.

Mr. Hopkins recommended they send it back to City staff to figure out what is already in place with regards to similar situations, such as dumpsters, junk cars, etc.

Mr. Otto did not believe that maintenance would be an issue with the rental units. Most companies keep their equipment – dumpsters, portable storage units, etc. – painted and in good shape. It is only when they are decommissioned that equipment begins to rust and fall apart.

Mr. Myers noted that City staff appreciates the feedback and will make some changes to address the Plan Commission's concerns.

Mr. Fitch stated that one final issue he has is that portable storage units are not allowed to be used for businesses moving from one location to another. Chair Pollock agreed and feels that City staff needs to revisit the zoning districts that these types of units are allowed in.

The Plan Commission then continued this case to the next scheduled meeting.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Robert Myers, Planning Manager, discussed the following topics:

- **Soccer Planet Rezoning and Final Subdivision Plat** were approved by the Urbana City Council. The new owners have purchased the property and are in the process of applying for a building permit to construct the new facility. The owners hope to have the facility constructed by this fall in time for the indoor soccer leagues.

11. STUDY SESSION

White Street and Springfield Avenue Corridors Analysis

Robert Myers, Planning Manager, followed up on the discussion from the previous meeting. He shared some comments that were exchanged during a conversation that he had with Cynthia Hoyle, consultant with the Champaign-Urbana Mass Transit District (MTD).

The White Street and Springfield Avenue Corridors Analysis document is not a plan and does not include goals and objectives. It is actually a study. The study explains how development within the two existing transit corridors (White Street and Springfield Avenue) can support transit and how the two downtowns of Champaign and Urbana can be linked to the University of Illinois campus. The study builds on Urbana's adopted Comprehensive Plan and existing zoning. He talked about how the level of transit infrastructure could be raised in these corridors if development if adjoining development supported it. Transit infrastructure could include kiosks at high traffic use areas, bus shelters, burs turnouts, etc. He explained that MTD also

anticipates applying for a Very Small Starts Grant which could provide major infrastructure funding within their new high capacity corridors. He asked Cynthia Hoyle to address the Plan Commission to explain more about the grant.

Ms. Hoyle began by telling the Commission that MTD applied for one of the Federal stimulus grants under Livable Communities/Sustainable Communities process last year. There was a limit on the grant for \$30 million. MTD did not receive the funding. They found out later that the majority of communities receiving funding offered a 70% local match.

One of the things that happened along with the study process is the City of Urbana had designated Springfield Avenue as a transit corridor in the 2005 Comprehensive Plan. With MTD overseeing preparation of the Mobility Implementation Plan, that process gave MTD a lot of feedback and input. Based on some of the feedback and input, MTD has revamped the transit routes for the first time in a very long time. Springfield Avenue now has daytime bus service during the semester every five minutes. White Street has a similar level of service. The infrastructure along these streets in some locations is not capable of handling a lot of the traffic so MTD needs the infrastructure to be able to support their service.

Along with doing that MTD reviewed what else needs to be in place such as providing a multi-modal corridor, sidewalks, bicycle infrastructure, what kinds of land use and design would support this, and what opportunities are along these two routes.

We already meet many criteria for a Very Small Starts Grant. However, the Federal Transit Authority is looking for a dedicated right-of-way for transit. MTD has thought that Green Street between Lincoln Avenue and Wright Street would be a candidate for consideration. The proposed Corridor Analysis provides MTD with a good foundation for a Very Small Starts Grant application by showing what the two communities have already done. Although this is not a new idea and it is something that we are already doing, we need help getting it done because neither of the cities right now have the funds necessary to improve the streets.

The needs for each street are different. White Street needs to be widened enough to include bicycle lanes. Springfield Avenue cannot be widened because there already constraints such as uses that are not going away, including Park District property. The proposed analysis took a look at each street's needs.

The limit for any grant application is \$60 million dollars. MTD anticipates applying for up to this amount. Compared to other communities that are making applications for trolleys, light rail or commuter rail systems, this project is very small. This grant has more often been used for linear corridors and bus rapid transit applications around the country. MTD has not yet submitted a grant application and plans to submit one to the Federal Transit Authority in the fall of 2011.

Mr. Myers explained that the map on the handout "*Building a Mobility Infrastructure to Support Champaign-Urbana becoming a Micro-Urban Community*" shows MTD's high-capacity service network. As a result of creating a high level of service on for these bus routes, we need the infrastructure to support it.

Chair Pollock asked if the study was driven by improvement for MTD routes more than anything else. Ms. Hoyle replied by saying no. The Mobility Implementation Plan was about implementing the non-single occupancy vehicular portions of the Long Range Transportation Plan. In fact MTD has already been implementing some of the preliminary recommendations from the Mobility Implementation Plan process. The Mobility Implementation Plan has not been finalized because MTD is still updating the transportation model. For example, the High Capacity Service Network concept was in the Long Range Transportation Plan, and it is now in place. The proposed White Street and Springfield Avenue Corridors Analysis is part of the larger Mobility Implementation Plan process.

Chair Pollock explained that one of the issues the Plan Commission had with the proposed analysis at the previous meeting was that it is entirely about two separate corridors. He understood that two separate corridors are being studied because of the influence and wishes of the University of Illinois in not wanting to promote cross town routes through their campus. However, an important question posed at the previous Plan Commission meeting is whether Springfield Avenue is where the City of Urbana wants to put its efforts, funding and redevelopment. Or should the City concentrate on other redevelopment areas first?

Ms. Hoyle responded that choosing Springfield Avenue as one Champaign-Urbana corridor isn't practical, in addition to the University's concerns. Springfield Avenue's right-of-way through the center of campus is narrow and has high pedestrian volumes. In fact MTD has removed the bus routes off of this section of Springfield Avenue so that segment would not be a major bus corridor.

Chair Pollock asked if MTD is looking for infrastructure improvements so they can put bus routes back on that segment of Springfield Avenue. Ms. Hoyle stated that MTD had not looked at this option. There are a number of issues including safety. MTD does not believe that the ability to widen Springfield Avenue exists the same way it does along White Street.

Chair Pollock questioned how Springfield Avenue got chosen as the corridor in the City of Urbana to concentrate on in the proposed analysis. Ms. Hoyle explained that the City requested Springfield Avenue. Some of the first analyses utilized Green Street, but that brought push back from the Urbana City Council. They did not want Green Street between downtown and Lincoln Avenue to be the high capacity service corridor for MTD. Mr. Myers added that the 2005 Comprehensive Plan shows Springfield Avenue as a future transit corridor. Ms. Hoyle commented that the zoning along Springfield Avenue lends itself better to the possibility of redevelopment because there is already commercial zoning. Whereas on Green Street, there is clearly a stated desire on the behalf of the neighborhood to maintain a residential feel.

Chair Pollock asked if the Plan Commission was being asked to accept the proposed analysis or send a recommendation to the City Council. Mr. Myers answered that staff is not asking for the study to be made part of the Comprehensive Plan or officially adopted by the City. Instead City staff would like the City Council to receive and consider the study and use it as a point of reference for future plans. Chair Pollock wondered if City staff wants the proposed document to drive development decisions to some degree. Mr. Myers replied that it could be a point of reference that could be used in decision making, but it would not be a policy because it is not a

plan that would be adopted. He considers it to be more of a collection of good ideas that the City could draw from.

Mr. Hopkins asked how much of a grant that MTD would request. Ms. Hoyle responded that they are looking at the possibility of rebuilding the streets where needed, branding the bus stops to identify them as being higher level service area, providing some kiosks, extending bike lanes on White Street and fixing the sidewalks.

Mr. Hopkins wondered if the University of Illinois could use some of the grant funds to fix the pavement in front of the Florida Avenue Residence Hall where the buses stop. Ms. Hoyle explained that this is the type of improvements they would like to make. MTD will look at what improvements are needed and choose the ones that are a higher priority. MTD's proposal could reach \$60 million. \$60 million is the limit that one party can request in a grant application.

Mr. Hopkins questioned what the match would be to win this grant. Ms. Hoyle answered that this grant program has been in existence and has not had the sort of competitive level of applications that the Federal Stimulus funding had. She does not know what the match will be. Mr. Myers pointed out that for the Federal Stimulus grant application the City could use money that we were already programming for our Capital Improvement Plan (CIP) to repair and upgrade streets and infrastructure.

Mr. Hopkins feels that there are two things that are pertinent for the City of Urbana to prioritize. One is the missing sidewalks along Springfield Avenue. He does not know if this is already in the CIP. If the City can participate in getting funding for this, then it is a good thing. However, he feels that this concern is 95% independent of the redevelopment notions that are implied in the study. He does not feel that land use redevelopment on Springfield Avenue is a priority for the City of Urbana. The second relative item is pavement improvements for bus routes.

Ms. Hoyle clarified that the study was prepared with the Very Small Starts Grant program kept in mind. Although the study mainly supports the Mobility Implementation Plan process, it also provides MTD and the City with a good foundation for the grant application. It provides a lot of useful information.

Mr. Hopkins replied that most of the study information is not the kind of information that the City of Urbana wants in order to justify spending money on Springfield Avenue. In other words, he doesn't believe that the City wants to refocus effort of attracting mixed use in Urbana onto the Springfield Avenue corridor. If using the CIP match requires reprioritizing existing capital improvements schedule to bus routes, then he did not feel that they could make that decision separate from the whole CIP programming process. There may be reasons improvements to Springfield Avenue is not a high priority. Mr. Myers did not feel that as a result of this study the City would reallocate funds from other CIP projects to make funds available for improvements to Springfield Avenue. In other words we're not proposing to "take from Peter to pay Paul."

Mr. Hopkins pointed out that he did not want the City Council to use the proposed document as a point of reference due to the analysis suggesting mixed use, suggesting a retail products gap, suggesting that it should focus on Springfield Avenue, etc. Although the analysis may not come

out and say these things, it is basically the message given to readers. Ms. Hoyle noted that based on the existing zoning, if a developer wanted to build a mixed use development, then she would assume that the City would be in favor of that. Mr. Hopkins stated that he understands what the zoning is, but the two examples of development projects mentioned in the proposed analysis are not even located in the corridor. So, the implication of the way the proposed analysis is presented as a corridor analyses with a study boundary, a set of objectives and criteria, and implications of priority is not what they want to recommend to the City Council. Ms. Hoyle explained that the two examples were used at the recommendation of City staff. They are within the area that the study incorporated even though they are not on the corridor itself. Ms. Hoyle mentioned that the City's Public Works Department already plans to rebuild Springfield Avenue so this study wouldn't cause money to be shifted from other street projects.

She went on to say that she does not understand the Plan Commission's concerns because the analysis only provides some recommendations and suggested ideas to look at for implementation strategies. They do not seem to be in contrast or conflict with the City's existing plans and priorities.

Mr. Fitch is not sure that the study helps to justify that improvements to Springfield Avenue are very important. At the previous meeting, he had asked Mr. Myers about some of the population growth scenarios. There are four growth scenarios. There is a baseline, an optimistic, a baseline with mobility enhanced development, and a really optimistic scenario. When you look at the retail opportunities built around these scenarios, the only one that pays off using the numbers is the really optimistic population growth scenario. This might be why the Plan Commission is hesitating to spend money in this area. He stated that if he thought it would help with the grant application to get some funds for the City of Urbana to help with the infrastructure, then he would be in favor of it. He is not sure though that the proposed analysis does, and it detracts from what he believes is the most realistic need in the area, which is pavement.

Mr. Myers believes that the study sees Springfield Avenue as an existing transit corridor with opportunities for adjoining development to support transit and benefit from it. Mr. Fitch agreed that the concept is attractive. He is not sure that the numbers he looked at would pan out to be realistic in the Springfield Avenue corridor.

Mr. Hopkins explained that because of the framing as a corridor analysis, and because of the apparent focus of much of the analysis on the question of retail, it appears to be about emphasizing mixed use development in the corridor. Again, even though the analysis doesn't specifically say this it is the overall message that the analysis sends. The City of Urbana wants buses on Springfield Avenue to keep them off of Green Street. We also want buses on Springfield Avenue to get people from campus to the Downtown Urbana area. The City of Urbana is trying to get empty vacant lots in the downtown area developed and new businesses in existing buildings. So, in a sense, the City of Urbana's interest in improving Springfield Avenue has to do with the pavement, the sidewalks and the bike lanes. The land use surrounding it can come along when it comes along. The land use is not high priority. The zoning is there and the potential is there, but filling up another corridor with empty store fronts on the first floor just does not make sense when we already have mixed use areas which are not yet successful.

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Ms. Hoyle responded that she did not get the same implications for Springfield Avenue from reading the study. The focus is more on higher density residential development. It does not recommend that the City provide financial incentives for redevelopment along the corridor. The recommendations are to encourage the City to look at creating overlay districts to leverage the transportation options where possible and to provide design guidelines. Mr. Hopkins pointed out that most of the recommendations are about development, and he is reluctant to recommend it to the City Council, even as a point of reference.

Chair Pollock suggested that the Plan Commission could mention the pluses of what the analysis does do and the possibility of capturing funds to do a lot of infrastructure rebuilding that the City needs. They can distinguish the recommendations that they think are inappropriate. However, they need to send a message of some kind about the proposed analysis.

Mr. Hopkins commented that rather than making a formal recommendation, they could send the item to the City Council and have them listen to their discussion. If the study is not a plan then he does not know what they are recommending to the Council. If the Plan Commission wants to recommend that the Council use the study then he would have to vote against it.

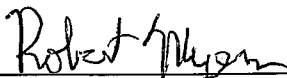
Mr. Myers suggested that City staff share with the City Council the results of the study and pass along the Plan Commission's concerns and comments without asking the City Council to formally "accept" it. Mr. Fitch agreed that the Plan Commission explained their position on the study at both the previous meeting and at this one. He feels that they should let the minutes speak for themselves to the City Council.

Ms. Hoyle mentioned that the study talks a lot about parking standards and density limitations, which are the kinds of things that the City might be able to do that do not require any financial investment but would perhaps provide incentives for developers to redevelop properties. Those are instances in which those specific recommendations would come before the Plan Commission as a plan case for a formal recommendation to City Council.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:08 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: June 9, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock

MEMBERS EXCUSED: Ben Grosser, Bernadine Stake, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Rebecca Bird, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Walter Alspaugh, Linda Bauer, Clark Bullard, Michael Doran, Darwin Fields, Ruth Ann Fisher, Mark Foley, Andrew Graumlich, John Jakobsze, Ralph Langenheim, Imran Malik, Donald and Sandee Moore, Gary and Michele Olsen, Peggy Patten, William and Grace Schoedel, Susan Taylor, Lisa Travis, Gale Walden

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

Chair Pollock called the meeting to order at 7:37 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

Due to a large number of people in the audience present to hear other cases on the agenda, Chair Pollock said that he wished to move Plan Case No. 2142-T-11 to the end of the agenda. The Plan Commission agreed.

3. APPROVAL OF MINUTES

The minutes of the May 5, 2011 Plan Commission meeting were presented for approval. Mr. Fitch moved that the Plan Commission approve the minutes as presented. Mr. Hopkins seconded the motion but on page 10, line 6 from the top, replacing the word “quarter” with the word “corridor.” The minutes were approved by unanimous voice vote as amended.

4. COMMUNICATIONS

- ✦ Email from Fran Ansel regarding Plan Case No. 2145-SU-11
- ✦ Email from Jeff Unger regarding Plan Case No. 2145-SU-11
- ✦ Section 2-4 of the Urbana City Code. Public Meetings
- ✦ Planning Commissioner's Journal – Number 82, Spring 2011

5. NEW PUBLIC HEARINGS

Plan Case No. 2145-SU-11 – A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District.

Chair Pollock announced that as an employee of the Urbana School District that he would abstain from this case. He then asked for a nomination for another member of the Plan Commission to serve as Acting Chairperson. Ms. Burris nominated Tyler Fitch, and Mr. Hopkins seconded the nomination. The Plan Commission voted approval of the motion. Chair Pollock then left the meeting and Mr. Fitch assumed the position of Acting Chairperson.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He stated the purpose of the special use permit request. He spoke about the different types of towers and showed photos of towers in other areas, some of which are similar to the proposed tower in this case. He noted the location, existing land use and zoning of the proposed site as well as that of the surrounding properties. He reviewed the site plan noting the distance that the proposed tower would be located from homes along Race Street. He explained why the petitioner feels that the proposed tower should be located at this location rather than elsewhere on the School District's property. He summarized the requirements of the Federal Telecommunications Act of 1996 for local governments reviewing cell tower applications. He also reviewed the requirements for a Special Use Permit according to Section VII-4 of the Urbana Zoning Ordinance. He read the options of the Plan Commission and presented staff's recommendation.

Mr. Fell asked if the height of the tower is part of the Special Use Permit or will the petitioner need a separate zoning variance for it. Mr. Myers replied that the height of the tower is a waiver which could be approved as part of the special use approval. Mr. Fell wondered if it is held to the standards that are required to get a zoning variance. Mr. Myers said no. The criterion provided in the Zoning Ordinance is that if the Plan Commission and the City Council feel that the goals of the ordinance are better served with tower being at this particular location then they can approve it.

Mr. Hopkins inquired as to why the proposed tower has to comply with Section 106 of the National Historic Preservation Act. Is it because the Urbana High School is listed? Mr. Myers replied that it is because they need a federal license, and anytime you use federal money or request a federal license, the project has to comply with Section 106 of the National Historic Preservation Act and Section 707 of the State Historic Act.

Mr. Otto asked that Mr. Myers elaborate more about what the results could be if the Plan Commission allowed discussion concerning environmental effects of radiofrequency electromagnetic (RF) emissions. He knows that in the discussions at the neighborhood meetings with US Cellular, some residents voiced concern with this. Mr. Myers explained that although this sort of discussion could take place at a neighborhood or School Board meeting, local governments must comply with the Federal Telecommunications Act of 1996 in reviewing tower applications. The Federal Communications Commission (FCC) is responsible for regulating telecommunication towers in terms of health and safety concerning RF emissions. Based on the law, a court overturned a Peoria County, Illinois denial of a tower based in part possible health effects and so it's clear that this aspect should not be part of our consideration. Mr. Otto stated that he felt this is important to clarify for the people in the audience who would like to comment later during the public hearing.

Mr. Otto continued by saying that there are other health and safety issues that are not related to RF emissions that they can discuss, such as electrical storms hitting the utility structure located under the bleachers. Mr. Myers said that is correct. They can also discuss the possibility of a tower collapsing, security, etc.

Mr. Otto wondered if the Quincy photo that was shown during the City staff presentation was real or touched up using Photo Shop software. Mr. Myers said that it is a photo of an existing tower in Quincy, Illinois provided by the applicants. It's not a simulated photo.

There were no further questions for City staff, so Acting Chair Fitch opened the hearing for public input.

John Jakobsze, of US Cellular, approached the Plan Commission and introduced the other members of his team, Michael Doran (Site Acquisition Consultant) and Imran Malik (Senior RF Engineer). He thanked Mr. Myers for his thoroughness and his outstanding preparation. He then gave a presentation on the following:

- Background of US Cellular
- US Cellular's On-Going Commitment to Customers and Communities It Serves

Mr. Malik continued their presentation by talking about the following:

- Pre-Coverage Map – *Pink area shows problematic area where customers are experiencing the most connection issues.*
- Area Map used to choose possible tower sites
- Existing Sites within Urbana or within 1.5 miles
- Adjacent US Cellular Sites
- Site Selection Process
- Typical Cell Sites
- Search Area
- Existing Structures that were 1st and 2nd Preferred
 - United Methodist Church

- City Hall Tower
- Hendrick's House
- WILL Tower
- T-Mobile/Sprint Tower
- Met Cad Towers
- Champaign County Courthouse
- Other Preferred Locations
- Urbana High School Location
- Post-Coverage Map

Mr. Jakobsze discussed the following:

- Proposed Cell Site Characteristics of the Urbana High School Location
- Overall Site Plan
- Enlarged Site Plan showing the tower surrounded by a 6' high fence and underground ducts
- Elevation
- Photo Simulations
- Benefits to the Community
- Addresses Goals of Zoning Ordinance

He thanked the Plan Commission for their consideration and mentioned that they are available to answer any questions that they may have.

Mr. Fell questioned what the estimated life span of a tower. Mr. Jakobsze answered that although towers have a "book value" of 40 years, with proper maintenance they can last a lot longer than that.

Mr. Fell wondered when the tower is no longer used, who will have to tear the tower down? Mr. Jakobsze responded that US Cellular would be required by the lease agreement they will have with the Urbana School District to remove the tower if no longer used.

Mr. Fell noticed that on the site plan, there appears to be an access easement for the tower, but there is no easement for the equipment building. What is the possibility when there are more users located on the tower that they would need to access the equipment building? Would this mean that they could tear down the bleachers? Mr. Jakobsze replied that under the bleachers there will be a series of storage rooms, and US Cellular will lease one of the storage rooms for their equipment. The lease agreement with the School District for the storage room will also address easements and leasing the location of the tower. Mr. Hopkins wondered how big the storage rooms would be. Mr. Jakobsze said their unit would be about 12 feet by 15 feet.

Mr. Hopkins wondered what would happen when lightning strikes. Mr. Jakobsze explained that the structures are grounded per specific standards.

Mr. Hopkins asked Mr. Jakobsze to elaborate on why none of the University of Illinois sites were acceptable. Mr. Jakobsze explained that US Cellular approached the University, but they had difficulty in reaching an agreement with them.

Acting Chair Fitch noted that they received two written communications from individuals via email. One email is from Fran Ansel and the other is from Jeff Unger.

William Schoedel, 1207 South Race Street, mentioned that he lives across the street from the site of the proposed tower. His main concern is that the tower will not be aesthetically pleasing and will not fit because it is too big. People in the community have spent a lot of money on the Urbana High School because it is a building of architectural distinction, and the school is in the middle of a redevelopment of the grounds. It seems odd to place something there that will not fit and will look tacky. He urged the Plan Commission to try to avoid this.

Walter Alspaugh, 206 West Indiana Avenue, stated that he can see the proposed site from where he lives. When the story was first published in the *News-Gazette* it referenced microwaves. He asked the applicants if they leave their microwave door open in their homes. Chairman Fitch asked the speaker to address their comments to the Commission and not the applicants. Mr. Alspaugh continued that many young people in the community are going to school in this area, and we are not sure if cell towers are safe. Mr. Fitch said he felt uncomfortable with the direction of these comments because it's a topic which can't be a factor in making a decision. Mr. Alspaugh pointed out that there is a discrepancy in the reason for the tower being located on the proposed site. City staff mentioned that it is to allow for school building expansion, but the petitioner said it was due to the current plans to redevelop the grounds. He asked if they turn the power off when a maintenance person works on the tower. Acting Chair Fitch replied that he feels confident that OSHA (Occupational Safety and Health Administration) and FCC regulations would apply. Mr. Alspaugh is unhappy with the proposed Special Use Permit request. He suggested that the petitioner research locating the proposed tower on University property again.

Ralph Langenheim, 401 West Vermont Avenue, supports the preservation of the historic and cultural values inherent not just in the high school itself, but how the high school, fountain in Carle Park, and Abraham Lincoln statue form an outdoor area which should be protected. One of the top 20 statues of Abraham Lincoln in the nation is located across the street from the high school. In front of the statue, Congressman Tim Johnson declared his candidacy and people get married there. The façade of the high school is one of the better public buildings from the point of architecture. When looking at the proposed plans he does not feel that they are as bad as they could be. However, it will still be obtrusive. It will not add any value to the cultural monument of the Lincoln statue. He has been monitoring his email and listening to the West Urbana Neighborhood Association (WUNA) and has found that a large number of his constituents are unhappy with the proposed tower as well.

Clark Bullard, 509 West Washington Street, feels that the proposed tower will be a terribly ugly intrusion next to a historic building that the taxpayers are still paying for from the referendum when they rehabbed it in order to preserve it to the community. The written documents in the

packet of information only talk about the view from a few residences. However, every citizen of the community and every visitor will be exposed to the view.

Mr. Bullard went on to say that the Findings of Fact in the packet are only blanket assertions that say the proposed tower would be good for the public convenience. One of the proposed findings actually uses the name of a different city instead of Urbana. At one of the previous meetings between the School Board and the neighborhood, some residents asked US Cellular what the problem is that they are trying to solve. How many people are affected? Is it just affecting US Cellular customers? US Cellular refused to answer these questions, and he hasn't heard any answers during this meeting. He spoke with an engineer who told him that 9-1-1 works with any carrier as long as they have coverage in an area. So, are the dropped calls because US Cellular is unwilling to pay roaming charges to a competitor who has better coverage in the area? As a result, he feels there are technical questions that have not been asked or answered effectively.

He mentioned that he is an engineer. If this proposal is a result of a standard engineering analysis, then you are looking at the solution that is the least costly and most profitable for US Cellular. There has not been much evidence that alternatives will not work. He suggested increasing power at the existing transmitters so they reach farther or the alternative of having multiple smaller towers. He wondered why the other eight alternative locations were located north of High Street when the underserved area is more than a half of a mile south of the Urbana High School. There were not any preferred sites located in the southern area. Why not replace one of the existing ugly towers with one of these beautiful poles. Have people really tried to be imaginative about solving the problem? Is this a public problem or is it something that only affects a hand-full of people?

Mark Foley, 411 West Illinois, stated that he has two young children who will be going through the Urbana School District. He also is a teacher at the Urbana High School. His classroom will be the closest room to the proposed tower. He mentioned that the last thing the high school needs is better reception because the students do enjoy texting during class. The high school is probably the one place in the City where the most human beings are for most of the time during the week. He feels installing a telecommunications tower that has a lot of power and electricity going through it in the midst of all these people could be potentially dangerous. He is very anxious and excited about getting new athletic grounds and stadium coming in. Everyone he has spoken with agree that the proposed tower would be an eyesore and would diminish the beauty of the new stadium. He stated that he was speaking as a citizen and not as a teacher. He only represented himself and not the School District or anyone else.

Gale Walden, 306 West Washington Street, mentioned that she has a daughter who is 13 years old and attends the Urbana Middle School. No one is listening to the children's concerns. Her daughter told her that the proposed tower would make her feel bad about her school if the School District was so financially desperate to allow something like this. Ms. Walden has a problem with corporations inside publicly funded entities, specifically educational entities. What does this teach the children?

Mr. Otto asked if the Findings of Fact were drafted by City staff or by US Cellular. Mr. Myers pointed out that the Findings of Fact that Mr. Bullard had referred to are part of the petitioner's

application and was drafted by the applicant. City staff's proposed Findings of Fact are included in the City staff memo.

Mr. Jakobsze re-approached the Plan Commission. He commented that in doing research on existing structures in the area, one of the towers that they identified was a Verizon tower which was approved under a Special Use Permit by the City Council in 1993. He noticed that the 200% fall zone requirement was not conformed to in that permit, so it appears to be a precedent already established for one carrier. He is not sure when the 200% fall zone requirement came into effect.

He asked the Plan Commission what they would like to see in a subsequent presentation if this case is continued to the next meeting. Mr. Otto replied that he would like to see someone come to the meeting that can represent and speak on behalf of the School Board. He would also like to hear more about the basis for an agreement with the University of Illinois being unacceptable. Mr. Jakobsze said that he would present responses to these concerns.

There was no further public input. Acting Chair Fitch closed the public input portion of the hearing, and he opened it up for Plan Commission discussion.

Mr. Hopkins asked for clarification regarding the 200% fall zone. Does the Zoning Ordinance set the 200% limit relative to the parcel boundary? Mr. Myers stated that the Zoning Ordinance requires a setback of 200% of the tower height from the front-yard setback line of the nearest residential zoning district. So basically the proposed tower should be setback 300 feet from the front-yard setback line of the houses located on the west side of Race Street. It will be about 75 feet short of complying with this requirement. This setback requirement is more stringent in residential zoning districts than it is in a business or industrial zoning district. Urbana's telecommunications ordinance specifically defines the CRE (Conservation-Recreation-Education) zone as a type of residential zone, and so a 200% setback is required unless waived as part of the Special Use Permit approval. There needs to be a reason for waiving the requirement. In this case there are barriers for locating the tower elsewhere on the High School/Junior High property, but on the other hand it's really a large area (five square blocks). Therefore, he recommends that the City staff meet with the petitioner and discuss other possible locations on the property which would meet the 300 foot setback requirement. This way City staff could advise the Plan Commission at the next meeting on whether a waiver would be justified if the tower remains there.

Mr. Hopkins said that there seems to be two levels of questions that would be of interest. What are the explicit trade-offs of the locations on the high school/middle school site itself? His initial reaction is to locate the proposed tower in the middle of the site. However, the middle of the site may be over the sanitary sewer easement. Is there really no place to locate the tower elsewhere? What do we know about the foundation requirements for a telecommunications tower? Knowing a little more about why it doesn't make sense to construct the proposed tower in the middle of the school site would be important, especially when considering the waiver.

Mr. Fell agrees with Mr. Hopkins. He feels uncomfortable lumping in a zoning variance with a Special Use Permit because he does not believe that they meet the criteria for a zoning variance. He asked for clarification on why the City can lump the zoning variance in with the Special Use

Permit and not require a separate review for it. Mr. Myers explained that the Zoning Ordinance authorizes a few waivers to be approved with the Special Use Permit process. For instance landscaping is normally required around the base of cell towers, but the Zoning Ordinance allows waivers for landscaping in the Special Use Permit process if the City Council feels that the area would be better served without the landscaping. The radio tower for the Independent Media Center was just approved without landscaping, at the request of the Plan Commission and approval of the City Council.

Mr. Hopkins stated that the second level of questions is more explicit explanation of the trade-offs with alternative sites. Because of the tower requirements, there are not many potentially legal locations for such a tower within the area of interest other than University properties or the Urbana High School property. There are not that many large sites where they could place a tower that far away from residential. This means that alternative sites would need to include something other than 150' towers. Maybe they could replace the City's tower or they could use multiple smaller towers. In any case, this is the kind of information that the Plan Commission needs.

Mr. Fitch also feels that some continued discussion and further research into the two levels of questions would potentially be helpful.

The Plan Commission continued the hearing until the next Plan Commission meeting, scheduled for June 23, 2011.

Plan Case No. 2146-M-11 – A request by Gary Olsen on behalf of Verdant Prairies, LLC to rezone a 4.01 acre parcel at 704 East Windsor Road from CRE, Conservation-Recreation-Education District, to R-3, Single and Two-Family Residential Zoning District.

Plan Case No. 2146-PUD-11 – A request by Gary Olsen on behalf of Verdant Prairies, LLC for preliminary approval for a Residential Planned Unit Development at 704 East Windsor Road under Section XIII-3 of the Urbana Zoning Ordinance.

Rebecca Bird, Planner I, presented these two cases together to the Plan Commission. She explained the purpose for the proposed rezoning and residential planned unit development (PUD). She noted the location of the site and described the proposed PUD project. She discussed the existing zoning and land use of the site as well as that of the surrounding properties. She discussed how the proposed project relates to the goals and objectives of the Urbana Comprehensive Plan. She reviewed the LaSalle criteria for rezoning of the property. She then discussed the PUD preliminary approval process. She reviewed the PUD criteria noting the requirements and the recommended design features according to Section XIII-3 of the Urbana Zoning Ordinance. She read the options of the Plan Commission and presented City staff's recommendation for approval for both applications.

Mr. Fitch noted that some of the proposed structures are not permitted in the R-3 Zoning District by right. Would this require additional review and action by another board or commission? Ms. Bird said no. The purpose of a planned unit development is to allow greater flexibility in the regular development regulations for a zoning district. While the PUD Ordinance requires a

higher quality of design and features, the developer is allowed greater flexibility in uses and development regulations. The only waiver the developer requests for the proposed project is for the building height.

With no questions for City staff, Acting Chair Fitch asked if the petitioner had any additional information for the Plan Commission's consideration.

Gary Olsen and Andrew Graumlich, Olsen & Associates Architects, approached the Plan Commission. Mr. Olsen mentioned that he had been working with City staff for over a year on the proposed project. He believes together they have come up with a development that will be successful in revitalizing the property.

He gave a presentation on the following:

- Aerial Plan of Site
- Proposed Site Plan
- Time Expected to Complete
- Layout of One Story Duplex Dwelling Unit
- Fourplex Building Plan – First Floor
- Fourplex Building Plan – Second Floor
- Fourplex Building – Front Elevation
- Fourplex Building – Side Elevation
- Parking Level Floor Plan – Twelveplex Building
- First Floor Plan – Twelveplex Building
- Second Floor Plan – Twelveplex Building
- Third Floor Plan – Twelveplex Building
- 3 Story 12 DU – Front Elevation
- 3 Story 12 DU – Side Elevation
- Club House
- Variance for height of 3 story 12 DU buildings
- Modular Building Construction

Mr. Fell asked if the interior street would be dedicated to the City of Urbana. Mr. Olsen replied that the entryway would belong to the City and the rest of the interior street would remain privately owned and maintained.

Mr. Fell wondered who owns the strip of land where the sidewalk is on the northwest side. Mr. Olsen believes that this strip was deeded over as open space by the previous owner. Ms. Bird stated that this strip is owned by an owner of property on Scovill that is adjacent to it. The sidewalk across this property has a public access easement.

Mr. Fell stated that he has no objection to granting a variance for the height of a building; however, he objects to granting it as a blanket variance across the entire property because although he feels it is appropriate for the buildings that will face Windsor Road, it is not appropriate for the area on the north part of the property. If Mr. Olsen sells the property to someone else they could then construct all the buildings higher than in this proposal. Ms. Bird

noted that the waiver is cited in the City staff recommendation on Page 13 of the written staff report and states, "Maximum height for the two twelve-unit buildings as shown in the attached elevation drawing marked '3 Story 12 DU – Front (South) Elevation' (Exhibit G)".

Mr. Otto asked for clarification regarding stormwater detention. Mr. Olsen pointed out that on the east and west sides, and in front along Windsor Road, there will be dry basins that will fill up as rain gardens where water will slowly soak into the ground. Ms. Bird added that it will be necessary for the petitioner to submit a detailed stormwater management plan when they ask for approval of the final PUD. This plan will need to be approved by the City Engineer, Bill Gray.

Mr. Otto questioned whether the petitioner was asking for any waivers from the standard stormwater requirements for a development like this. Ms. Bird said no.

Mr. Olsen explained that they are requesting approval of the proposed preliminary residential PUD so they can start working on the final documents. Final documents will show how the stormwater plan will work and all the details of it. They do intend to build the development as shown in the preliminary plans. There might be some variation in how things look in Phase 3 depending on how the construction of the other buildings goes.

Mr. Otto explained that he is concerned about detention because from the proposed plans it appears that most of the proposed site will be roofed over and paved over. The surrounding property owners will be concerned about stormwater drainage as well. Mr. Olsen responded that all the hard surfaces will be permeable concrete except for the sidewalks.

Mr. Myers noted that the PUD offers flexibility when it comes to zoning, but it doesn't offer waivers from the Subdivision and Land Development Code. Before the petitioner will be able to get building permits, they will need to submit a stormwater plan that meets the stormwater requirements in terms of retention. The permeable surfaces and rain gardens are good features but can't take the place of flood control measures.

Mr. Fell inquired as to whether the petitioner will be going for LEED Certification. Mr. Olsen said no.

Mr. Fell asked if City staff was planning to install a stop sign. There are not very many arterial streets that come out on Windsor Road. Mr. Olsen answered that they do want to control the traffic in this area. City staff is considering what would be the best way to do this.

Mr. Fitch opened the meeting to public comment.

Linda Bauer, 709 Scovill Street, said that the proposed development will abut their rear property line. She and her husband are concerned about noise, lack of privacy, lights and stormwater drainage. They feel that 48 units seem like a lot for the proposed site. However, she would rather have the proposed development be constructed than a liquor store or flimsy apartments which could be denser. She recommends that the petitioner provide some screening along the common property line. The proposed development appears to be well planned, but ask her again

in a year. She believes overall that it could improve property values and she is hoping for the best.

Mr. Fitch questioned whether the final PUD plans would address screening. Mr. Myers said yes.

Don Moore, 901 Scovill Street, stated that he agrees with his neighbor's comments in that the proposed project is better than the dirt they currently have to look at and better than some of the options that could be developed on the site. He is also concerned about traffic in this area already and feels that the traffic going in and out of Meadowbrook Park needs better protection. He mentioned that he is the only one on Scovill Street that already has a privacy fence in his back yard. He would prefer that the north sidewalk be eliminated. He is also concerned about drainage. They want to make sure there is a good demarcation where the drainage would not come into his back yard. The proposed PUD has some good potential, and he does not stand in opposition.

With no further comments or questions from the public audience, Acting Chair Fitch closed the public input portion of the hearing. He then opened it up for Plan Commission discussion and/or motions.

Mr. Fitch stated that his major concern is traffic on Windsor Road. There needs to be something at Vine Street and Windsor Road to create a safer environment for pedestrians crossing the road.

Mr. Fell wondered if the PUD has to conform to the screening requirements in a multi-family residential zoning district. Mr. Myers said that appropriate screening should be provided. The City can deal with screening when the petitioner submits the final PUD plans for approval. The idea behind having a two-step approval process is to provide a general plan during the preliminary process and receive public comments, and in the final process the developer would submit a more refined plan that deals with specific issues identified at the preliminary public hearing. Mr. Fitch agreed and thanked the residents in the nearby neighborhood for attending the public hearing and voicing their concerns.

Mr. Fell expressed his concerns about the height waiver. It seems too specific. A number of variables can cause the height of a building to change. For instance soil conditions might require a slightly lower or higher foundation and building height. How much leeway should the City give the petitioner? He is inclined to provide some leeway because the height variance is for the buildings facing Windsor Road where he feels taller buildings are more appropriate; however, there should be a limit. Mr. Olsen commented that he is only asking for a height waiver up to 6 feet 8 inches and not any more. Mr. Fell suggested wording the language to say that the height variance would be up to 10 feet without reconsideration.

Mr. Hopkins pointed out that when the Plan Commission reviews the final PUD plans this issue will come up again. He asked if they need to approve it twice or just wait until the final PUD plans are submitted. Ms. Bird replied that it is good that they discuss this issue and have something as part of the preliminary approval so that the petitioner knows in his refining of the plans whether or not he can continue to include the extra height. Mr. Fell said that they could

leave it at 6 feet 8 inches for now and raise it later if necessary when the petitioner submits the final PUD plans.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2146-M-11 to the City Council with a recommendation for approval. Mr. Otto seconded the motion. Roll call was taken and was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Ms. Burris	-	Yes			

The motion was approved by unanimous vote.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2146-PUD-11 to the City Council with a recommendation for approval. Mr. Otto seconded the motion. Roll call was taken and was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Ms. Burris	-	Yes
Mr. Fell	-	Yes			

The motion was approved by unanimous vote.

Acting Chair Fitch announced that these two cases will then be forwarded to the June 20, 2011 City Council meeting.

6. CONTINUED PUBLIC HEARINGS

Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.

Robert Myers, Planning Manager, recommended continuing this case to the next scheduled meeting of the Plan Commission due to the late hour of the evening. The Plan Commission agreed, and Mr. Fitch announced that this case would be forwarded to the June 23, 2011 meeting.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

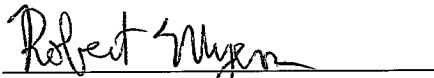
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert Myers", is written over a horizontal line.

Robert Myers, AICP, Secretary
Urbana Plan Commission

STATE OF ILLINOIS

CITY OF URBANA



***** JOINT STUDY SESSION *****
URBANA CITY COUNCIL, URBANA PLAN COMMISSION,
&
URBANA SUSTAINABILITY ADVISORY COMMISSION
JUNE 22, 2011

The City Council of the City of Urbana, Illinois, met in joint study session with the Urbana Plan Commission and the Urbana Sustainability Advisory Commission on Wednesday, June 22, 2011 in the Council Chambers at the Urbana City Building.

ELECTED/APPOINTED OFFICIALS PHYSICALLY PRESENT

Charlie Smyth, Alderman Ward 1
Brandon Bowersox, Alderman Ward 4
Diane Marlin, Alderwoman Ward 7
Laurel Lunt Prussing, Mayor
Phyllis D. Clark, City Clerk

Eric Jakobsson, Alderman Ward 2, entered the meeting at 7:03

URBANA PLAN COMMISSION MEMBERS PHYSICALLY PRESENT

Michael Pollock
Marilyn Upah Bant

URBANA SUSTAINABILITY ADVISORY COMMISSION MEMBERS PHYSICALLY PRESENT

Marya Ryan, Chair
Gary Cziko
John Marlin
Kirsten Replogle
Todd Rusk

MEMBERS PRESENT VIA TELECONFERENCE

None

ELECTED OFFICIALS/COMMISSION MEMBERS ABSENT

Robert E. Lewis, Alderman Ward 3; Dennis Roberts, Alderman Ward 5;
Heather Stevenson, Alderwoman Ward 6; Jane Burris; Andrew Fell; Tyler
Fitch; Benjamin Grosser; Lew Hopkins; Dannie Otto; Bernadine Stake;
Jean Ascoli; Stephen Wald

STAFF PRESENT

Elizabeth Tyler; Robert Myers; Mike Monson; Bart Hagston

OTHERS PRESENT

Brandon Boys; Carol McKusick; Members of the Media

I. CALL TO ORDER AND ROLL CALL

Mayor Prussing called the special joint study session of the Urbana City Council, Urbana Plan Commission and Urbana Sustainability Advisory Commission to order at 7:02 p.m.

II. Introductory Remarks

Mayor Prussing gave the opening remarks and introduced the guest speaker.

III. "SUSTAINABILITY IN THE NORTHWOODS: REFLECTIONS AND LESSONS"

Brandon Boys, former President of Ashland, Wisconsin City Council and Vice President of the Chequamegon Bay Alliance for Sustainability; currently a graduate student in Urban and Regional Planning at the University of Illinois spoke to the group. He discussed his observations from twenty-eight Wisconsin cities who passed eco-municipality resolutions and how it affected sustainable community development.

He mentioned Urbana is doing well in their efforts for sustainability and recommended several suggestions including expanding the use of green teams; integration with staff structure and including in job descriptions; engaging the community with study circles; including goals in comprehensive plan; funding innovations perhaps with an increase in recycling fees with citizen approval after a public referendum.

IV. DISCUSSION

Mr. Boys answered several questions from the group. Discussion followed.

V. AUDIENCE PARTICIPATION

Carol McKusick, 403 W. University, spoke of her concerns regarding biodegradable containers and how they may affect recycling equipment.

VI. ADJOURNMENT

There being no further business, Mayor Prussing declared the joint study session of the Urbana City Council, Urbana Plan Commission and the Urbana Sustainability Advisory Commission adjourned at 8:27 p.m.

Joan Ryan
Recording Secretary

This meeting was taped.

This meeting was broadcast on cable television.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 21, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Andrew Fell, Lew Hopkins, Dannie Otto, Michael Pollock,
Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Tyler Fitch, Ben Grosser

STAFF PRESENT: Robert Myers, Planning Manager; Rebecca Bird, Planner I; Teri
Andel, Planning Secretary

OTHERS PRESENT: Muhammad Abdullah, Mohammad and Roaa Al-Heeti, Mir Ali,
Tom Berns, Russell Dankert, Bahaa Fadlalla, Eric Heim, Kevin
Hunsinger, Waleed Jassim, Barbara Kessel, Charles Lozar, John
and Diane Marlin, Faruq Nelson, Mark Ritz, Norsidah Saabia,
Michael Selvaggio, Susan Taylor, Conrad Wetzel

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

Chair Pollock called the meeting to order at 7:32 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

Due to a large number of people in the audience present to hear Plan Case No. 2148-CW-11, Chair Pollock recommended that the Plan Commission move this case to be the first public hearing heard on the agenda. The Plan Commission agreed.

3. APPROVAL OF MINUTES

The minutes of the June 9, 2011 Plan Commission meeting were presented for approval. Mr. Otto moved that the Plan Commission approve the minutes as presented. Mr. Fell seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

Regarding Plan Case No. 2148-CW-11

- ✦ Email from Robert Myers stating he received a phone call from Patricia Fitzpatrick
- ✦ Email from Teri Andel stating she received a phone call from Wilmer Otto
- ✦ Email and Photos from John Marlin
- ✦ Letter from Dr. Charles Lozar
- ✦ Supplemental Staff Report

5. NEW PUBLIC HEARINGS

Plan Case No. 2148-CW-11 – 711 Western Avenue. A request by the Central Illinois Mosque and Islamic Center for a Creekway Permit to construct a dormitory/gymnasium with a building height increase of up to 12 feet, parking encroachment, a front yard building setback of 15 feet or greater, and allowances for Transfer of Development Rights/ Zoning lot provisions, for a parcel in the R-5, Medium High Density Multi-Family Residential Zoning District and the Boneyard Creek District.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He began by stating that the Plan Commission does not normally review applications for Boneyard Creekway permits because there is a Boneyard Creekway Commission that typically makes decisions on these types of applications when they are submitted. However, when there are bonus provisions requested in excess of what the Boneyard Creekway Commission is authorized to permit then the Commission makes a recommendation to the Plan Commission. He explained that a Boneyard Creekway permit is submitted when properties are developed along the Boneyard Creek, which is in the Boneyard Creekway District. The District is intended to implement the Boneyard Creek Plan, and the Boneyard Creekway Commission uses that as their guide as to whether or not a project is conforming.

He mentioned that part of the Boneyard Creek Plan is to include a bikeway path along the creekway. Because some properties are in the flood zone along the Boneyard Creek, there is some flexibility in the development standards to enable properties to be developed in a different way. In this particular case, a portion of the proposed site is in the flood zone.

He gave a brief history of the applicant, Central Illinois Mosque and Islamic Center (CIMIC), and referring to page 2 of BLDD's CIMIC Annex packet, he showed the properties owned by the applicant in relation to the Boneyard Creek. He noted that one of the provisions of the Boneyard Creekway District is that it allows two properties to be counted as one zoning lot. City staff is therefore counting 106 South Lincoln Avenue and 711 Western Avenue as one zoning lot in terms of development standards.

Using the Site Plan and photos Mr. Myers talked about the proposed site, the surrounding properties and the Boneyard Creek. He explained that Western Avenue is unusual in that it is a street but functions more like an alley. The reason is because it used to be an old interurban rail line that was dedicated years ago to the City of Urbana. The pavement is only fourteen feet wide.

Chair Pollock asked if the City owned any right-of-way along Western Avenue that is not part of the street itself. Mr. Myers said yes. Because there had been some question about where the property line runs, he contacted Tom Berns at Berns, Clancy and Associates (BCA), who had surveyed the property. BCA had determined that the northwest corner of the proposed site is 8.3 feet from the edge of the pavement along Western Avenue.

Mr. Myers continued his presentation by showing the setback of the other properties on the south side of Western Avenue compared to the setbacks of some of the properties on the north side. He showed illustrations and floor plans of the proposed development noting the uses of each. He discussed the development standards for the building height and parking for the proposed project. He stated that the City Engineer has asked the petitioner to provide parallel parking along Western Avenue rather than the proposed 90 degree parking due to the difficulty of garbage trucks or fire trucks being able to maneuver on Western Avenue. He then discussed the building setback requirements and what CIMIC is proposing.

Mr. Fell wondered if this had reached the level of being reviewed for building permits. Mr. Myers said no. Mr. Fell noticed that with regards to parking, the City not only requires so many feet for the parking space but also for the backing out distance. So, the total amount normally required from the front of the parking space to the back of the backing out space is 41-1/2 feet, which the proposed parking would be significantly short of that. Mr. Myers replied that the City normally only allows backing out onto a public street if it is a single-family or a duplex. Cars parked at apartments on Western Avenue have typically backed out onto the street, but they have more room to back than in this instance.

Mr. Fell asked if it is even feasible for the City to approve 90 degree parking as requested by the applicant. Mr. Myers stated that after looking at the parking space distance and given that Western Avenue is only 14 feet wide, the City Engineer does not feel that there is enough room for drivers to back out safely and requests that the Plan Commission not approved 90 degree parking.

Mr. Otto asked Mr. Myers to talk more about bonus provisions offered in the Boneyard Creek Plan. Mr. Myers answered that the bonus is essentially a transfer of development rights. In order to stay out of the flood zone, if a property is located next to the Boneyard Creek the owner could construct a building on a different portion of the lot where they normally would not be allowed or the owner could construct an extra floor on the building. In order to be approved for one of these bonus provisions, the owner would be required to offer the bikeway easement along the creek.

Mr. Hopkins questioned if the easement line is from the centerline of the creek. Mr. Myers said that it is 25 feet to the centerline of the creek. Mr. Hopkins asked if this would be affected by the width of the creek at any given point. Mr. Myers said no. It would be constant.

Mr. Hopkins inquired as to how many feet are between the sheet piling and where the wall of the first floor would be constructed. Mr. Myers deferred this question to the applicant's architect.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing to public input.

Mark Ritz and Michael Selvaggio, BLDD Architects, approached the Plan Commission.

Mr. Selvaggio responded to Mr. Hopkins questions saying that the closest edge of the proposed building at the southeast corner to the sheet piling of the creek would be approximately 15 feet. He could not be exact without measuring the distance.

He talked about the proposal for 90 degree parking stating that it would be the most cost effective option for the petitioner and the most convenient for the Mosque and the new building site. Approving the 90 degree parking would allow them to have ten parking spaces for their staff and includes a handicap space that is required. There is a precedent for 90 degree parking already on Western Avenue. Every property on Western Avenue on both the north side and the south side has 90 degree parking.

Ms. Stake wondered why they need 12 additional feet in the building height. Mr. Selvaggio replied that they need the additional height because of the gymnasium on the first floor which has extra high ceiling, plus classrooms on the second floor, and the separation of men and women dormitories on the third and fourth floors. Ms. Stake commented that it does not seem that the City would want to put taller buildings next to the smaller ones.

Ms. Stake asked why they need a reduction in the front yard setback. Mr. Selvaggio responded that the proposed building will setback 22 to 23 feet from the front property line. The building to the north set a precedent when the City approved a 15-foot front yard setback.

Mr. Pollock asked if the front yard setback is the setback along Busey Avenue. Mr. Selvaggio stated that they were informed by City staff that Western Avenue and Busey Avenue would both be considered front yards since the property fronts on both streets. Mr. Pollock inquired about the setback along Western Avenue. Mr. Selvaggio said they are requesting a 15-foot setback along Western Avenue. Mr. Ritz pointed out that the setbacks are not variance requests, but instead are bonus provisions to account for the fact that the property is in a flood zone. So the requested building height and setbacks are within the zoning provisions. The only thing that they are requesting that would not be a standard procedure on a normal street is the 90 degree parking. Because Western Avenue is somewhat of an alley and a less travelled street, it is no different than the apartment complex to the east, which has similar parking to what they are requesting. He then referred to an aerial photo of Western Avenue and showed the existing parking of the apartment complex. He did not feel that it would create a hazardous situation for this type of street.

Ms. Stake inquired about the transfer of some required parking from the proposed annex property to the Mosque parking lot across Busey Avenue. Mr. Selvaggio stated that this means they would transfer some of the required parking for the new building to the existing Mosque site. They would be able to achieve this through restriping the existing Mosque parking and providing the 90 degree parking at the new site.

Chair Pollock stated that it is possible that the Plan Commission and the City Council will defer to the City Engineer and decide that the petitioner 90 degree request is not appropriate, and that they need to provide parallel parking on the new site. If this happens, where will the applicant get the spaces that they need to meet the minimum parking requirements? Mr. Selvaggio explained that they would need to further study it, but he believes that they would be able to expand the pavement on the Mosque site to provide the required spaces.

Chair Pollock referred to Questions #15(b) and #15(d) on the Boneyard Creek Permit application that was completed by the applicant. He wondered how the proposed development would improve the visual quality of the water for recreational and other uses. Mr. Selvaggio responded by saying that the bike path required by City staff is part of the beautification of the site along with a Landscape Plan. Also the overall building aesthetics would improve the surrounding areas. The bike path and easement would also bring people to the area and would contribute to changing the Boneyard Creek from a liability to a community asset

Chair Pollock referred to Question #20(b). The petitioner checked "No", and he believes this might have been by mistake. The question asks if the petitioner understands that if any of the bonus provisions being requested are approved, then the City may require dedication to the City of a portion of the lot adjacent to the Boneyard. Mr. Selvaggio says that it should be marked "Yes."

Chair Pollock wondered how long CIMIC has owned the proposed site. Mr. Selvaggio said about seven years.

Chair Pollock stated that if the parking spaces on the proposed site will be dedicated to staff, then any visitors and residents will need to park in the existing parking lot across the street. He pointed out that the Plan Commission received a complaint about people already parking on his property. He asked if one handicap space is reasonable for a building with the proposed usage. Mr. Selvaggio commented that they are only required to provide one handicap parking space. Chair Pollock wondered if it is practical to just meet the requirements given the intense usage the petitioner plans to have. Mr. Ritz replied that it is not ideal to have the parking separated onto two lots. They could look into providing accessible pathways in the sidewalks where crossing Busey Avenue would occur.

Ms. Stake wanted to know how long the bike paths be and where they will be located on the property. Mr. Selvaggio pointed out that the bike path would be eight feet wide along the edge of the creek.

Mr. Fell asked when considering the parking requirements, is it considered conjoining uses with the Mosque? If so, if the Mosque sells the property at 106 South Lincoln Avenue, then the proposed new annex would not be able to continue to meet the parking requirements for its site. Would the Mosque need to deed over parking from its site to support the annex? Mr. Myers answered that whenever there is off-site parking, the best thing would be to dedicate the parking with an easement. However, when one person or organization owns both properties, they usually do not put an easement on one of them. If the Mosque were to be sold, then there should be an easement in place, and it should be placed at the time when the property is sold. Mr. Fell

believed it would be impractical to wait until the property gets sold to require an easement because the Mosque is not required to let the City of Urbana know when and if they sell the property. He would think that a dedication would need to be proven in order to get approval of their building permits. Mr. Myers stated that the City has allowed people to enter into informal arrangements without necessarily placing an easement on the property in cases where off-site parking has been acquired.

Mr. Otto asked for more details about what it means that the two properties form one campus. Mr. Myers replied by saying that relates to zoning, such as for required parking spaces, floor area ratio and open space ratio, etc.

Mr. Otto inquired as to how the proposed request is different than that of the First Presbyterian Church a few years ago when they were expanding. He recalled that there were parking issues. Mr. Myers responded that any development can provide parking off-site as long as it is within 600 feet of the property. They allow this because if they required all parking to be on-site, then it could impede development and encourage over building of parking lots throughout the City. Certain uses do not meet every day of the week, so parking could be shared by another business with different hours. City staff likes the idea of shared parking because it reduces stormwater runoff and prevents everything from being paved over.

Mr. Ritz stated that the new site will be required to have 13 parking spaces. If they are allowed to have 90 degree parking, then they will be able to provide 10 of those spaces on-site, and the other 3 parking spaces would be transferred to the Mosque site.

Ms. Stake wondered where the eight-foot bike path would be located on the property. Mr. Myers said the path would be a several feet from the edge of the creek bank. There needs to be some distance between the shared use path and the wall of the Boneyard Creek. Ms. Stake commented that it would not be very attractive to have a great big building next to the shared use path. Mr. Myers pointed out that it would be landscaped as well.

Ms. Upah-Bant questioned whether the Mosque would be able to sell off the annex property if it is considered one campus. Mr. Myers answered that it is only considered one campus for zoning purposes, and the petitioner could sell the annex property if it is a legally platted lot.

Mr. Fell asked how they calculated that the petitioner needed 13 parking spaces. Mr. Selvaggio said that the Illinois Accessibility Code plus the Urbana Zoning Ordinance require one parking space per three residences for a dormitory use. Mr. Fell wondered if there was no additional parking required for the classroom or the gymnasium use. He felt that the calculations were wrong just from his experience in the past. Mr. Myers commented that he would need to research this issue to say precisely how parking for the campus was calculated.

Charles Lozar, owner of the apartment building located at 712-714 West Elm Street, addressed the Commission. His apartment building is a three-story student housing complex. He is in opposition of the proposed request because of the following objections: 1) density, 2) setbacks, 3) creekway flood way, 4) height restriction, 5) multiple use and noise level, and 6) parking. These reasons are stated in his letter to Mr. Myers that was handed out to the Commission prior

to the start of the meeting. He feels that the proposal for the addition will be an invasion into their quiet residential neighborhood. He asked why the City is providing transfer rights to increase the density on a small lot and to increase the height. He mentioned that the petitioner is a good neighbor; however, he opposes this application based on its design.

Mr. Otto asked if the bonus provisions of the Boneyard Creek Plan were in place when Mr. Lozar constructed his apartment building. Mr. Lozar said yes. He asked the Building Safety Manager at the time, Craig Grant, about the bonus provisions, but Mr. Grant discouraged him from using them because they complicate the development process.

Mir Ali, representative of CIMIC, pointed out that the proposed development is mentioned as being four stories, but it is really three stories. The lower floor is tall because of the gymnasium. Part of the first floor is the mezzanine, which they intend to use for classrooms. The other two floors are for a men's dormitory and a women's dormitory.

They are asking for a 15-foot setback along Western Avenue because of the Boneyard Creek on the south side and because it is a corner lot. It will be a typical building with only one front. Western Avenue is more like an alley than a street. Regarding parking, he mentioned that even though they pray five times every day, most people pray at home except on Friday during congregation time. During other times, the Mosque parking lot is mostly vacant. They have adequate parking space for the Mosque and for the proposed annex. They also have a mutual arrangement with two nearby churches to share their parking lots if needed in exchange for the congregations of the two churches using their parking lot on Sundays. Students who will live in the proposed dormitories will not need parking because they will just walk across the street. So parking is not really a major issue. The Mosque's purpose is not to make money. This is not a business venture. They just want a self-sustaining project where Muslim students can live. If someone who is not Muslim wants to live there, they will be allowed to as well regardless of their faith. He mentioned that these are the differences between the proposed development and Mr. Lozar's apartment building. Mr. Lozar uses his apartment complex as an investment property.

Mr. Ali emphasized that the aesthetics of the building will be elegant, and it will beautify the area. They plan to construct a top quality building with the latest technology and green design techniques. The gymnasium/athletic facility will only be used by the residents in the building. It will not be open to the public. They will be particular about the acoustics of the building so that no noise gets out. He explained why they chose to construct the proposed building at 711 Western Avenue rather than on the Mosque site. If they constructed the proposed building at 106 South Lincoln Avenue, then the parking would have to be located across the street at 711 Western Avenue. This would not be safe for the elderly people and young children to have to cross the busy Busey Avenue to go to the Mosque. It would also block the green space that they have already provided.

Waleed Jassim, member of the Board of Trustees for CIMIC, stated that he has been involved in the design of the building since the beginning. They have 23 parking spaces beyond what was required when they constructed the Mosque. Therefore, there is adequate parking for both the Mosque and for the proposed development. The drive thru located at the Mosque is too important

to block by constructing the proposed building on the same lot as the Mosque. Many people drop off their elders or young children at the Mosque using the drive thru. They have been lenient with neighbors using their parking lot and dumpsters, including Mr. Lozar's tenants. In addition they refer members of their congregation to seek residency at the nearby apartment complexes. So he feels that the proposed project will not do anything but help the neighbors and the community.

Ms. Upah-Bant wondered how many students could live on the proposed third and fourth floors. Mr. Ali responded 38 students with 19 living on each floor.

Ms. Stake asked if CIMIC could still build without using any bonus provisions. Mr. Ali replied that they could still build a smaller scaled project; however, they would not be able to satisfy the needs of their students. They would not be able to provide a gymnasium/athletic facility. He believes that young people need a place where they can do physical activities.

Ms. Stake stated that she is concerned about the height of the proposed building and the increased density in the neighborhood. Mr. Ali mentioned that it will not be much different than Mr. Lozar's apartment complex, just a few feet taller. It will be an aesthetically pleasing building located close to the University of Illinois campus.

John Marlin, of 2203 Boudreau Circle, mentioned that he and his wife own 710-712 Western Avenue which is a one story duplex to the north of the proposed site. He mentioned that he sent in a preliminary letter in opposition of this case that was handed out to the Plan Commission prior to the start of the meeting. He has had more time to study this request and has a few corrections since submitting his preliminary comments. He stated that basically they have had no contact with the Central Illinois Mosque and Islamic Center and so the proposed request came as quite a surprise. He read the summary from his letter. He then summarized his initial observations of inconsistencies and errors in the information that was provided in the written staff report and attachments. He reviewed the photos that he submitted and were handed out to the Plan Commission prior to the start of the meeting.

Mr. Marlin said that according to his calculations the City's right-of-way is 23 to 26 feet from the north edge of the paved street into the proposed site. The street is 14 feet wide; leaving another 9 or 12 feet of which the applicant is claiming that part of is their property. Does the City basically want to give up its right-of-way on the south side of Western Avenue for a non-public purpose that will not generate any tax money? Parking is a serious issue. The Mosque itself already needs more parking. People attending Mosque functions constantly park on his rental property whether on the grass or in the rental spaces.

The dormitory/gymnasium/community center is a different kind of animal than student parking. One reason perpendicular parking has always worked is because the students tend to park and leave their cars. So, there is not a whole lot of backing up and forth. However, in a situation like the one being proposed where people will be coming to the building for a variety of functions, there will be a lot more traffic. It will also be very difficult to enforce the parking spaces being reserved for staff only.

He talked about the setbacks and mentioned that the floodplain restrictions were in force well before CIMIC purchased the property. Therefore, they should have known what the zoning implications were and sized the proposed development accordingly. He discussed the issue of snow removal. There virtually will be no place to put snow on the proposed lot. In summary, he and his wife have taken care of their property. They do not feel that it is right that they should be impacted by the effects of the proposed development and have the City help the applicant out by granting variances and giving away City property.

Mr. Hopkins wondered if Mr. Marlin's building is a non-conforming building. Mr. Marlin said that under current zoning laws it would have to be. In fact, on the parking issue, about 10 years ago one of his neighbors was talking about enhancing the parking in the area. He talked to City staff about constructing perpendicular parking spaces along 20-feet of a 40-foot empty lot that he owns, and staff said that he could not do it. He would have to provide an entrance into a parking lot and drivers would need to be able to turn around and head out. This is one of the reasons why he was so appalled to see the parking spaces be constructed down by Coler Avenue.

Kevin Hunsinger, a property owner in the neighborhood and developer in the City of Urbana, commented that parking requirements have always driven the size of a development project. The petitioner is trying to ignore the parking requirements in the proposed case. Page 85 of the Zoning Ordinance specifically states that there cannot be parking in the front yard. Western Avenue has been determined a second front yard. The proposed project cannot obviously meet the design criteria because they are asking for a 40% reduction in the front-yard setback. Although this may allowed through a bonus provision in the Boneyard Creek Plan, in other scenarios, it is unprecedented in the City of Urbana.

He recommended that the Plan Commission challenge the calculations for the number of required parking spaces. From his experience, there is no way the proposed building would require anything less than 30 parking spaces. On Page 93 of the Zoning Ordinance, it specifies how many parking spaces are required for dormitories, which is a minimum of 14 spaces. The City then needs to address parking for the gymnasium and office spaces. He believes that the project needs to be scaled down to meet the Zoning Ordinance.

Mr. Selvaggio and Mr. Ritz re-approached the Plan Commission to address some of the concerns brought before them. They mentioned that they designed the building within the requirements in the Zoning Ordinance and the bonus provisions provided in the Boneyard Creek Plan. As far as the required number of parking spaces, City staff told them that they would need 13 additional parking spaces. They believe that the only issue they are asking a variance for whether they can do the 90 degree parking versus the parallel parking that City staff recommends.

Mr. Fell inquired as to what construction type the proposed building would be constructed of. Mr. Selvaggio answered that it would be a steel structure with masonry cavity walls. Mr. Fell asked about the sprinkler system. Mr. Selvaggio replied that it would have sprinklers, but he is not sure at this stage what type they would use. Mr. Fell commented that it would make a difference as to whether they call it a three-story building or a four-story building.

Mr. Otto wondered if they had considered providing parking under the proposed building. Mr. Selvaggio said that they had looked into this, but at today's construction rates it would be cost prohibitive.

Mr. Ali re-approached the Plan Commission and mentioned that the proposed project is for students only. There will be an office in the building to provide space for the two resident managers to do their bookkeeping. Management of the building will be handled by staff at the Mosque across the street. He feels the parking issue has been blown out of proportion. The only time they have a parking issue is on Fridays between 1:00 pm and 2:00 pm when they have congregation time. The rest of the time, the existing parking lot is empty. Occasionally, they have additional parking needs when they have extra visitors, but they have worked out an arrangement with nearby churches to share parking lots. They announce to the other churches ahead of time that there may be some people parking in their lots. As mentioned before some of their neighbors park in their lot.

The proposed gymnasium will only be for the students who live in the building. Similar to many apartment complexes that provide work out areas for their residents, the Mosque wants to provide a gymnasium. The public will not be allowed to walk in and use the gymnasium so outside parking will not be needed. Even if the residents have guests visiting there will be enough parking provided across the street at the Mosque.

Mr. Ali pointed out that this will not be an investment property, and they do not intend to sell it. This is more of a community project. The Muslim student population is growing and they believe the need for housing will grow. The annex will always be considered part of the Mosque and this is why they plan to construct a top quality building.

Mr. Lozar re-approached the Plan Commission to state that the average size of a residential house is between 1,400 and 1,500 square feet. The fourth floor of the proposed building will be approximately 6,000 square feet, which means four residential homes could fit into the fourth floor. The building is that big.

Mr. Jassim re-approached the Plan Commission to add that for the last three semesters, the Mosque has leased 20 parking spaces west of Lincoln Avenue to be used by members of the Mosque during two hours on Fridays when they have assembly. They have the capability to rent more if needed because they in turn charge the members of the Mosque who want to rent a space.

Faruq Nelson, member of the Mosque, stated that he is one of the people who have purchased one of the rental parking spaces. The parking spaces are located at the corner of Goodwin and Springfield Avenues and is about one or two blocks west of Lincoln Avenue. He emphasized that the Mosque is not going anywhere and will continue to grow. They need the proposed facilities - if not this one, then it will be a different one. Many Muslim students already live in the nearby apartment complexes because they want to live near the Mosque. The proposed annex is for the benefit of the community and will benefit the residents of the proposed building and for nearby neighbors. It will not be drawing people from far away that are not already coming to the Mosque, so it will not increase the amount of traffic in the neighborhood. The proposed

development is an opportunity for the City to beautify a section of the Boneyard Creek that is currently not very beautiful. This is also an opportunity to make a statement about the ability of Muslims and non-Muslims to live together as neighbors. He encouraged the Plan Commission to approve the request as submitted by the Mosque.

Diane Marlin, of 2203 Boudreau Circle, asked if there would be assigned parking for the 38 residents who would be living in the proposed dormitory. Mr. Jassim replied that most of the students that will want to live in the proposed annex will basically be freshman, so most of them will not have a car. If any of the residents have vehicles, then they will be assigned a parking space in the Mosque parking lot.

Tom Berns, Berns, Clancy and Associates, noted that they were retained to assist in boundary surveys, topographic surveys and evaluation of the Boneyard Creek issues. Berns, Clancy and Associates is proud of the opportunity to assist CIMIC and to provide their technical issues related to the proposed site. To the best of their knowledge, the issues as they relate with the Boneyard Creek have been properly developed and discussed with the City staff extensively. They look forward to the improvements of the Boneyard Creek that are offered through the proposed development project. He believes that this project will be an advantage to the Boneyard Creek process and will positively impact both downstream from the proposed site and the rest of the community.

Mr. Otto asked Mr. Berns to explain the boundary survey. Is it a certified survey? Mr. Berns said yes. The Joseph W. and Sarah A. Sim's Addition was approved as an addition to the City of Urbana a long time ago. The survey monuments have been there for many years. He suspects that there is a fair amount of question from time to time as to the pavements that existed and do now on Western Avenue. This being the former interurban rail line and with Western Avenue not being constructed like a normal street is only provides a different aspect of the City. He is not convinced that it was a good idea to turn a railroad into a public street, but nonetheless, that is what happened. There is no misunderstanding as to which monument they could measure from. He mentioned that anyone who questions the survey that was performed could hire their own surveyors just as CIMIC did by hiring his company. This is not a generality question or an issue of what his company thinks it is. Professional people determine where the property lines exist. The boundary survey and topographic survey have been reviewed and discussed with the City staff, and there is no question about it because it is what professionals deal with.

Mr. Marlin re-approached the Plan Commission. He sees the issue as being that either the property line is three feet further to the south or he lost three feet of his front yard which was only five feet to start with. He feels it behooves the City not for him to hire an engineer but for the City to look at the area from Springfield Avenue to the Boneyard Creek and find where the City right-of-way is located. We are talking about the City essentially ceding whether formally or informally a good chunk of City right-of-way on a very narrow street. The City's documents do not match up with Mr. Bern's survey results.

With no further comment or questions from the members of the audience, Chair Pollock closed the public input portion of the hearing. He, then, opened the hearing up for Plan Commission discussion and/or motion(s).

Ms. Stake wondered how long the bonus provisions for the Boneyard Creek have been part of the City's zoning. Mr. Myers replied that there have been bonus provisions since the late 1970s, but they are not used very often. Ms. Stake commented that it is wrong for the City to provide bonuses without a developer even having to ask for them. Mr. Myers explained that the petitioner's request has come before the Plan Commission to seek approval of the requested bonus provisions. The Boneyard Creek Commission felt the request was beyond their purview to grant, so the bonus provision requests were forwarded to the Plan Commission.

Ms. Stake inquired as to how the applicant found out about the bonus provisions. Mr. Myers stated that he is not sure how the bonus provisions came about.

Ms. Stake asked where the bonus provisions are located in the Zoning Ordinance. Mr. Myers said it is in Section XIII-4. Special Procedures in the Boneyard Creek District.

Ms. Upah-Bant questioned whether all of the required parking could be located in the Mosque's parking lot. Mr. Myers answered by saying yes except for the handicap parking space, which has to be located on-site.

Mr. Fell asked for clarification on how the number of required parking spaces is calculated. He does not have any hesitation in granting them collective parking for the Mosque and the gymnasium for instance because they will not be used at the same time; same issue for the classrooms. However, it is a little unclear about how much parking is actually required and whether the applicant meets that requirement. He mentioned that he is really uncomfortable with allowing perpendicular parking to the street without the applicant providing adequate space for backing out. He agrees that someone will back into Mr. Marlin's duplex on the north.

Mr. Myers responded that the minimum number of parking spaces required is 63 spaces in total for the campus as a whole. When the applicants first inquired about building the Mosque annex, City staff re-examined how parking was calculated back when the Mosque was built. Just as Mr. Fell suggested, City staff assumes that the campus would not be holding multiple assemblies at the same time, so it would be unlikely that the Mosque holds a service at the same time they would be holding an event in the gymnasium.

Mr. Hopkins commented that the applicant proposes to build an annex at this time. He believes if the Mosque keeps growing, then they will want to build more annexes to the campus again in the future over the next ten to fifteen years. One of the things that the City needs to talk about is how does the proposed annex relate to future developments for CIMIC. Another issue he has is that the proposed development is fronted on a street that is non-conforming. The City of Urbana claims a street that does not meet City standards and is not maintained to City standards. The City is not using part of the right-of-way in conforming to City standards. All of the lots on the north side of Western Avenue are non-conforming between Lincoln Avenue and Coler Avenue. If any one of those buildings is more than 50% destroyed, no buildings can be built on that lot on the north side of the street. The lots that are currently vacant on the north side cannot have buildings built on them because they are non-conforming lots. All of the parking on the north side of Western Avenue is non-conforming. This all means to him that the area will change. In fact, the City's plans and ordinances say that this area should change. He believes that the City,

CIMIC and some of the property owners in the area should get together and figure out a step or scenario past the proposed development so the applicant could build a better building than the current design on the proposed site. Therefore, he suggests that the Plan Commission defer taking action on the proposed request or continue the case to a future meeting.

Chair Pollock inquired as to what the required setback would be for the proposed development from the east property line. Does this proposal meet that? Mr. Myers answered that the minimum side-yard setback for the R-5 Zoning District is five feet. The proposed development meets the side-yard setback to the east and to the south side. There will be 25+ feet on the south side from the property line.

Mr. Otto asked Mr. Hopkins to elaborate on what he meant by a better building. Mr. Hopkins stated that the Plan Commission has some discretion in this case because it is a bonus situation relative to the Boneyard Creek Plan. If this were a straight rezoning request, then they would not have as much discretion and it really would not much matter. However, in this case they do. Parking is a big issue. The setback from the creek is actually an issue. It appears that the City is two buildings away from having a bike path from Lincoln Avenue to Coler Avenue. On the north side of Western Avenue, there appears to be at least two vacant lots that cannot be built upon, so the most logical use for them is to be used for parking. Sometime in the future the whole north side could be parking. If this would happen then the City could vacate Western Avenue and the entire area would be much more efficient. He is only thinking about what the next decisions would be. The most obvious decision is that parking could go somewhere else. If the applicant would know where they planned to build the next building, then the proposed development could be scaled down in size. He believes that there is going to be further growth of this campus.

He also does not believe that they need a 25 foot front-yard setback on Busey Avenue. The City claims that Western Avenue is a street, but it is not really a street and the proposed site is not really a corner lot as the applicant claims. Therefore, he feels that there is discretion on how the building could be laid out. It might even be closer to Western, but with no parking. The applicant could build higher and provide parking on the ground level. There are all kinds of possibilities.

Chair Pollock commented that he believes Mr. Hopkins' analysis of the neighborhood and the area is very astute. However, the Plan Commission is not dealing with all of the houses on the north side of Western Avenue being gone. The applicant has hired architects, who brought a plan to the City for approval. The Plan Commission does not make the final decision. They make a recommendation to the City Council, and they have a responsibility to do so. Even if they are uncomfortable with the scope of the proposed project with the parking issues, with the height of the building, and with other issues that have been mentioned during the public hearing, then the Plan Commission should consider sending the proposed request to the City Council with a recommendation that this particular plan as configured is not appropriate.

Mr. Hopkins responded that he is not suggesting that the applicant cannot do anything at this point until all the other things happen. Since everyone wants to talk about the parking issue, he thinks they should expand the thinking about options for parking that might be added to the

proposed development. He feels that once they do this, then the petitioner might be able to gain a few feet here and there on the proposed lot which in turn improves and solves other problems. Chair Pollock said that this is correct when you look at this as one campus. If people are willing to say that dedicated parking for the proposed facility does not have to be on the proposed lot then it solves one of the major issues. It is clear that the proposed building will be too close to the City's right-of-way and also have perpendicular parking.

Another way of thinking of it, Mr. Hopkins stated that the City owns enough right-of-way to have Western Avenue be a 20-foot street. Or the City could declare it an alley and then there could be perpendicular parking on other lots that are not useful for anything else.

Ms. Upah-Bant does not understand the problem with the additional 12 feet in height. The Hendrick House, which is a block away, is 12 stories tall. There is also an apartment building on the corner of Lincoln Avenue and Springfield Avenue that is clearly at least seven stories tall. The applicant is willing to provide a bike path. So, she does not feel that they can design on the Plan Commission floor to improve the area.

Mr. Hopkins commented that he is reluctant to send a recommendation for approval of the proposed development as submitted before them to the City Council. He does not believe that what the City is giving up and what they would be giving away is a good move for the City. The City would just be making a bigger mess of a mess that the City has already created. Ms. Stake agreed.

Mr. Fell expressed his concern for a 12-foot height variance. The duplex to the north as well as other buildings along the north side of Western Avenue are only one story tall. Having a four story building constructed next to them will impact those residents. He had a similar personal experience living across the street from Leal School. So, he is hesitant to recommend approval of both the front-yard setback reduction and the height increase.

Chair Pollock stated that it is a beautiful facility that is planned for the proposed site. There will be no question that it would be a benefit for the community at large. It will be very imposing to the neighboring residents, and the applicant has taken every square inch of bonus provisions and stretching the requirements. He stated the Plan Commission's options to either continue this case to a future Plan Commission meeting or to send it to the City Council with a recommendation.

Mr. Otto commented that the increase in height provision is not an issue for him. Even Mr. Lozar said that the proposed building would only be 4½ feet taller than his apartment complex to the south. The proposed development is handsome, and over long turn, the character of the neighborhood is going to change. He hoped that the proposed building would be the first of a series of quality buildings developed. He has difficulty because the Plan Commission criteria specify the possibility of a 12 foot bonus; yet, there is a lot of consideration for a non-conforming house across Western Avenue that if it had a descent front-yard setback, the height increase would not be an issue.

It seems like the proposed property is hemmed in a little on three sides by very unusual circumstances, especially since Western Avenue is considered a City street. He understands why the floor separation is important to CIMIC. Enough issues have been raised about the parking requirements. Mr. Jassim mentioned that they have already added 23 parking spaces in addition to what was originally required for the Mosque. However, there are still questions that need to be clarified. Outside of the parking concerns he does not have any major problem with the proposed development.

Chair Pollock inquired as to whether there would be enough room to provide the parallel parking as recommended by the City staff without the applicant encroaching on City right-of-way. Mr. Myers said yes; however, it would be on private property but it would be within the front-yard setback along Western Avenue. They would also need to expand the parking lot at the Mosque to provide an additional four spaces across the street. Chair Pollock asked if the Plan Commission could recommend to City Council that there be no parking allowed in the front-yard setback and that all the parking requirements need to be added in at another place except for the required handicap parking. Mr. Myers said that is correct. It's conceivable that one or more spaces might be provided at the southwest corner of the proposed site next to the future bike path.

Mr. Myers reviewed the options of the Plan Commission. They can approve the application; approve it with conditions; deny the application; or forward it to the City Council for action there because the request is beyond what the Plan Commission would be authorized to grant. Chair Pollock commented that he has never seen a case like this come before the Plan Commission in the past.

Chair Pollock questioned if Mr. Myers felt that the bonus provisions being requested are allowed under the Boneyard Creekway Plan. Mr. Myers said yes. Chair Pollock suggested that the Plan Commission needs to make a decision rather than to defer the case to City Council.

Ms. Stake does not agree with allowing the additional height. The applicant could easily put the men and women separate on one level. She would not like to live near a building like this. The proposed building will block the sun and view of the smaller residences nearby. She also does not like the reduction in the front-yard setback.

Chair Pollock then asked Mr. Myers if there was no parking allowed on Western Avenue, would the applicant still need a bonus for a reduced setback on the north if it was considered a side-yard? Mr. Myers replied that if Western Avenue was a side-yard, then it would only require a five-foot setback, which they would meet even with parallel parking.

Mr. Otto stated that they have heard testimony from the neighbor across Western Avenue that even though the City claims Western Avenue to be a street the City treats it like an alley. He feels if the applicant can provide parallel parking on the proposed site without hanging out into City property then he is in favor of allowing it.

Chair Pollock took a straw vote of Plan Commission members to see how many would favor the additional height of the building. Four of the five members raised their hands affirmatively.

Chair Pollock then polled the Plan Commission to see how many would favor of allowing parallel parking provided on the proposed site with a proper setback that would normally be applied to a side-yard along Western Avenue. Four of the five members raised their hands affirmatively.

Chair Pollock remarked that these two are the major issues that they are trying to solve. There are other concerns that the Plan Commission would like City staff to check. They include double checking the calculations for the required number of parking spaces, ensuring that there will be enough space on the Mosque parking lot to expand to provide additional required parking that would not be permitted on the proposed site, provide a more precise Site Plan showing the distance between the southeast corner of the proposed building to the sheet piling of the Boneyard Creek and showing the actual layout of the north edge pavement property line, clarify the accuracy of the survey, and research the height of other nearby buildings and the impact the proposed building height would have on nearby properties. Mr. Myers stated that City staff will do the research as requested and provide the answers at the next meeting.

Chair Pollock mentioned that if they are to consider Western Avenue as a side yard for the applicant then they would need to consider Western Avenue as a side yard for every other corner property on the street. The City needs to be consistent.

Chair Pollock then continued the case to a future meeting.

6. CONTINUED PUBLIC HEARINGS

Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.

The Plan Commission forward this case to the next scheduled meeting due to the late hour.

Plan Case No. 2145-SU-11 – A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City’s CRE, Conservation-Recreation-Education Zoning District.

This case has been forwarded to a future meeting at the request of the petitioner, US Cellular.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

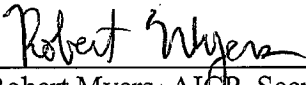
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 10:46 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: August 4, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Andrew Fell, Tyler Fitch, Dannie Otto, Michael Pollock,
Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Ben Grosser, Lew Hopkins

STAFF PRESENT: Robert Myers, Planning Manager; Teri Andel, Planning Secretary

OTHERS PRESENT: Gina Pagliuso, Susan Taylor

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

Chair Pollock called the meeting to order at 7:31 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

There were none.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.

Robert Myers, Planning Manager, gave a brief update. He stated that at the May 5, 2011 meeting, the Plan Commission had some great comments from which City staff further researched and is proposing two changes to the text.

The first change regards time limits for portable storage units. On private property, portable storage units can be located for up to 30 days with a permit. Although the City's Public Works Department is not thrilled about allowing them on streets, they do understand that there are situations where residents do not have space on their property to store one. Consequently a 72 hour time limit is recommended for public rights-of-way.

The City of Champaign allows portable storage units on private property up to 60 days. Although they do not have a time limit for units in public rights-of-way, they charge a fee which escalates with time to discourage long-term storage there. The City of Urbana would rather have standard rules rather than charging a fee scaled by time.

The second change regards the dimensions of portable storage units. City staff spoke with some portable storage container companies and found that there are one or two standard sizes that the original proposed text amendment would not allow. Consequently City staff has revised the text to *"no portable storage container shall have dimensions greater than twenty feet in length, eight feet in width and eight feet in height."*

Mr. Fell stated that people often use storage containers to store their furniture when remodeling their home or during construction. This type of work typically would not be completed in a 30-day period. He wondered if it would make sense to tie a permit for a portable storage container to a building permit. As long as the building permit would be active the property owner could keep the storage container. Mr. Myers felt it would be cleaner to allow a permit for a certain number of days because there are several types of building permits and with different expiration dates. Also, it might be more difficult to separate out which building permits would necessitate a person putting all of their personal belongings in a storage container. Mr. Pollock pointed out that a property owner could always ask for an extension, which would be for a defined period of time.

Ms. Upah-Bant questioned how people will know that they need a permit from the City to have a portable storage unit. Mr. Myers answered that City staff will enforce the permit process once they have received a complaint or observe portable storage units without a permit. Also, at least one portable storage container company said they would inform clients at the time of renting portable units about the City's rules.

Mr. Otto asked about the current rules regarding dumpsters. How is the proposed text amendment similar and/or different than the proposed text amendment? Mr. Myers explained that permits for dumpsters are issued by the Public Works Department for 72 hours. Dumpsters in the street must be blocked off with sawhorses.

Mr. Otto believes that rules for portable storage units should parallel those for dumpsters. He cannot see allowing a portable storage unit on the street for 30 or 60 days. If the storage unit is located on a person's private property, then we should allow broad latitude with some controls insure they are temporary. The rules should be clean and simple. He does not believe that a person should be required to get a permit if they locate a unit on their property. Mr. Pollock pointed out that the proposed text amendment would allow a portable storage unit to be located on a person's property for up to 30 days and be located on a street up to 72 hours.

Mr. Pollock wondered if City staff had discussed whether Public Works could allow an extension for a portable unit to be stored in the public right-of-way if there is a good reason for it. Mr. Myers said that is possible. He pointed out that there are more complicating factors in locating a portable storage unit on the street: it cannot block a fire hydrant, views from driveways, or sidewalks and cannot create a traffic hazard.

Mr. Fitch asked for clarification whether units can be located off a driveway or paved surface. City staff had talked about a unit being placed on the grass, but it seemed cleaner to have them placed on a surface other than dirt. Many companies prefer that their units be placed in a driveway or on a hard surface. Mr. Fitch asked if City staff would be willing to allow a unit to be placed on the grass if a person did not have a driveway and did not want to give up their parking space on the street, because that is where they keep their car. Mr. Myers said that revision would be acceptable if that is the Plan Commission's recommendation.

Mr. Fell questioned whether they should include language that would prohibit a person from using a portable storage unit as a permanent storage container. Mr. Myers replied that staff had further discussed this and thought it would be better addressed through the building code. Portable storage units are intended to be loaded up and moved. They are basically warehouse storage units on wheels. However, companies do sell old units to individuals, and a person could purchase a unit and use it for permanent storage. It would need to meet the City's building codes. If it is less than 100 square feet, it would not require a building permit but would need to meet setback and other requirements for storage sheds.

Mr. Pollock commented that semi-trailers are parked in industrial zoning areas for extended periods. What is the logic in extending the proposed limitations to industrial zoning? Mr. Myers said that the City has an ordinance for outdoor storage in the Industrial (IN) Zoning District. The ordinance requires the owner to screen the storage area. Mr. Pollock suggested that the City not regulate portable storage units in the IN Zoning District. Mr. Otto noted that if a portable storage company located in Urbana in an IN Zoning District, then they would presumably have many storage units sitting for long periods of time.

Mr. Pollock stated that the purpose of the proposed text amendment is to limit infringe on the rights of neighbors and for neighborhood aesthetic reasons. He believes that the City should be flexible for people who want to use portable storage units. In an industrial area where a lot of uses are completely legal he doubts the benefits of limiting the use of portable storage units. Mr. Myers mentioned that even in IN Zoning Districts, trailers are not supposed to be used for indefinite storage like buildings. City staff has found use of a few shipping containers and trailers for permanent storage in commercial and industrial areas.

With no further questions from the Plan Commission, Chair Pollock opened the hearing up for public input.

Gina Pagliuso, 806 South Vine Street, stated that she recently moved her in-laws to the City of Urbana from Las Vegas. In the process, they used four small portable storage containers. She talked about the dimensions, which were larger than what is being proposed in the text amendment. The length of time (30 days) is adequate for storage units to be placed on private property, but the size needs to be discussed and amended further. She recommended allowing a person to use a portable storage unit for up to 30 days without a permit, but if they needed to extend that time limit, then they would need to apply for a permit. Required maintenance standards should only apply if a person has a storage unit for longer than 30 days. She pointed out that when the company comes to get the units, they use a forklift. There are fork tabs on the bottoms of the storage units, so if they were placed on grass, they would sink into the ground.

There was no further public input, so Chair Pollock closed the public input portion of the hearing. He, then, opened the hearing up for Plan Commission discussion and/or motion(s).

Mr. Fitch stated that he feels they need to tweak the definition of a portable storage container versus dumpsters, construction trailers or a container used for industrial purposes in an IN Zoning District. They need to add language to allow the Zoning Administrator to grant reasonable exceptions regarding placement of the units. They need to include prohibitive uses such as for a shed or accessory building. He commented that he also likes the idea of not requiring a permit for the initial amount of time but then requiring one for any extended time.

Mr. Pollock wondered how the permit requirements would be enforced. Mr. Otto commented that he likes the idea of allowing two weeks without requiring a permit. The purpose for a permit is not to create revenue for the City but to have a lever to address neighbor complaints about the length of time a person has had a storage unit in their yard. If a person moves from another area to the City, and their moving company delivers a portable storage unit on their new property, the person is not going to know that they need a permit. There could also be move-ins and move-outs, so there may be two units on one lot. If a neighbor calls to complain, then the City could ask the residents for their receipt and inform them of the regulations and that their two weeks began when the unit was delivered. If the unit is not removed within two weeks, then the resident needs to apply for a permit. He did not feel that the City should try to create another bureaucracy or hurdle for either the people who already live here and for people who move here. He does not believe that they should restrict what type of surface a storage unit can be placed on. If someone wants to have a unit on their grass, then it is their responsibility to repair their own yard. The City should keep the proposed ordinance as user friendly as possible. It is mainly to use as a tool for when portable storage units are being abused.

Ms. Upah-Bant wondered if they should set a maximum volume standard rather than setting a maximum on the size of the storage container. This way a person could have more than one container on their property.

Chair Pollock remarked that they want to keep the proposed text amendment simple, easy and flexible, but yet they want it to be a tool for when people abuse storage containers. He recommended allowing the Zoning Administrator the flexibility to grant a person to locate a storage container in their yard if there is no other space to place one, to extend the time limit if

needed, and to make exceptions to the size and the number of portable storage units one property can have. This would prevent the City from having to figure out the maximum size or volume or the maximum time, etc. to include in the proposed ordinance. This also would allow people who are using portable storage containers in good faith and who need this type of service to be able to use them easily and without a lot of hassle.

Mr. Fell agreed that there should be some flexibility because there may be an apartment building with several tenants needing to use portable storage units when moving in or out.

Mr. Pollock commented that different circumstances call for different levels of flexibility, and it would be nice to allow the Zoning Administrator that flexibility.

Ms. Upah-Bant added that this may be some people's first encounter with the City of Urbana. If they can move storage units in and out before the Zoning Administrator is informed, then who cares?

Mr. Fell proposed stating that a permit is required but there will be no fee for the first two weeks. When someone notifies the City of a person using a storage unit, then City staff can inform that person of the ordinance and let them know that they need a permit, that there is no penalty because the person did not know of the permit requirements and that there is no fee for the first two weeks.

Mr. Myers related this to how the City issues permits for temporary banners. Some businesses put up temporary banners without first obtaining a temporary sign permit. When City staff discovers the sign, they approach the business owner/manager and inform them that they need to apply for a sign permit. Some banners are put up just over a weekend and never seen by City staff. For banners without permits, City staff requires a permit and removal of the banner once the permit has expired. Normally they don't try to subtract the number of days a banner was displayed before a permit. That's normally too difficult to document.

Chair Pollock asked what the Plan Commission thought about having the proposed ordinance in effect in an IN Zoning District. Mr. Fitch does not feel that the restrictions for a residential zone should apply to an industrial area. The Plan Commission agreed. Mr. Myers stated that City staff could add language regarding this in Section C.

Chair Pollock questioned whether the Plan Commission wanted to require a permit for the first two weeks or just allow the first two weeks to be considered a grace period. Mr. Otto believes that they should have the maximum time limit for portable storage units on private property be 30 days. The first two weeks no permit is needed, and after two weeks a permit must be obtained. If additional time is needed, then the person would need to request that from the Zoning Administrator.

Mr. Fell recommended that they split C.1 into two sections. The first section would apply to private property and the second section would apply to public right-of-way. Chair Pollock felt this would be a good idea. It would clearly separate the requirements and enforcements for each.

Mr. Otto believes that if a portable storage unit is placed on a street or in the public right-of-way, then it requires getting a permit prior to the placement. He feels that this is something the City's

Public Works Department might want to do a site visit to flag where a storage unit could be placed to preserve the public's interest.

Chair Pollock noticed that it did not specify in ordinance that a portable storage unit could not be placed in the dirt or grass in the public right-of-way. Mr. Myers explained that the Public Works Department would regulate this.

Mr. Fitch moved that Plan Case No. 2142-T-11 be forwarded to the City Council with a recommendation for approval including specific changes that are consistent with the discussion and recommendations of the Plan Commission as noted by the City staff. Ms. Stake seconded the motion.

Chair Pollock read his list of changes for clarity to the motion. They include the following: 1) allow the Zoning Administrator or Public Works Director the ability to make exceptions for placement of portable storage containers in yards, to extend 30 day or 72 hour time limits if needed, and to make exceptions to the size and/or number of units allowed, 2) to make IN Zoning Districts exempt from the regulations, and 3) to allow a grace period of two weeks on private property.

Roll call on the motion was taken and was as follows:

Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Fell	-	Yes

The motion passed by unanimous vote. Mr. Myers noted that this case would be forwarded to the City Council on September 6, 2011.

Plan Case No. 2145-SU-11 – A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District.

At the request of the applicant, US Cellular, this case was continued to a future meeting, probably in October. The petitioner is investigating locating the proposed tower in a different location on the property further away from the residential neighbors.

Plan Case No. 2148-CW-11 – A request by the Central Illinois Mosque and Islamic Center for a Creekway Permit to construct a dormitory/gymnasium with a building height increase of up to 12 feet, parking encroachment, a front yard building setback of 15 feet or greater, and allowances for Transfer of Development Rights/ Zoning lot provisions, at 711 Western Avenue in the R-5, Medium High Density Multi-Family Residential Zoning District and the Boneyard Creek District.

At the request of the applicant this case was continued to the August 18, 2011 meeting. The petitioner plans to revise their plans based on public comments provided at the July 21, 2011 meeting.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Robert Myers, Planning Manager, gave a staff report on the following:

- ✓ August 18, 2011 Joint Meeting of the Urbana Plan Commission and the Urbana Bicycle & Pedestrian Advisory Commission at 6:30 p.m. in the City Council Chambers. The two commissions will review a potential shared bus/bike lane for Green Street in Urbana as part of anticipated grant applications to fund major street improvements to high capacity transit routes in the City.

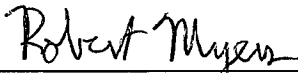
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:34 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: September 8, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Andrew Fell, Tyler Fitch, Dannie Otto, Michael Pollock,
Bernadine Stake

MEMBERS EXCUSED: Lew Hopkins, Mary Tompkins, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Teri Andel, Planning Secretary

OTHERS PRESENT: Mohammad Al-Heeti, Roaa Al-Heeti, Dr. Mir Ali, Tom Berns,
Todd Cyrulik, Waleed Jassim, John Marlin, Faruq Nelson, Michael
Selvaggio, Susan Taylor

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

Chair Pollock called the meeting to order at 7:35 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

July 21, 2011 minutes. Ms. Stake moved to approve the minutes as presented. Mr. Otto seconded the motion. The minutes were then approved by unanimous voice vote by the Plan Commission.

August 4, 2011 minutes. Mr. Fitch moved to approve the minutes as presented. Ms. Stake seconded the motion. The minutes were then approved by unanimous voice vote by the Plan Commission.

4. COMMUNICATIONS

- Chair Pollock announced that a new Plan Commission member, Mary Tompkins, was appointed by the City Council on September 6, 2011. The City's Legal staff advised her not to attend this meeting and vote on Plan Case No. 2148-CW-11 due to her not having served on the board when the case was initially heard.
- Email from Robert Myers announcing the Citizen Planners' Workshop in Champaign, Illinois.
- Regarding Plan Case No. 2148-CW-11, Central Illinois Mosque Annex:
 - Updated Written Staff Report dated September 8, 2011
 - Email from Jonathon Pines with photos
 - Letter from John Marlin with photos

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2145-SU-11 – A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District.

At the request of the applicant, US Cellular, this case was continued to a future meeting.

Plan Case No. 2148-CW-11 – A request by the Central Illinois Mosque and Islamic Center for a Creekway Permit to construct a dormitory/gymnasium with a building height increase of up to 12 feet, parking encroachment, a front yard building setback of 15 feet or greater, and allowances for Transfer of Development Rights/ Zoning lot provisions, at 711 Western Avenue in the R-5, Medium High Density Multiple-Family Residential Zoning District and the Boneyard Creek District.

Robert Myers, Planning Manager, gave a brief update, referencing a revised site plan submitted September 8, 2011 in response to concerns expressed at previous Plan Commission discussions of this case. Mr. Myers provided information addressing questions raised by the Commission. He reviewed the options of the Plan Commission and talked about the purpose of the Boneyard Creek District. The main revision is that parking along Western Avenue, which has generated the most public comments, has been moved across Busey Avenue to the Mosque's main parking lot. Consequently the newly revised site and building plans are permitted by the Zoning Ordinance with the exception of the one handicapped parking space being located in a required front yard. The Plan Commission would need to approve that.

Mr. Otto asked if the easement shown on the revised Site Plan on the Central Illinois Mosque and Islamic Center (CIMIC) property to the west of Busey Avenue is a change from the previous plan. Mr. Myers stated that it was revised to reflect the Boneyard Creek Commission's conditions to provide an easement along both properties. It makes sense for them to provide an easement on both properties as for zoning purposes it is considered one campus.

Ms. Stake asked how far the proposed annex would be constructed from the creek. Mr. Myers replied that the distance from the top of the wall of the creek to the proposed building would be 16 feet. Within that distance, the City would look to build an eight-foot wide multi-use path. Ms. Stake recalled from written staff report that there would be 25 feet. Chair Pollock pointed out that there would be 25 feet to the centerline of the creek. Mr. Myers added that the City already has an easement within the Boneyard Creek for maintenance, and the proposed creekway permit would provide an additional easement for public access.

Ms. Stake wondered if the easements would be dedicated to the City forever. Mr. Myers said yes. Ms. Stake commented that 15 feet does not seem to be wide enough. Mr. Myers responded that it would be wide enough for an 8-foot multi-use path and for drainage and maintenance purposes just outside the path.

Mr. Fell inquired as to whether the City would require CIMIC to legally dedicate parking spaces in their lot west of Busey Avenue for the annex built east of Busey Avenue. Mr. Myers answered that the Plan Commission could make that a condition for approval.

Chair Pollock questioned how the City would verify who was parking in the dedicated spaces and which building the drivers would be going into. Mr. Myers replied that this would be up to the property owner to enforce. Chair Pollock stated that theoretically if a visitor or member using the main Mosque Center parked in one of the dedicated parking spaces for the annex, then CIMIC could have their visitor's or member's vehicle towed if that member does not live in the proposed annex.

Ms. Stake commented that she would like to have the words "general" and "generally" removed from the staff recommended conditions. Mr. Myers explained that if they remove "general" and "generally" from the conditions, any minute changes made between the approved Site Plan and construction plans submitted, the applicant would need to have the Plan Commission review those changes. City staff uses these terms to allow the applicant a little wiggle room for minor changes. In fact it is considered to be standard language. And even if this language is used, any major changes would still require further review by the Plan Commission.

With no further questions from the Plan Commission for City staff, Chair Pollock opened the hearing up for public comments and/or questions.

Todd Cyrulik, BLDD Architects, approached the Plan Commission. He noted that BLDD Architects has been working with the applicant on the proposed project for about two-and-a-half years and with City staff for about 2 years. He thanked both CIMIC and City staff for being patient. He is confident that they have fulfilled the goals and the letter of the zoning law as well as conforming to the requirements of the Boneyard Creek Commission. He hopes the Plan Commission approves the proposed creekway permit so they can begin the project.

Chair Pollock pointed out that the major issue most people are having with the proposed development is parking. It is pretty clear that the parking proposal the applicant has submitted, including the recent shift of the parking spaces to the CIMIC parking lot, meets the requirements of the Zoning Ordinance. It is also clear that as the Islamic Center grows and the annex succeeds that the existing parking problem will get worse. He wondered if there are any other plans or commitments that the applicant can make to deal with these inevitable problems. Mr. Cyrulik

responded by saying that CIMIC is not adding members with the proposed development. The people that will live in the proposed annex building are students that are already members of the Mosque, but live elsewhere and probably now travel by car to the Mosque on Fridays.

Regarding the growth of the Mosque, he mentioned that as a planner and an architect, the only way they can truly gauge what is an appropriate amount of parking is through the City's Zoning Ordinance, which they have followed to the letter. If they add greatly to the prayer hall or the Mosque itself, then they would replace or add to the parking. CIMIC still meets the number of parking spaces required at the time of the original construction of the Mosque. As far as exceeding those in view of future successes, this is something that the constraints of building in the City of Urbana in this area makes it difficult for religious groups of any kind to work within the R-5 Zoning District. Properties are very valuable, and no one wants residential neighborhoods full of parking lots.

Mir Ali, representative of CIMIC, mentioned that during Friday prayers the congregation attends the Mosque from 1:00 p.m. to 2:00 p.m. They not only have their own designated parking lot, but they also have an arrangement with two churches so their members can park in the church parking lots. In return, church members are allowed to park in CIMIC's parking lot on Sundays. In addition, CIMIC has an arrangement with the University of Illinois to allow CIMIC's members to purchase permits to park in a parking lot to the west of Lincoln Avenue. Normally, there are not any problems with parking on Fridays.

They do have two major gatherings outside of Friday prayers in which visitors from other places, who do not have their own mosques, travel to CIMIC to join in prayer with CIMIC's congregation. CIMIC reminds its members on the Fridays before these two gatherings to park in legal spaces outside of CIMIC's parking lot in order to reserve parking in the lot for the visitors. If the members of their congregation park illegally, then it is the members' responsibility to pay any fines, towing charges, etc. In terms of growth of the Muslim student population, Mr. Ali stated that the population is growing. CIMIC will not be able to accommodate all future growth. So at some point they will need to decide if they will construct another mosque elsewhere. It all depends on the future need.

Ms. Stake asked if the applicant has applied for the floodplain permit yet. Mr. Cyrulik replied that the floodplain permit requires a full set of engineered drawings which is a very expensive portion of any development. It is not a phase of development that one would typically enter into without first getting zoning approval. It will be the next stage after getting approval of the creekway permit. He pointed out that the City does not grant a building permit without said Illinois Department of Natural Resources permit.

John Marlin, 2203 Boudreau Circle, read a printed statement distributed to Plan Commissioners prior to the start of the meeting. He showed photos of parking problems during an event that was held at CIMIC on August 30, 2011. Many vehicles are illegally parked on the proposed site where the annex would be built, so where will the overflow vehicles park when the annex is built? Other concerns include the locations of the garbage and recycling dumpsters and shadows from the proposed annex over his properties. He expressed his concern about his tenants getting less sunlight due to the height of the proposed building. He talked about how the proposed development would set a precedent for future development in the area. He also spoke about fairness to other developers. He remarked that the Boneyard Creek Commission did not notify

the surrounding property owners. This massive project sailed right through the Commission's meeting without neighbors' input.

Ms. Stake asked if Mr. Marlin knew how big the existing Mosque building is and how big would the proposed annex be? Mr. Marlin referred to the drawings and said that the existing CIMIC building is 12,700 square feet, and the proposed annex would be around 23,000 square feet.

Stan Summers, resident of Urbana, explained that he was the previous owner of 711 West Western and that he sold the property to the Mosque. He commented that with all due respect to Mr. Marlin, his duplex at 712 Western Avenue is one of the most non-conforming properties in the City of Urbana. If you just look at the size of the proposed building, it appears large. However, if you look at most of the buildings on campus, many of them are large. Mr. Summers stated that Charles Lozar, owner of the apartment building located at 712-714 West Elm Street, is upset because he wanted to buy 711 Western from him, but CIMIC offered more money so he sold it to them instead. Regarding parking, if signs were posted that violators would be towed if they park in certain areas or spaces, then most people would not park in those spots. He believes the proposed annex would be good for many of the students that are part of the Muslim population.

Mohammad Al-Heeti, CIMIC member, stated that he is the head of the committee for the proposed annex project. He thanked the Plan Commission for attending this meeting and the City of Urbana staff for working with CIMIC on the project. They are not trying to cause trouble to anyone and want to be part of the neighborhood. The issue of parking is a concern all over, even at the University of Illinois. This is why the Mosque posts signs and violators pay steep fines. CIMIC fulfilled the requirements of the Zoning Ordinance and have provided adequate parking in their lot for both the Mosque and for the proposed annex.

The Mosque has brought economic development to the area. The Mosque property at 106 South Lincoln Avenue was like a jungle before purchase. Once they built the Mosque, more students started coming to the University of Illinois and were looking for a place to stay. A desirable place for Muslim students to stay is close to the Mosque. He estimates that 70% of the residents surrounding the Mosque are Muslim students. Therefore, nearby rental property owners should be thankful to the Islamic Center for bringing the Muslim students to the area.

Ms. Stake asked if they felt that it would be fair to surrounding properties to not have access to light and air due the height and size of the proposed annex. Mr. Cyrulik replied that the quality of environment being imposed is very important. However, even a new structure in compliance and without the bonus provisions would cast shadows on the nearby properties. Unfortunately, unless a single-family house was developed on the proposed lot, any other development will encroach on the daylight.

Ms. Stake questioned whether they could just construct a shorter building. Mr. Cyrulik explained that a reduction in the height would not improve the shadows casting. He further explained that they are no longer requesting any bonuses except for the one handicap parking space. The height of the building is allowed by the Zoning Ordinance in exchange for the additional public access to improve the Boneyard Creekway.

Mr. Otto wondered if the architects had scaled out the shadow that would be cast by the proposed building when the sun is at its southernmost point on December 21st. If it does cast a shadow, then for how many days or months out of the year? Mr. Ali commented that light and shadow is always an issue. Fortunately, the sun does not stay in one place. Throughout the seasons and the time of day, the sun keeps moving. So, there will never be a steady shadow in one place all the time. There are many other buildings in other neighborhoods that cast shadows on neighboring properties.

Shadows only become a problem with very tall buildings. The proposed annex will not be of exceptional height. The apartment buildings owned by Mr. Lozar at 712-714 West Elm Street will only be 4 inches shorter than the proposed annex. Architects do not normally do a shadow study for a building of the proposed size.

Mr. Cyrulik verified that BLDD Architects has not performed a formal shadow study for the proposed site. He noted that they have design software which allows them to project shadows and adjust the time of day and time of year. Using this software, they found that a shadow would be cast on buildings to the north for a short time in the afternoons during the winter. Most of the shadow would be cast on the vacant lots and the street. The proposed annex will be small when compared to Oak trees and other things of similar scale.

Ms. Stake felt that they should perform a shadow study.

Chair Pollock asked whether there would be room behind the proposed annex on the east side to locate the garbage and recycling dumpsters. Mr. Cyrulik responded that their goal is to place dumpsters, etc. in the unbuildable portion of the lot.

Roaa Al-Heeti, a member of the project committee, addressed the Commission. As a 28-year old Urbana native, she recalls there being no mosque growing up. Muslims held prayer sessions in churches and in homes. Urbana has come a long way since then. CIMIC is a mosque that many other mosques throughout the country are modeled after. The national Muslim Student Association was actually started in Urbana and is now a huge force in the country. Urbana has become a leader amongst Muslims in America. The proposed annex is the next step. She has never seen a building like the one they are proposing to build in Urbana. It is a brand new concept and another opportunity for Urbana to take the lead in what she believes will have a wonderful future impact on Muslims all over America.

With no further comments or questions, Chair Pollock closed the public input portion of the hearing and then opened it up for further questions for City staff.

Mr. Fitch asked for clarification regarding the parking requirements. Is the parking requirement determined based only on the Mosque and the dormitory of the proposed annex or does it include the gymnasium? Mr. Myers said that the gymnasium was taken into consideration but did not add to the total parking count. The Zoning Administrator normally calculates parking for places of worship with the assumption that it would be rare to have two assemblies occurring at the same time on the same campus. For instance prayer services would rarely if ever be held at the same time that a basketball game would be held in the annex. This assumption has often been used to calculate parking for church expansions in Urbana. If the City required parking to accommodate two assemblies at the same time, then it would be like mall parking lots being built

for the day after Thanksgiving. Whenever institutions in existing neighborhoods need to expand, it is difficult to balance the need to grow with the building requirements. Sometimes the institutions give up and move to the fringe of the city or to the country just outside City limits. We often discuss the need for infill development, but practicing infill development is often difficult. Parking is one of the reasons.

Mr. Fitch stated that it seems to him that the assembly area of the proposed annex is bigger than the Mosque area. Based on the size of the assembly area, he calculated 75 parking spaces plus the 11 spaces for the residential component. Mr. Myers replied that the City staff determined that the minimum parking required for the gymnasium would be less than the minimum parking required for the assembly area in the main Mosque. City staff figured a minimum of 53 parking spaces for the Mosque property on the west side of Busey Avenue and a minimum of 11 parking spaces are required for the proposed annex, one of which must be handicap parking. Combined that would be a total of 64 parking spaces. Staff researched the original building plans and permits for the Mosque and verified the capacity of the prayer area. Under the Zoning Ordinance, with respect to assembly areas that do not have pews or seats, they would take 25% of the capacity and use the total for the basis of determining the required number of parking spaces.

Mr. Fitch believes the City's calculations are appropriate for the Mosque, but he wondered if the assembly area and gymnasium of the proposed annex could lead to a bigger congregation than the Mosque even if they are not used simultaneously. Mr. Myers responded that 64 minimum parking spaces would be required but property owners can provide more than that.

Mr. Fell wondered if there is a minimum distance from the intersection in which the handicap parking space can be located. It is shown on the revised Site Plan as being located directly opposite from the entrance into the Mosque parking lot. He believed this to be a safety issue and asked if the handicap parking space could be moved to the north? Mr. Myers said that he would consult with the City Engineer about this.

There were no further questions from the Plan Commission for City staff, so Chair Pollock opened the hearing for Plan Commission discussion and/or motion(s). He pointed out that this case is different than their usual cases in that they can either approve or deny the proposed creekway permit or they could forward the case to the City Council with a recommendation.

Ms. Stake moved that the Plan Commission remove the words "general" and "generally" from the list of conditions suggested in the City staff's recommendation. Since this is a serious, big project, she feels that the developers should build what they have submitted a Site Plan for. Chair Pollock stated that this would be considered an amendment to a motion. In order to amend a motion, they need a general motion first to either approve, to deny, or to forward the Plan Case to the City Council.

Mr. Fell mentioned that he has an issue with not specifically and legally dedicating the parking spaces for the annex building in the Mosque parking lot. One of three things will happen to the entire Mosque campus: it will stay the same (in which case it would be fine), it will lose membership or it will gain membership. If either of the latter two things happens one of CIMIC's options is to move. If CIMIC moves, then they would have the ability to sell the annex to someone else, which means that the annex would no longer have the required number of

parking spaces. So, he feels that they need to legally dedicate parking spaces to the proposed annex building. Mr. Myers stated that the Plan Commission could make this a condition for approval but that the applicants should be consulted to insure that this is feasible.

Mr. Fitch stated that his one unanswered concern is with the parking. He feels the overall proposed project is a fabulous opportunity for Urbana. However, he feels that there is a good chance that traffic and parking in this area will increase and not all of it will be accounted for with the minimum required 65 parking spaces. Mr. Fell pointed out that it is not up to the Plan Commission to determine the minimum parking required by the Zoning Ordinance.

Chair Pollock asked what the limits are that the Plan Commission can place upon approval. Mr. Myers stated that they could place conditions which are directly related to better meeting the Zoning Ordinance criteria. Conditions can't be arbitrary.

Mr. Fitch stated that he is worried that the larger use is not driving the calculations. Chair Pollock commented that the Zoning Administrator interpreted that the larger use would be the Mosque, which with the smaller use would require 65 parking spaces. However, there are different interpretations that could be placed upon the impact of the proposed annex.

Mr. Otto pointed out that it is a given that at times of peak activity -- mainly on Fridays from 1:00 p.m. to 2:00 p.m. and on two major holidays -- there will not be adequate parking, but this is also true for every other place of worship in the central core of the City. So the Plan Commission has to decide if they want these institutions to be in the center part of town or do they want the churches to relocate to the edges of town and sprawl. He mentioned that his church, which is the First Mennonite Church at the corner of Lincoln Avenue and Springfield Avenue, has a reciprocal parking agreement with the Mosque. CIMIC's members use the Mennonite Church parking lot for the Mosque's special events, which do not overlap with Sunday mornings when his church's special events are held. And in return Mennonite members can park at the Mosque's parking lot on Sundays. He walks by CIMIC several times a week, and the only time there is a significant number of vehicles in the Mosque's parking lot are on Fridays. He cannot see a basketball game being played from 1:00 p.m. to 2:00 p.m. on Fridays and on holy days. As CIMIC representatives have stated and encouraged, it would be up to the adjoining property owners to have vehicles towed when there are parking issues. The applicant is not asking for variance requests except for the location of the one handicap parking space. Everything else is a bonus provision of the Boneyard Creek District and meets zoning requirements.

Mr. Fitch responded that he is not thinking of this as solely basketball being played, but of the multi-purpose room being used for dinners or other assemblies during peak times independent of the Mosque. On the opposite side, he understands the need to accommodate growing facilities and he does not like paved parking lots that seldom fill up.

Ms. Stake discussed why she would like to remove "general" and "generally" from the conditions suggested by City staff. She believes that if they keep these words in the language for the conditions, then the applicant will be able to do whatever they want and not provide the easements or landscaping.

Mr. Fell disagrees because at this stage of the design and planning, it is impossible to be exact. If they made Ms. Stake's changes to the language, then the applicant could have to come back and get approval for any minute change. For instance, approved plans including a four-foot wide sidewalk would have to be reviewed by the Plan Commission if they instead decided to build a five-foot sidewalk. Or if they want to plant a tree and locate it one place on the Site Plan, and then they discover there is a water line in that location and they need to move the planting, then they would have to come back to the Plan Commission for approval. There are City staff who are responsible to make sure that developers conform generally to the approved submitted plans. If the developers make major changes, then it is the City staff's responsibility to take action and to mitigate the issues. Mr. Pollock agreed with Mr. Fell. He feels that there needs to be some flexibility. If the City removes the flexibility, then he believes that there would be no economic development in Urbana.

Ms. Stake wondered if that is really true that there would be no development in the City. Is it really that hard to follow a Site Plan?

Mr. Fell answered no. It is not that hard to follow a Site Plan. However, the responsibility of the designer of a project is enormous. At this stage of the project, the designer does not have everything done because the client cannot afford to pay them to complete construction documents for a project that may not happen. So, there are a multitude of issues that the designers have not worked out yet. If the Plan Commission makes her suggested changes, then any minute change would require additional approval by the Plan Commission.

Mr. Fitch moved that the Plan Commission approve Plan Case No. 2148-CW-11 with the conditions as recommended by City staff including the revised Site Plan all provided in the written staff report dated September 8, 2011 and including an additional condition as suggested by Mr. Fell that CIMIC legally dedicate parking spaces for the annex in the Mosque parking lot. Mr. Otto seconded the motion.

Ms. Stake feels that the proposed project is too large for the site.

Chair Pollock said that, if approved, the Plan Commission would be making a requirement for CIMIC to dedicate parking spaces for the annex in the Mosque parking lot. This was not in the City staff's recommendation and might not have been discussed on the part of CIMIC or by City staff. He asked Mr. Myers what he recommended.

Mr. Myers replied that the Plan Commission could ask the applicant as a courtesy if this condition would be acceptable to them. City staff has already discussed this option and feels that since all of the parking spaces would be relocated across Busey Avenue, it makes sense to have an agreement put in place just in case the annex property would ever be sold separately.

Chair Pollock commented that enforcement of who parks in those dedicated parking spaces would be done by CIMIC. Should CIMIC sell the Mosque, then enforcement would be the responsibility of the new property owner.

Mr. Otto said that he supports this condition because this type of situation has happened in the area before. Two property owners had an agreement to provide off-site parking, but for whatever reason, the agreement only lasted for two months, then the other property owner was

out of compliance with the minimum parking required to convert a three-plex to a four-plex apartment. He believes it would be a good policy for the City to require a legally binding document whenever parking is to be provided off-site.

Chair Pollock asked the petitioner for any comments as to whether this condition would be agreeable to them. Mr. Cyrulik re-approached the Plan Commission and stated that he discussed it with the applicant. While they feel that they would be entering into an agreement with themselves, they would be perfectly happy fulfilling this condition and making the dedication go into effect based on being a condition of sale.

Faruq Nelson, representative of CIMIC, approached the Plan Commission. As an attorney he would ask not to have a specific legal instrument placed in the conditions just in case it would be the wrong type of document. He would want to research the proper way to achieve this given that both properties are owned by one party. He also mentioned that if they removed the word "general" and "generally" from the conditions, then with regards to Condition #4, there is a difference between a general maintenance easement and a maintenance easement. Chair Pollock replied that if the motion is approved as it currently states, then he assumes that the City's Legal staff and CIMIC would be able to work through this issue.

Roll call was taken on the motion and was as follows:

Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	No
Mr. Fell	-	Yes			

The motion was approved by a vote of 4 to 1. The Plan Commission authorized a Boneyard Creekway Permit to be issued with conditions.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Case Nos. CCZBA-683-AT-11 and CCZBA-684-AT-11: Requests by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning Rural Residential Overlay Districts.

Mr. Otto asked if these cases could be forwarded to the next regular meeting unless they are time sensitive. Robert Myers, Planning Manager, stated that there was no urgency. The Plan Commission agreed to the request and the cases were continued.

September 8, 2011

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

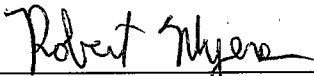
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:21 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A RESCHEDULED MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: October 13, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Carey Hawkins Ash, Andrew Fell, Tyler Fitch, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins, Marilyn Upah-Bant

MEMBERS EXCUSED: Lew Hopkins

STAFF PRESENT: Jeff Engstrom, Planner II; Rebecca Bird, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Susan Taylor

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

Chair Pollock called the meeting to order at 7:30 p.m. The roll was called and a quorum was declared present.

NOTE: Chair Pollock welcomed new members, Carey Hawkins Ash and Mary Tompkins, to the Urbana Plan Commission.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

September 8, 2011 minutes. Ms. Stake moved to approve the minutes as presented. Mr. Ash seconded the motion. Mr. Fitch noted a correction on Page 6, Last Paragraph, Line 4. It should read as follows: "*add to the total parking count.*" The minutes were then approved as amended by unanimous voice vote by the Plan Commission.

4. COMMUNICATIONS

- Zoning Ordinance Update: Approved and Signed Ordinances and updated Table of Ordinances since the last republication was printed.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2145-SU-11: A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District.

At the request of the applicant, US Cellular, this case was continued to a future meeting.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2154-CP-11: A request by the Urbana Zoning Administrator to amend the 2005 Comprehensive Plan to adopt a Complete Streets Policy.

Rebecca Bird, Planner I, presented this case to the Plan Commission. She began by describing "complete streets". She explained that the proposed amendment came from the 2010 Urbana City Council and Mayor Goals and how the proposed amendment would alter the goals and objectives of the 2005 Comprehensive Plan. She mentioned that the 2008 Bicycle Master Plan supports the proposed amendment. She referred to the photos on pages 4 and 5 of the written staff report. She discussed the reasons for implementing complete streets policies. She mentioned that the Urbana Bicycle and Pedestrian Advisory Commission reviewed the proposed amendment and recommended adoption. She reviewed the Plan Commission's options and presented City staff's recommendation.

She referred to and talked about the photos on pages 4 and 5 of the written staff report. She reviewed the four key reasons for implementing complete streets policies, which are: 1) safety; 2) health; 3) sustainability; and 4) livability.

She stated that the proposed Complete Streets Policy has been reviewed and is supported by the Urbana Bicycle and Pedestrian Advisory Commission. If the proposed amendment is adopted, City staff will then prepare amendments to other related documents to work out the details of how to implement the Complete Streets Policy.

Ms. Bird reviewed the options of the Urbana Plan Commission and presented staff's recommendation. She asked if there were any questions about the proposed amendment.

Ms. Upah-Bant inquired as to whether there would be a map that shows what will be treated as older residential areas and what areas will have bicycle paths. Ms. Bird responded by saying that the idea of complete streets is that particularly in the parts of the City where development has already happened there is no prescription so it depends completely on the context. What is

written into the Manual of Practice that the City's Public Works Department is working on would mostly be about new development. When the Capital Improvement Plan allows the City to reconstruct or even resurface a road, City staff will look to see if it would be appropriate to add a bicycle facility. They would use the map in the adopted Bicycle Master Plan. However, there would not be any such guide or map provided in the proposed Complete Streets Policy that says what they should do in specific areas.

Ms. Stake wondered whether the City had plans to widen streets in the older areas. Ms. Bird replied that it would be very unlikely for a residential street to be widened because it is very expensive, and these types of streets do not carry high volumes of traffic travelling at high speeds. However, there are places where the sidewalks do need to be improved, especially around the schools, and some of those could involve widening the existing sidewalks. In the Safe Routes to School plan, there are maps for each of the schools that show how children are funneled onto particular routes. The ideal would be to have wide sidewalks on these particular routes.

Chair Pollock wondered if since the proposed amendment would be a guiding principal, would it instigate a change to the standards for the width of streets and sidewalks being constructed in new residential developments? Ms. Bird replied that City staff has had some discussions about this. In fact, in new residential areas, developers are constructing larger driveways to provide adequate parking. As a result, there is a lesser need for parking on the streets. Therefore, the City of Champaign has reduced their standards for street widths and included requirements for bicycle paths. If the City of Urbana staff proposed such changes, those changes would come before the Plan Commission for review and to make a recommendation to City Council.

Ms. Stake commented that in Stone Creek Subdivision, the sidewalk is in the middle of the road. She asked if an amendment similar to the one in the City of Champaign was made to the Urbana Subdivision and Land Development Code would it prohibit sidewalks being constructed in the middle of the street. Ms. Bird stated that she would look into this. Ms. Stake remarked that having a sidewalk in the middle of the street is too dangerous for children and older people. Chair Pollock explained that this was a request by the Atkins Group when they submitted plans for Stone Creek Subdivision. They wanted the sidewalk to be in the middle of the street as part of their design.

With no further questions from the Plan Commission for City staff, Chair Pollock opened the hearing up for public input. There was none, so he closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Ms. Stake moved that the Plan Commission forward Plan Case No. 2154-CP-11 to the Urbana City Council with a recommendation for approval. Mr. Fitch seconded the motion.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Tompkins	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ash	-	Yes

The motion was passed by unanimous vote.

Plan Case No. 2155-T-11: A request by the Urbana Zoning Administrator to amend Section XI-10.A of the Urbana Zoning Ordinance to revise the minimum standards for legal notices published in newspapers.

Jeff Engstrom, Planner II, presented this case to the Urbana Plan Commission. He began by pointing out that the proposed text amendment came about from a recent change in the Illinois State law regarding public hearing notices. He reviewed the changes that would be made to Section XI-10. Notification Requirements of the Urbana Zoning Ordinance if the proposed amendment was approved. He talked about how the proposed text amendment could save petitioners money. He read the options of the Plan Commission and presented City staff's recommendation.

Mr. Ash wondered how difficult it would be for a person to find a legal description for a property. Mr. Engstrom explained that the legal description is generally found on the deed for the property. A person could also go to the Champaign County Recorder's Office and get a legal description from almost any document that was recorded pertaining to the property.

With no further questions for City staff, Chair Pollock opened the hearing up for public input. There was none. Chair Pollock then closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Ms. Upah-Bant moved that the Plan Commission forward Plan Case No. 2155-T-11 to the Urbana City Council with a recommendation for approval. Mr. Fitch seconded the motion.

Mr. Ash stated that although he supports the amendment, he just wanted people to know where to be able to find the legal description for their property. Chair Pollock made a friendly amendment that City staff includes a small sentence in each legal ad letting people know that they could find the legal ad at the Champaign County Recorder's Office. The Plan Commission agreed to the friendly amendment.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Ash	-	Yes	Mr. Fell	-	Yes

The motion including the friendly amendment was passed by unanimous vote. Mr. Engstrom noted that this case would be forwarded to the Urbana City Council on November 7, 2011.

8. NEW BUSINESS

Case Nos. CCZBA-683-AT-11 and CCZBA-684-AT-11: Requests by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance concerning Rural Residential Overlay Districts.

Jeff Engstrom, Planner II, presented these two cases together because they both propose to enhance regulations on Rural Residential Overlay Districts in Champaign County. Case No.

October 13, 2011

CCZBA-683-AT-11 is about adding language to determine whether property is well-suited to be developed as a rural residential overlay district. Case No. CCZBA-684-AT-11 is about adding a requirement that rural residential overlay districts need to get special use permits from the County Board. They currently only require a map amendment.

He explained the purpose of a rural residential overlay (RRO) district and described when RROs are necessary. He briefly reviewed the changes that would be made to the Champaign County Zoning Ordinance if the proposed amendments were passed. He talked about the process and mentioned that the two cases will go before the Champaign County Board on October 20, 2011 for a final vote. He noted that this case would be forwarded to the Urbana City Council on Monday, October 17, 2011 with the recommendation that the Urbana Plan Commission decides upon, so that the City Council can make a recommendation to the Champaign County Board prior to their October 20, 2011 meeting. He reviewed the options of the Plan Commission and presented the City staff's recommendation.

Mr. Fitch questioned if the effect of the proposed amendment is to make it more difficult for development of farmland. Mr. Engstrom answered saying that the proposed amendment would allow the County Board to take a closer look at whether development of farmland would be appropriate.

Chair Pollock asked what kind of conditions is the County Board concerned about. Mr. Engstrom stated that there is a third case related to these two cases that will list those concerns and conditions. Chair Pollock wondered if they should hear the third case before making a decision on the proposed two amendments. Mr. Engstrom explained that the County needs to adopt these two amendments prior to adopting the ordinance stating what the standard conditions are.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing to public input. There was none, so Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Fitch moved that the Plan Commission forward Case No. CCZBA-683-AT-11 and Case No. CCZBA-684-AT-11 to the Urbana City Council with a recommendation to defeat a resolution of protest. Ms. Stake seconded the motion.

Mr. Otto expressed concern about the case numbers belonging to the County and not being plan case numbers. Mr. Engstrom explained that when City staff receives these types of cases, we adopt the Champaign County case numbers as our numbers as well.

Ms. Upah-Bant stated that the Champaign County Land and Resource Plan took about two years to create and adopt. She served on the Board and feels it to be important for the City to reinforce the regulations set in the Plan with regards to using best prime farmland to develop into residential areas. She is happy to support the proposed amendments.

Chair Pollock commented that since the City will be reviewing many of the subdivisions in the extra-territorial jurisdiction (ETJ) area that will eventually become part of the City, he believes it to be a good idea to be part of as much planning and ensure that it fits with the City's regulations. Therefore, he supports the two amendments as well.

Roll call on the motion was as follows:

Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Tompkins	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ash	-	Yes
Mr. Fell	-	Yes	Mr. Fitch	-	Yes

The motion was passed by unanimous vote.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Rebecca Bird reported on the walking tour titled, "*In Lincoln's Shadow*". It is audio/visual podcasts with ten stops in and around Downtown Urbana. There will be a reception and an inaugural walk to kick off the walking tour. The reception will be held on Saturday, October 15, 2011. Everyone will meet at the Lewis Auditorium in The Urbana Free Library at 9:30 a.m.

Chair Pollock inquired as to whether a teacher could take a class on this walking tour and have some of the devices made available for them to download the podcasts. Ms. Bird stated that there will be about four iPods for loan to use on the walking tour.

Ms. Upah-Bant asked if the brochure is available on the City's website. Ms. Bird said yes. We also have paper copies of the brochure if anyone would like one.

11. STUDY SESSION

Urbana's Market at the Square Strategic Plan

Rebecca Bird, Planner I, gave the presentation on this topic to the Plan Commission. City staff is asking for comments from the Plan Commission that they can forward to the Urbana City Council on Monday, October 24, 2011. She talked about the following:

- Market Strategic Planning Process
- Market Strategic Plan – Draft
 - Market History & Background
 - Economic Development Impact & Potential
 - Trends & Issues
- Planning Process
 - Steering Committee
 - Public Input
 - Survey
- Mission Statement
- Goals
- Implementation Program Matrix
 - Create Advisory Board
- Open House for Draft Plan – Saturday, July 16, 2011

- Strategic Plan Update to City Council
- Next Steps

Mr. Pollock inquired as to whether the Market Director's pay came out of the Tax Increment Financing (TIF) District 1 or 2. Ms. Bird replied that she would have to check that. Mr. Pollock explained his concern is that there is an eclipse date coming soon on one of these two TIF districts. At some point, the funds will be gone and the City needs to be aware of this with regards to the Market Director's salary.

Mr. Fitch asked if there is something wrong with the brand for the market. Ms. Bird stated that some of the vendors were concerned that when the market's name changed from Urbana's Farmers' Market to Urbana's Market at the Square, the decision was made without their participation or input. They feel that "*Market at the Square*" moves it away from being a farmers' market, which is what it is. On the other hand, it is well known as being called the "*Market at the Square*" and changing the name might have a negative effect on the market. Mr. Fitch commented that he would be concerned if they removed the word "square" from the name. In his opinion, it should be called, "*Urbana's Market at Lincoln Square*".

Mr. Fitch inquired as to the definition of "*local*". Ms. Bird explained that the Market defined "*local*" as being within the State of Illinois. A potential problem with this definition is that it excludes things produced 50 miles away in Indiana, but includes things from 200 miles away in Southern Illinois. So, there has been some talk of whether the definition is appropriate or could be improved.

Mr. Fitch wondered if this pertains to ownership or operation. Would a national or regional franchise that is locally owned and operated qualify? Ms. Bird explained that the products sold at the market have to be grown or produced in the State of Illinois.

Ms. Upah-Bant asked about the survey results regarding longer hours at the market. Ms. Bird replied that some members of the public want longer hours for the market, but that the vendors aren't sure that would work as many of them are selling out of their products by 10:00 a.m. to 11:00 a.m. If the hours are extended, it could happen that the vendors would have to sit there for a longer period of time with nothing to sell. Another option is for the vendors to arrive later and stay longer, but then that cuts into the farmers' regular workday on the farm.

Chair Pollock inquired as to whether the vendors are required to stay to the end of the day once they are sold out of product. Ms. Bird said yes; however, she is not sure if it applies to the community groups.

Ms. Stake suggested changing the brand to "*Farmer's Market at Lincoln Square*".

Chair Pollock recommended that they be very careful about changing the name of the market. It is incredibly successful and is a regional attraction. The name means something to people. If you change the name, then you take a risk that it won't be successful anymore. You also take a risk if you change the hours.

Mr. Ash wondered if there is any mention of the Market at the Square in the Comprehensive Plan. It appears that this is turning into an economic engine that could potentially be a big driver for the City. Ms. Bird believed that it is mentioned in the Comprehensive Plan. Mr. Ash

continued by saying that it may be helpful as the Advisory Board is created that the City think of Urbana's Market at the Square as a structural component of the City and an enhancement of the City of Urbana.

Mr. Otto talked about the Farmer's Market in Bloomington, Indiana. He mentioned that he is a big fan of the Market at the Square. From the economic aspect of it, we are getting 10,000 visitors, which is all lost sales tax revenue for the City. Ms. Bird pointed out that the vendors do pay sales tax. The City's Finance Department has some of this data, but they are not allowed to reveal anything about individual vendors.

Mr. Otto remarked that he would like to see "Urbana" kept in the title if the City changes the brand of the market to ensure that it is recognized that it is Urbana's market. Ms. Bird agreed that this was important and stated that City staff are trying to foster the relationship between the market and downtown businesses. Some of the businesses have figured out how to do that; however, some of the patrons of the market have already come and gone by the time many downtown businesses have opened their doors.

Ms. Stake asked if the market would move indoors inside Lincoln Square in November. Ms. Bird clarified that the Market at the Square is run by City staff, and is distinct from the "Holiday Market". The Holiday Market is run by the Urbana Business Association. The policies of each market are quite different. As an example of this, she talked about the new token system at the Market and how as they are City of Urbana tokens, they will not be honored at the Holiday Market.

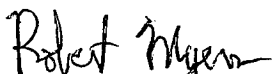
Mr. Fitch stated that this is a great plan, and he loves the market. However, he feels it is weak on the part of economic development. The sheer volume of money that comes through the market is not that much, so downtown Urbana is not going to be effected in a negative way because of the market.

In fact, the market could help downtown businesses. He would like to see the plan focus on this idea a little more. He likes the recommendations in the plan about working with the Urbana Business Association more, but it really needs more specifics mentioned. Once the Advisory Board is created they could look at this particular connection. This includes transitioning into the winter months with the market moving inside Lincoln Square. Lincoln Square is showing signs of becoming more successful with places like the Common Ground Food Co-op. Also the Lincoln Hotel is being renovated.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: October 20, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Carey Hawkins Ash, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins

MEMBERS EXCUSED: Marilyn Upah-Bant

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services; Jeff Engstrom, Planner II; Teri Andel, Planning Secretary

OTHERS PRESENT: Tom Berns, Tyler Harries

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

Chair Pollock called the meeting to order at 7:31 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

- ✓ Plan Case No. 2145-SU-11 has been withdrawn by the petitioner, US Cellular.
- ✓ Plan Case No. 2157-M-11 has been tabled to the next scheduled meeting of the Plan Commission at the request of the petitioner, Housing Authority of Champaign County.

3. APPROVAL OF MINUTES

There were none.

4. COMMUNICATIONS

- ✓ Letter from Wesley W. Curtis, Associate University Counsel regarding Plan Case Nos. 2153-M-11 and 2153-SU-11.
- ✓ CCD – Campus Commercial Zoning District Description Sheet
- ✓ R-5 – Medium High Density Multiple Family Residential Zoning Description Sheet

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2145-SU-11: A request by US Cellular on behalf of the Urbana School District for a Special Use Permit to construct a 150-foot monopole telecommunications tower with antennas, and a telecommunications equipment enclosure at 1201 South Vine Street in the City's CRE, Conservation-Recreation-Education Zoning District.

At the request of the applicant, US Cellular, this case was withdrawn.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2153-M-11: A request by Illinois Properties, LLC to rezone properties at 1108 West Nevada Street, 1105 and 1107 West Oregon Street from the R-5, Medium-High Density Multiple Family Residential Zoning District, to CCD, Campus Commercial Zoning District.

Plan Case No. 2153-SU-11: A request by Illinois Properties, LLC for a Special Use Permit to allow a mixed-use development at 1108 West Nevada Street, 1105 and 1107 West Oregon Street in the CCD, Campus Commercial Zoning District.

Plan Commission member Andrew Fell recused himself from the Plan Commission during these two public hearings. He explained that he is the architect for the proposed development and will be speaking on behalf of the petitioner requesting the proposed rezoning and special use permit.

Jeff Engstrom, Planner II, presented these two cases together to the Urbana Plan Commission. He began by giving a brief description of the proposed development noting the location, current zoning and land use and the future land use designation of the proposed site and of the surrounding properties. He talked about how the goals and objectives of the 2005 Comprehensive Plan pertain to the proposed rezoning and special use permit requests.

He mentioned the letter received from Wesley Curtis, Associate University Counsel. He discussed the proposed development including the site design and development regulations including setback requirements, Open Space Ratio (OSR) requirements, Floor Area Ratio (FAR) requirements and parking requirements for the CCD Zoning District. He reviewed the LaSalle criteria as they pertained to the proposed rezoning. He reviewed the requirements for a special use permit according to Section VII-6 of the Urbana Zoning Ordinance. He reviewed the options for the Plan Commission and presented staff's recommendation for each case.

Elizabeth Tyler, Director of Community Development Services, talked about the third condition for staff's recommendation for the special use permit request. She mentioned that at their meeting, the Zoning Board of Appeals discussed having City staff look at the parking requirements for the CCD Zoning District and to possibly draft an amendment to the Zoning

Ordinance reducing the amount of parking spaces required for such district pending the results of their research on it. Therefore, she recommended the Plan Commission alter the language of the third condition to reflect possible approval of such a text amendment. Chair Pollock asked if City staff was requesting that the Plan Commission build in a caveat that if the regulations change, then the third condition is null. Ms. Tyler said yes.

Chair Pollock wondered if the text amendment is in the works or is City staff just thinking about altering the Zoning Ordinance. Ms. Tyler answered that they want to get some direction from the Plan Commission. City staff could still post a legal notice for the next Plan Commission meeting if that is the direction they get at this meeting.

Mr. Fitch inquired as to what the special use would be approving. Is it for the residential use or is it for any one of the other permitted uses? Mr. Engstrom stated that the zoning description sheet for the CCD lists all of the uses that would be allowed with approval of a special use permit. The first condition City staff recommends would require the developer to check with City staff to ensure that a use would be appropriate for the CCD Zoning District.

Mr. Ash noted that the letter from the Associate Counsel for the University of Illinois suggested that the proposed development may cause some conflicts for the campus in the future. Has the University given any details as to what they plan for the proposed site? Mr. Engstrom explained that the University has a Master Plan showing that they planned for an academic building to be constructed. Mr. Ash replied that the letter is vague and he wondered how firm the University's plans are. Ms. Tyler responded that we need to look at the City's Comprehensive Plan and the zoning criteria because the University of Illinois does not own the proposed site. She pointed out that the University's Master Plan is like a facilities plan. It does not have many of the things shown in the City's Comprehensive Plan. She mentioned that about half of the block is privately owned and many blocks in east campus are privately owned. A master plan is about facilities and expansion, and the City's Comprehensive Plan is about the community and the city. Zoning is really about property owners' rights. Mr. Engstrom showed on the overhead screen the University's Master Plan for the proposed area.

Mr. Otto expressed interest in the letter from the University of Illinois. He has questions about the development of Gregory Place I and II. Did the developer ask for a rezoning of the lots and consult with the City or did they develop Gregory Place I and II on their own? Ms. Tyler replied that the development of Gregory Place I and II were done with the assistance and cooperation of the University of Illinois. Their staff at the time helped to draft the CCD Zoning District to accommodate the east campus commercial buildings. These were planned to make up for the loss of commercial buildings in the east campus area in the prior several years to academic uses. She explained that the land is owned by the University of Illinois, and JSM Development has a long-term land lease. So, it was a three-party agreement...the City agreeing with JSM Development through the special use permit for the development, and they in turn have an agreement with the University of Illinois for the development.

Ms. Tyler mentioned that she recently spoke with a planner from the University of Illinois. While the Master Plan shows a part of the site as being a 17,000 square foot building, it is being studied as a possible music building expansion.

Mr. Otto wondered if JSM Development pays real estate tax on the portion of the developments that is used for commercial and residential. Ms. Tyler stated that JSM Development pays taxes on the improvements, but the underlying land remains tax exempt.

Ms. Stake commented that it seems to her that developers are always trying to get out of providing enough parking spaces for the cars. She is concerned about the variance for a reduction in the required number of parking spaces. Ms. Tyler pointed out that this part of campus is not suited for high car ownership because everything is so walkable and there is great transit ridership. So, why in retrospect ten years later is the City imposing a 50% higher parking requirement in this small zone? City staff feels that there is a disconnect between the requirement, the reality, and our goals to promote a more walkable, less auto-oriented central part of the City.

Ms. Stake questioned what data we have proving that there are fewer cars being driven by students. It always seems that there is no place to park on campus. Mr. Engstrom noted that there was an article in the News-Gazette that showed data that occupancy rates in the City of Champaign's municipal parking lots in the campus area were down from 90% to 70% or 80% in the last couple of years. So, there have been studies done that show fewer students have been bringing cars to campus. Mr. Pollock commented that if there is less parking in the area, then there will be fewer cars in the area.

Ms. Stake asked how wide the sidewalks would be. Mr. Engstrom believed that there would be ten feet to twelve feet between the building and the actual right-of-way sidewalk, so there could possibly be enough space for sidewalk café use.

Mr. Otto referred to the requirements for a special use permit according to Section VII-6 of the Urbana Zoning Ordinance and listed on Page 7 of the written staff report. Number 3 talks about preserving the essential character of the district. He expressed concern about the appearance of the proposed development along Nevada Street. The entire street is still attractive in terms of the existing residential buildings and the sororities and fraternities have nice period facades. There are not any apartment buildings on stilts with cars parked underneath them. So, would it be appropriate for the Plan Commission to include a condition specifying that some kind of screening be used so the residents on the first floor to the right and left would not be looking out onto a parking lot, especially since there will be a minimal setback between the properties. Mr. Engstrom responded that the Plan Commission does have the ability to add conditions about screening. It would be appropriate for them to talk to the architect about how to achieve screening.

Chair Pollock referred to the Southern Perspective illustration (Part of Exhibit D) which depicts the access into the parking area of the proposed development. There is not much of a setback along Nevada Street, so would there even be room to place screening in front of the proposed building. Mr. Engstrom said it would be difficult with all of the access to the parking that is needed there.

There were no further questions for City staff from the Plan Commission. Chair Pollock opened the hearing up for public input.

Tyler Harries, of Andrew Fell Architecture and Design, showed a video of the proposed development in 3D format using the SketchUp modeling program. He showed the view of the proposed development along the north side from the Krannert Center for the Performing Arts, along the west side from the University of Illinois Music Building and a sorority, along the south side along Nevada Street and along the east side from a sorority and Gregory Place. Chair Pollock inquired about the parking. Would the southern section of the proposed building that faces on Nevada Street be on stilts with parking on the ground level and another level of parking below? Mr. Harries explained that there are two drives. One access drive off Nevada Street would go down to a lower level of parking and the other access drive would go to the ground level parking.

Ms. Stake inquired as to whether any of the people living close to the proposed development have been notified. Mr. Engstrom answered by saying that people within 250 feet of the proposed site have been notified of the public hearings for the rezoning, special use permit and the variance request. There were no images of what the proposed development would look like in those notifications. Ms. Tyler explained that City staff does not include pictures in the notifications; however, we do include a description. Ms. Stake commented that it makes a big difference of whether you show a picture or just send a description. Therefore it is not fair to the nearby residents.

Chair Pollock wondered if any adjacent residents had called with concerns or questions. Mr. Engstrom replied that JSM Development responded regarding the proposed variance. However, they do not have any issues with the two cases before the Plan Commission for rezoning and approval of a special use permit. In addition, the University of Illinois sent the letter that was handed out and discussed earlier in the meeting.

Mr. Otto asked if there was a rendering that shows how the southwest face of the proposed development would compare with the current adjacent properties and the rest of the setbacks along Nevada Street. Mr. Harries used the Site Plan provided in the packet of information to show that the southwest face of the proposed development would set back 11 feet from the front property line. He figured the front yard setback for the sorority to the west is about 17 feet. So, there would be an approximate difference of 6 feet.

Chair Pollock questioned whether the white area to the east of the proposed development was a parking lot for the sorority on the east side. Mr. Harries said yes. The sorority does not have any screening on the lot.

Ms. Stake feels that the proposed development will be too big next to residential homes. City staff should have included a picture of the proposed development in with the notifications for the public hearings.

Mr. Ash asked how long the construction would take to build the proposed development and how many people would be working on it. Mr. Fell stated that assuming all the approvals go through

for the variance, rezoning and special use permit requests and the length of time it takes them to create all of the necessary documents, the existing apartment buildings will probably be occupied through the rest of this school year and through the following school year with construction to start probably the following May. The entire amount of time it would take to construct a building of this size would be around 18 months.

Mr. Ash inquired as to how many people would be working on constructing the proposed building. Mr. Fell said a lot. Mr. Ash explained that he is looking at economical development as a whole and wondered how many jobs would this project create.

Mr. Ash questioned if City staff received any responses from the two sororities. Mr. Engstrom replied no. Ms. Stake mentioned that the Plan Commission members used to receive copies of neighbor notifications for previous cases including a list of people who the notification was sent to. Ms. Tyler stated that City staff can start sending those to the Plan Commission members again. However, a notice was posted in the required places, a legal ad was placed in the News-Gazette and a notice was sent to residents and property owners within 250 feet of the proposed site. Mr. Ash agreed with Ms. Stake in that a notice and a picture would be beneficial to the adjacent residents.

Mr. Fell explained that with regards to screening, there is a section in the Zoning Ordinance requiring this type of development to screen the parking from adjacent residential uses. Part of the screening for the proposed development will be done with a low wall around the on-grade parking. There will also be additional vegetation screening used.

Mr. Fell said that in terms of the number of parking spaces, it is a detriment to the CCD Zoning District to require a higher parking regulation. The CCD Zoning District was developed in conjunction with the University of Illinois, which owns almost all of the land in the campus area. It is to the University's advantage to have a much higher requirement for parking because a developer would have to lease parking spaces from them. For example, Gregory Place II, which is on land owned by the University, was required to provide around 180 parking spaces. JSM Development has about 46 parking spaces onsite and the remaining spaces are leased on a surface lot next door, which is also owned by the University. So, unless you partner with the University on a project, your hands are tied. The developer of the proposed project or any other private developer would not like to be forced to enter into an agreement through eternity with the University to rent parking from them.

In addition, with a development of the proposed scale, unless you get the density up high enough, it is not economically viable especially on the constrained site. There is a point where if you raise the parking requirement it takes space away from the building. Eventually, you get to the tipping point where the project is not an economically viable project. The developer for the proposed project has already said that they are almost there right now. If they cannot keep the density they are proposing, then this project may not happen.

Mr. Otto stated that he is very sympathetic to increasing the density in the CCD Zoning District. He believes that the proposed project is a big improvement over the existing structures on the whole. His primary concern is how it appears on the Nevada Street streetscape. It seems like

they could design something that would be attractive. Green screening is not favorable to him because you never know what will be growing in 10 to 15 years. He recommended some architectural features from the design of the windows or panels of the building. Mr. Fell stated that this is a possibility. When you build a parking structure, it is either open or closed. The way they are treated systematically in the building code is a very different set of criteria that you have to follow. There is a great deal more infrastructure involved in creating a closed parking structure. They can infill part of the wall and maintain an open parking structure; however, they are limited. Mr. Otto does not recommend an enclosed parking structure because it could create ventilation issues.

Ms. Stake cares more about how close the proposed development will be to the other buildings than she does about parking. Residential housing units are being pushed out of the way to make room for multiple family housing units.

Chair Pollock questioned whether they could move the project back an additional 10 feet from the street. What would be the effect? Mr. Fell explained that when they start planning a project like this, it starts out like a gigantic algebra problem with 10 variables that have to be solved altogether. The variables are parking, floor area ratio and open space ratio. As soon as they would start moving the building back, they would start losing parking spaces, which would throw them further out of conformance. They have tried to maintain a healthy and economically viable balance. They are already asking for a fair amount of reduction in the required number of parking spaces. As soon as you make the building smaller, then they would have to ask for more.

Mr. Hopkins wondered if there would be an elevator. Mr. Fell said yes.

Mr. Hopkins asked if there was a height requirement on the proposed building. Mr. Fell said no. Mr. Hopkins questioned whether they could solve some of the problems by constructing a taller building. Mr. Fell said no, because once you have an occupiable floor that is higher than 70 feet in the air, then you are considered a high rise and this creates another set of variables that are very expensive.

There was no more input from the audience, so Chair Pollock closed the public input portion of the hearing. He, then, opened the hearing up for Plan Commission discussion and/or motion(s).

Mr. Hopkins understood that the Plan Commission would be doing two things. There is the rezoning, and then there is the special use permit in the context of the rezoned property. The rezoning would be a permanent decision, but the special use permit would be reviewed again for any significant modification from the submitted plans. Mr. Engstrom said this was correct.

Mr. Hopkins stated that it is essentially a special use permit request. Chair Pollock added that because in the CCD District, no uses are allowed without approval of a special use permit. Ms. Tyler explained that the idea was to intertwine the special use with the zoning so there could be this kind of detailed review, particularly of the uses. The CCD Zoning District has a different set of setbacks than the R-5, Medium High Density Multiple Family Residential Zoning District to allow a more urban feel. To ask the developer to provide more setback than what is required in a

zoning district would be the same as asking for a different zoning district. She does not recall there being much discussion on the setbacks for the Gregory Place developments. Chair Pollock recalls the major difference between the proposed development and the Gregory Place developments to be that there was no established residential uses adjacent to the Gregory Place developments. Ms. Tyler pointed out that there were small apartment buildings on the east side; however, the sororities are something you would find on this part of Nevada Street.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2153-M-11 to the City Council with a recommendation for approval. Mr. Fitch seconded the motion.

Mr. Fitch questioned if they rezone the properties to the CCD Zoning District and then the University acquires it, would the University have to ask to rezone it again to be able to construct an academic building? Mr. Engstrom stated that it is interesting. The CCD Zoning District permits University or College by right; however, the current zoning does not.

Mr. Hopkins wondered if in that case the University still would be required to get a special use permit to construct anything. Mr. Engstrom said no. The only permitted use by right in the CCD Zoning District is a university or college use.

Roll call on the motion was taken and was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	No	Ms. Tompkins	-	Yes
Mr. Ash	-	Yes			

The motion passed by a vote of 6 ayes to 1 nay.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2153-SU-11 to the City Council with a recommendation for approval with the conditions recommended by City staff as amended by Ms. Tyler earlier in the meeting. Mr. Ash seconded the motion.

Chair Pollock explained that the amendment simply means that if the requirements for parking in the CCD Zoning District are changed, then the recommendation to find off-site parking would disappear. Mr. Fitch feels that it would be good enough for the third condition to simply read as follows, *“Should the pending variance or equivalent text amendment not be granted, the developer shall provide ~~adequate~~ parking consistent with the Zoning Ordinance to serve the project on-site or off-site within 600 feet of the property.”*

Mr. Hopkins questioned which version of the Zoning Ordinance this would refer to...today’s version or a future amended version. Mr. Fitch then asked if the City changes the Zoning Ordinance, would JSM be able to cut down on their leasing requirements. Mr. Hopkins said yes.

Ms. Stake commented that she wished there was a way to make the proposed development better. She feels that the proposed building is too big and will not fit in with the existing buildings along Nevada Street. Mr. Hopkins responded by saying that since the City allowed

JSM to construct Gregory Place I and II, then it is not clear to him why the proposed development, which is approximately the same size would not be approved. He does feel that the south entrance could be improved on the first floor, but there are no residential properties left that look like residential properties other than the sororities on Nevada Street west of Lincoln Avenue. The University of Illinois owns almost every property west of Lincoln Avenue, except for a few.

Ms. Stake stated that it really is not about how big the proposed development is, but more about how close it is to the adjacent properties. Mr. Otto responded that the City in approving the creation of the CCD Zoning District has said that these are appropriate setbacks for this district and that we would like to see large buildings of this size located in this area. He would really like to see the proposed development because it is much more attractive than the existing three buildings on the site. He did want to ask for a friendly amendment to ask the developer to do something about the entrance to the parking lot.

Chair Pollock asked for clarification on whether the City Council has the ability to require some type of architectural screening that could be approved or reviewed by City staff. The Plan Commission certainly has the ability to recommend it. Mr. Engstrom said yes. There has been a condition approved before in a different case that the developer must provide screening as approved by the Zoning Administrator.

Mr. Hopkins made an amendment to the motion to amend the conditions to include *the design of screening of the parking on the south façade and the facades in the front setback area to be approved by the Zoning Administrator*. Mr. Otto seconded the motion to amend. This amendment was approved by unanimous vote.

Ms. Tyler asked for clarification. Mr. Hopkins stated that he intends for the design of the screening to be different than what is being proposed. The Plan Commission does not know what it should be because that is up to the architect.

Mr. Ash stated for the record some student is going to wake up and look at a brick wall, so he feels that is fostering of a good principal to send a picture along with the notification to the neighbors. There is also a certain aspect to the University of the historical integrity of Nevada Street. He understands the need for modernization and is in favor of the project, but as the City moves forward in looking at the CCD Zoning District and the University of Illinois, there is a historic aspect to both the City of Urbana and the campus side to it. It is worth preserving as much as they can. Chair Pollock agrees with Mr. Ash and feels that to a significant degree the proposed development does preserve the historical integrity of the area.

Ms. Tompkins inquired as to whether the amendment to the motion requires architectural changes to the screening. Chair Pollock replied that the Plan Commission was not being that specific, but the City staff understands what the Plan Commission has discussed. The minutes from this meeting will be read by the City Council and then they will understand as well. The final decision about how specific to get with the language will be up to them.

Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	No
Ms. Tompkins	-	Yes	Mr. Ash	-	Yes
Mr. Fitch	-	Yes			

The motion was approved by a vote of 6 ayes to 1 nay. Mr. Engstrom noted that Plan Case Nos. 2153-M-11 and 2153-SU-11 will be forwarded to the Urbana City Council on November 7, 2011.

Plan Case No. 2157-M-11: A request from the Benoit Group, LLC to rezone 5 parcels located at 1408, 1410, 1412 and 1414 West Eads Street and 1206 North Wright Street from R-2, Single Family Residential Zoning District, to R-5, Medium-High Density Multiple Family Residential Zoning District.

Chair Pollock opened this case and recommended that the Plan Commission table it as requested by the petitioner, Housing Authority of Champaign County. With no objection from the other members of the Commission, this case was tabled until the next scheduled meeting, November 10, 2011, by unanimous agreement.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Jeff Engstrom reported on the following:

- ✓ CCZBA Cases were forwarded to the Urbana City Council with a recommendation to defeat a resolution of protest as recommended by the Urbana Plan Commission on October 13, 2011. The City Council upheld the Plan Commission's recommendation on October 17, 2011 to defeat a resolution of protest.
- ✓ Downtown Plan Update Steering Committee meeting will be held on October 31, 2011 at the Urbana Civic Center between 4:00 p.m. and 6:00 p.m. City staff will be presenting a draft of the updated plan.

11. STUDY SESSION

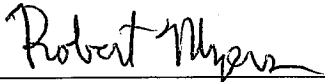
There was none.

October 20, 2011

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:49 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert Myers". The signature is written in black ink and is positioned above a horizontal line.

Robert Myers, AICP, Secretary
Urbana Plan Commission

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: November 10, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Tyler Fitch, Lew Hopkins, Michael Pollock, Mary Tompkins,
Marilyn Upah-Bant

MEMBERS EXCUSED: Carey Hawkins Ash, Andrew Fell, Dannie Otto, Bernadine Stake

STAFF PRESENT: Robert Myers, Planning Manager; Teri Andel, Planning Secretary

OTHERS PRESENT: Tom Berns, Torian Priestly, Susan Taylor

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

Chair Pollock called the meeting to order at 7:31 p.m. The roll was called and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

October 13, 2011 Rescheduled Meeting. Mr. Fitch moved that the Plan Commission approve the minutes as presented. Mr. Hopkins seconded the motion. The minutes were then approved by unanimous vote.

October 20, 2011 Regular Meeting. Mr. Fitch moved that the Plan Commission approve the minutes with the following correction on page 6, fifth paragraph, last sentence. It should read, *“The developer of the proposed project or any other private developer would not like to be forced to enter into an agrément through eternity with the University to rent parking from them.”* Mr. Hopkins seconded the motion. The corrected minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

- ✓ Written staff report updating the rezoning request boundaries for Plan Case No. 2157-M-11.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2157-M-11: A request from the Benoit Group, LLC to rezone 5 parcels located at 1408, 1410, 1412 and 1414 W. Eads St., and 1206 N. Wright St., from R-2, Single Family Residential Zoning District, to R-5, Medium-High Density Multiple Family Residential Zoning District.

Chair Pollock reopened this case. Robert Myers, Planning Manager, explained that the area to be rezoned has been amended to remove 1408 West Eads Street, and the Plan Commission should refer to the map included in the written staff report distributed at the beginning of the meeting. He gave a brief background on the proposed redevelopment project. He described the proposed sites and adjacent properties noting the zoning designations and existing land uses of each. He showed how the proposed rezoning request related to the future land use designated for the area in the 2005 Comprehensive Plan. He stated that the proposed redevelopment project conforms to the goals and activities in the City of Urbana's HOME Consortium Consolidated Plan as well as the Mayor and City Council Goals.

Mr. Myers talked about the proposed redevelopment project and explained the difference between the plans that were originally submitted and the revised written staff report. He discussed how the La Salle National Bank criteria pertain to the proposed rezoning. He read the options of the Plan Commission and presented City staff's recommendation.

Mr. Myers was asked whether R-4 rather than R-5 zoning be sufficient for the proposed project? He responded that he could research this for the Plan Commission.

Mr. Myers was asked how "residential urban pattern" is defined. He responded that the Comprehensive Plan defines "residential urban pattern" as an area that primarily contains single-family residential housing, but also includes a variety of compatible land uses such as duplexes, town homes, civic uses, institutional uses and parks where zoning is appropriate. It is typically found in older, established neighborhoods and includes a grid network of streets with, in some cases, vehicular access from rear alleys.

Mr. Myers was asked if the properties are rezoned to R-5 and the proposed development project is not constructed, could another developer build a project to the maximum standards of the R-5 Zoning District? He replied yes, and in this case state housing tax credits will be necessary to make the proposed project work financially. When the Housing Authority applies for these credits, they have to show that they control and have proper zoning for the project properties. He added that even if the tax credits are not approved for the proposed project, the Housing Authority will still own the properties and will use them for public housing purposes of some sort.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing up for public input.

Torian Priestly, the Benoit Group, LLC, approached the Plan Commission. In response to the question about whether the R-4 Zoning District would be sufficient, he stated that the consistency of one single zoning designation for the entire parcel is important to the tax credit application. Since the existing Dunbar Court public housing complex is already zoned R-5, they are requesting rezoning of the additional properties to R-5. Although they originally designed a combination of one-story and two-story buildings, without 1408 West Eads Street as part of the project, they can still make the project work by making some units two stories.

Concerning the Benoit Group's long-term involvement, they will be the developer and co-owners of the property and will hire a third party to manage the buildings. The Housing Authority will continue to own the land and will provide a ground lease to the Benoit Group. Together the Housing Authority and the Benoit Group will form an entity to be able to submit for the tax credit application. Mr. Priestly pointed out that approval and acceptance of the tax credits would impose a 30-year land use restrictive covenant. So for the next 30 years, the properties would remain affordable housing. And their management of the properties would be overseen by the state agency.

Mr. Myers was asked how far north the Wright Street public right-of-way extends. He referred to the former Dunbar Court parking lot has now been traded to the Champaign School District as parking for Booker T. Washington School. The Wright Street public right-of-way now terminates at the south end of that parking lot. Without the Eads Street properties, the Dunbar Court site is now technically landlocked.

Mr. Priestly added that access to Dunbar Court would be moved from North Wright Street to W. Eads Street. The proposed community building would be along W. Eads Street next to the new access drive. They plan to provide pedestrian access from the north end of the development to the adjoining Douglas Park.

Tom Berns, Berns Clancy and Associates, confirmed that the parking lot has been transferred to the Champaign School District and will be upgraded as part of the new Booker T. Washington School. The city boundary line extends down the middle of North Wright Street so the west half of the street is within the City of Champaign and the east half of the street is located within the City of Urbana. Mr. Myers added that the two cities have an agreement in place of which party actually maintains the street.

With no further input from the audience, Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission to discuss and/or make a motion(s).

Mr. Hopkins expressed concern about rezoning the proposed properties to the R-5 Zoning District. Every property around the proposed site is zoned R-2, Single Family Residential. The R-5 Zoning District allows some uses and development regulations that are difficult to imagine being there. He wondered if there is a better solution. He also expressed concern about the access drive being relocated to Eads Street. They would essentially be developing an R-5 parcel with a narrow entry into a lot that expands behind it. This would be done in an R-2 zoning context. He feels that they need to be careful with how they deal with the development's entryway.

Mr. Fitch stated that he has some of the same concerns. He reviewed the differences between the R-4 Zoning District and the R-5 Zoning Districts. He even thought about a planned unit development. He is concerned about raising the zoning so high and what uses would be allowed.

Chair Pollock commented that the Plan Commission is asking the right questions of what are the potential uses with approval of the proposed rezoning over and above the proposed project. However, R-5 Zoning District is not much different than R-2 in terms of height. He feels comfortable that the rezoning would not be detrimental to the surrounding properties. If Plan Commission members feel that a lower rezoning or a planned unit development would be better than rezoning the proposed properties to R-5, then they could make that recommendation to the City Council. If the City Council would agree, then it would mean sending the proposed project back to the petitioner to reconfigure the development. Given that the proposed properties are currently adjacent to an existing R-5 public housing development he is not willing to support sending it back to the petitioner.

Mr. Fitch asked what the zoning is for the Lakeside Terrace development. Mr. Myers replied it is zoned R-5.

Mr. Myers elaborated that R-4 and R-5 development standards are practically the same except for Floor Area Ratio (FAR) – a maximum of 0.5 in R-4 but 0.9 in R-5. Chair Pollock reminded the Plan Commission that the proposal is not an R-4 development.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2157-M-11 to the City Council with a recommendation for approval. Mr. Fitch seconded the motion.

Chair Pollock stated that he is comfortable that it will be developed as proposed. There is a small possibility that something will go awry with the plans. Even so, under the R-5 Zoning District he did not see a development being constructed that it would be a terrible disadvantage. The project as proposed will be a great advantage to the City of Urbana.

Roll call was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Pollock	-	Yes	Ms. Tompkins	-	Yes
Ms. Upah-Bant	-	Yes			

The motion was passed by unanimous vote.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2162-T-11: A request by the Urbana Zoning Administrator to amend Section VIII-5.K of the Urbana Zoning Ordinance to revise the parking requirements in the CCD, Campus Commercial Zoning District.

Robert Myers, Planning Manager, presented this case to the Plan Commission. He explained that this application was prompted by a recent variance request that came before the Zoning Board of Appeals to reduce the parking for a new project in a CCD (Campus Commercial District) zoning district. When the CCD district was created in 2001, parking for most uses was reduced to half of that required in other districts. But for yet unclear reasons, the parking requirement for residences is 50% higher than for any other zoning district outside of downtown.

On the University of Illinois campus, there is a lot of structured parking, which is really expensive to construct. Nationally, it costs about \$16,000 per parking space to build structured parking. So for an extra 35 parking spaces, it would add approximately a half a million dollars to the development costs. The developer would then pass this extra cost along to the buyer of the development, and the buyer would pass this along to the tenants, so it would mean higher rents and higher housing costs. This would be alright if there is an actual need for parking, but now students are bringing fewer cars on campus. Both the University of Illinois and the City of Champaign have reported that they are issuing far fewer parking permits for student cars.

In the past few years, bus ridership has greatly increased with MTD (Mass Transit District) reaching 50,000 riders per day. More people are bicycling and/or walking to work as well. He believes this to be a long-term trend of students bringing fewer cars to campus. In addition, the Zip Car system has really become popular. Especially for these reasons he does not see a good reason for the City to require 50% more parking for residential uses in this zoning district than for any other. City staff is recommending that the minimum be changed to match that required in other districts.

Mr. Myers was asked why the 2001 zoning amendment enacted higher residential parking. He replied that a City parking survey of students near campus apparently played a role, but the specific reasons remain unclear, even after researching the case file and meeting minutes. Also, at that time, residential parking was based on bedroom size and has since been simplified to the number of bedrooms. This may have played a role.

In terms of how this change would effect Gregory Place I and II, Mr. Myers said that it would lower the minimum for those existing properties as well. Currently Gregory Place I can only provide about a third of their required parking spaces on-site with the other third now having to be leased off site from the University of Illinois.

Asked about possible future CCD districts, Mr. Myers stated that the only properties zoned CCD in the City of Urbana are the Gregory Place properties and the future Krannert View properties. This district was created for private development on campus and on the edge of campus. He sees the Campus Commercial District as a niche zoning district for solely around campus.

With no further questions for staff from the Plan Commission, Chair Pollock opened the hearing up for audience members to comment or ask questions. There was none, so Chair Pollock closed the public hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Hopkins believes that one reason why the City required an additional amount of parking in the CCD Zoning District was due to the resistance of student parking east of Lincoln Avenue in the state streets area. At that time, student parking on the state streets was a major issue for the City. However, we now have on-street parking restrictions to control on-street parking in the neighborhood. Since it has become harder to find and afford renting parking spaces, the students' behavior has changed. Therefore, he feels that the City should approve the proposed text amendment as part of continuing to change the behavior.

Chair Pollock commented in this case it would be best to change the requirements rather than make special exceptions through variances for each project.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2162-T-11 to the City Council with a recommendation for approval. Ms. Upah-Bant seconded the motion. Roll call was as follows:

Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Fitch	-	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:

- ✓ Citizen Planner Workshop on Friday, November 18, 2011 in Bloomington, Illinois. Plan Commission members are welcomed to attend.
- ✓ Previous cases forwarded from the Plan Commission including the Complete Streets Comprehensive Plan amendment, Legal Notice text amendment, Market at the Square Strategic Plan, and the Krannert View rezoning request and Special Use Permit. All of these have been approved by the City Council, as recommended by the Plan Commission.
- ✓ US Cellular has withdrawn their application for a special use permit to construct a cell tower on the Urbana High School property.

November 10, 2011

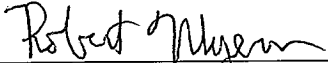
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,



Robert Myers, AICP, Secretary
Urbana Plan Commission