

MINUTES OF A RESCHEDULED REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: June 25, 2015 (Rescheduled June 18, 2015 Regular Meeting)

TIME: 7:30 P.M.

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

MEMBER PRESENT: Maria Byndom, Andrew Fell, Tyler Fitch, Lew Hopkins, Christopher Stohr

MEMBERS ABSENT: Corey Buttry, Dannie Otto, David Trail

STAFF PRESENT: Lorrie Pearson, Planning Manager; Christopher Marx, Planner I; Maximillian Mahalek, Planning Intern; Teri Andel, Administrative Assistant I

OTHERS PRESENT: Karen Carlson, Melany Jackson, Brad Jameson, James Moreland, Audra Owens, Malinda Wallick, Jason Wissmiller

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

Chairperson Fitch called the meeting to order at 7:30 p.m. Roll call was taken and there was a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the June 4, 2015 regular meeting were presented for approval.

Mr. Fell moved that the Plan Commission approve the minutes as presented. Mr. Hopkins seconded the motion. The motion was approved as presented by unanimous vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2259-M-15 – A request by C-U at Home to rezone a 0.19 acre parcel located at 703 North Matthews Avenue from R-2, Single-Family Residential Zoning District, to R-4, Medium-Density Multiple Family Residential Zoning District.

Plan Case No. 2260-SU-15 – A request by C-U at Home for a Special Use Permit to allow for a Home for Adjustment at 703 North Matthews Avenue.

Chair Fitch re-opened the public hearing for these two cases. Christopher Marx, Planner I, presented the cases to the Plan Commission. He began by explaining the reason for the request to amend the zoning map, which was to change the zoning of the subject property from R-2 (Single Family Residential) to R-4 (Medium Density Multiple Family Residential). The second request was for a special use permit to allow the applicant to use the subject property as a facility that helps women transition out of homelessness. He described the subject property as well as the adjacent properties by noting their zoning, current land uses, and future land use designations. He noted the changes that the applicant proposed to make to the inside of the existing building to accommodate the rooming house use. He reviewed how the proposed rezoning related to the LaSalle National Bank criteria. The proposed use would eliminate a potentially blighted property. He also reviewed the requirements for approval of a Special Use Permit. He read the options of the Urbana Plan Commission and presented City staff's recommendation for approval with conditions.

Chair Fitch asked if there were any questions from the Plan Commission for City staff.

Mr. Hopkins inquired about the two properties to the north and the triangular property to the west of the subject property. Who owns them and had City staff considered whether rezoning should apply to these other parcels as well? Mr. Marx replied that Crisis Nursery owns the parcel directly east of the Crisis Nursery and northwest of the subject property. Presence Hospital owns the other two parcels; however, they are donating the parcel directly to the north of the subject property to Crisis Nursery for their future expansion project. The applicant can only apply for a rezoning of the property they own. The northern parcels are spoken for by Crisis Nursery, and the triangular parcel to the west is an awkward parcel and only has access on the narrow end of Romine Street. The alley along the railroad is part of the railroad, and the alley through the middle of the block has been vacated.

Mr. Fell stated that in the past, the City has not been in favor of spot zoning a piece of property. If the City rezones the property, then the applicant or future land owner could ignore the special use permit, tear down the house and build something vastly different under the proposed R-4 zoning? Ms. Pearson stated that R-4 zoning would be appropriate in this area to provide a buffer from the lower density residential and the more intense industrial and commercial zoned parcels. The triangular property could apply to be rezoned to R-4 as well, but the application was only for the parcel at 703 North Mathews Avenue.

Mr. Stohr asked if there was a shallow well or cistern on the property. Ms. Pearson referred that question to the applicant when they come up to speak.

With no further questions for City staff, Chair Fitch summarized the procedure for a public hearing. He, then, opened the hearing up for public input.

Melany Jackson, Executive Director of C-U at Home and applicant, approached the Plan Commission to speak and answer any questions. She mentioned that C-U at Home has been in existence for a little over four years in the community and currently will have three transitional homes in use by the end of August, 2015. One home is for men in recovery. One home is for a two-parent family with children. The newest home was for two single women. They provide professional case management and professional counseling on a weekly basis. Tenants are required to have at least part-time employment. They save half of their money for when they complete C-U at Home's program, which is six to twelve months. They have seen a great deal of success. They believed the addition of the proposed property that would support eight women to live in a supportive, transitional environment would be a huge asset to the community and to the county as a whole. There is a huge need for helping women. The proposed location has many advantages including the collaboration with sisters who are a part of the Presence Hospital Network, who is their partnership.

Mr. Stohr noticed a concrete slab and asked if there was a cistern or shallow well on the property. Ms. Jackson said no. There used to be a shed on the slab that was torn down.

Audra Owens approached the Plan Commission. She asked where the three off-street parking spaces were going to be located. Ms. Pearson pulled up Exhibit A to show an aerial of the subject property and the surrounding properties. Mr. Marx replied that the three off-street parking would be located on the southern portion of the subject property. The applicant could also get an agreement with another property owner within 600 feet to rent/lease three parking spaces.

Ms. Owens inquired about what "vacating an alley" meant. Chair Fitch explained that the City once owned the alley and gave it up to the neighboring property owners. Crisis Nursery will soon own all three easements from the vacated alley. Mr. Marx added that it essentially is like a private driveway for Crisis Nursery.

Ms. Owens wondered what would stop the applicant from tearing down the existing house and constructing an apartment building. Chair Fitch said that they discussed this earlier and found that there is nothing that would be able to stop them from doing so. They would be allowed to build an apartment building the size of what the Zoning Ordinance would allow them to build in the R-4 Zoning District.

Ms. Owens asked how a transitional housing program would benefit the other residents in the neighborhood. Chair Fitch stated that is something the Plan Commission will need to discuss. Ms. Owens stated that she lived two blocks up the street on Beslin and has already noticed additional traffic and shootings in the neighborhood. Having a transitional home for homeless women located in the neighborhood will only increase the police traffic through the neighborhood. Although the concept of providing housing for homeless women is admirable, there is nothing about the proposed use that would be beneficial to her or to her neighbors.

Mr. Stohr asked what she thought about the applicant leaving the existing house. Ms. Owens replied that she would agree with them leaving the existing house. If they tear the house down and build an apartment building, then it would bring down the value of the other homes and they will no longer have a neighborhood.

Sister Karen Carlson, of Holy Heart of Mary (one of the backers for Presence Hospital) approached the Plan Commission. Since she moved here two years ago, she has been involved with the homeless community by helping people improve their station in life. She noticed that there are no places for women to find shelter.

With regards to what the proposed use would do for her and the community, the transitional housing will help to get people off the street. Ms. Owens stated that there are already shootings and other crimes happening in the neighborhood. This was happening without the shelter being there. The shelter will help women to improve their lives and reach out to organizations and resources that are available to make a better life for themselves and their children. She did not see how the proposed use would be a detriment to the neighborhood or community. The house remaining vacant would be much more likely to become infested with drug dealers or other things.

She talked about the program. She mentioned that there would be 24/7 care and supervision for women living in the home. There would be a supervisor living there to oversee what is going on and to guide the women as they look forward to building their lives and becoming more self-sufficient.

They want to use the existing home as it is with a few minor improvements inside the house, so building it bigger is not going to happen. Too many people in a facility would take away from the amount of time a supervisor could spend with the eight women in guiding them in making good decisions.

Mr. Hopkins wondered about the staff person living in the house. Would one of the bedrooms be used by the staff person? Sister Karen stated that one of the rooms would be split into a bedroom/office for a staff person to use in addition to the eight tenants. Once the house is ready, they plan to approach the University of Illinois to help provide social work interns to for counseling, case management, instruction and budgeting help for the tenants.

Mr. Hopkins inquired as to where the other three homes are located. Sister Karen stated that she does not know where the homes are located.

Mr. Stohr questioned if they had given thought to the future of the planned use. Sister Karen stated that she does not foresee homelessness ending. Their focus now is to provide a safe place for women to go and can build their lives.

Mr. Stohr wondered if three parking spaces would be adequate to accommodate interns from the University of Illinois, tenants and visitors coming to the facility. Sister Karen mentioned that she imagined some of the women would have family in the area that would want to come visit them. When looking at the proposed property, a gravel drive or parking area could be constructed with

at least three parking spaces. If they need more parking spaces, then she could talk with the CEO of Presence Hospital.

Ms. Jackson re-approached the Plan Commission. To answer Mr. Hopkins question about the location of the other three homes, she stated that they are located in undisclosed residential areas in the City of Champaign. They keep the addresses confidential for the sake of the tenants. The homes are located in two different economic classes of neighborhoods.

With no further input from the audience, Chair Fitch closed the public input portion of the hearing. He opened the hearing up for Plan Commission discussion and/or motion(s).

Mr. Fell asked City staff if they were aware that there would be a residential supervisor. Ms. Pearson replied that City staff always knew there would be eight women plus one staff person; however, it was never part of their conversations with the applicant that the staff person would be living there. It does not impact the City staff recommendation nor would it affect the amount of required parking spaces.

Mr. Hopkins wondered if the Floor Area Ratio (FAR) sufficient for nine people. Ms. Pearson stated that the use would be required to meet building code.

Mr. Fell inquired what the minimal number of parking spaces they would be allowed to have without having to back out onto the street. Also, it seemed that the only feasible place to park would be along the east side. Mr. Marx replied that this is one reason why City staff is recommending a condition requiring a parking plan to provide off-street parking.

Chair Fitch pointed out that Condition #1 requires that the site conform to the general layout as submitted; however, there is no site plan to conform to. There is a drawing of the house with the rooms labelled, but no site plan of the property. So, Condition #1 cannot be satisfied because it does not exist.

He felt that this is one of the reasons why the Plan Commission is concerned with the parking and where it would be located. Mr. Fell pointed out that they could ask for a variance to park in the front yard since they have two front yards.

Chair Fitch asked for clarification with regards to Crisis Nursery. They have a Conditional Use Permit to operate as a daycare, correct? Mr. Marx said yes, that is correct.

Mr. Hopkins stated that they need to either reword Condition #1 or get a site plan for the Special Use Permit. With regards to the rezoning, he felt the face of the request looks odd, but given the ownership of the property and given that the FAR for the R-4 Zoning District is .5 and the FAR for the R-2 Zoning District is .4, if the owner tried to build something it would not be allowed to be very big and he is comfortable with the rezoning.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2259-M-15 to City Council with a recommendation for approval. Ms. Byndom seconded the motion. Roll call was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Stohr	-	Yes
Ms. Byndom	-	Yes			

The motion was approved by unanimous vote.

Mr. Hopkins moved that the Plan Commission forward Plan Case no. 2260-SU-15 to the City Council with a recommendation for approval without Condition #1.

Ms. Pearson stated that Condition #1 is worded differently than usual. It reads as such, “*The site conforms to the general layout as submitted in the application.*” It does not mention a Site Plan. It would include the floor plans and the aerial that shows the existing building.

Mr. Fitch seconded the motion.

Mr. Fell felt that they still needed to strike Condition #1 from the motion because it does not include any plans for parking. Mr. Hopkins stated that the drawings they have are of the building. From a Special Use Permit point of view are they trying to constrain the owner to the building layout plan for any reason different from meeting building codes and zoning regulations.

Mr. Fell asked if they approve the Special Use Permit without Condition #1, would the owner be able to remodel the home as long as it does not increase the density or occupancy of the home say by constructing an addition onto the kitchen? Ms. Pearson said that major changes to the general layout would not be allowed.

Mr. Hopkins wondered what *general layout* referred to. Mr. Marx replied that the general layout referred to the existing footprint and use of the building to make sure that it is not violating building codes and that the use of the building complies with the zoning code. Mr. Hopkins responded by saying that Condition #2 does a better job of saying this. He believed it would still be better to delete Condition #1.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Mr. Stohr	-	Yes	Ms. Byndom	-	Yes
Mr. Fell	-	Yes			

The motion was approved by unanimous vote.

Mr. Marx noted that the Plan Commission’s recommendations for these two cases would be forwarded to the City Council on Monday, July 13, 2015.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Case No. 2015-A-01 – Annexation agreement for an 8.35-acre tract of property at 3106 North Cunningham Avenue.

Plan Case No. 2261-M-15 – A request to rezone an 8.35-acre tract of property at 3106 North Cunningham Avenue from Champaign County B-4 (General Business) to City IN-1 (Light Industrial/Office) upon annexation.

Chair Fitch opened the public hearing for these two cases. Maximillian Mahalek, Planning Intern, presented the cases to the Plan Commission. He began by stating a correction to the written staff memorandum – Green Vistas, LLC and DGS Properties, LLC are not affiliates. He continued his presentation by noting the location of the proposed site. He talked about the previous annexation agreement with Mervis Industries in 2012. Since Mervis Industries never owned the property, the 2012 agreement has been deemed invalid. He talked about the proposed annexation agreement and rezoning. He described the proposed site and the surrounding adjacent properties noting the zoning, current land uses and future land use designations of each. He referred to the Exhibit F, Site Plan, and talked about the use of each area of the property. He reviewed the conditions of the proposed annexation agreement and the LaSalle National Bank criteria as they pertain to the proposed rezoning. He read the options of the Plan Commission and presented City staff's recommendations for approval.

Mr. Fell assumed that the neighboring properties were notified of this hearing and no communications meant no objections. Mr. Mahalek replied yes.

Mr. Stohr asked for clarification on the stormwater provisions. Mr. Mahalek explained that Planning staff worked with Public Works staff to ensure that stormwater concerns were addressed. A culvert will be installed to catch water shedding properties to the north. Furthermore, the existing ditches that convey water east to west along the property will need to be preserved.

Mr. Stohr wondered where the water would go after it is collected. Mr. Mahalek stated that there is a stream located to the east of the subject property that is where runoff collects.

Mr. Stohr questioned if the increased runoff would cause problems for the owner of the adjacent field. Ms. Pearson explained that at this stage, Public Works only requests a general idea about how stormwater will be addressed. Details would be engineered later and would be required to meet the City's subdivision and land development code. Chair Fitch commented that in a recent subdivision case, the owner had to submit a stormwater management plan. In fact, there were problems with their plan because it did not originally meet with the City's approval.

Mr. Fell assumed that as part of their stormwater management and Environment Protection Agency (EPA) regulations, they will be required to watch what they are doing to the agricultural properties. Mr. Mahalek replied that all EPA regulations must be enforced. He knows that Stark Excavations and the developer are working with the IEPA with regards to permits for their

operations. He assumed that any negative impacts that the project might have on surrounding properties would be minimized through current regulations.

Mr. Stohr inquired as to which way the stream to the north runs. Mr. Mahalek replied that a representative from Stark could provide a more detailed answer.

With no further questions, Chair Fitch opened the hearing up for public input.

Brad Jameson and Jason Wissmiller, of Stark Excavation, approached the Plan Commission to answer any questions. Mr. Jameson mentioned that they have met with the Commissioners of the Saline Branch Drainage District. Some of the commissioners are also the farmers of the adjacent fields to the east. They welcomed Stark Excavation in this arrangement as Stark can improve the farmer's drainage tile as part of the proposed development. Mr. Wissmiller explained that some of the drainage tile is choked up with tree roots, and Stark plans to work with the Saline Branch Drainage District to clear the tile and repair it.

With regards to the stream that flows through the property, it heads to the southwest. It comes onto the property from the northeast and heads directly west through a culvert that is under Cunningham Avenue.

There was no further public input. Chair Fitch opened the hearing for Plan Commission discussion and/or motion(s).

Ms. Byndom expressed her concern for the 2005 Comprehensive Plan calls for a future designation of residential for the area. Chair Fitch stated that he also had concerns about this. The Comprehensive Plan calls for residential in the back part of the proposed site and regional commercial for the front part. Mr. Mahalek pointed out that the Comprehensive Plan future land use designations do not match the actual property lines in some areas.

Mr. Hopkins stated that the logic of the plan is to give rough indications of relationships. The outline is actually regional business not industrial, but the way it is drawn is based largely on what was already there. However, the implication is that the corridor is thought of as being a regional business corridor, so how deep a given lot or how large a given parcel is was not really taken into account in the plan. Therefore, he did not see this being countered to the intent of Cunningham Avenue being regional business. There is an additional interpretation, which is industrial as regional business.

This proposal and the Mervis Recycling Center would be the end of the runway. The notion of a big box store or something similar would not happen. The City of Urbana has its big box corridor on Philo Road and on East Main Street. As a result, he does not see the proposed use as being inconsistent with the 2005 Comprehensive Plan.

Chair Fitch noted that there are two different land use descriptions. Regional business is distinct from Light Industrial and Office. Regional business talks about large scale big box stores to smaller scale buildings and outlot opportunities. The Industrial designation mentions industrial uses as well as professional services. He agreed in Light Industrial there is often a lot of overlap.

The proposed use might be termed as regional business, not by zoning but by practical application. So, he is not too concerned about the future designation in the Comprehensive Plan as well.

Ms. Byndom wondered what type of residential does the Comprehensive call for in the proposed area. Chair Fitch stated that the Comprehensive Plan did not get that specific. He presumed that if the residential would butt up against a regional commercial center that it would be multi-family residential.

Mr. Stohr moved that the Plan Commission forward Plan Case No. 2261-M-15 to the City Council with a recommendation for approval. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Stohr	-	Yes
Ms. Byndom	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes			

The motion was approved by unanimous vote.

Mr. Fell moved that the Plan Commission forward Case No. 2015-A-01 to the City Council with a recommendation for approval. Mr. Hopkins seconded the motion. Roll call on the motion was as follows:

Mr. Stohr	-	Yes	Ms. Byndom	-	Yes
Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes			

The motion was approved by unanimous vote. Mr. Mahalek noted that these two cases would be forwarded to the City Council on July 13, 2015.

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 9:16 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission