

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: January 19, 2017

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Christopher Stohr, David Trail, Daniel Turner

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

OTHERS PRESENT: Jane Billman, Liz Cardman, Josh Daly, Louis Kuhny, Mary Pat McGuire, Pierre Moulin, Dan Newman, Esther Patt, Michael and Elizabeth Plewa, John Polk, Ruth Ross, Steve Ross, Chris Saunders, Leslie Sherman, Jacob Unzicker, Karl Weingartner , Ruth Wene

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

Chair Fitch called the meeting to order at 7:32 p.m. Roll call was taken and a quorum was declared with all members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the January 5, 2017 regular meeting were presented for approval. Mr. Ackerson moved to approve the minutes as presented. Mr. Fell seconded the motion. The minutes were approved by unanimous voice vote as written.

4. COMMUNICATIONS

Regarding the Lincoln Avenue and Nevada Street Planned Unit Development Study Session

- Willard Broom (*Email*)

- Deborah Katz-Downie (*Email*)
- Jo and Doug Kibbee (*Email*)
- Stuart Martin (*Email*)
- Mary Pat McGuire (*Letter*)
- Becky Mead (*Email*)
- Pierre and Marie-Pierre Moulin (*Email*)
- Chelsey Norman (*Email*)
- Peggy Patten (*Email*)
- Michael Plewa (*Email*)
- Lincoln/Nevada Development submitted by Green Street Realty
- Esther Patt (*Letter*)

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2297-M-16 and Annexation Case No. 2016-A-02 – A proposed Annexation Agreement between the City of Urbana and the Urbana & Champaign Sanitary District, including rezoning from County R-2, to City IN-1, for a 0.338-acre parcel located at 2912 East Main Street.

Chair Fitch opened these two cases. These cases were then continued to the February 9, 2017 meeting of the Urbana Plan Commission.

8. NEW BUSINESS

Case No. CCZBA-858-AM-16 – A request by Abigail Frank, Amber Barnhart, Trent Barnhart and Donald Barnhart to amend the Champaign County Zoning Map on four different tracts of land totaling 35.15 acres located at 1433 East Old Church Road from County AG-1, Agriculture Zoning District, to AG-2, Agriculture Zoning District, in order to operate a proposed Special Use with associated waiver in related Case No. CCZBA-859-S-16.

Chair Fitch opened this case. Christopher Marx, Planner I, presented the staff report to the Plan Commission. He gave background information on the subject properties and explained the purpose of the proposed map amendment. He talked about the subdivision of the property into the current parcels and accessibility to each parcel. He discussed the Champaign County AG-1 and AG-2 Zoning Districts. He read 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 members had questions for City staff.

Mr. Trail inquired as to what a “private Illinois Nature Preserve” is and what are the regulations for one. Mr. Marx explained that the property was owned by the applicants; however, the nature preserve was managed by a public or partially-public entity. Ms. Pearson added that City staff did not research details about the nature preserve. Mr. Hopkins believed that two of the Barnhart-owned parcels are designated as a nature preserve and have open access to the public to walk around and learn about natural habitats, etc. Staff can include additional information about the preserve in the memorandum to City Council.

Mr. Stohr noticed that the subject properties were down wind of the University of Illinois’ cattle and sheep barns. He expressed concern about whether this will create some sort of conflict.

Mr. Trail wondered if the AG-2 Zoning District would limit the size of the potential event center. Mr. Marx replied that he would have to check the development standards of that district. Ms. Pearson noted that the special use permit request would be approved as presented; therefore, if the applicants wanted to grow the business, then they would need to get additional approval to do so. She noted that the special use permit would be the more restrictive of the regulations.

Mr. Fell asked how the subject property was subdivided. Mr. Marx explained that the Extra-Territorial Jurisdictional (ETJ) Area was extended down to some of the subject properties around 2001. The Barnhart farm was subdivided in the middle of 2002 without the knowledge of the ETJ extending that far.

Mr. Fell questioned if some of the parcels were non-conforming in size. Mr. Marx said yes, that is correct. Mr. Fell wondered if the City should have the property owners make the parcels conforming before the City approves the rezoning. Mr. Marx replied that Champaign County, the applicants, and the City are working together to have the applicants submit a subdivision request to fix this issue. Champaign County has the ability to put a condition on either the approval of the special use permit or the approval of the rezoning to require conformity of the parcels. Ms. Pearson added that Champaign County did commit to not issuing a Certificate of Occupancy before this issue was resolved.

Mr. Turner expressed concern about the increase in late night traffic. Ms. Pearson pointed out that this would relate to the special use permit request, which is not under review by the Urbana Plan Commission, but that a comment about concerns over traffic has been conveyed to the County staff.

With there being no further questions, Chair Fitch opened the hearing up for public input. There was none. Chair Fitch opened the hearing up for Plan Commission discussion and/or motion(s).

Mr. Trail considered this more sprawl. He expressed curiosity in how the proposed event center would interact with the designated nature preserve. There are other event venues. Mr. Otto stated that there was a similar request on the north end of town, but there was concern about it creating too much noise close to town. We cannot have it both ways. The City cannot say that an event center cannot be located in town and that it cannot be located outside of town. None of the Plan Commission’s comments so far have opposed the rezoning of the parcels.

Chair Fitch stated that he shared some of Mr. Trail’s concerns. What assurances do we have that the special use permit will not go forward until after the subdivision issues have been resolved?

What is the rush? Ms. Pearson explained that if the City of Urbana wants to weigh in on the rezoning decision, then the City Council would need to make a decision and convey the decision 15 days before the Champaign County Board’s meeting. Otherwise, the City gives up their right to protest.

Mr. Otto moved that the Plan Commission forward Case No. CCZBA-858-AM-16 to the City Council with a recommendation of “no protest” contingent upon the subject properties being brought into conformity with the Subdivision regulations. Mr. Hopkins seconded the motion.

Mr. Stohr expressed concern that an event center would be located in close proximity to animal operations. Mr. Otto replied that if no one leases the event center then that is not the Plan Commission’s problem. However, the State of Illinois has a right to farm act, so any complaints would fall on deaf ears.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Otto	-	Yes
Mr. Stohr	-	No	Mr. Trail	-	No
Mr. Turner	-	No	Mr. Ackerson	-	Yes

The motion was approved by a vote of 5 to 3.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Pearson reported on the following:

- Marcus Ricci, Planner II, is the newest member to the Planning staff

11. STUDY SESSION

Presentation by the Applicant for a Proposed Planned Unit Development at Lincoln Avenue and Nevada Street

Chair Fitch announced the process for this item on the agenda. He encouraged the members of the Plan Commission to discuss this topic; however, he warned them to not take a public position at this meeting because it may become a formal public hearing at a later date.

Ms. Pearson noted that City staff had received application materials, which they have not yet analyzed. The Planning staff is holding this study session to gather some input from the Plan Commission and from the neighbors of the proposed site so they can request additional information, if needed, from the applicants.

Mr. Otto questioned whether Mr. Fell would need to recuse himself since he was the architect for the previous design that was withdrawn. Would this be a conflict of interest? Ms. Pearson said that she would consult with the City Attorney; however, as this is just a study session and Mr. Fell is an architect, he may be able to provide some knowledge that would help with any Plan Commission questions during this study session. Mr. Fell noted that the first time he heard anything about the proposed Planned Unit Development project was when he received his Plan Commission packet for this meeting.

Mr. Trail asked Mr. Fell if he had any financial employment or business link with the applicant on this project. Mr. Fell said no.

Josh Daly, President of Mode 3 Architecture, and Jacob Unzicker, Vice-President of Mode 3 Architecture, approached the Plan Commission to give an informational presentation for a proposed Planned Unit Development at Lincoln Avenue and Nevada Street. The presentation was on the following:

- TOPICS
 - Design Process
 - Features of Current Design
 - Summary of Requested Waivers
 - Comparison to previous PUD Application
- DESIGN PROCESS
 - Future Land Use Map #8 for West Urbana (North Half) from the City's Comprehensive Plan labels these properties as "High Density Residential"
 - Trends and Issues from the Comprehensive Plan also talks about "Preserving the Character" of WUNA
 - Reduce the size of the proposed development from the original PUD application
 - Used Lincoln-Busey Corridor Design Guidelines to design project
- FEATURES OF CURRENT DESIGN – BUILDING PLANS
 - Site Vicinity Plan
 - Ground Floor Plan
 - Preservation of big mature tree on corner of Nevada Street and Lincoln Avenue
 - Provide parking so it is not visible
 - Provide a welcoming façade along Lincoln Avenue
 - Layout of building in a "C" shape
 - Provide two open space areas
 - Lower level below grade
 - Three levels above grade
- FEATURES OF CURRENT DESIGN – EXTERIOR APPEARANCE
 - Building forms
 - Material Selection
 - Lincoln Avenue (looking northeast at illustration of proposed development)
 - Lincoln Avenue (looking east at illustration of proposed development)
 - Nevada Street (looking southeast at illustration of proposed development)
 - Nevada Street (looking southwest at illustration of proposed development)
 - Landscaping

- Bicycle Parking
- Bicycle Repair Station open to the community
- Lincoln Avenue Elevation
 - Flat Roof with a Mansard roof screen to hide mechanical equipment
- Nevada Street Elevation
- Building Height of Proposed Project vs. Surrounding Properties
- Traffic Strategies
 - Reduction in vehicular parking spaces
 - Promotion of bicycle usage
 - Zip-Car Station
 - On-street parking
 - Off-site parking
- SUMMARY OF REQUESTED WAIVERS
 - Floor Area Ratio (FAR) – 1.40 vs 0.90
 - Building Maximum Height – 41 feet vs 35 feet
 - Front Yard Encroachment – Allowance for front stoops along Lincoln Avenue
 - Open Space Ratio (OSR) – 0.23 vs 0.30
 - Parking Requirements – 0.30 space/bed vs 0.50 space/bed
- PUD Comparison – 2016 vs 2017

Chair Fitch asked if the Plan Commission members had any questions.

Mr. Otto commented that it was clear that the architects had the requirements for the R-6 Zoning District in mind when they created plans for the proposed development. He asked what the maximum height requirement is in the R-6 District. Mr. Unzicker replied that the maximum height in the R-6 Zoning District is twice the distance from the centerline of the street to the front façade on the building, which in this case would be more than what they would need or use.

Mr. Hopkins wondered if the stoops were required for multiple exits. Mr. Unzicker replied no. Mr. Hopkins questioned how the stoops would affect the Open Space Ratio. Mr. Unzicker explained that they would not be allowed to count the space that the stoops occupy in the OSR. They could probably include the grassy areas between the stoops but it is so broken up that it hinders them from being able to call it open space. Mr. Hopkins asked if there were fewer stoops, then would the project would meet the OSR requirements in the R-5 Zoning District. Mr. Unzicker said yes.

Mr. Ackerson recalled neighbors complaining about flooding and drainage in the neighborhood at the public hearing for the previous design. He asked Mr. Daly and Mr. Unzicker to address the difference in permeable space versus paved space from the previous design to the current proposed design. Mr. Unzicker responded by saying that they tried to group the open space into two larger areas. They also would not have as much roof area; however, he would need to run the data to calculate the exact amount. He believed that they did reduce it but not by much.

Mr. Otto inquired if they had performed a study of the capacity of the sanitary sewer to have the increase flow from this type of occupancy. Mr. Unzicker replied that they have not done an official study as of yet; however, it will be done before they ask the Plan Commission to review and make a recommendation to the City Council.

Mr. Hopkins questioned where 811 South Lincoln Avenue was located. Someone from the audience replied that it was next door to Jimmy John's, which is across Lincoln Avenue from the subject properties.

With there being no further questions from the Plan Commission members, Chair Fitch opened up the study session to take public input.

Esther Patt approached the Plan Commission to speak. She handed out a letter that she wrote to enter into the record.

She talked about issues with parking in the neighborhood. Although there are many people who walk and ride bicycles, most of them still own vehicles and need some place to park. The Mass Transit District (MTD) has many buses that run during the day; however, there are not as many at night and on the weekends, which results in many of these people using their vehicles.

She researched the number of parking permits that were purchased, the number of off-street parking spaces provided and the number of bedrooms for several multi-family buildings in the immediate area. She shared the results with the Plan Commission and mentioned that they were on a chart included in her letter. Based on her results, the Zoning Ordinance requirement of one parking space for every two bedrooms is not unreasonable and actually falls under the demand for parking.

She asked that the Plan Commission require the developer and applicant to provide the required number of parking spaces. The neighborhood is already overrun by vehicles.

Pierre Moulin approached the Plan Commission to speak. He agreed with Ms. Patt and stated that he walks to work every day; however, he owns a car as well.

He stated that there were many improvements in the design of the development since the original PUD application was submitted. There are still many misrepresentations of other buildings in the neighborhood. Map #9 of the 2005 Comprehensive Plan states as follows, "Lincoln/Busey Corridor – Preserve these uses as they now exist while precluding further encroachment of higher density buildings into this unique residential area". Therefore, he finds that the R-6 Zoning District would be completely out-of-character.

He talked about the proposed development providing 83 bedrooms and tenants packed into three and four bedroom apartments. This will lead to more parties and more noise. The big open area will only provide more space for parties to be held. The parking plan is inadequate. With regards to the sewer system, there is an engineering report created by Berns, Clancy and Associates on record from the first PUD proposal. The scale of the proposed project violates the Comprehensive Plan.

Mr. Otto asked City staff if they could receive a copy of the engineering report. Ms. Pearson replied yes.

Mary Pat McGuire approached the Plan Commission to speak. There are basic levels of planning analysis: the site area or context and the larger area of concern. The applicant's package only

addresses the site area. She did not feel that the revised PUD application met the requirements of the 2005 Comprehensive Plan and the City's zoning laws, and the applicant is asking for a large waiver. A justification for why the proposed development has been applied for as a planned unit development has not been submitted. There is also no analysis of the site impact. Traffic, views and noise levels are all serious issues. She wanted to know where the studies and documents required by the PUD application are. The preliminary PUD application is missing a Site Inventory and Analysis. The final PUD application is missing the architectural elevation of the east side of the proposed building, the stormwater plan, the utilities plan, lighting information, and development plan.

She talked about other concerns such as traffic strategies and the City possibly doing a traffic study to analyze daily trip generations by cars and circulation safety. Why is the proposed building encroaching on Nevada Street with such a small setback? This kind of physical footprint is eroding the character of Nevada Street as well as the spatial continuity there. What is the justification of proposing a building at R-6 zoning when the parcels are zoned R-5? What is the most important benefit to the community based on the PUD?

Michael Plewa approached the Plan Commission to speak. Waivers of zoning and parking regulations require great benefits to the neighborhood. PUDs are supposed to bring something more than just a great building.

Green Street Realty purchased the existing houses with full knowledge of the current zoning restrictions. However, they state that unless they can construct a large, high-density building that the use of the property is not profitable. The proposed development requires a multitude of variances and zoning law changes because it is merely a development to maximize profit while it consumes the externality of a high quality of life and threatens a stable neighborhood.

The proposed PUD project is incompatible with the requirements of a PUD and of the R-5 Zoning District development regulations. The open activity space would be a source of noise that would severely impact the quality of life of nearby residents on Busey Avenue. The proposed PUD development would increase the population density by 400%, increase the noise and increase the number of vehicles in the neighborhood.

An engineering analysis had been completed on the municipal sewer system in the neighborhood. It was stated that a large, high density building at this site would overwhelm the waste water removal by the current sewage system. There has been an increase in the levels of flooding in the West Urbana Neighborhood area because of the storm sewers being overflowed.

Louise Kuhny approached the Plan Commission to speak. Her family wonders if their trust and investment in the City of Urbana was a good idea. They purchased a house at the corner of Indiana Avenue and Busey Avenue in 2012 and have done a top-of-the-line and historical renovation of their house. They based their decision to purchase and renovate their house on the City's stated commitment to historic preservation and many documents, namely the Historic Preservation Ordinance, the Lincoln-Busey Corridor Design Guidelines, the Downtown to Campus Plan, the naming of WUNA as a historical neighborhood, and the City of Urbana Comprehensive Plan. However, they are now questioning the City's commitment to their promises to its residents and property owners in the WUNA neighborhood. WUNA has been bombarded with one request after another to make major changes to a wide variety of zoning

ordinances. Other communities have fewer variance and zoning requests because they have respect for neighbors and property owners. She believed that the City of Urbana not only allows but encourages by lack of enforcement or lack of objections such wild variances on a regular basis.

She encouraged the neighbors to file a written protest against the proposed PUD project. If a proposed project is detrimental to their property values or quality of life, then they should file a written protest, speak to their elected officials and speak openly at these types of meetings.

She encouraged the property owner of the subject parcels to bring back his proposal with no or minimal variances of the development regulations. She stated to the Plan Commission that just because the proposed PUD is more palatable than the original application does not mean that it needs to be approved. Please respect them as property owners and realize that the Plan Commission's decision will impact their investments and property values

Ruth Ross approached the Plan Commission to speak. With regards to parking for the proposed development, the cars will be facing her backyard. She believed that the increase in vehicles will affect the noise level as well. Referring to Exhibit A0.2 of the PUD application, she stated that it appears the site property line jets out into her property. Ms. Pearson replied that City staff would look into this.

Ms. Ross commented that the illustration of the front façade of the PUD development reminds her of rowhouses. She expressed opposition of the development.

Mr. Stohr asked if she experiences any surface runoff during rainstorms. Ms. Ross answered that she gets water in her basement and has had sewage back up.

Leslie Sherman approached the Plan Commission to speak. She stated that she lives in the zone where the overflow parking would happen. Adding parking permits to the City is not an acceptable, environmental improvement.

Although the revised PUD is a vast improvement from the original application and she appreciated the applicant for attempting to satisfy the neighbor's concerns, she agreed with her neighbors that it still does not meet a PUD requirement or comply with zoning regulations. The properties are zoned R-4 and R-5, but the architects kept comparing the project to a R-6 zoning development. R-5 is considered a high density for this neighborhood, and she believed that the properties should be treated as such. She also expressed concern about the flooding in the neighborhood.

Dan Newman approached the Plan Commission to speak. He appreciated the features of the new proposal that are similar to the building next door. However, the proposed structure is a lot bigger than one next door and a lot bigger than what is allowed in the R-5 Zoning District. The R-5 Zoning District is already generous with the development regulations.

He talked about "financial viability". Unless there are numbers presented and he knows the profit, he cannot accept any argument that a development built in compliance with regulations would not be viable.

With no further input from the audience members, Chair Fitch asked if the Plan Commission members had any questions or comments.

Mr. Otto stated that he was curious by the questions that were raised by Ms. McGuire. She pointed out that many documents were missing. Infrastructure is crucial in evaluating developments. Chair Fitch pointed out that the application is not complete as of yet. He asked the architects if the missing documents would be submitted soon. Mr. Daly replied that they first need to find out what documents are actually required and that they would follow the requirements.

Mr. Hopkins stated that given this is a study session and not a case, it is best that the Plan Commission not deliberate or even say much. Therefore, he suggested that they adjourn and wait for a formal application to be submitted.

Mr. Stohr expressed an interest in learning more about the changes in the stormwater runoff. He felt it would be helpful to know how the proposed PUD project would affect stormwater runoff in the neighborhood. He also would be interested in learning how it would affect the sanitary sewer as well.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission