

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

DATE: August 18, 2010
TIME: 7:30 p.m.
PLACE: Urbana City Building
City Council Chambers
400 S. Vine Street
Urbana, IL 61801

APPROVED

MEMBERS PRESENT Paul Armstrong, Stacy Harwood, Nancy Uchtmann, Charles Warmbrunn, Harvey Welch
STAFF PRESENT Jeff Engstrom, Planner I; Rebecca Bird, Planner I; Teri Andel, Planning Secretary
OTHERS PRESENT Robert DeAtley, Bryan Johns, Fred Lux

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

Chair Armstrong called the meeting to order at 7:30 p.m. Roll call was taken, and a quorum was declared present with all members present.

He then welcomed Stacy Harwood to the Zoning Board of Appeals.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the July 21, 2010 Zoning Board of Appeals regular meeting were presented for approval. Mr. Warmbrunn moved to approve the minutes as drafted. Ms. Uchtmann seconded the motion. The minutes were approved as presented by unanimous voice vote.

4. WRITTEN COMMUNICATIONS

- Thank You Note from William Justice regarding Case No. ZBA-2010-MAJ-02

Chair Armstrong swore in members of the audience who wished to address the Zoning Board of Appeals regarding any of the public hearings during this meeting.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

Case No. ZBA-2010-C-01: A request by Robert DeAtley for a Conditional Use Permit to allow an “Engineering, Laboratory, Scientific and Research Instruments Manufacturing” use and more than one principal structure or building on a single parcel of land at 506 East Anthony Drive in the B-3, General Business Zoning District.

Jeff Engstrom, Planner I, presented this case to the Zoning Board of Appeals. He began with a brief introduction stating the purpose of the conditional use permit request. He described the zoning and current land use of the proposed site and of the surrounding properties. He referred to the proposed Site Plan when discussing the proposed expansion. Requirements for conditional use permits as stated in Section VII-2 of the Zoning Ordinance were discussed. City staff’s recommendation is to approve the proposed conditional use permit with the following conditions:

1. That the development generally conform to the submitted site plan attached to the written staff report as Exhibit F, as it may be amended to meet the codes and regulations of the City of Urbana. Any significant deviation from the site plan may require an amendment to the Conditional Use Permit, including further review and approval by the Zoning Board of Appeals.
2. That the development meet all applicable standards and regulations of the Urbana Zoning Ordinance and the Urbana Subdivision and Land Development Code.

With no questions for City staff from Zoning Board members, Chair Armstrong opened the hearing for public input.

Robert DeAtley, Barber & Associates, stated that he represented the petitioner, Pega Hrnjak, and would answer any questions that the Zoning Board of Appeals may have.

Chair Armstrong asked if the multiple buildings would be built all at once or over a period of time. Mr. DeAtley replied that Building No. 2 shown on the proposed Site Plan would be under construction as soon as possible. Building No. 3 is expected to follow with about a one month lag. In their development agreement with the City of Urbana, they committed to constructing one building per year over a period of 5 years. However, the owner hopes to construct the buildings faster than this.

Chair Armstrong asked whether there was a potential for creating hazardous materials. Mr. DeAtley explained that all of the research is contained within chambers in the existing building. There is no hazardous work. They focus primarily on air conditioning related products.

Ms. Harwood asked if they are already constructing Building 2. Mr. DeAtley said that the parking lot is under construction. It was paved last week. They were advised last week by the City that they could proceed with the construction of the parking lot but not the buildings.

Ms. Uchtmann inquired if they were using permeable parking so there would not be so much drainage going into the sewer system and overloading it. She also asked if the parking requirement was being reduced. Mr. DeAtley answered that the parking lot is constructed of concrete. The Zoning Ordinance requires one parking space per 1,000 square feet of warehouse, which equals 23 required parking spaces. The owner believes that he will need around 40 parking spaces, so there will be slightly more than 40 parking spaces plus two handicapped and two bicycle spaces per building. The owner has not looked into permeable paving; however, storm water is handled with a detention pond. Mr. Engstrom added that most of the storm water goes into the pond and either evaporates or is soaked into the ground. If there is a major downpour, then it would go into the storm system.

With no further questions, Chair Armstrong closed the public input portion of the hearing and opened it for discussion and/or motion(s) by the Zoning Board of Appeals. He reminded the Board members that they are considering two Conditional Use requests in this case.

Mr. Welch moved that the Zoning Board of Appeals approve Case No. ZBA-2010-C-01 as recommended by City staff including the condition that the development shall generally conform to the submitted site plan and follow all applicable Urbana codes. Ms. Uchtmann seconded the motion. Roll call was as follows:

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| Ms. Uchtmann | - | Yes | Mr. Warmbrunn | - | Yes |
| Mr. Welch | - | Yes | Ms. Harwood | - | Yes |
| Mr. Armstrong | - | Yes | | | |

The motion passed by unanimous vote.

Case No. ZBA-2010-MAJ-03: A request by Clark-Lindsey Village for a Major Variance to install a monument sign at the Race Street entrance of Clark-Lindsey Village located at 101 West Windsor Road in the R-3, Single and Two-Family Residential Zoning District.

Rebecca Bird, Planner I, presented this case to the Zoning Board of Appeals. She began by stating the purpose for the proposed major variance. She discussed the zoning and current land use of the subject site and of the surrounding properties. She discussed how Section IX-4.B of the Urbana zoning Ordinance pertains to the proposed request for a monument sign. She reviewed the variance criteria from Section XI-3 of the Zoning Ordinance. City staff's recommendation was to recommend approval of the variance to the City Council subject to the follow two conditions:

1. That the sign area, height and monument size do not exceed the dimensions shown in the sign plan submitted with the application.
2. That the sign is located on the property as shown in the site plan submitted with the application.

Mr. Warmbrunn asked why the sign is single-sided facing the street rather than double-sided facing north-south. Did City staff impose this on the petitioner? Ms. Bird responded that this is the proposal submitted by the petitioner. City staff did not recommend that the sign be single-sided or that it face west.

Mr. Warmbrunn wondered if City staff would be opposed to a double-sided sign facing north-south. Ms. Bird replied no.

Mr. Warmbrunn noticed that one part of the written staff report says that there will not be an increase in the use of the property; however, another part says that the Renewal Therapy Unit will have visitors. Is the new unit for outsiders and not for people who live there? Ms. Bird explained that the Alzheimer's Skilled Care Unit is currently located where the proposed Renewal Therapy Unit will be. The Renewal Therapy Unit will serve people who are residents of the Clark-Lindsey Village as well as members of the public. The petitioner has only submitted an application for the proposed sign and not for an increase in the use of the property. Mr. Warmbrunn asked if there is an increase in use, then the City will review parking requirements when an application for that has been submitted. Ms. Bird said yes.

Ms. Uchtmann inquired whether the proposed sign would match the existing gateway sign. Ms. Bird said no.

Ms. Harwood questioned why the Zoning Board of Appeals is reviewing a sign variance when the future use has not been reviewed or approved. Ms. Bird answered that the petitioner has only applied for a sign variance. She believes that the change in use meets the requirements of the agreement that the Clark-Lindsey Village has with the City of Urbana. We may only see the changes when the petitioner submits building permit applications. City staff would evaluate the building permit applications for the intensity of the use and to see if it still meets the parking requirements.

Ms. Harwood asked what sign regulations are in place regarding shape, color, materials, lighting, etc. Ms. Bird pointed out that there are not generally standards for sign aesthetics. There are regulations restricting lighting. Jeff Engstrom, Planner I, added that the City recently adopted a text amendment to the Urbana Zoning Ordinance to regulate the intensity of lighting on signs.

With no further questions for City staff, Chair Armstrong opened the hearing for public input.

Bryan Johns, Landscape Architect for Clark-Lindsey Village, and Fred Lux, Director of Environmental Services for Clark-Lindsey Village, approached the Urbana Zoning Board of Appeals to answer any questions that they may have.

Mr. Warmbrunn asked if the petitioner wanted people to park in the parking area off Race Street to avoid outsiders from entering through the main door. Mr. Johns explained that they want to change the entry for the new use because the activity will be a little different than from the other sections of the facility. Mr. Lux added that it will be more of a convenience for the people coming to Clark-Lindsey Village for the Renewal Therapy Unit.

Mr. Warmbrunn wondered what their thoughts were in selecting the proposed sign. Mr. Johns stated that there are mature plants that they want to preserve. Clark-Lindsey Village is known for the landscaping on its grounds and many residents choose to live there because of their landscape, so they do not want to alter the plant material. However, they still want people to be able to find where to park for the Renewal Therapy Center.

Mr. Warmbrunn felt that many people will not see the proposed sign until after they pass by it. Mr. Johns said that they anticipate most of their traffic to come from the north.

Mr. Warmbrunn inquired as to whether the petitioner plans to move the Employee parking to another location. Mr. Johns said yes. They anticipate that there will only be about three people coming to the Renewal Therapy Center at one time. They will keep the handicap parking as it currently is.

Ms. Harwood questioned why they are unable to turn the sign to face north-south. Mr. Johns explained that the sign is located fairly close to the property line. The existing tree and street light would block the south side of the sign. There is a hedge on the north side that blocks the view of the cars that would also block the view of the sign from the north.

Ms. Harwood wondered how the proposed sign would fit in with the existing landscape. The other signs have more of a brick, permanent look. Mr. Johns explained that they wanted to make the proposed sign a minimal size and be unobtrusive. They do not want to bring a lot of attention to the structure, and they plan to add some plant material around the sign to soften it. Mr. Lux pointed out that they are not looking to use the sign for advertisement, but rather as a directional sign instead to show people where to park.

Ms. Harwood inquired as to why the petitioner is asking for a sign variance before obtaining building permits. Mr. Lux stated that they have the building permit for the minor remodel. Mr. Johns added that in terms of the health center, they are not changing the number of beds. They are just reallocating space. Business is changing for nursing homes, and one of the ways that Clark-Lindsey Village plans to make that change is by offering a Renewal Therapy Center.

Mr. Welch offered a point of clarification by saying that the remodel is already allowed. They are only coming to the Zoning Board of Appeals for the sign variance because that is all they need.

With no further audience testimony, Chair Armstrong closed public input and entertained Zoning Board of Appeals discussion and motions.

Ms. Uchtmann moved that the Zoning Board of Appeals forward this case to the City Council with a recommendation for approval with the conditions as recommended by City staff. Mr. Welch seconded the motion. Roll call was as follows:

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| Mr. Warmbrunn | - | Yes | Mr. Welch | - | Yes |
| Ms. Harwood | - | Yes | Mr. Armstrong | - | Yes |
| Ms. Uchtmann | - | Yes | | | |

The motion was passed by unanimous vote.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Armstrong adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Robert Myers, AICP, Secretary
Urbana Zoning Board of Appeals