

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 6, 2017

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins

MEMBERS EXCUSED: Chris Stohr, David Trail, Daniel Turner

STAFF PRESENT: Lorrie Pearson, Planning Manager; Christopher Marx, Planner I; Teri Anel, Administrative Assistant II

OTHERS PRESENT: None

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

Chair Fitch called the meeting to order at 7:30 p.m. Roll call was taken and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the June 8, 2017 regular meeting were presented for approval. Mr. Ackerson moved to approve the minutes as presented. Mr. Fell seconded the motion.

Chair Fitch suggested a change to Page 10, second paragraph from the bottom. The first sentence should read as such, "*Ms. Billman asked about the purpose of the parking study ~~proposed text amendment.~~*" The minutes were then approved by unanimous voice vote as amended.

4. COMMUNICATIONS

There was none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case Nos. 2307-M-17 and 2017-A-02: A proposed annexation agreement between the City of Urbana and David Borchers, including rezoning a property from County AG-2 (Agricultural) to City IN-1 (Light Industrial/Office), for an 11.47-acre parcel located west of Smith Road and north of Coachman Drive at 801 North Smith Road in Champaign County, Illinois 61802.

Chair Fitch opened these items on the agenda. He announced that these two cases would be continued to the next regular meeting of the Urbana Plan Commission scheduled for Thursday, July 20, 2017.

Mr. Ackerson inquired why these two cases were opened at this meeting if they were not ready to be considered. Chair Fitch explained that it had to do with the noticing requirements for the public hearings.

8. NEW BUSINESS

Case No. CCZBA-87-3-AT-17: A request by the Champaign County Zoning Administrator to amend Sections 7.1.1 and 7.1.2 of the Champaign County Zoning Ordinance regarding “Home Occupation”.

Chair Fitch opened this item on the agenda. Christopher Marx, Planner I, introduced this case by presenting background information about the automobile repair use in Champaign County. He referred to a map showing the 1.5 mile extra territorial jurisdiction (ETJ) area around the City of Urbana. He talked about how the automobile repair use must remain an accessory use and not become the principal use and would have limitations on the number of vehicles, storage location of vehicles and hours of operation. It would only include minor repairs and not include major repairs such as body work, painting, major engine work, etc. He noted that the proposed County text amendment was congruent to the City’s regulations for minor auto repair use. He explained the review and protest rights of the City over County text amendments. He presented the options of the Plan Commission and presented City staff’s recommendation to defeat a resolution of protest.

Chair Fitch asked if the Plan Commission had any questions for City staff.

Mr. Hopkins asked if the proposed text amendment would only apply to the City of Urbana and not to the City of Champaign or Village of Rantoul. Mr. Marx replied that there are several municipalities in Champaign County that are vague about whether they allow minor auto repair use or not. The City of Urbana, if not the only municipality, was one of the few municipalities that did, and we do allow the minor auto repair use.

Chair Fitch asked for clarification on the process. Champaign County would require a conditional use permit and the City would require a special use permit. Mr. Marx explained that the City's process of requiring a special use permit would only apply to properties within the City's limits. The City would not have review rights over properties located in the County. Lorrie Pearson, Planning Manager, added that Mr. Marx only intended to show that the proposed County process would be similar to the City's process.

Chair Fitch stated that he was trying to figure out what zoning districts the use would be allowed if a property was annexed into the City. Mr. Marx pointed out that the use would not be listed in the Table of Uses because it would only be an accessory use. The principal use would be the residential nature of the household.

Chair Fitch inquired about the specifics of the County's proposed text amendment versus the City's regulations for the minor auto repair use. Is the County's ordinance broader than the City's ordinance? Mr. Marx answered saying that the County's ordinance would be stricter than the City's ordinance.

Chair Fitch asked for clarification on the Plan Commission's options and their consequences. He wondered if the Plan Commission chose Option 2, which would be to recommend to defeat a resolution of protest contingent upon some specific revision(s) to the proposed text amendment, then would it trigger requiring a super majority vote. Ms. Pearson said no. If the Plan Commission has contingencies, then City Planning staff consults with Champaign County staff about the language change before presenting to the City Council. Mr. Marx noted the time line for Champaign County's review process and mentioned that there was plenty of time to make changes.

With no audience, Chair Fitch stated that there would be no public input. He reviewed the procedures for a public hearing.

Mr. Hopkins pointed out that if a person decided to get a conditional use permit to have a minor auto repair use on their property, then they would not be able to park their third personal vehicle on the property.

Chair Fitch stated that he would be more comfortable with the proposed text amendment if no vehicles would be allowed to cue outside of a garage.

Mr. Ackerson stated that when he thinks of County areas, he sees larger spaces where one or two extra cars would not be an issue. But in fact, there are subdivisions that are similar to subdivisions inside the City which would be affected by one or two extra cars taking up space.

Mr. Hopkins asked if the minor auto repairs use would only be allowed within the ETJ area and not in rural county areas. Mr. Marx replied that there are two types: rural home occupations and neighborhood home occupations. He believed that the minor auto repair use would be allowed in both. Ms. Pearson stated that Neighborhood Home Occupations are permitted as an accessory use and are subject to many standards. Rural Home Occupations are permitted as an accessory use in any dwelling in the AG-1 (Agriculture), AG-2 (Agriculture) and CR (Conservation-Recreation) districts subject to a number of standards.

Mr. Hopkins asked for clarification about the County zoning of the neighborhoods in the ETJ. Ms. Pearson confirmed that the County subdivisions in the ETJ are zoned County residential. Mr. Hopkins stated that his understanding of the proposed text amendment was that it would not apply to rural zoned areas. It only applies if a property is within the ETJ of a municipality that would allow it. If this is true, then he was inclined to support Chair Fitch’s proposal that the proposed text amendment should match more closely the City’s more restrictive cueing.

The Plan Commission members discussed whether they should add a contingent protest. Mr. Hopkins moved that the Plan Commission recommend to City Council to defeat a resolution of protest with the condition that the County modify their regulations for a special use permit to be the same as the City’s restrictions for a conditional use permit with regards to the number of vehicles allowed to be parked outside. Mr. Fell seconded the motion.

Mr. Ackerson liked that the motion limited it to the discussion of the number of vehicles.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion passed by a vote of 5 to 0. Ms. Pearson stated that in light of the new condition, Planning staff would want to talk with County Planning staff to get them to modify the proposed text amendment.

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 8:04 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission