

**URBANA CITY COUNCIL MEETING  
March 7, 2005**

---

The City Council of the City of Urbana, Illinois met in regular session at 7:30 p.m., Monday, March 7, 2005 in the Urbana City Council Chambers at 400 South Vine Street.

There being a quorum, Mayor Satterthwaite called the meeting to order at 7:31p.m.

Present at the meeting were Members of the Council: Alix, Chynoweth, Hayes, Patt, Roberts, Whelan, and Wyman – 7; absent: none.

Also present were staff members: Police Chief Eddie Adair, Public Works Director Bill Gray, City Attorney Steve Holz, Planning Division Manager Rob Kowalski, Planner Paul Lindahl, Fire Chief Rex Mundt, Facilities Manager Pat Pioletti, Community Development Director Libby Tyler, and Chief Administrative Officer Bruce Walden.

**MINUTES OF PREVIOUS MEETING**

Alderman Hayes moved approval of the minutes of the February 21, 2005 regular meeting. The motion was seconded by Alderwoman Patt and carried by a voice vote.

**ADDITIONS TO THE AGENDA**

None.

**PETITIONS AND COMMUNICATIONS**

Gabe Omo Asagie, 2409 North High Cross Road, addressed the Council regarding Single-Family Rental Housing Registration Program.

Jennifer Armstrong and Susan Herman, representing 40 North 88 West, presented Mayor Satterthwaite with an Award of Honorary Membership in 40 North for the work he has done with that group.

Gwain Zarbuck II, 507 GH Baker Drive, and Evelyn Denzin, 803 W. Indiana, addressed the Council with concerns regarding parking at Lincoln Square Mall Village as proposed in Ordinance No. 2005-02-029.

The following people were present in support of **Ordinance No. 2005-02-023: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio (FAR), from 0.70 to 1.10 at 608 W. Green Street in the MOR – Mixed Office Residential Zoning District / Case No. ZBA-04-MAJ-15)**:

Byung H. Cho, 3909 Clubhouse Drive, Champaign  
Ki Lee, 403 E. Holmes  
Jay Lee, 403 E. Holmes  
Richard Underwood, 2401 Pond Street  
Ann Ricker, 703 W. Washington  
Ann Burger, 506 W. Washington  
Liz Greeley, 2206 Cureton Drive  
Rev. Don Mason, 707 Brighton  
Barclay G. Jones, 310 E. Holmes Street  
John Dimit, 3206 Baronry  
James Yoon, 1804 Winchester Drive, Champaign  
Krista Borbely, 1312 S. Race Street  
Harold Guither, 613 Harding  
Dixie Smith Jackson, 406 Yankee Ridge Lane  
Cindy Strehlow, 907 S. Anderson

The following people were present in opposition to: **Ordinance No. 2005-02-023: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio (FAR), from 0.70 to 1.10 at 608 W. Green**

**Street in the MOR – Mixed Office Residential Zoning District / Case No. ZBA-04-**

**MAJ-15):**

Linda Lorenz, 407 W. High  
Marya Ryan, 1 Buena Vista Court  
Rachel Leibowitz, 6 Buena Vista Court  
Nancy Wehling, 2 Buena Vista Court  
Brian Adams, 412 W. Elm Street  
Ilona Matkovski, 412 W. Elm

Wayne Koch, representing Wighthar & Associates, was present to answer any questions Council might have regarding Ordinance No. 2005-03-031: An Ordinance Approving a Major Variance (To Allow a 124% Increase in the Maximum Allowable Area of a Freestanding Sign and to Allow a Readerboard with Electronically Changeable (“LED”) Letters in the B-3, General Business Zoning District / Case No. ZBA-05-MAJ-02).

**OLD BUSINESS**

**Ordinance No. 2005-02-023: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio (FAR), from 0.70 to 1.19, at 608 W. Green Street in the MOR – Mixed Office Residential Zoning District / Case No. ZBA-04-MAJ-15)** was on the floor from a previous meeting.

Alderwoman Chynoweth moved to amend the motion on page 2, the last WHEREAS, to strike #1 and replace it with **“The special circumstance is that the church is surrounded by a historic lot to the West (Ricker) and a potentially historic structure to the North (607 W. Elm). The specific lot for expansion is geographically located directly adjacent to the church on a main thoroughfare and serves as the most functional option for expansion of the church.”**

Strike #2 and replace it with: **“The proposed variance is not a special privilege since most lots are not surrounded in by historically designated and potentially historic properties.”**

Strike #4 and replace with: **“The FAR of the church annex as proposed will not alter the character of the neighborhood because it will not require additional parking. In addition, the visual mass of the proposed structure is similar to other structures in the MOR district. Furthermore, the design of the new addition has been reviewed with established guidelines to ensure aesthetic compatibility.”**

Also add the following two conditions.

One: **“The church establish a privacy barrier between their north parking lot and Buena Vista Court to reduce the intrusion of headlights and other commotion in their homes while the newly installed landscaping reaches maturity.”** Two: **“The church engage in joint planning with the City of Urbana concerning future expansion in the interests of: regulating the intensity of use of this single structure in the neighborhood, preserving the residential character and look in the neighborhood, and exploring historic designation of 607.”**

The motion was seconded by Alderwoman Patt.

Following debate, Community Development Director Libby Tyler suggested that prior to the first sentence in condition two, **“Prior to undertaking any additional construction activity or demolition activity,”** and add the word **shall between church and engage**” in the first sentence. Alderwoman Chynoweth stated that she would accept as a friendly amendment **“Prior to any building or demolition**

activity, including the request of any permits or demolition permits, the church shall engage....”

Following further debate, the motion to amend carried by a voice vote.

Following extensive debate, the motion to approve **Ordinance No. 2005-02-023: An Ordinance Approving a Major Variance (To Allow an Increase in the Maximum Permitted Floor Area Ratio (FAR), from 0.70 to 1.19, at 608 W. Green Street in the MOR – Mixed Office Residential Zoning District / Case No. ZBA-04-MAJ-15)** carried 5-2 by roll call. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, Roberts, and Whelan – 5; voting nay: Patt and Wyman – 2.

Mayor Satterthwaite declared a brief recess at 9:50 p.m. The meeting resumed at 10:00 p.m. with all Members previously in attendance still present.

## **REPORTS OF STANDING COMMITTEES**

### **Committee of the Whole**

Alderman Alix moved to approve **Ordinance No. 2005-02-026: An Ordinance Authorizing the Mayor to Execute an Agreement With the City of Champaign and the University of Illinois Respecting Floodplain Remapping of the Boneyard Creek (Amendment #1)**. The motion was seconded by Alderwoman Wyman and carried 7-0 by roll call vote. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, Patt, Roberts, Whelan, and Wyman – 7; voting nay: none.

Facilities Manager Pat Pioletti presented staff report on **Ordinance No. 2005-02-027: An Ordinance Authorizing the Mayor to Execute a Lease with Carl Reisman (212 West Green – Marro Building)**. An lease was negotiated Carl

Reisman. The fiscal impact is that the City regains its initial investment, which is \$75,000 for the acquisition. This particular tenant represents no change of use so there is a minimal amount of improvements.

Following debate, Alderman Alix moved to approve **Ordinance No. 2005-02-027: An Ordinance Authorizing the Mayor to Execute a Lease with Carl Reisman (212 West Green – Marro Building)**. The motion was seconded by Alderwoman Wyman.

Alderwoman Chynoweth moved to amend the motion by striking #18, the automatic renew option. The motion was seconded by Alderman Hayes. Following debate, Alderwoman Patt moved to table the issue to later in this meeting. The motion was seconded by Alderwoman Wyman and carried by a voice vote.

Chief Administrative Officer Bruce Walden stated that the intent of **Ordinance No. 2005-02-028: An Ordinance formalizing City Parking Lot Designations (Code Sections 23-295 and 23-25, and Schedule R)** is to clarify what the designations are in the City Code in aspect to these lots. This action is necessary to fulfill the obligations in the redevelopment agreement.

Following debate, Alderman Alix moved to approve **Ordinance No. 2005-02-028: An Ordinance formalizing City Parking Lot Designations (Code Sections 23-295 and 23-25, and Schedule R)**. The motion was seconded by Alderwoman Patt. Following debate, the motion carried 7-0 by roll call vote. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, Patt, Roberts, Wyman, and Whelan – 7; voting nay: none.

Alderman Alix moved to defer **Ordinance No. 2005-02-029: An Ordinance Amending Schedule N of Section 23-193 of the Urbana Local Traffic Code Regarding Parking Time Limited on Certain Streets or Public Parking Lots (Municipal Parking Lots 10-A-B-E-F-X and 3, 7, 8 and 15 and Amending Sections 23-177 and 23-249 of the Urbana Local Traffic Code)** until March 21, 2005. The motion was seconded by Alderman Whelan.

Council resumed discussion on **Ordinance No. 2005-02-027: An Ordinance Authorizing the Mayor to Execute a Lease with Carl Reisman (212 West Green – Marro Building)**. Mr. Pioletti stated that he had called Mr. Reisman to discuss the issue and Mr. Reisman's preference was that the lease be approved as it was negotiated. Following debate, the motion to delete #18 from the lease carried by a voice vote.

The motion to approve **Ordinance No. 2005-02-027: An Ordinance Authorizing the Mayor to Execute a Lease with Carl Reisman (212 West Green – Marro Building), as amended**, carried 6-1 by roll call vote. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, Patt, Roberts, and Wyman – 6; voting nay: Whelan – 1.

The next regular meeting of the Committee of the Whole will be at 7:30 p.m., Monday, March 14, 2005 in the Urbana City Council Chambers at 400 South Vine Street.

#### **REPORTS OF SPECIAL COMMITTEES**

There were none.

## **REPORTS OF OFFICERS**

Chief Administrative Officer Bruce Walden reported on Economic Development for the month.

## **NEW BUSINESS**

Planner Paul Lindahl presented staff report on **Ordinance No. 2005-03-030: An Ordinance Approving a Major Variance (To Allow a 45% Increase in the Maximum Allowable Face Area of a Freestanding Sign in the B-1, Neighborhood Business Zoning District / Case No. ZBA-05-MAJ-1)**. Aldi, Inc. is requesting a major variance to increase the maximum allowable area of a freestanding sign to be installed on an undeveloped parcel at the northwest corner of U.S. Route 150 (University Avenue) and IL Route 130.

Following debate, Alderman Roberts moved to approve **Ordinance No. 2005-03-030: An Ordinance Approving a Major Variance (To Allow a 45% Increase in the Maximum Allowable Face Area of a Freestanding Sign in the B-1, Neighborhood Business Zoning District / Case No. ZBA-05-MAJ-1)**. The motion was seconded by Alderman Hayes. Following debate, the motion carried 6-1 by roll call vote. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, Roberts, Whelan, and Wyman – 6; voting nay: Patt – 1.

At 11:00 p.m., Alderwoman Chynoweth moved to extend the meeting for 10 minutes. The motion was seconded by Alderwoman Patt and carried by a voice vote.

Community Development Director Libby Tyler presented staff report on **Ordinance No. 2005-03-031: An Ordinance Approving Major Variance (To Allow a**

**124% Increase in the Maximum Allowable Area of a Freestanding Sign and to Allow a Readerboard with Electronically Changeable (LED”) Letters in the B-3, General Business Zoning District / Case No. ZBA-05-MAJ-02).** On behalf of

Walgreen’s, the Blackstone Group is requesting two major variances for a freestanding sign to be installed on the currently vacant parcel on the northeast corner of the Five Points intersection at University and Cunningham Avenues. The first variance would allow a 124% increase in the maximum allowable area of the sign face. The second variance would allow for a readerboard to be constructed as part of the sign with electronically changeable LED, rather than manually changeable letters.

Joe Herwitz, representing Blackstone Group answered questions posed by Council Members.

Following debate, Alderwoman Wyman moved to separate the variances. The motion was seconded by Alderman Roberts and carried by a voice vote.

Following debate, Mr. Alix moved to extend the meeting to 11:25 p.m. The motion was seconded by Alderwoman Wyman and carried by a voice vote.

Following further debate, the first variance **to allow a 124% increase in the Maximum Allowable Area of a Freestanding Sign** carried by 4-3 by roll call vote. Voting aye were Members of the Council: Alix, Chynoweth, Hayes, and Whelan – 4; voting nay: Patt, Roberts, and Wyman – 3.

Following debate, the second variance in the ordinance **To Allow a Readerboard with Electronically Changeable (“LED”) Letters in the B-3, General Business Zoning District / Case No. ZBA-05-MAJ-02)** carried 4-3 by roll call vote.

Voting aye were Members of the Council: Alix, Chynoweth, Hayes, and Whelan – 4;

voting nay: Patt, Roberts and Wyman – 3.

**ADJOURNMENT**

There being no further business to come before the Council, Mayor

Satterthwaite declared the meeting adjourned at 11:30 p.m.

Tod Satterthwaite  
Mayor

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

\*This meeting was taped.

\*\*This meeting was broadcast on cable television.

**Minutes approved: March 21, 2005**