

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 23, 2015

TIME: 7:30 P.M.

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

MEMBER PRESENT: Barry Ackerson, Corey Buttry, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Christopher Stohr, David Trail

MEMBERS ABSENT: Maria Byndom

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Maximillian Mahalek, Community Development Associate

OTHERS PRESENT: None

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 11, 2015 special meeting and June 25, 2015 rescheduled meeting were presented for approval.

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

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There was none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case 2254-T-15: An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), Article VII (Conditional and Special Uses), Article VIII (Parking and Access), Article XI (Administration, Enforcement, Amendments, and Fees), Article XII (Historic Preservation), and Article XIII (Special Development Provisions).

Chair Fitch opened the public hearing for this case. Kevin Garcia, Planner II, presented the case to the Plan Commission. He began by noting that this multi-part amendment made up the 2015 Omnibus to the Urbana Zoning Ordinance. He stated that the last Omnibus to the Zoning Ordinance had been approved in 2013. Since then, he said that three text amendments to the Urbana Zoning Ordinance had been approved, and these needed to be integrated into a republished Ordinance. He also stated that this republication allowed for minor changes to the Zoning Ordinance.

Mr. Garcia listed the three text amendments to the Urbana Zoning Ordinance approved since the 2013 Omnibus: the medical cannabis use regulations, the electronic message boards in the CRE District, and the gaming hall regulations. He then provided a brief summary of the proposed changes to the Urbana Zoning Ordinance included in the 2015 Omnibus, listed in the Appendix of his memorandum to the Plan Commission.

Mr. Otto inquired into reasoning behind changing the requirement for Home Occupations from being allowed amongst an immediate family to being allowed amongst a household within Section V-12. Mr. Garcia replied that this change allowed for flexibility in Home Occupations, and reflected the growth in “non-traditional” households. Mr. Otto suggested adding an “or” statement between “household” and “immediate family” to allow for this desired flexibility. Ms. Pearson noted that zoning ordinances are typically shifting from the use of word “family” to the more inclusive term “household.”

Mr. Otto asked if an adult child would be allowed to participate in a home occupation, if the Zoning Ordinance was to utilize the word household, and if it was Staff’s intention to prevent this. Mr. Garcia answered that this was not Staff’s intention.

Mr. Stohr asked why images in Section VI-5 were being amended to read “2 feet, 6 inches” instead of “2.5 feet.” Mr. Garcia answered that this change would allow for consistency. Mr. Garcia also pointed out that the image would continue to have to be updated to read “2 feet, 6 inches” in all places.

Mr. Ackerson asked for clarification of the proposed changes to sign illumination requirements in Section IX-4. Mr. Garcia replied that this proposal was made to reflect changes being proposed in the digital billboard case that is currently pending in front of the City Council.

Mr. Fell asked if the condition that buildings over 25 feet in the B-2 District have greater setbacks remained in place. Mr. Garcia stated this regulation remained in place, although staff had been discussing the effectiveness of this regulation.

Mr. Trail asked if the parking requirements listed in Table VIII-7 applied to all zoning districts. Mr. Garcia answered that these requirements applied to all zones except the B-4 District. Mr. Trail noted that this seemed to be an excessive amount of minimum parking.

Mr. Fitch asked if microbreweries were allowed in the Urbana Liquor Code. Ms. Pearson noted that they were. Mr. Fitch then asked if food could be sold at a microbrewery. Mr. Fell replied that different licenses were offered based on planned services. Ms. Pearson stated that a use such as Destihl in Champaign would be considered a restaurant in the context of the Urbana Zoning Ordinance. Mr. Fell replied that if your preliminary income comes from food, then your liquor license is coded differently. Mr. Fitch noted he did not want to preclude a restaurant from being associated with a microbrewery, and was satisfied that this matter was covered by the Urbana Liquor Code. Mr. Trail stated that the difference between a microbrewery and other similar establishments is the amount of alcohol brewed.

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

Mr. Hopkins stated that he felt banquet facilities did not meet the intent of the MOR District, and suggested removing these uses from the MOR District.

Mr. Fell stated that floor area ratio requirements in the MOR District would prohibit most large banquet facilities.

Mr. Trail stated that we would want to vote on amendments to the proposed Omnibus separately. Mr. Fitch agreed.

Mr. Fitch asked if public schools were located in the CRE District. Ms. Pearson confirmed that they were.

Mr. Garcia noted that, in the MOR District, the maximum area of a zoning lot would be 8,500 square feet. Mr. Hopkins then stated you could have a 5,000 square foot building in the MOR District, and that the apartment buildings along Green Street were not located in the MOR District. Mr. Garcia then clarified that the maximum size of a building in the MOR District could be 5,900 square feet.

Mr. Fitch stated there were three areas of clarification before the Plan Commission: banquet facilities in the MOR District, catering services in the MOR District, and the use of the term household verses family in regards to Home Occupations.

Mr. Hopkins stated that, with a Home Occupation permit, one non-family member of the household would be allowed to participate in the business. Mr. Hopkins felt this addressed any concerns the Commission may have. Mr. Otto agreed.

Mr. Hopkins made a motion to send the case to City Council with a recommendation of approval. Mr. Otto seconded the motion.

Mr. Hopkins proposed an amendment that would remove as an addition Banquet Facility and Catering Service in the MOR District. Mr. Stohr seconded the motion.

Mr. Ackerson stated that he understood the issue regarding banquet facilities in the MOR District, but not about catering services in the MOR District. Mr. Fell stated that both of these uses could be obtrusive to residences.

Mr. Otto asked Mr. Hopkins if he would agree with allowing Banquet Facility and Catering Service as Conditional Uses in the MOR District. There may be some buildings conducive to such uses, dependent on plans. He pointed to the several churches in the area of the MOR District as an example of a repurposing of a building. If these uses were treated as Conditional Uses, this would allow for an additional level of review. Mr. Hopkins stated the only two applicable churches would be the Unitarian Church and the Presbyterian Church.

Mr. Trail noted that much of this issue would be dependent on the size of the banquet, and provided for an example any services potentially offered at the Lindley House (currently Sylvia's Irish Inn Bed and Breakfast).

Mr. Hopkins again stated that he felt the uses were not compatible with the intent of the MOR District.

Mr. Trail noted that if, in the long-run, if Urbana is to get denser, neighborhoods need to get denser. Mr. Fitch stated the issue-at-focus was over the intensity of the use, not density.

Mr. Ackerson stated that he thought that that requiring a Conditional Use Permit for these two uses would allow for an additional level of review.

A Roll Call on the amendment to exclude both Banquet Facility and Catering Service from the MOR District was as follows:

Mr. Ackerson- No	Ms. Buttry - No
Mr. Fell - No	Mr. Fitch - No
Mr. Hopkins - Yes	Mr. Otto - No
Mr. Stohr - No	Mr. Trail- Abstain

The amendment was defeated by a vote of 6 nays to 1 aye and 1 abstention.

Mr. Otto moved that Banquet Facility and Catering Service be allowed in the MOR District as Conditional Uses. This motion was seconded by Mr. Buttry.

Mr. Stohr asked what the parking requirement would be for a catering service. Mr. Garcia replied that the parking requirement would be one space for every 400 square feet of floor area, while restaurants would require one space for every 100 square feet of indoor floor area. Mr. Fitch stated that a parking requirement mitigates the size of the building allowed. Mr. Hopkins noted that the current parking requirement would be impossible to meet in the MOR District, and the Conditional Use permitting process would help with this issue.

Mr. Trail asked why Banquet Facility was being added as a use. Mr. Garcia answered that this use had been allowed in the past, presumably being treated similarly to a restaurant.

Mr. Otto stated the City did not lose anything by allowing Catering Service and Banquet Facility as Conditional Uses, particularly if someone had an innovative way to create either of these uses. Mr. Otto was agreed, and said he approved of both uses as long as they were not allowed by right.

Ms. Pearson clarified that Conditional Use Permits would only be heard by the Zoning Board of Appeals.

A Roll Call on the proposed amendment to include both Banquet Facility and Catering Service as Conditional Uses in the MOR District was as follows:

Mr. Ackerson- Yes	Ms. Buttry - Yes
Mr. Fell - Yes	Mr. Fitch - Yes
Mr. Hopkins - Yes	Mr. Otto - Yes
Mr. Stohr - Yes	Mr. Trail- Yes

The amendment passed by a vote of 8 ayes to 0 nays.

A Roll Call on the motion for a recommendation of approval, with one amendment, was as follows:

Mr. Hopkins- Yes	Mr. Stohr- Yes
Mr. Ackerson- Yes	Ms. Buttry - Yes
Mr. Fell - Yes	Mr. Fitch - Yes
Mr. Hopkins - Yes	Mr. Otto - Yes
Mr. Stohr - Yes	Mr. Trail- Yes

The motion passed by a vote of 8 ayes to 0 nays.

Ms. Pearson stated this case would go to council on August 3, 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 8:24 P.M.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission