

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: March 7, 2019

TIME: 7:00 P.M.

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

MEMBERS PRESENT: Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, Nancy Ouedraogo, Daniel Turner, Jonah Weisskopf, Chenxi Yu

MEMBERS EXCUSED: Barry Ackerson

STAFF PRESENT: Lorrie Pearson, Planning Manager/Zoning Administrator; Lily Wilcock, Planner I; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Karen Fresco

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

Chair Fitch called the meeting to order at 7:01 p.m. Roll call was taken and a quorum of the members was declared present.

2. CHANGES TO THE AGENDA

There was none.

3. APPROVAL OF MINUTES

The minutes of the February 7, 2019 regular Plan Commission meeting were presented for approval. Mr. Hopkins moved that the Plan Commission approve the minutes as written. Mr. Turner seconded the motion. The minutes were approved as written by unanimous voice vote.

4. COMMUNICATIONS

There were none.

Chair Fitch announced that this was Dan Turner's last meeting as a Plan Commission member. He is moving to another town. He thanked Mr. Turner for his service.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2370-T-19 – An application by the Urbana Zoning Administrator to amend Article II (Definitions), Article V (Use Regulations) and Table V-1 of the Urbana Zoning Ordinance to clarify the regulations of day care home occupations and allow Day Care Facilities to be a permitted use in all business districts.

Chair Fitch opened the public hearing for this case. Lily Wilcock, Planner I, presented the staff report. She began by presenting background information on the 2016 text amendment revising the Home Occupation regulations. She noted a correction on Page 2 of the written staff memo, stating that the table should not have been included. She read the options of the Plan Commission. She reviewed the changes being proposed in the current text amendment, which included changes to the following:

- Article II – Definitions
 - Splitting Day Care Home into Day Care Home, Child and Day Care Home, Adult

Ms. Pearson noted that the Department of Children and Family Services (DCFS) defines children in family. This means that a child in a daycare would be counted as one child; however, if the child has a sibling at the same daycare, they would still be counted as one child. Regarding impact to traffic, there would not be an impact because the two children would probably be arriving/departing in the same vehicle.

Ms. Wilcock continued her presentation:

- Article II – Definitions
 - Update definition for Day Care Facility
 - Deleted Nursery”
- Section V-12.A – Home Occupation, Type A

Mr. Hopkins stated that the language for the exterior visibility of a Day Care Home is different from the wording for the exterior visibility of a Day Care Facility. Ms. Wilcock explained that a Day Care Facility would fall under a Type C permit requiring approval of a Conditional Use Permit.

Mr. Hopkins preferred the language for the exterior visibility for Type A in Section V-12.A.3 to read the same as the language for Type B in Section V-12.B.4 concerning “the exterior visibility provisions to allow activities and equipment customary to Day Care Homes, such as outdoor play equipment.” Ms. Wilcock said that she could make that change.

Lorrie Pearson, Planning Manager/Zoning Administrator, realized that staff had not provided an accurate strike through/underline version of the proposed changes. She recommended that the Plan Commission continue to discuss the changes and then continue the case to the April 4 meeting to allow City staff time to provide an accurate version for the Plan Commission. Mr. Hopkins felt that they could review the changes and still be able to vote on the case at this meeting. Ms. Pearson said she would compare the proposed changes to the existing language in the Zoning Ordinance while Ms. Wilcock finished the staff report.

Ms. Wilcock proceeded with her presentation:

- Table V-1 – Table of Uses
 - Change to allow Day Care Facilities (Non-Home Based) as a permitted use in all business districts and in the CRE (Conservation-Recreation-Education) zoning district and as a special use in the CCD (Campus Commercial District) zoning district.

Chair Fitch asked about permitting Day Care Facilities in the CRE Zoning District. Ms. Wilcock explained that the CRE district includes mostly parks, schools and the University properties. One of the long-standing day care facilities is the University Laboratory Preschool.

Mr. Fell wondered how many children day care home needs before DCFS requires them to obtain a license. Ms. Wilcock replied three unrelated children or more require a license. Mr. Fell stated that DCFS has many rules regulating Day Care Homes that the City does not cover. How can the City give approval to a day care home provider without DCFS reviewing to ensure their regulations are being met? Ms. Wilcock replied that the University of Illinois Extension Office has a helpful resource for understanding the nebulous rules of DCFS for running a day care home. Many of these rules, including requiring a commercial kitchen are inside the purview of the City of Urbana. When City staff receives an application for a Home Occupation Permit to allow a Day Care Home, then City staff would check DCFS's website to see if that daycare/applicant is registered. The daycare/applicant would not get a Certificate of Occupation if they were not registered by DCFS.

Mr. Fell asked if there could be more than one Home Occupation Permit granted for a home. Ms. Pearson answered yes, because often homes are lived in by more than one adult who wants a home occupation. Mr. Fell expressed concern about the possibility of too many vehicles being parked at a Day Care Home if there was a second Home Occupation Permit granted for a use that involves a lot of traffic, such as a car repair shop. Ms. Pearson referred to Section V-12.F, which states, "*More than one home occupation at a single premise may be permitted provided that the cumulative number of total employees and visitors do not exceed the restrictions set forth in Section V-12.B.*"

Mr. Fell asked if City staff was trying to fit the regulations to existing day care uses. Ms. Wilcock replied no. She explained that Planning staff was working with some applicants in trying to complete Home Occupation Permit applications to allow each one to have a day care service in their homes. When Planning staff began researching DCFS regulations, they discovered that the City's regulations were not aligning with how DCFS certifies day care home providers. In fact, our regulations made it difficult for applicants to have a daycare as a home occupation.

Ms. Billman inquired what the abbreviations P, S and C stood for in Table V-1 – Table of Uses. Ms. Wilcock explained that P means permitted, S means Special Use and C means Conditional Use. There is an explanation under the table on each page of Table V-1 in the Zoning Ordinance. She had not included the explanation in the table in the written staff report.

Ms. Pearson clarified the language that was proposed to be deleted (strike-through) and the language that was proposed to be added (underlined).

Mr. Fell moved that the Plan Commission forward Plan Case No. 2370-T-19 to the City Council as amended by City staff with a recommendation for approval. Mr. Turner seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Turner	-	Yes	Mr. Weisskopf	-	Yes
Ms. Yu	-	Yes	Ms. Billman	-	Yes

The motion passed unanimously.

Ms. Pearson noted that this case would be forwarded to City Council on April 1, 2019.

Plan Case Nos. 2373-PUD-19 and 2374-PUD-19 – A request by Chris Saunders of 1007 West University, LLC, for preliminary and final approvals of a mixed use Planned Unit Development at 1007 and 1011 West University Avenue under Section XIII-3 of the Urbana Zoning Ordinance.

Chair Fitch opened the public hearings for these two cases and continued them to the April 4, 2019 Plan Commission meeting at the request of City staff.

8. NEW BUSINESS

Plan Case No. 2372-M-19 – Annual Update of the Official Zoning Map

Chair Fitch opened this item on the agenda. Lily Wilcock, Planner I, presented the staff report to the Plan Commission. She summarized noting that there were a number of map amendments, one annexation and many subdivisions in 2018. She talked about the alley vacation from 1977 that was approved in 2018. She read the options of the Plan Commission.

Ms. Ouedraogo noticed that there was some language missing (possibly north, south, east, west) from the location of the vacated alley from 1977. Lorrie Pearson, Planning Manager/Zoning Administrator, replied that Planning staff would figure out the missing language before sending the case to City Council.

Mr. Turner moved that the Plan Commission forward Plan Case No. 2372-M-19 to the City Council with a recommendation for approval. Mr. Hopkins seconded the motion. Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Turner	-	Yes
Mr. Weisskopf	-	Yes	Ms. Yu	-	Yes
Ms. Billman	-	Yes	Mr. Fell	-	Yes

The motion was passed unanimously.

Ms. Pearson noted that this case would be forwarded to City Council for final action on Monday, March 18, 2019.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Lorrie Pearson, Planning Manager/Zoning Administrator, reported on the following:

- Rael rezoning and special use permit requests for redevelopment of the southeast corner of Lincoln and University Avenues were approved by City Council.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission