

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** May 10, 2012

**TIME:** 7:30 P.M.

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

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**MEMBERS PRESENT:** Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Mary Tompkins

**MEMBERS EXCUSED:** Carey Hawkins Ash, Bernadine Stake, Marilyn Upah-Bant

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

**OTHERS PRESENT:** Tom Clarkson, Shirley Flynn, Ernest Mosley, Brenda Owens, Char Pekoz, Greg & Denise Reynolds, Susan Taylor, Melinda Wellick

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

Chairperson Pollock called the meeting to order at 7:33 p.m. The roll was called and a quorum was declared present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Mr. Fitch moved that the Plan Commission approve the minutes from the April 5, 2012 meeting as presented. Mr. Fell seconded the motion. The minutes were approved by unanimous voice vote.

**4. COMMUNICATIONS**

- 2012 Official Zoning Map
- 2012 Official Zoning Ordinance

Regarding Plan Case No. 2167-T-12

- Zoning Ordinance Pages reflecting changes being proposed.

## 5. CONTINUED PUBLIC HEARINGS

There were none.

## 6. OLD BUSINESS

There was none.

## 7. NEW PUBLIC HEARINGS

**Plan Case No. 2167-T-12: A request by the Zoning administrator to amend the Urbana Zoning Ordinance to remove the IN, Industrial, and OP, Office Park Zoning Districts and to create the IN-1, Light Industrial/Office District and the IN-2, Heavy Industrial District.**

**Plan Case No. 2168-M-12: A request by the Zoning Administrator to rezone multiple properties:**

- B-3, General Business District, to IN-1, Light Industrial/Office District (1 property)**
- IN, Industrial District, to IN-1, Light Industrial/Office District (128 properties)**
- IN, Industrial District, to IN-2, Heavy Industrial District (54 properties)**
- IN, Industrial District, to B-3, General Business District (8 properties)**

Jeff Engstrom, Planner II, presented both cases to the Plan Commission. He discussed information from the written staff report. He began with a brief explanation noting the purpose of each case. He stated that the main purpose is to create a more modern and flexible set of industrial zoning districts.

Concerning public and property owner outreach, City staff held an open house on March 14, 2012 to present the proposed industrial zoning reclassification to industrial property owners. After that, City staff conducted the standard legal notice process by posting signs and by mailing out over 1,300 notices to property owners, tenants and neighboring property owners within 250 feet of the subject properties. City staff posted more than 50 public notice signs in public rights-of-way in areas to be rezoned.

He discussed how the proposed cases relate to the goals and objectives and to the future land uses shown in the 2005 Comprehensive Plan. He defined "*Light Industrial/Office*" and "*Heavy Industrial*". He talked about the number of properties being used for specific uses according to a Land Use Survey that City staff completed in the spring of 2012. He noted four corrections to Exhibit A (Properties to be Rezoned) which are as follows:

- 500, 508 and 606 West Anthony Drive are proposed to be rezoned to IN-2 and not IN-1.
- 803 South Lierman Avenue is proposed to be rezoned to IN-2 and not IN-1.

He showed photos characterizing current business and development types in existing IN Industrial zoning districts.

He referenced the text amendment distributed to the Commission before the meeting as the final text City staff is asking the Plan Commission to act upon. It contains a strikeout and underline version showing all the changes in the proposed text amendment. He reviewed the development regulations of each proposed new district.

Concerning nonconformities, Mr. Engstrom stated that City staff conducted both a land use survey and analysis of lot widths for all properties. The proposed rezoning would not knowingly create any new nonconformities. Conversely, a few existing nonconforming properties would become conforming to zoning standards.

Mr. Engstrom reviewed the factors from the LaSalle National Bank case as they pertain to a comparison of the existing zoning with that proposed by the Zoning Administrator. He asked that the Plan Commission consider the two cases in sequential order with the text amendment being first. He, then, presented City staff's recommendation for approval for each case.

Chairman Pollock opened the meeting to questions for City staff by the Commission.

Mr. Fitch questioned whether a recycling center is suitable for the proposed IN-1 Zoning District? In the case of Mervis Industries where they are not processing materials, it may be appropriate; however, if a recycling center processes materials, would they be considered a heavy industrial use? Mr. Engstrom agreed. City staff is proposing that recycling center use be allowed as a special use permit in both the IN-1 and the IN-2 Zoning Districts. Since the property's future land use is designated as Light Industrial, City staff is proposing to rezone it to Light Industrial.

Mr. Fitch asked about a non-contiguous property which is proposed to be rezoned to IN-1 along East Anthony Drive. The properties surrounding it were recently rezoned to B-3, General Business. He feels that some of the uses (i.e. an indoor sports facility) in this specific B-3 zoned area could be permitted uses in the IN-1 Zoning District. Mr. Engstrom responded by saying that to the west of Pega Drive there is a new facility with about five buildings that really defines the Light Industrial Zoning District.

Referring to Exhibit D-4, Mr. Fitch inquired about the property located along North Vine Street and borders on Courtesy Road that is currently zoned Industrial. Mr. Engstrom explained that this property is shown on the Future Land Use Map in the 2005 Comprehensive Plan as being designated as B-4, Central Business Zoning District. But because the property owner needs to preserve his land use options at this time, City staff is proposing to keep it zoned for industrial use.

Lastly, Mr. Fitch noticed in Table V-1 (Table of Uses) that under the Industrial category of uses some uses permitted as special or conditional uses in the B-3 Zoning District are not allowed at all in the IN-1, but are allowed by right in the IN-2. He recommended that City staff make these uses to be allowed in the IN-1 Zoning District.

Mr. Otto commented that the proposed two cases do not seem to be controversial. He asked how satisfied City staff is about land owners being alerted to the proposed rezoning. Mr. Engstrom replied that he had received phone calls and talked with about 20 property owners and/or tenants inquiring about the effect the proposed rezoning would have on their properties. With all the public outreach and noticing that was done, City staff feels satisfied that the public has been notified of the proposed rezoning.

Mr. Pollock wondered if there were any negative responses from the property owners involved in the proposed rezoning. Mr. Engstrom stated that the majority of the phone calls received were from residents within 250 feet of the subject properties calling to find out the impact that the rezoning would have on their properties.

Chair Pollock recalled that Mr. Engstrom mentioned allowing some retail uses in the IN-1 to service the people who work in the district. However, there are some uses not allowed or only allowed as a conditional use that would make sense to be permitted, such as *Bakery, Café or Deli, Confectionary Store, Fast Food Restaurant, and Restaurant*. He noticed that a business at 702 Killarney makes candy. What if they wanted to turn the front part of their business into a store to sell what they make? Mr. Engstrom explained that City staff was trying to stay true to what had been mentioned in the 2005 Comprehensive Plan to provide limited commercial uses so as not to go overboard and turn the IN-1 district into another commercial district. However, if the Plan Commission would like to allow these uses either as special or conditional uses that is possible.

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

Char Pekoz, 1714 Wilson Road, stated that she lives in Wilson Mobile Home Park and is there to represent these residents. She was initially concerned that the proposed rezoning of industrial properties nearby would have a negative impact on her neighborhood. After listening to Mr. Engstrom's report to the Plan Commission, she is no longer concerned about the proposed rezoning. Chair Pollock assured her that the proposed rezoning would cause no changes to Wilson Mobile Home Park. The neighboring Flex-N-Gate property is already zoned IN, Industrial. The proposed IN-2 zoning for that property is really the same as the current IN zoning.

Ms. Pekoz said that she heard rumors of Flex-N-Gate building an office between Wilson Mobile Home Park and Flex-N-Gate. Mr. Engstrom pointed out that any use of the undeveloped space between the two buildings would have to comply with the proposed IN-2 zoning, which is really the same as the existing IN zoning.

Ms. Pekoz said this is her first experience in attending a public hearing and has found it to be both informational and enjoyable.

With no further comments or questions from the audience, Chair Pollock closed the public hearing.

Mr. Fitch believes it is a good idea to make the industrial zoning districts more flexible for development. He has some possible amendments to the Table of Uses for consideration. Chair Pollock suggested that the Plan Commission address changes to the Table of Uses as part of discussion after a motion.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2167-T-12 and Plan Case No. 2168-M-12 to the City Council with a recommendation for approval. Mr. Fitch seconded the motion.

The Plan Commission discussed changes to the Table of Uses. Mr. Fitch specifically questioned uses which would be allowed as a conditional use in the B-4, Central Business Zoning District, and by right in the IN-2, Heavy Industrial Zoning District, but not allowed at all in the IN-1, Light Industrial Zoning District. It would make sense to allow these as a conditional use in the IN-1 Zoning District. Following discussion, the following changes were agreed upon by acclamation.

- Page 53 – Allow “*Manufacturing and Processing of Athletic Equipment and Related Products*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Signs and Advertising Display Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 55 – Allow “*Surgical, Medical, Dental and Mortuary Instruments and Supplies Manufacturing*” as a Conditional Use in the IN-1 Zoning District

The Commission discussed the advisability of having so many narrow land use categories under industrial zoning. Could some of these narrowly defined uses be instead classified as “*Light Assembly Manufacturing*”? Chair Pollock felt this would involve redefining uses. There are many gray areas that would be partially addressed by adding the IN-1 Zoning District and making them a conditional use, which would allow additional review as to whether a use would fit in a specific area.

Robert Myers, Planning Manager, commented that City staff understands that the industrial land use categories are messy and that improvements could be made. However, doing so should happen as part of a separate study and Plan Commission consideration. City staff would want to conduct a rigorous industrial business survey and use a national industrial classification system to help redefine categories and eliminate overlap and holes in the classification.

Chair Pollock added that in the meantime, if there are uses that the Plan Commission feels should be added in the IN-1 Zoning District with some review abilities, then they could add them as conditional uses.

Following is a list of specific additional changes that were agreed upon by the Plan Commission:

- Page 53 – Allow “*Electrical and Electronic Machinery, Equipment and Supplies Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 53 – Allow “*Jewelry, Costume Jewelry, Novelties, Silverware and Plated Ware Manufacturing and Processing*” as a Conditional Use in the IN-1 Zoning District

- Page 53 – Allow “*Manufacturing and Processing Apparel and Related Finished Products Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Mechanical Measuring and Controlling Instruments Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Miscellaneous Finished Products Manufacturing Including Home Products, Canvas Products, Decorative Textiles, Luggage, Umbrellas, and Similar Products*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Musical Instruments and Allied Products Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Optical Instruments and Lenses Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 54 – Allow “*Photographic Equipment and Supplies Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 55 – Allow “*Watches, Clocks and Clockwork Operated Devices Manufacturing*” as a Conditional Use in the IN-1 Zoning District
- Page 55 – Allow “*Wool, Cotton, Silk and Man-made Fiber Manufacturing*” as a Conditional Use in the IN-1 Zoning District

Other changes made to other categories in Table V-1 – Table of Uses other than the Industrial uses are as follows:

- Page 46 – Allow “*Bakery (Less than 2,500 square feet)*” as a Conditional Use in the IN-1 Zoning District
- Page 46 – Allow “*Fast-food Restaurant*” as a Conditional Use in the IN-1 Zoning District

These uses should be included to service employment hubs such as office and industrial parks that are allowed in the IN-1 Zoning District.

- Page 46 – Allow “*Institution of an Educational or Charitable Nature*” as a Conditional Use in the IN-1 Zoning District

Allowing this as a Conditional Use would allow a foundation or Salvation Army type of store to locate in an IN-1 Zoning District.

Having concluded discussion of the original motion, Mr. Hopkins withdrew his motion. Mr. Fitch agreed.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2167-T-12 to the City Council with a recommendation for approval including the specific changes agreed upon in discussion. Mr. Fitch seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Tompkins	-	Yes

The motion was approved by unanimous vote.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2168-M-12 to the City Council with a recommendation for approval, including the corrections to Exhibit A as mentioned by City staff. Ms. Tompkins seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Tompkins	-	Yes	Mr. Fell	-	Yes

The motion was approved by unanimous vote.

These two cases will be forwarded to the Urbana City Council on Monday, May 21, 2012.

## **8. NEW BUSINESS**

There was none.

## **9. AUDIENCE PARTICIPATION**

There was none.

## **10. STAFF REPORT**

Mr. Myers reported on the following:

- OMA Training – Reminder to take the training online. Commission members may take the training at home or set up a time to come to the City Building to take the training.

## **11. STUDY SESSION**

There was none.

## **12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

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Robert Myers, AICP, Secretary  
Urbana Plan Commission