

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** March 24, 2022

**TIME:** 7:00 P.M.

**PLACE:** Zoom Webinar

**MEMBERS ATTENDING**

**VIA ZOOM:** Andrew Fell, Lew Hopkins, Debarah McFarland, Chenxi Yu

**MEMBER ATTENDING**

**AT CITY BUILDING:** Dustin Allred

**MEMBERS EXCUSED:** Jane Billman, Karen Simms

**STAFF PRESENT:** UPTV Camera Operator; Kevin Garcia, Principal Planner | Zoning Administrator; Marcus Ricci, Planner II; Lily Wilcock, Planner II; Nick Olsen, Planner I

**PUBLIC PRESENT:** Kayla Baldwin, John Hall, Bob Kapolnek, James Kim, Daisy Ochoa

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

Chair Allred called the meeting to order at 7:02 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 of the March 10, 2021 regular Plan Commission meeting were presented for approval. Mr. Hopkins moved that the Plan Commission approve the minutes as written. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Ms. McFarland	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes			

The minutes were approved by unanimous vote.

#### 4. COMMUNICATIONS

There were none.

#### 5. CONTINUED PUBLIC HEARINGS

**Plan Case No. 2425-T-21 – A request by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article II (Definitions), Article V (Use Regulations), and Article VI (Development Regulations), and other relevant sections, to facilitate solar energy system installation.**

Chair Allred continued this case to the April 7, 2022 regular meeting at the request of City staff.

**Plan Case No. 2438-T-22 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to allow for limited, residential, commercial and public uses in existing buildings located in the R-7 (University Residential) Zoning District.**

Chair Allred continued this case to the April 7, 2022 regular meeting at the request of City staff.

**Plan Case No. 2442-T-22 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to require applicants for Planned Unit Developments to hold a neighborhood meeting prior to consideration at Plan Commission.**

Chair Allred re-opened Plan Case No. 2442-T-22. Kevin Garcia, Principal Planner | Zoning Administrator presented an updated staff report for the case. He began by stating the revisions that were made to the proposed text amendment based off the Plan Commission's discussion at their March 10, 2022 regular meeting. He reviewed the proposed changes to the Zoning Ordinance.

Chair Allred asked if the Plan Commission members had any questions for City staff. With there being no questions, Chair Allred opened the hearing for public input. There was none so he declared the public input portion closed and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Fell asked for clarification if a second neighborhood meeting would be required if the Preliminary Development Review and the Final Development Review were not combined into one case. Mr. Garcia said that was correct. The reason is because the preliminary and the final have different requirements. Mr. Fell commented that from his experience in applying to the City for Planned Unit Development approvals, it would be redundant to hold the neighborhood meeting a second time. Mr. Garcia stated that he did not see how comments affecting the Preliminary Planned Unit Development (PUD) would make any difference to the Final PUD.

Mr. Hopkins asked if there was anything in the proposed changes to the PUD text amendment that would encourage or discourage an applicant to apply for a Final PUD review at the same time as the Preliminary PUD. Mr. Garcia said no. Mr. Fell commented that his firm would always present a PUD application together for both the preliminary and the final reviews. He does not see a point for applying for them separately. If changes need to be made, then the case would be continued to

allow his team time to make the changes. Mr. Hopkins recalled that most of the PUD cases that have been applied for in the recent past have been with the preliminary and final reviews combined. Mr. Garcia added that the way the PUD ordinance is written contemplates larger developments on the edges of town. He said Clark-Lindsey Village is a good example of this. Clark-Lindsey submitted a preliminary PUD [in the 1980s] for a large area of land, and over the years they have brought final PUDs to the City as they develop each phase. Mr. Hopkins stated that for the larger developments, this makes sense.

Mr. Allred expressed concern about the language requiring a second neighborhood meeting “if the proximity conditions of Section XIII-H.1.b above are met”. Mr. Garcia suggested changing “are met” to “apply”. Mr. Allred agreed to the suggestion.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2442-T-22 to the City Council with a recommendation for approval with the replacement of “are met” with “apply” in Section XIII-3.J.1. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Ms. McFarland	-	Yes
Ms. Yu	-	Yes	Mr. Allred	-	Yes
Mr. Fell	-	Yes			

The motion passed by unanimous vote. Mr. Garcia noted that this case would be forwarded to City Council on April 11, 2022.

**6. OLD BUSINESS**

There was none.

**7. NEW PUBLIC HEARINGS**

**Plan Case No. 2443-SU-22 – A request by VitalSkin Dermatology for a Special Use Permit to expand a medical clinic in the existing building at 1111 West Kenyon Road in the B-3, General Business Zoning District.**

Chair Allred opened Plan Case No. 2443-SU-22. Kevin Garcia introduced Nick Olsen as the newest Planner for the City of Urbana.

Mr. Olsen presented the case to the Plan Commission. He began by stating the purpose for the special use permit application, which is to expand the existing dermatology clinic and testing area within the building by up to 7,900 square feet, for a total of 13,900 square feet. He described the subject property, noting the current location, zoning and land use. He showed the Preliminary Site Plan, indicating the area of the building that they would like to expand into. He talked about parking requirements for future expansion. He summarized staff findings, read the options of the Plan Commission and presented staff’s recommendation for approval with the following condition: Construction of additional clinic or testing space must be in general conformance with the submitted site plan (Exhibit E), which allocates up to 7,900 additional square feet to clinic and testing space.

Chair Allred asked if the Plan Commission members had questions for City staff. With there being none, Chair Allred opened the hearing for public input. He invited the applicant to speak.

Bob Kapolnek, of KAP Architecture LLC, spoke in favor of the proposed application. He stated that he was the architect for the proposed expansion. He clarified that patients would not be allowed in the lab. The lab would be used to process slides with human tissue. He noted that a future expansion would likely be for office space.

With there being no additional public input, Chair Allred declared the public input portion of the hearing closed and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Fell moved that the Plan Commission forward Plan Case No. 2443-SU-22 to the City Council with a recommendation for approval with the following condition: Construction of additional clinic or testing space must be in general conformance with the submitted site plan (Exhibit E), which allocates up to 7,900 additional square feet to clinic and testing space. Ms. McFarland seconded the motion. Roll call on the motion was as follows:

Ms. McFarland	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes	Mr. Fell	-	Yes
Mr. Hopkins	-	Yes			

The motion passed by unanimous vote. Mr. Olsen noted that the case would be forwarded to City Council on April 11, 2022.

**8. NEW BUSINESS**

**Case No. CCZBA-030-AT-21 – A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance to add Data Center and PV Solar Array to the Table of Authorized Principal Uses, and related changes.**

Chair Allred opened Case No. CCZBA-030-AT-21. Marcus Ricci, Planner II, presented the staff report and gave a brief background for the proposed County text amendment. He reviewed the changes in the text amendment. He referred to Table 1. Comparison of County and City Zoning Districts. The table shows the districts that data centers, PV solar arrays and PV solar farms are allowed in. He talked about the City’s regulations for data centers and PV solar arrays. He referred to Figure 1. Champaign County Proposed Solar Array Process Flowchart that is included in the written staff report. He also showed Exhibit C, Proposed Data Center Districts, and Exhibit D, Proposed PV Solar Array Districts, which are maps showing the County zoning districts where data centers and PV solar arrays would be allowed. He talked about the implications of the proposed text amendment on developments within the City’s Extra Territorial Jurisdiction (ETJ) area and how the proposed text amendment relates to the City’s 2005 Comprehensive Plan. He read the options of the Plan Commission and presented City staff’s recommendation not to protest the proposed amendment.

Chair Allred asked if any Plan Commission members had questions for City staff.

Mr. Hopkins asked if Champaign County special use permits were brought before the Plan Commission. Kevin Garcia, Principal Planner | Zoning Administrator, replied that Section XI.2 of

the Urbana Zoning Ordinance states that the Plan Commission has the power to review zoning and special use cases before the Champaign County Zoning Board.

Mr. Hopkins asked if the Illinois Pollution Control regulates noise control for data centers independent of surrounding land uses. Mr. Ricci explained that land uses are taken into consideration.

Mr. Hopkins asked for clarification that if an engineer is required to confirm an analysis only if there is a residence within 1,500 feet; however, the noise regulations apply regardless. Mr. Ricci said that any noise level from any data center has to comply with the Illinois Pollution Control noise regulations. If a data center is located within 1,500 feet, then the applicant would be required to submit a noise analysis with the special use permit application. However, if the Illinois Pollution Control gets a complaint about the noise level coming from a data center further away from a residence than 1,500 feet, then they will follow up and enforce the noise regulations.

Mr. Allred questioned in what way is the determination to classify data centers as Electrical Substations in the City of Urbana. Mr. Garcia replied that a determination like this is made when a use is proposed that is not listed in the Zoning Ordinance's Table of Uses. The Zoning Administrator is tasked with picking the most similar use from the uses listed. He noted that City staff is in the process of creating definitions and regulations for solar arrays. Mr. Hopkins said that he finds the equation of data centers and electrical substations problematic. Mr. Garcia agreed.

With there being no further questions for City staff, Chair Allred opened the case for public input. There was none, so Chair Allred opened the case for Plan Commission discussion and/or motion(s).

Mr. Hopkins raised the issue of recent negative press about noise from data centers. He expressed concern about future development on the edge of Urbana approaching where data centers are being built. He thought the proposed County text amendment looks good, but he would like to know more about how the noise regulations work in practice. He suggested that the City staff make defining "data center" in the City's Zoning Ordinance a priority so we know how to address it for future data center and solar array applications. Mr. Allred agreed with Mr. Hopkins.

Mr. Hopkins moved that the Plan Commission forward Case No. CCZBA-030-AT-21 to the City Council with a recommendation not to protest the proposed amendment. Mr. Fell seconded the motion. Roll call on the motion was as follows:

Ms. McFarland	-	No	Mr. Fell	-	Yes
Ms. Yu	-	Yes	Mr. Hopkins	-	Yes
Mr. Allred	-	Yes			

The motion was passed by a vote of 4 yeases to 1 no. Mr. Garcia stated that this case would be forwarded to City Council on April 11, 2022.

## 9. AUDIENCE PARTICIPATION

There was none.

**10. STAFF REPORT**

Mr. Garcia reported on the following:

- Plan Commission Meetings will return to in-person in the City Council Chambers beginning the first of April, 2022.
- R-7 Text Amendment case was continued to the April 7, 2022 Plan Commission meeting to allow City staff to hold another neighborhood meeting on March 29, 2022. He also mentioned that there is a survey available on the internet at <https://www.surveymonkey.com/r/VTW6VTF>.

**11. STUDY SESSION**

There was none.

**12. CLOSED SESSION**


**To Consider Security Procedures, Pursuant to 5 ILCS 120/2(c)(8)**

Chair Allred continued this item to the next in-person meeting of the Plan Commission.

**13. ADJOURNMENT OF MEETING**

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,



Kevin Garcia, Secretary  
Urbana Plan Commission