

MINUTES OF A REGULAR MEETING

URBANA ZONING BOARD OF APPEALS

DATE: February 18, 2004

APPROVED

TIME: 7:30 p.m.

PLACE: Urbana City Building
400 S. Vine Street
Urbana, IL 61801

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

MEMBERS ABSENT Joe Schoonover, Harvey Welch

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

OTHERS PRESENT: Peter Baksa, William Campo, Ken Miller

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

The meeting was called to order at 7:30 p.m. The roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

Paul Lindahl, Planner, requested that ZBA Case # ZBA-04-C-01 be heard before ZBA Case # ZBA-03-C-05. The Zoning Board of Appeals granted the request.

3. APPROVAL OF MINUTES

The minutes for the Zoning Board of Appeals meeting held on December 17, 2003 were presented to the Board for approval. The Board approved the minutes as corrected.

The minutes for the meeting held on January 21, 2004 were presented to the Zoning Board of Appeals for approval. The Board approved the minutes as presented.

4. WRITTEN COMMUNICATIONS

- Zoning Board of Appeals 2003 Annual Report
- Staff Recommended Changes to Conditions #3 for Case ZBA-03-C-05 and Condition #4 for Case ZBA-04-C-01
- Flyer for IL 130/High Cross Road Corridor Study

5. NEW PUBLIC HEARINGS

ZBA-04-C-01: A request filed by Ray and William Campo for a Conditional Use Permit to allow a warehouse, self storage facility at 202 North Maple Street in Urbana, Illinois, in Urbana's IN, Industrial Zoning District.

Mr. Lindahl introduced the case to the Zoning Board of Appeals by giving a description of the proposed request. He identified the Comprehensive Plan designation, current zoning, and current land use of the site and of the surrounding properties. He discussed the parking requirements, setback requirements, access to the site, and the conditions recommended by staff on the approval of the proposed Conditional Use Permit request. 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:

Based on the findings outlined in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommended that the Urbana Zoning Board of Appeals approve the case, with the following conditions:

1. *Prior to development of the site, a minor subdivision plat shall be recorded creating the lot.*
2. *That an engineered stormwater management plan be prepared and constructed consistent with the requirements of the Urbana Subdivision and Land Development Code and subject to the review and approval of the City Engineer.*
3. *The development be completed in substantial conformance to the layout depicted in the site plan, labeled as Exhibit "F".*
4. *The developer agrees to purchase and provide landscaping materials to be placed along the Maple Street frontage of the property. The plant species, specific location, and amount of landscaping shall be agreed upon between the developer and the City Arborist.*
5. *That the development be completed in full conformity with all applicable provisions of the Urbana Zoning Ordinance.*

Mr. Corten inquired if staff had made any requirements on the lighting? Mr. Lindahl answered by saying that the City did not normally place requirements on the lighting in a development;

however, the Zoning Board of Appeals had that opportunity if they felt it was necessary. Ms. Oktay added that the Urbana Zoning Ordinance did not have specific lighting regulations. It only states that lighting should not be directed toward the surrounding lots.

Mr. Warmbrunn questioned if the property would be fenced in? Mr. Lindahl replied that the petitioner was not planning to fence the property. He mentioned that the Zoning Board of Appeals could make it a condition or requirement if they so chose. However, a fence would not be necessary, because the building itself would be secure.

Mr. Warmbrunn commented that all of the warehouse units he could remember were fenced in. It seemed to be a security issue. He inquired if people were going to have 24-hour access to the warehouse units? Mr. Lindahl responded yes. Individuals would put their own locks on their own storage units. Mr. Warmbrunn stated that anyone could drive around to the back of the building, because there would be no procedure to keep anyone out.

Chair Merritt swore in members of the public who wished to speak during the public hearing.

William Campo, petitioner, approached the Zoning Board of Appeals to answer any questions they had.

Mr. Warmbrunn stated that his major concern was the fencing issue. In the past, the Zoning Board of Appeals had required a fence when approving mini warehouse, self-storage uses on different lots. He asked Mr. Campo if there were any plans to put up a fence? Mr. Campo replied no. He did not know where that type of security would be necessary. Obviously, the street side would be open all the time anyway. So, the only fence would be between the proposed lot and the masonry company.

Mr. Warmbrunn inquired if Mr. Campo proposed to park oversized vehicles (mobile homes) in the back of the lot along the northeast? Mr. Campo replied yes. Mr. Warmbrunn asked if that area of the lot would be unsecured as well? Mr. Campo stated that was correct.

Mr. Warmbrunn questioned if there would be lighting for that particular parking? Mr. Campo responded by saying that there was lighting planned for each end of the building.

Mr. Corten asked if there would be heating inside the building? Mr. Campo mentioned that there would be no heating. The electricity would be for lighting. There would not be any plumbing inside either.

Mr. Warmbrunn inquired if customers would have access 24 hours a day? Would there be an attendant on duty? Mr. Campo replied that customers would have access to their rental storage units at anytime, and there would not be anyone on site.

Mr. Armstrong asked Mr. Campo to give any indication of what his intention was for plantings on the site? Mr. Campo stated that at this point, the only plantings he intended were the ones that the City Arborist requested.

Mr. Warmbrunn asked staff if there was no fence requirement for a warehouse? Ms. Oktay replied no.

Mr. Warmbrunn moved that the Zoning Board of Appeals approve the case with the conditions as recommended by staff, including the change to condition #4. Mr. Corten seconded the motion. Roll call was as follows:

Mr. Corten	-	Yes	Ms. Merritt	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Armstrong	-	Yes

The motion passed by unanimous vote.

6. 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.

Mr. Lindahl re-introduced the case to the Zoning Board of Appeals by describing the proposed development. He reviewed the requirements for a Conditional Use Permit according to Section VII-2 of the Urbana Zoning Ordinance. He presented staff's recommendation, which was as follows:

Staff recommended that the Zoning Board of Appeals grant the proposed conditional use in this case 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 site plan labeled as Exhibit "F".*
- 3. The developer agrees to make improvements to the existing alley between Lake Street and Central Avenue upon completion of construction at the site and prior to occupancy of the new building. Improvements will be made to the satisfaction of the City Engineer and shall provide a smooth and level interface between the alley and the proposed parking lots.*

Mr. Corten questioned if the drainage had been reviewed? Mr. Lindahl answered by saying that the proposal would have to be reviewed by the Building Safety Division, and they would address drainage capacity, floor area ratios (FAR) and open space ratios (OSR).

Peter Baksa, petitioner, approached the Zoning Board of Appeals to answer any questions.

Mr. Corten stated that there were several old trees near the existing houses. Would those be removed when the existing houses were demolished? Did Mr. Baksa plan to plant something to look similar to the layout? Mr. Baksa replied that was correct. They planned to plant more than what was shown on the layout. There would be berms in the front with pine trees and some flower plantings on the ends and some up-lighting underneath the trees as well. He mentioned that they owned the lots contiguous to the proposed site, and they intended to apply landscaping techniques to the whole six or seven lot series of buildings.

Mr. Corten inquired if this was in agreement with the City Arborist? Mr. Baksa said yes. In fact, the trees that would remain were being protected with lumber fences.

Mr. Warmbrunn asked if the petitioners were comfortable with the improvements that they would be required to make to the alley? Mr. Baksa felt it would be something that they would need to do regardless.

Mr. Corten moved that the Zoning Board of Appeals approve the request with the conditions as recommended by City staff. Mr. Armstrong seconded the motion. Roll call was as follows:

Ms. Merritt	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Armstrong	-	Yes	Mr. Corten	-	Yes

The motion was passed by unanimous vote.

7. OLD BUSINESS

There were none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Oktay reported on the following:

- ✓ Zoning Board of Appeals 2003 Annual Report – She gave a brief summary of the report.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,

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