

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** August 6, 2015

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

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

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**MEMBER PRESENT:** Barry Ackerson, Maria Byndom, Andrew Fell, Tyler Fitch,  
Christopher Stohr, David Trail

**MEMBERS EXCUSED:** Corey Buttry, Lew Hopkins, Dannie Otto

**STAFF PRESENT:** Lorrie Pearson, Planning Manager; Christopher Marx, Planner I

**OTHERS PRESENT:** Glenn Stanko, Howard Wakeland

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

Chairperson Fitch called the meeting to order at 7:32 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 July 23, 2015, regular meeting were approved unanimously with a voice vote.

**4. COMMUNICATIONS**

A letter from Ms. Flickinger, dated July 23, 2015 and addressed to the Planning & Zoning Committee [sic] was received. As the content pertained to park and recreation matters, it was forwarded to the Urbana Park District for distribution to the Park Board.

**5. CONTINUED PUBLIC HEARINGS**

There was none.

## 6. OLD BUSINESS

There was none.

## 7. NEW PUBLIC HEARINGS

**Plan Case 2262-M-15:** A request by Howard Wakeland to rezone 1.58 acres from R-2, Single Family Residential Zoning District and B-2, Neighborhood Business-Arterial zoning districts to B-3, General Business zoning district located at 905, 907, and 909 West Hill Street; 701, 705, and 707 North Lincoln Avenue Urbana; and 906, 908, and 910 West Church Street, Urbana.

Chair Fitch opened the public hearing for this case. Christopher Marx, Planner I, presented the case to the Plan Commission. He stated the past cases concerning the subject properties and the proposal by the applicant. Mr. Marx described the staff's recommendation of rejection of the application and offered a staff alternative of rezoning just the center parcel of the subject properties to B-2. He later stated the staff's recommendation of a more limited rezoning based on the past cases and sensitive neighborhood reaction to rezoning.

Mr. Fell asked about asked about rezoning the non-included nearby properties. Ms. Pearson stated generally properties are not rezoned without the property owner's consent except in large-scale rezonings or other rare cases. Mr. Fell also asked about the buffer existing across the street and forcing the landowner to have a buffer against his own lots. Mr. Marx explained the buffer existed from past plan cases where nearby residents expressed opposition to removing any buffer.

Mr. Fitch recalled the Plan Commission's approval of rezoning all of the properties to B-2 in past plan cases. He also asked if the properties not included in the application were eligible for rezoning. Mr. Marx said that only the properties listed could be rezoned.

Mr. Trail asked if rezoning around two R-2 properties hurts their value. Mr. Marx indicated the ownership status of those properties and said the effect on their value would be hard to determine. Mr. Trail also asked about the property to the south. It was clarified that is a water substation for a utility.

Mr. Fitch asked for clarification about the objection and if the resident is adjacent to the subject properties. Mr. Marx stated yes. He asked about the status of the two R-2 properties not included in the application. Mr. Marx restated how one is for sale and the other property owner has an undetermined opinion.

Mr. Stohr asked about any feedback from residents across the street on Hill Street. Mr. Marx stated he had gotten no feedback from them.

Ms. Byndom asked if the residents in the rezoned houses would be forced to move. Mr. Marx stated that they would have to move at the applicant's discretion.

Mr. Fitch restated the Plan Commission's past approvals of rezoning requests for the area that also included the 2 more properties.

Mr. Fitch restated the process and invited Mr. Wakeland and his attorney Mr. Stanko to speak before the Plan Commission. Mr. Stanko described their request for the application and their disagreements with the staff memorandum. He pointed out other examples of B-3 districts directly against R-2 districts. He also mentioned the potential uses for the subject properties and the consistency of their request with the area's designation in the Urbana Comprehensive Plan. Mr. Stanko argued that the Comprehensive Plan should be given greater weight and consideration. He finished with stating the development trends are favorable to rezoning the properties.

Mr. Stohr then asked if the application was an "all-or-nothing" consideration. Mr. Stohr stated concern for the surrounding single family homes in the area. Mr. Wakeland answered that all of these properties were acquired with the interest of redeveloping into a larger property. He recalled a past proposal of redeveloping for a potential client that fell through. He restated the importance of having all the properties for potential developments like a hotel or university related building.

Mr. Ackerson asked about the entire block being B-2 and the applicant's feelings towards that. Mr. Wakeland responded that it would be less viable and extinguish any opportunities.

Ms. Byndom asked which zones would fit with the Comprehensive Plan designation of Community Business. Ms. Pearson responded that B-1, B-2, and B-3 would all fit that classification.

Mr. Fitch reminded that a recommendation for B-2 of all the subject properties was previously rejected by the City Council and that Plan Commission could still recommend that.

Mr. Fell stated that it makes sense to include the other two properties even if it would need to be reposted. He also said that the Church Street properties don't need a buffer against a utility substation.

Ms. Byndom asked if the property could be rezoned against the owner's request. Mr. Fitch says it has been done but is generally not preferred. Mr. Fitch reminded the past positions of the two other properties and restated the current standing of them given that there was little feedback.

Mr. Fell said that he thinks it's inappropriate to deny zoning that is in the comprehensive plan. Mr. Trail agreed and suggested that a limited B-2 might be better than completely rejecting a commercial rezoning. He reiterated a concern about the difference of B-2 and B-3 and stated that the area is much more connected to the neighborhood to the north than the neighborhood to the south.

Mr. Ackerman said that it would make more sense to move in the direction towards the Comprehensive Plan while being the least disruptive towards the neighborhood.

Mr. Trail asked for clarification about the hotel. Mr. Wakeman said whatever was allowed. Mr. Fitch mentioned the differences in development standards between the two districts. Mr. Fell clarified some of the development restrictions in relation to parking.

Mr. Stohr brought up the new medical campus will probably not exist outside of the University. Mr. Fitch and Mr. Trail debated if B-2 or B-3 was more appropriate for consideration with the proximity of the medical school campus.

Mr. Fell proposed an alternative to rezone the northern properties along Hill Street to B-2 and the center parcel and southern parcels along Church Street to B-3. Mr. Trail stated the sensitivity to the surrounding neighborhood that must be considered. Mr. Fitch stated the importance of the continuity of a district on the block and the importance of voting on the original request.

Mr. Fell asked if staff could offer a recommendation and Ms. Pearson stated that a recommendation on the fly wasn't possible.

Mr. Stohr moved for a vote on the original proposal which was seconded by Mr. Fitch.

A Roll Call on the amendment to vote directly on the applicant's request to rezone all the subject properties to B-3 was as follows:

Mr. Ackerson - No	Mr. Fell - No
Ms. Byndam - No	Mr. Fitch - Yes
Mr. Stohr - Yes	Mr. Trail - No

The amendment was defeated by a vote of 4 nays to 2 ayes.

Mr. Fell moved for a forward of the case with a recommendation of rezoning the northern properties along Hill Street to B-2 and the center parcel and southern parcels along Church Street to B-3 which was seconded by Mr. Fitch.

A Roll Call on the amendment to vote on the motion by Mr. Fell to rezone the northern properties along Hill Street to B-2 and the center parcel and southern parcels along Church Street to B-3 was as follows:

Mr. Ackerson - Yes	Mr. Fell - Yes
Ms. Byndam - No	Mr. Fitch - Yes
Mr. Stohr - Yes	Mr. Trail - No

The motion passed by a vote of 4 ayes to 2 nays.

Ms. Pearson stated this case would go to council on August 17, 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 9:08 P.M.

Respectfully submitted,

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Lorrie Pearson, Secretary  
Urbana Plan Commission