

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** March 6, 2014

**TIME:** 7:30 P.M.

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

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**MEMBER PRESENT:** Carey Hawkins-Ash, Maria Byndom, Andrew Fell, Tyler Fitch, Dannie Otto, Marilyn Upah-Bant

**MEMBERS EXCUSED:** Lew Hopkins, Bernadine Stake

**STAFF PRESENT:** Jeff Engstrom, Planner II; Teri Andel, Planning Administrative Assistant

**OTHERS PRESENT:** Graham Berry, Jason Cee, Jeehee Choi, Bernard and Judith Huelsbusch, Hyun Kyn Kim, Jimmy Kim, Young Jae Kim, Carol McKusick, Jinwoo Seo, Chris Szmurlo

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

Chair Fitch called the meeting to order at 7:30 p.m. The roll was called, and he declared that there was a quorum of the members present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Mr. Fell moved that the Plan Commission approve the minutes of the December 19, 2013 meeting and the minutes of the January 23, 2014 meeting as presented. Mr. Otto seconded the motion. The minutes were then approved unanimously by the Plan Commission members.

**4. COMMUNICATIONS**

There were none.

## 5. CONTINUED PUBLIC HEARINGS

**Plan Case No. 2223-CP-14: A request by the Urbana Zoning Administrator to adopt the Active Choices: Champaign County Greenways & Trails Plan as an amendment to the 2005 Urbana Comprehensive Plan.**

Chair Fitch stated that this case was continued to a future meeting. Mr. Engstrom stated that the Regional Planning Commission (RPC) staff has received comments from the Illinois Department of Transportation, so we will be moving forward on this case as soon as the RPC staff has incorporated those comments.

## 6. OLD BUSINESS

**Plan Case No. 2220-S-13: A request by Marcus Harris for a waiver of Section 21-42.B of the Urbana Subdivision and Land Development Code regarding storm water management requirements for the 8.38-acre subdivision, Country Side Second Subdivision, which is located immediately northeast of the intersection of Anthony Drive and Cottonwood Road.**

Chair Fitch stated that this case was continued to a future meeting at the request of the petitioner. Mr. Harris is working on a storm water management plan.

## 7. NEW PUBLIC HEARINGS

**Plan Case No. 2224-M-14: A request by Rudolf A. Frasca to rezone a parcel, approximately 1.871 acres, located north of Anthony Drive and east of Willow Road from IN-1, Light Industrial/Office Zoning District, to B-3, General Business Zoning District.**

Chair Fitch opened this case. Jeff Engstrom, Planner II, presented this case to the Plan Commission. He explained that the petitioner has also submitted a final plat for the proposed area. Since the final plat is in general conformance with the preliminary plat that was previously approved on December 17, 2001, it will go directly to the City Council for approval. He noted the zoning, existing land uses and future land use designations of the proposed site and of the adjacent properties. He talked about how Goals 15.0, 25.0 and 31.0 of the 2005 Comprehensive Plan are relevant to the proposed rezoning. He discussed the details of the rezoning and reviewed the La Salle National Bank criteria that pertain to the case. He read the options of the Plan Commission and presented staff's recommendation.

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

Mr. Otto pointed out the reference on Page 3 of the written staff report dated February 28, 2014 for Soccer Planet to possibly add another soccer field in the future. Would this be another indoor soccer field? Would an outdoor soccer field be permitted in the B-3 Zoning District? Mr. Engstrom replied that either indoor or outdoor fields would be allowed in the B-3 Zoning District.

There were no further questions for City staff. Chair Fitch reviewed the procedures for a public hearing. He, then, opened the hearing up for public comment and/or questions and invited the petitioner to speak.

Graham Berry, representative for the petitioner, spoke about Soccer Planet and their need for additional parking for their current use. Although they currently have an arrangement with Creative Thermal Solutions, a neighboring business, to use their parking lots after business hours, the Soccer Planet is seeking to rezone a portion of land to their immediate north to expand their own parking lot. They have no short term plans to expand the facility. If they did, he feels it would be to add an outdoor field for summer camps. Their long term goal would be to add another indoor building.

There was no further audience input, so Chair Fitch closed the audience input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Ash moved that the Plan Commission forward Plan Case No. 2224-M-14 to the City Council with a recommendation for approval. Ms. Upah-Bant seconded the motion. With there being no discussion on the motion, roll call was as follows:

Ms. Byndom	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ash	-	Yes

The motion passed by unanimous vote. Mr. Engstrom noted that this case would be forwarded to City Council on March 17, 2014.

**8. NEW BUSINESS**

**Plan Case No. 2226-M-14: Approval of the Official 2014 Zoning Map of the City of Urbana, Illinois.**

Chair Fitch opened this case. Jeff Engstrom, Planner II, presented this case to the Plan Commission. He highlighted the changes that have occurred since the map was updated and approved in March of 2013. There were 4 annexations, 1 rezoning, 3 subdivisions and 1 landmark. He noted that the Federal Emergency Management Agency (FEMA) adopted new flood zone maps for Champaign County in 2013. Any changes made by FEMA will need to be reflected in the Boneyard Creek District. City staff is currently working on redrawing the District and will be presenting a Zoning Map Amendment to the Plan Commission in the near future.

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

Ms. Upah-Bant asked if the Boneyard Creek was shown on the map. Mr. Engstrom said yes. The creek is in blue, and the short dashed line represents the Boneyard District.

With no further questions for City staff, Chair Fitch reviewed the procedures for a public hearing and opened the hearing up for input or questions from the audience. There were none. So, Chair Fitch closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Ms. Upah-Bant moved that the Plan Commission forward Plan Case No. 2226-M-14 to the City Council with a recommendation for approval. Mr. Ash seconded the motion. There was no discussion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Otto	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Ash	-	Yes	Ms. Byndom	-	Yes

The motion was passed by unanimous vote. Mr. Engstrom stated that this case would be forwarded to the City Council on March 17, 2014.

Chair Fitch asked when the map would become official. Mr. Engstrom replied that it would become official once the City Council approves the map and the Mayor signs the ordinance.

**Case No. CCZBA-768-AT-13: A request by the Champaign County Zoning Administrator to amend Sections 6.1.3 of the Champaign County Zoning Ordinance regarding “Heliport/Restricted Landing Area”.**

Chair Fitch opened this case. Jeff Engstrom, Planner II, presented this case to the Plan Commission. He explained the purpose of the proposed County text amendment, which is to add standard conditions for Special Use Permits to allow “Heliport/Restricted Landing Area” for a trial period of one year. He mentioned that even though Carle has a helicopter landing pad and Frasca Fields is an airport, both within the City limits, there are no restricted landing areas within the City’s Extra-Territorial Jurisdiction (ETJ) Area. So, there would be no impact on the City with the proposed changes. He presented City staff’s recommendation.

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

Mr. Otto commented that there seems to be another reason or story for the proposed text amendment that is not being told. How often does the County propose a text amendment to be effective for a limited period of time? Mr. Engstrom recalled a County case where a heliport/landing area was proposed. The case was denied. During their discussion, County staff and the Board talked about adding standard conditions to the County Zoning Ordinance. However, he does not know of any other text amendment cases that were time restricted.

Chair Fitch asked for clarification on the minimum setbacks. Mr. Engstrom stated that there is a 300 linear foot minimum setback from the nearest property under different ownership and a 1,320 linear foot minimum setback from the nearest dwelling under different ownership.

Mr. Fell questioned if someone owns property and wants to build a house within the required setback from a landing area, could the house close down the airstrip? Mr. Engstrom said no.

The house would be at the risk of the person building the house and would become a legally non-conforming situation.

There were no further questions for City staff. Chair Fitch opened the hearing up for public input. There was none. So, Chair Fitch closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Otto discussed his concern about the time limitation for the text amendment. He was trying to figure out how it would affect the City of Urbana. Mr. Engstrom stated that someone at the Champaign County Zoning Board of Appeals suggested they consider the proposed standards based on what works in Kane County.

Mr. Ash inquired as to when the County Zoning Board first considered the proposed text amendment. Mr. Engstrom responded on January 8, 2014 and again on February 6, 2014. He reviewed the process.

Ms. Byndom asked for clarification on how voting works. Mr. Fitch explained the voting method.

Ms. Byndom asked if the proposed text amendment would have any effect on Carle's helicopter landing pad. Mr. Engstrom said no.

Ms. Byndom inquired as to what would happen at the end of the 365 days and the proposed text amendment expires. Mr. Engstrom replied that County staff would have to introduce a new case to make the proposed text amendment permanent.

Mr. Otto asked if the County staff wanted to extend the 365 period, would they need to bring that proposal to the City. Mr. Engstrom said yes.

Mr. Otto moved that the Plan Commission forward Case No. CCZBA-768-AT-13 to the City Council with a recommendation to defeat a resolution of protest. Mr. Fell seconded the motion. There was no further discussion. Roll call was as follows:

Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ash	-	Yes
Ms. Byndom	-	Yes	Mr. Fell	-	Yes

The motion was passed by unanimous vote. Mr. Engstrom stated that this case would be forwarded to City Council on March 17, 2014.

**9. AUDIENCE PARTICIPATION**

Carol McKusick, of 1907 North Cunningham Avenue, spoke on the following:

- Conditional Use Definition – The 2013 Republished Zoning Ordinance online version does not have a definition for “conditional use”. Chair Fitch replied that there is a definition on Page 10 of the 2013 Zoning Ordinance.
- Board of Government Information – Boards are making rules for themselves with different jumping off points. A Board of Government Information could determine where the City could depart from the State Law and where each City board could depart from the general City code that applies to all the boards.
- Quorum – At the August 22, 2013 meeting, the Plan Commission approved a multi-part text amendment to the Urbana Zoning Ordinance with only a quorum of four people. It is unclear to the public how many members are required for a quorum. Chair Fitch addressed the issue about a quorum for that case by saying that he was not sure of the circumstances at that time, but that normally five members are required to have a quorum for the Plan Commission.
- Video Recordings of Meetings – She inquired as to what governs whether video recordings are kept since it is not required by law. Freedom of Information Act (FOIA) requires that each board/commission provides a list of the types of records that are kept. Some of the video recordings have been removed from the website. Mr. Fitch believes that digital media is public record and should be preserved like any other record. He thought maybe the reason City staff removes older videos of meetings is because of limited space to store information on the website.
- Plan Case No. 2216-SU-13 – There was a written communication expressing concerns about an asphalt business being located at 910-1000 West Saline Court that was presented at the meeting. The letter was not posted on the website and the video recording of the meeting was incomprehensible, so she did not feel that the City Council was able to see the concerns expressed in the letter. Also, she did not feel that the Plan Commission should have approved the Special Use Permit request without a timeline being setup for the phasing or process of when Southwind RAS, LLC would be starting up their business and when Henson Disposal would begin their operations.

## 10. STAFF REPORT

Mr. Engstrom reported on the following:

- Verdant Prairies Planned Unit Developments and the Preliminary Plat were all approved by the City Council in February of 2014.
- Bicycle Master Plan Update – The City is undergoing an update and has held some public meetings in early February. There will be another public meeting on April 23, 2014. More information about the public meeting will be available on the City’s website as details are finalized.

Ms. Upah-Bant inquired about the Curbanas Program. Mr. Engstrom responded that this is a new program that Economic Development and Public Works have been working on to allow business owners to install additional seating in parking spaces on the street. This has been successful in other cities across the country. The additional seating would be entirely within the right-of-way so there is no zoning jurisdiction.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 8:24 p.m.

Respectfully submitted,

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Elizabeth H. Tyler, FAICP, Secretary  
Urbana Plan Commission