

**MINUTES OF A REGULAR MEETING
URBANA ZONING BOARD OF APPEALS**

DATE: January 21, 2004
TIME: 7:30 p.m.
PLACE: Urbana City Building
400 S. Vine Street
Urbana, IL 61801

APPROVED

MEMBERS PRESENT: Paul Armstrong, Herb Corten, Anna Merritt, Joe Schoonover, Charles Warmbrunn

MEMBERS ABSENT Harvey Welch

STAFF PRESENT: Michaela Bell, Senior Planner; Paul Lindahl, Planner; Teri Andel, Secretary

OTHERS PRESENT: None

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

The meeting was called to order at 7:34 p.m. The roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There was none.

3. APPROVAL OF MINUTES

There were none.

4. WRITTEN COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

ZBA-03-C-05: A request by Peter Baksa and Ken Miller for a Conditional Use Permit to allow more than one principal structure on a single zoning lot at 501 – 503 West Park Street, located in the R-5, Medium High Density Multiple Family Residential Zoning District.

There was some concern from members of the Zoning Board of Appeals that the petitioner was not present to answer questions that they may have. Paul Lindahl, Planner, mentioned that he had left messages for the engineer, Russ Dankert, and for one of the applicants, Peter Baksa, and he had not received any return calls from either one.

Mr. Lindahl introduced this case to the Zoning Board of Appeals by describing the three lots at 301, 303 and 305 Park Street. He talked about the proposed development of a new two story twelve-unit apartment building. He discussed the parking requirements, the setback requirements, and the alley access and alley surface issues. He reviewed the requirements for a Conditional Use Permit according to Section VII-2 of the Urbana Zoning Ordinance. He read the options of the Zoning Board of Appeals and presented staff's recommendation, which was as follows:

Staff recommended that the Zoning Board of Appeals GRANT the proposed Conditional Use Permit with the following conditions:

- 1. That the development be completed in full conformity with all applicable provisions of the Urbana Zoning Ordinance.*
- 2. The development be completed in substantial conformance to layout depicted in the attached site plan labeled as Exhibit "F".*
- 3. That upon completion of construction at the site and prior to occupancy of the new building the developer agrees to make improvements to the existing alley between Lake Street and Central Avenue necessary to provide a level interface between the alley and the proposed parking lots.*

Mr. Corten inquired if the handicap parking implied that the buildings would be accessible for handicap use and in what sense? Mr. Lindahl stated that the new building would be a two-story building with the first floor being essentially level with the ground. The first floor would be accessible to handicap. Although he had not seen actual construction plans for the proposed development, he saw the construction plans for an apartment building that had been proposed prior to this one, and the plans did include provisions such as widened doorways and five-foot turning radius' within the bathrooms.

Mr. Corten noticed some large, old trees on the proposed property. He asked if they would be removed in the process to prepare for the new apartment building? Mr. Lindahl noticed that the trees were there when taking pictures of the site. He did not have the precise locations of the trees on any of the site plans that the petitioner submitted. The trees that were shown on the site

plan were not the existing trees. He was certain that most of the large, old trees would be removed.

Chair Merritt reviewed the Rules of Procedure and read Article IV. Section 3. Item 1, which stated the following: *The Chair may entertain a motion to dismiss a case for failure of the applicant to appear if no request for a continuance is made prior to the hearing.* She commented that the word “may” was intended to mean that it was not an injunction that the Zoning Board of Appeals must dismiss the case. If at some point, one of the Zoning Board of Appeals members felt that the applicant should be in attendance to answer questions that City staff could not, then please feel free to say so.

Mr. Schoonover believed that this was a good plan. However, he would like to have the applicant be able to answer some questions that the Zoning Board of Appeals members had, for example, Mr. Corten’s question about the possible removal of the large, old trees. As far as staff knew, the petitioners had not called to postpone or even say that they would not be at the meeting. Therefore, he moved that the Zoning Board of Appeals continue this case to the next scheduled meeting. He stated that he did not want to dismiss the case, because it looked like a very good plan. Mr. Corten seconded the motion.

Roll call was as follows:

Mr. Warmbrunn	-	Yes	Mr. Schoonover	-	Yes
Ms. Merritt	-	No	Mr. Corten	-	Yes
Mr. Armstrong	-	No			

The motion was passed by a 3 – 2 vote.

6. NEW PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Bell reported on the following:

- ✓ ***Bed and Breakfast Special Use Permit*** – She mentioned that the Special Use Permit for the off-site parking was passed by the City Council with a condition that the petitioners provide a drop-off/loading area on their lot, so not to block the driveway of the neighbors.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

**Michaela Bell, Senior Planner
Urbana Zoning Board of Appeals**