

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: May 24, 2012

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: Robert Myers, Planning Manager; Rebecca Bird, Planner II; Jeff Engstrom, Planner II

OTHERS PRESENT: Ron Birkey, Pat Moone, Dan Noel, Kasheem Tanksley, Susan Taylor

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

Chairperson 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

Mr. Fitch moved that the Plan Commission approve the minutes from the May 10, 2012 meeting as presented. Mr. Ash seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

- Revised General Area Plan, Preliminary Plat and Final Plat for Plan Case No. 2179-S-12 were distributed to Plan Commissioners before the meeting.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Annexation Case No. 2012-A-02: Annexation Agreement for a 1.37-acre tract of property at 2100 East University Avenue.

Plan Case No. 2178-M-12: Request to rezone a 1.37-acre tract of property at 2100 East University Avenue from Champaign County B-2 (Neighborhood Business) to City B-2 (Neighborhood Business – Arterial) upon annexation.

Rebecca Bird, Planner II, presented both cases to the Plan Commission. She began with a brief explanation for the proposed rezoning and annexation agreement. She identified the subject property as well as the adjacent properties surrounding it by noting the existing land uses, zoning and future land use designations of each. She reviewed the LaSalle National Bank Criteria that pertains to the proposed rezoning. She talked about the options of the Plan Commission and presented staff's recommendation.

The Plan Commission inquired about the access drive to the proposed site. Casey's may want a larger or an additional curb cut for ingress and egress of the site. Robert Myers, Planning Manager, explained that the developer's engineer and Assistant City Engineer have indicated that the Illinois Department of Transportation (IDOT) will most likely allow one access drive along U.S. Route 150.

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

Patrick Moone, of the Farnsworth Group, stated that they indeed plan to install one access drive that will be 35-feet wide. After reviewing the Concept Plan, IDOT's only request is that the drive be lined up with the existing Birkey's Farm Store driveway across U.S. Route 150. Mr. Moone said that Casey's plans to have a convenience store, sub shop, pizza shop and gas station in one building. It will be nicer than what they have built in the past. They are currently working on the landscaping plans to buffer the residential neighboring properties from the proposed site. He also mentioned that they plan to decommission the existing Casey's down the street once the new one is up and running.

With no further input or questions from the public audience, Chair Pollock closed the public hearing. He then entertained any discussion and/or motion(s) by the Plan Commission.

Mr. Fitch moved that the Plan Commission forward Annexation Case No. 2012-A-02 and Plan Case No. 2178-M-12 to the City Council with a recommendation for approval. Mr. Ash seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion was passed by unanimous vote.

8. NEW BUSINESS

Plan Case No. 2179-S-12: A request by Richard Noel and Birkey's Farm Store for approval of a General Area Plan, Preliminary Plat and Final Plat for DMT First Subdivision, including 20.0 acres, and generally located east of High Cross Road (IL Route 130) and north of County Road 1400 North (Windsor Road).

Jeff Engstrom, Planner II, presented this case to the Plan Commission. He explained that Birkey's Farm Store is planning to relocate and expand. In order to do so, they need to create a new lot, which will also require approval of an annexation agreement from the City Council. The annexation agreement submitted to the City Council includes two variance requests to allow a freestanding sign that would exceed the standards of the Urbana Zoning Ordinance. In addition, the agreement would allow a variance to allow a dust-controlled gravel surface.

Mr. Engstrom noted the existing land uses, zoning and future land use designations of the proposed site as well as for the surrounding properties. Referring to the revised General Area Plan, Preliminary Plat and Final Plat that were distributed at the beginning of the meeting, he noted minor changes between these and the ones that were included in the written staff report. He talked about the sidewalk deferral for the east side of High Cross Road, drainage for the proposed site, and connections to utility services. He reviewed the options of the Plan Commission and presented City staff's recommendation.

The Plan Commission inquired as to what the City plans for development of the properties to the south across Windsor Road both on the east and west sides of IL Route 130. Mr. Engstrom stated that the City's Comprehensive Plan has designated these properties for future residential development. The current property owner has indicated that they have no development plans for the remainder of the tract not sold to Birkey's and will continue to farm the rest of the property.

A question was asked why the Stone Creek Boulevard extended right-of-way is only 33-foot right-of-way with a 15-foot easement. That is atypical for street rights-of-way being dedicated. Mr. Engstrom explained that the subdivision includes right-of-way for a half street width. Since the south portion of the property is not being developed at this time, the petitioner is providing his portion of the future street extension. The remainder of the right-of-way would be dedicated when the remainder of the Noel Tract would be developed as some point in the future and the street extended to the east.

Were there any comments from surrounding property owners regarding the proposed subdivision and development plans? Mr. Engstrom said he had not received comments. Because the land platting process is a technical review based on Subdivision Code standards, and does not involve a public hearing, letters were not sent to adjoining property owners for the subdivision itself. However, all neighboring property owners and residents were notified by mail for the related annexation agreement for this same property. The City Council will hold a public hearing on the annexation agreement at their June 4, 2012 meeting.

With no further questions for City staff, Chair Pollock asked for any comments from the petitioner.

Ron Birkey, petitioner, stated that Birkey's Farm Store has outgrown its existing location. The new location must have access to a public sewer system in order to comply with the Environmental Protection Agency's (EPA) regulations relative to floor drains, yet they need to be located on the edge of the community for their farm equipment customers to easily access. They are excited about the opportunity to expand because it will give them the opportunity to grow their business. Relocating their business to the proposed site will also generate tax revenue for the City of Urbana.

Mr. Otto expressed concern about the petitioner developing this type of business on the north end of the proposed site rather than on the south end along Windsor Road. As it is currently planned, customers will have to access the site on IL Route 130. This could pose a challenge with large farm machinery.

Mr. Birkey explained that Windsor Road/IL Route 130 intersection is a higher impact corner and could provide better future opportunities for a business that could use a corner location, which is not important to his business. Secondly, the quarter mile setback in order to have full right-in/right-out turns is not acceptable along Windsor Road without a variance because it is only 1,220 feet and the requirement is 1,320 feet. Lastly, there is an existing residential home on the corner of Windsor Road and IL Route 130 that he did not want to conflict with.

Mr. Pollock asked if there are any future plans to develop the remainder of the proposed site. Richard Noel, owner of the land, responded no. He has no plans at this time. He is only asking for a subdivision of the land to give Birkey's Farm Store a place to relocate.

Mr. Fitch questioned whether there would be a left turn lane into the proposed site for cars traveling south on High Cross Road. Mr. Birkey said no, not at this time. Both the General Area Plan and the Preliminary Plat show a striped diversion because there is a left turn lane onto East Stone Creek Boulevard off IL Route 130 when heading north.

With no further public input, Chair Pollock opened the case for Plan Commission discussion and/or motion(s).

Mr. Fitch moved that the Plan Commission approve the General Area Plan and the Preliminary Plat as recommended by City staff in the written staff report for Plan Case No. 2179-S-12. Ms. Stake seconded the motion.

Roll call was as follows:

Ms. Upah-Bant	-	Yes	Ms. Tompkins	-	Yes
Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Mr. Otto	-	Yes	Mr. Fitch	-	Yes
Mr. Fell	-	Yes	Mr. Ash	-	Yes

The motion was approved by unanimous vote.

Mr. Fitch next moved that the Plan Commission forward the Final Plat described in Plan Case No. 2179-S-12 to the Urbana City Council with a recommendation for approval as recommended in the written staff report. Mr. Ash seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion passed by unanimous vote.

Mr. Engstrom noted that this recommendation would be forwarded to the City Council on June 4, 2012 along with the annexation agreement being proposed.

Case No. CCZBA-701-AT-11: A request by the Champaign County Zoning Administrator to amend Sections 6.1.1 and 6.1.4 of Champaign County Zoning Ordinance regarding conditions for approval and removal of wind turbines.

Rebecca Bird, Planner II, presented this case to the Plan Commission. The proposed text amendment addresses weaknesses in the existing ordinance identified by Champaign County staff. She pointed out that the only way the proposed amendment would impact the City of Urbana is if a wind farm is built or if a wind turbine is installed in an area near the Extra Territorial Jurisdiction (ETJ) area and then by annexation, the wind turbine becomes part of the ETJ area. She stated that the proposed changes strengthen the regulations. Many of the proposed County Zoning Ordinance changes concern “non-adaptable structures”.

Another interesting change being proposed is that if a wind turbine becomes decommissioned, the hole would be required to be filled with farmable soil. Chair Pollock wondered what would happen if the ground is not farmable. Would the proposed text amendment still require farmable soil to be used? Ms. Bird replied that perhaps the owner of the property would request a variance from the amended regulations in a case like that.

She continued with her staff presentation by reviewing the options of the Plan Commission and presenting City staff’s recommendation.

The Plan Commission asked for clarification on the purpose of the proposed text amendment. Ms. Bird explained that the changes being proposed to the County’s Wind Turbine Ordinance is to make improvements and provide regulations for when wind farms or turbines are decommissioned. They discussed the expected life span of a wind turbine and who is responsible for taking down a wind turbine once it no longer is usable.

With no further questions for City staff, Chair Pollock opened the case for public comment. There was none, so Chair Pollock closed the public input portion of the case and opened it for Plan Commission discussion and/or motion(s).

Mr. Otto moved that the Plan Commission forward Case No. CCZBA-701-AT-11 to the City Council with a recommendation to defeat a resolution of protest as recommended by City staff. Mr. Fitch seconded the motion. Roll call on the motion was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Ms. Upah-Bant	-	Yes

The motion was passed by unanimous vote.

Mr. Myers noted that this case would be forwarded to the Urbana City Council on June 4, 2012.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers reported on the following:

- The Industrial Zoning Text Amendment and Rezoning cases were approved by the City Council. He acknowledged the work of specific City staff members on this project.
- Open Meetings Act Training reminder.
- The American Planning Association (APA) will hold the State Conference on September 19-21, 2012 in Champaign. Training specifically for Plan Commissioners is anticipated. City staff will give the Plan Commission members more information on this.

Ms. Upah-Bant reported on:

- “Just What Do Planning Commissioners Do” article in the Spring 2012 issue of the Planning Commissioners Journal is a great article for the members to read.

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