

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

DATE: April 16, 2014
TIME: 7:30 p.m.
PLACE: Urbana City Building
City Council Chambers
400 South Vine Street
Urbana, IL 61801

APPROVED

MEMBERS PRESENT	Joanne Chester, Stacy Harwood, Ashlee McLaughlin, Nancy Uchtmann, Harvey Welch
MEMBERS EXCUSED	Paul Armstrong, Charles Warmbrunn
STAFF PRESENT	Jeff Engstrom, Planner II; Teri Andel, Planning Secretary
OTHERS PRESENT	Gary Frick

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

Harvey Welch served as Acting Chair in the absence of Paul Armstrong. He called the meeting to order at 7:30 p.m. Roll call was taken, and he declared that there was a quorum present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF THE MINUTES

The minutes from the March 19, 2014 Zoning Board of Appeals regular meeting were presented for approval. Ms. Uchtmann moved to approve the minutes as presented. Ms. Chester seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

Jeff Engstrom, Planner II, announced that the petitioners in Case No. ZBA-2014-C-03 had requested that their case be opened and forwarded to the May 21, 2014 meeting.

5. CONTINUED PUBLIC HEARINGS

There were none.

Acting Chair Welch swore in the member of the audience who indicated that he may give testimony during the following public hearing.

6. NEW PUBLIC HEARINGS

Case No. ZBA-2014-MAJ-01: A request by Gary Frick for a Major Variance to allow an increase in the Floor Area Ratio (FAR) from 0.30 to 0.47 at 907 West Fairview Avenue in the B-1, Neighborhood Business District.

Acting Chair Welch opened this public hearing. Jeff Engstrom, Planner II, presented this case to the Zoning Board of Appeals. He began by explaining the purpose of the major variance request, which is to allow an increase in the FAR so the petitioner can expand the existing building. The addition would be 36' wide and would extend 36' north from the existing structure. He described the subject property and surrounding area by noting the current zoning, existing land use and future land use designation of each. He talked about the proposed expansion, specifically with regards to parking, existing easements to the site and setback requirements. He reviewed the variance criteria according to Section XI-3 of the Urbana Zoning Ordinance that pertains to the case. He read the options of the Zoning Board of Appeals and presented staff's recommendation.

Acting Chair Welch asked if the Zoning Board of Appeals had any questions for City staff.

Ms. Chester inquired as to whether the new addition facing Fairview Avenue would have a block front or a metal-skin front. Mr. Engstrom stated that the petitioner was present and would best be able to answer that question.

Ms. Harwood asked if the variance is granted and the petitioner sells the lot after completing the new addition, what concerns would there be in terms of the type of use that could utilize a larger building in the B-1 Zoning District. Mr. Engstrom replied that with this type of building there probably will not be any obnoxious types of uses. It is not conducive to a high traffic or retail use. However, if the variance is approved, it could potentially be a concern in the future.

Ms. Harwood questioned whether it could be turned into a restaurant. Mr. Engstrom answered by saying that it would be easier to tear down the existing building and rebuild than it would be to convert the existing building into a restaurant. If the existing building is torn down, the variance would no longer exist.

Ms. Harwood commented that the FAR requirement is low in the B-1 Zoning District. She wondered why it had not been changed. Mr. Engstrom explained that the FAR requirement has been low since the Urbana Zoning Ordinance was first established. The general allowed uses in the B-1 Zoning District could be things like cafes and stores, which would be higher traffic uses. These uses also have higher parking requirements. By keeping the FAR low, it helps to ensure that nearby residences would not be impacted with high traffic uses or large obnoxious uses. In this case, although the subject property is located in the B-1 Zoning District, it is located along the Lincoln Avenue corridor and could maybe even be rezoned to B-2, Neighborhood Business-Arterial Zoning District, especially since the back of the building faces the residential neighborhood and it is a quiet use.

Ms. Uchtmann asked if City staff had received any objections from the neighbors. Mr. Engstrom said that he received one phone call from a neighbor who lives around the corner on Gregory. The caller inquired about the case, but he did not object to the variance request and is actually in favor of more business in the area.

With no further questions for City staff, Acting Chair Welch opened the hearing up for public input.

Gary Frick, petitioner, stated that his business has been located on the subject property for 8 years. Someday he plans to retire and his sons will take over the business. They do not plan on moving the business elsewhere because it is an ideal location for their type of business and the customers they serve. The expansion would allow them to free up some much needed shop space that is currently being used as storage space.

Ms. Uchtmann asked if he planned to landscape the north side of the proposed new addition. Mr. Frick replied absolutely. The front of the new addition may have a couple of windows, but there would not be any doors. All the doors will be located on the east side. He believed that landscaping dresses up a property.

Mr. Welch inquired as to what type of construction the petitioner does. Mr. Frick stated that they are a small general contracting firm, and their specialty is interior commercial remodels. Ninety-five percent of their work is for Carle and the University of Illinois.

Mr. Welch asked what types of materials are stored in the existing building. Mr. Frick replied metal studs, some dry-wall, sheet panels, plywood, wood studs, insulation, and a lot of tool type storage such as garbage carts that are used on work sites. They do not plan to store more material, but move the existing material to the proposed new addition to free up work/shop space that is needed. They do not expect high volumes of deliveries. Once in a while they get a semi-truck delivery, but they have access off Lincoln Avenue through an easement right to their overhead door. Ms. Chester noted that the existing building was originally constructed to store garbage trucks.

Mr. Frick felt that he has been a good neighbor. He has not heard any complaints about his business in the neighborhood, which tells that they have done their due diligence in keeping their property clean and well maintained. He thanked the Zoning Board of Appeals for their time and City staff for their help.

With no further public input, Acting Chair Welch opened the hearing up for Zoning Board of Appeals discussion and/or motion(s).

Ms. Harwood moved that the Zoning Board of Appeals forward Case No. ZBA-2014-MAJ-01 to the Urbana City Council with a recommendation for approval. Ms. Uchtmann seconded the motion. Roll call on the motion was taken and was as follows:

Ms. Chester	-	Yes	Ms. Harwood	-	Yes
Ms. McLaughlin	-	Yes	Ms. Uchtmann	-	Yes
Mr. Welch	-	Yes			

The motion was passed by a vote of 5 ayes to 0 nays.

Mr. Engstrom stated that the case would be forwarded to the City Council on Monday, April 21, 2014.

Case No. ZBA-2014-C-03: A request by Susan and Michelle Kozlowski for a Conditional Use Permit to establish a Daycare Facility at 211 West High Street in the R-2, Single-Family Residential Zoning District

Acting Chair Welch opened the case and continued it to the May 21, 2014 meeting of the Zoning Board of Appeals at the request of the petitioner. The members of the Zoning Board of Appeals agreed unanimously.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Jeff Engstrom reported on the following:

- Urbana Bicycle Master Plan Update Public Workshop will be held on April 23, 2014 at the Urbana Middle School beginning at 6:30 p.m.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Ms. Uchtmann moved to adjourn the meeting at 8:04 p.m. Ms. Harwood seconded the motion. The meeting was adjourned by unanimous voice vote.

Respectfully submitted,

Elizabeth H. Tyler, FAICP, Secretary
Urbana Zoning Board of Appeals