

MINUTES OF A SPECIAL MEETING

URBANA PLAN COMMISSION

DATE: July 13, 2000 **DRAFT**

TIME: 7:30 p.m.

PLACE: Urbana City Building
400 S. Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Ms. Marilyn Upah-Bant, Ms. Bernadine Stake, Mr. Gerrit Knaap, Mr. Christopher Alix, Ms. Helaine Silverman, Mr. Joseph Rank.

MEMBERS EXCUSED: Mr. Randy Kangas, Mr. J. Barry Howell

STAFF PRESENT: Elizabeth Tyler, AICP/ASLA, Asst. City Planner
Rob Kowalski, Senior Planner
Pat Tarte, Recording Secretary

OTHERS PRESENT: Patricia Wilson, Margaret Whelan, Colleen Knake,
Tim McMahon, David Dressel, Les Johnson,
M. Erhardt, Tom Berns, Gloria Cross,
Ruth Wyman, Alan Douglas.

Ms. Stake nominated Mr. Knaap to serve as acting Chairperson in the absence of Mr. Howell. He was approved by unanimous voice vote.

Mr. Knaap introduced the two new Commissioners. Ms. Helaine Silverman and Mr. Joseph Rank.

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

The meeting was called to order at 7:34 p.m. A quorum was declared present.

2. CHANGES TO THE AGENDA

Mr. Knaap stated that Plan Cases 1749-CP-00 and 1749-M-00 would be heard together but would be voted on separately.

3. APPROVAL OF MINUTES

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Ms. Stake moved that the minutes for May 4, 2000 be approved as presented. Ms. Upah-Bant seconded the motion. The minutes were approved with a unanimous voice vote by the four commissioners that had attended the May 4 meeting. The two new commissioners, not having been present at the May 4 meeting, abstained.

4. COMMUNICATIONS

Mr. Tom Berns spoke before the Commission lauding the many contributions of Mrs. Frances Moreland to the City of Urbana through her 20 years as a member of the Urbana Plan Commission. Mr. Berns thanked her posthumously for the dedicated service she had provided over the years to the welfare of the City. He noted that she had been a pleasure to work with.

Other communications included:

Mr. Knaap stated that it was his understanding that the City was planning a memorial to thank Mrs. Moreland for her dedication and service to the City of Urbana.

A notice of a town hall meeting on Thursday, July 27 in the Urbana City Council Chamber.

A letter from Fox-Adkin's Development Corp.

A letter of protest to the Special Use Permit Application. (Case no. 1748-SU-000)

A notice from the funeral of Mrs. Moreland.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

1749-CP-00, request by the Zoning Administrator to amend the Comprehensive Plan future land use recommendation for parcels located at 208 N. Goodwin, 1101, 1102, 11021/2, 1104, 1107, 1109, 1111, and 1113, W. Main 1101, 1103, 1105 W. Clark and 205 N. Harvey from Institutional to Mixed University Development.

1749-M-00, request by the Zoning Administrator to rezone parcels located at 208 N. Goodwin, 205 N. Harvey, and 1101, 1102, 11021/2, 1104, 1107, 1109, 1111, and 1113, W. Main from B-1, Neighborhood Business, to B-3U, General Business-University. Also parcels at 1101, 1103, 1105 W. Clark from R-5, Medium High Density Multiple Family Residential, to B-3U, General Business-University

Ms. Tyler presented an overview of the cases concluding with a staff recommendation for approval of both requests.

Mr. Alix asked that Ms. Tyler go over the parcels listed in the Comprehensive Plan, as he felt somewhat confused by their lack of contiguity. Ms. Tyler explained that in the future land use section of the Comprehensive Plan, listed as exhibit number four, there is continuous Mixed University Development shown East of Harvey. She said that ultimately there may be a larger Comprehensive Plan Amendment in the area, which would be consistent with the North Campus Plan amendment once the Trustees of the University of Illinois approve it. She continued that the Downtown to Campus Plan was adopted in 1990 and within a year the U of I prepared and perhaps adopted the North Campus Plan. She noted that because the City wants these plans to be consistent the Downtown to Campus Plan was amended to show this area as Institutional rather than Mixed University Development. She added that at the present time, nine years later, the University is proposing to amend their North Campus Plan. She said that the City wants to amend the Comprehensive Plan to remain consistent with the University's plans. She continued that in the future the entire area would become Mixed University Development.

Mr. Alix said that he still had problems making these piecemeal changes to the Comprehensive Plan. Ms. Tyler stated that staff recommendation and practice has been to keep zoning amendments in step with Comprehensive Plan Amendments and that either an owner or the Zoning Administrator has the right to seek a rezoning at any time. She noted that the City would not want to find itself in a situation in which the Zoning Map would not be consistent with the Comprehensive Plan Map, or with the Comprehensive Plan's Goals, and Policies. She stated that one of the tenets of good planning is that zoning follows comprehensive planning and that they need to be consistent. She stated that in some states the two are required to be consistent.

Mr. Alix noted his disapproval of this practice of tying the two together at the hip. He said that the Commission was being asked to change the Comprehensive Plan to something that they know is not what will be wanted even a year from the present time. Ms. Tyler said that this area would all be Mixed University Development in the future. She noted that there would be a big effort in the next few years to structure a new Comprehensive Plan that will pull all of the various plans together. She said that for now the City has the documents as they exist and as they have been amended and though it sometimes seems a patchwork the new Comprehensive Plan will bring it together and help cure some of these problems. Mr. Alix said that he would like to see comprehensive planning driving zoning and that he felt in this case it is just the opposite. He also stated that he felt the Commission was being asked to modify the Comprehensive Plan because staff is uncomfortable with the Plan Commission rezoning something and thus putting it at odds with the Comprehensive Plan. He said that he felt that changing the Comprehensive Plan for these reasons undermined the reason for having a Comprehensive Plan at all.

Ms. Tyler noted that the only way to keep the Comprehensive Plan from going stale was to amend it consistent with rezonings. She stated that the optimum circumstance would be to update the Comprehensive Plan every few years. She said that until that could happen there was not a more reasonable way to keep the Comprehensive Plan current.

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Mr. Knaap asked that when the Comprehensive Plan is revisited and the Commission is asked to address policies that require changes in the Plan could the question be asked whether it should be allowed to make those changes on a lot by lot basis, or whether the Commission and the changes proceed in some other way.

Ms. Stake asked why the Zoning Administrator was making this request rather than the University of Illinois. Ms. Tyler explained that the request was being made on behalf of the University because as a State institution that has a mandate for higher education, an argument can be made that they are not subject to local zoning. She said that the City does not want to get into that argument or to test it in any way. She stated that the City prefers to ask for the amendment and rezoning.

Mr. Knaap asked if the enterprise zone is part of the Comprehensive Plan and if the Plan Commission needs to visit this area. Ms. Tyler explained that the enterprise zone program is managed by Reed Berger, the Economic Development Coordinator for the City of Urbana under the direction of Council and is a totally different program from the Comprehensive Plan and is heard by a different hearing body. Ms. Tyler explained that there are other Boards and Commissions within the City that govern the different programs.

Mr. Tim McMahon, Fox-Atkins Development, gave a brief overview of the background for this project. He stated that the project would be a real coup for the City. He said it would bring between 100-200 new jobs to the area. He said the cost of the project would be approximately \$6 million of taxable revenue.

Mr. Knaap asked about the impact of extending the enterprise zone to include the property. Mr. McMahon answered that the purpose of the Enterprise Zone is to make Urbana competitive with other cities. He said that it can be used to encourage a tenant to move to the area and allows the City to abate certain parts of the taxes. Mr. Knaap disagreed and said that Enterprise Zone monies were authorized to abate blighted sections of urban areas and not to compete for high tech development.

Ms. Stake asked when the tax revenues would begin? Mr. McMahon stated that the school district and the park district would begin receiving immediate monies. He said that in the case of the school district the amount would be approximately \$100,000 per year. Ms. Stake then asked the length of the tax abatement by the City. Mr. McMahon answered it was a 5 year abatement for certain parts of the taxes and after that it would be taxable for as long as Fox-Atkins leases the land.

Ms. Stake moved that Plan Case 1749-CP-00 be forwarded to the City Council with a recommendation for approval to an amendment to the Comprehensive Plan Map from Institutional to Mixed University Development. Mr. Rank seconded the motion.

Ms. Upah-Bant asked why the zoning was being changed as she found the current zoning included all of the uses mentioned in the new zoning district. Ms. Tyler explained that the

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current zoning was B-1, Neighborhood Business and R-5 and that the requested use fits better in B-3U as it is more consistent with the description of that zoning designation.

Mr. Knaap stated that he had two problems with the proposed project. The first was the piecemeal approach to the Comprehensive Plan change and the second was the extension of the Enterprise Zone, which was not designed legislatively or as a matter of public policy for this purpose. He said that he laments the fact that changes to the Enterprise Zone do not come before the Plan Commission. He said that it is programs like the Enterprise Zone and TIF Districts that are the movers behind the implementation of the Comprehensive Plan. He said that the lack of a requirement for the Plan Commission to provide input on those issues is a major problem in the planning process. He said that he hoped in the future the Plan Commission would be willing to make it's voice heard on these issues regardless of whether it is required on the part of the State. He said that aside from those problems he felt the proposed project was a tremendous opportunity for the University and for the City, and felt that the Plan Commission should approve both the Comprehensive Plan change and the Rezoning.

Mr. Alix stated that he would vote against the Comprehensive Plan Amendment as a matter of policy because he did not feel these amendments should be brought to the Plan Commission on a lot by lot basis. He said that he was in support of the project and would vote yes on the rezoning.

Mr. Knaap called for a roll call on 1749-CP-00. The vote follows:

Upah-Bant, no.	Rank, yes.	Stake, yes.	Knaap, yes.
Silverman, yes.	Alix, no.		

The motion passed 4-2.

Ms. Stake moved that Plan Case 1749-M-00 be forwarded to the City Council with a recommendation for approval of rezoning of properties located at 1101 W. Main, 1102 W. Main, 1102 1/2 W. Main, 1104 W. Main, 1107 W. Main, 1109 W. Main, 111 W. Main, and 1113 W. Main. Also 208 N. Goodwin, and 205 N. Harvey from B-1, Neighborhood Business to B-3U, General Business University, and properties at 1101 W. Clark, 1103 W. Clark, 1105 W. Clark from R-5, Medium High Density Multiple Family Residential to B-3U, General Business University. Mr. Alix seconded the motion.

Mr. Knaap called for a roll call. The vote follows:

Rank, yes.	Ms. Stake, yes.	Knaap, yes.	Silverman, yes.
Alix, yes.	Upah-bant, yes.		

The motion passed 6-0.

Both cases were forwarded to the July 17, 2000 meeting of the City Council with recommendations for approval.

1748-SU-00, request for a Special Use Permit to allow a 16-space expansion to a parking lot located at 308 N. Orchard Street in the R-5, Medium High Density Multiple Family residential Zone.

Ms. Tyler presented an overview of the case.

Mr. Alix asked several questions concerning the area just to the east of the subject property. He asked if it was an area marked for future expansion and whether it was currently a parking lot. Ms. Tyler answered that the turnaround was not constructed but all of the spaces shown were present. Mr. Alix made the observation that the parking lot does not connect to McCullough Street. Ms. Tyler answered that it does not connect in an approved way as McCullough Street is not improved to the end of the street in that location. She said that the only real access to the parking lot is from Orchard Street.

Ms. Tyler continued the presentation, concluding with a staff recommendation for approval.

Mr. Alix asked how the subject property came to be R-5. He asked if it was originally associated with the lots to the west. Ms. Tyler stated that there was a rezoning in 1993 of the lots from Industrial to R-5. She said that the lots were originally zoned in association with the railroad right-of-way. She said that to place an apartment building on one of these lots would be difficult because of the lack of lot depth and limited access. Mr. Alix asked if the proposed use would be allowed in R-4 or would it be prohibited? Mr. Kowalski answered that it would be allowed. He noted that R-4 would be the least intense district that a parking lot would be allowed in as a primary use with a Special Use Permit. Mr. Alix asked if the subject property was currently in compliance with the Comprehensive Plan. Ms. Tyler answered yes, that it was generally consistent. She said that land use designations are broad and will not all be just one use. She noted that there might be residential, neighborhood businesses, or parking lots all found in the same zoning designation.

Ms. Stake questioned who would monitor the landscaping. Ms. Tyler said that the City Arborist is available to recommend species that work well for this purpose. She said that the monitoring is accomplished because a parking lot is considered a structure by the Building Safety Division of Community Development Services and requires a Building Permit and a Certificate of Occupancy.

Mr. Rank asked the total square footage of the paved area of the parking lot and also if the City Engineer was satisfied that the drainage requirements have been met? Ms. Tyler said that the paved area of the entire parking lot plus the proposed expansion is well under two acres and that the drainage flows into an existing sewer just west of McCullough Street. She said that the plan had been submitted to the City Engineer for approval and that he has approved the two former

parking lots and that the proposed addition is a relatively small one and will not require further drainage improvements. There was a discussion concerning drainage requirements on various projects. Ms. Tyler noted that if the City Engineer requires more detailed information and calculations it is within his authority to do that. She said that drainage suggestions could be added as a requirement of the Special Use Permit to assure that the drainage is completed in whatever manner the City Engineer determines.

Ms. Upah-Bant asked if Lot 2 is replatted in the manner requested does Lot 1 then become one big lot that incorporates Lot 2? Ms. Tyler stated that the lot is landlocked with no access or exit other than as a part of Lot 1. She stated that she has asked if the combined lots could be given a new designation such as Lot 101 to minimize confusion. Mr. Alix asked if the proposed turnaround would be tied in with McCullough Street. Ms. Tyler said that she would ask that the conditions on the first two Special Use Permits be met as a requirement for the issuance of this Special Use Permit. She said that it is not actually part of the same lot but that the Plan Commission does have the authority to require that the conditions of previous Permits be fulfilled. She suggested that some of these questions could be answered by the petitioner about why these conditions were not met before.

Mr. Les Johnson, the petitioner, explained that the property was zoned Light Industrial when he bought it in 1982. He explained that there is a storm sewer that he had installed, and that it would easily handle all of the drainage from this lot.

Mr. Knaap asked if the lot is grass at this time? Mr. Johnson answered that it has grass on it at this time with paved lots on both sides. Mr. Alix asked what the parking lot to the east services. Mr. Johnson stated that this was the parking lot for the Campo apartments and for Landmark apartments. Mr. Alix asked about the east end of the parking lot. Mr. Johnson said that he pays taxes all the way to the end of the property. He said that Landmark apartments has rented most of the spaces and that he has not gone any farther than he was given approval for in 1994. Mr. Alix asked if the City requires the turnaround at the east end of the parking lot? Ms. Tyler said that without the 1994 Site Plan she did not know if it was required or not, but as a requirement of the Special Use Permit being requested now she is asking that the Site Plan be constructed as it was represented at that time. Mr. Johnson said that the reason the turnaround is required is because on a 60-foot lot you would not be able to negotiate a backup of the end parked car of a line of parked cars. Mr. Johnson said that the lot is over 66 feet wide and does not require any extra space to turn around. Mr. Alix said that he would like to require a turnaround as a condition of the Permit. Mr. Johnson said that would be no problem and that he could have one constructed.

Ms. Stake asked what the landscaping plans for the parking lot were. Mr. Johnson said that the City would like a three-foot hedge along the south side of the parking lot. Ms. Tyler explained that three feet is the minimum required. Mr. Johnson said that there are four trees on the lot now and that he would not be cutting these down. Ms. Stake suggested since the lot will be next to residences that he might put in something a bit higher. Mr. Johnson said he could do that.

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Mrs. Patricia Wilson next door neighbor to the proposed lot spoke in opposition to the parking lot because her husband had maintained a garden on the lot for the past 11 or 12 years with the permission of the previous owners and felt that Mr. Johnson had acted in a very bad way by destroying the garden. She stated that Mr. Johnson had sprayed in such a manner that he had done damage to her yard. She also said that at the time the first parking lot was being sought the City said that the property had to be kept for green space and for drainage.

Ms. Stake asked whom the owner of the property is where the garden was located? Ms. Wilson said that she did not know for sure but that Mr. Johnson claimed ownership. Mr. Kowalski stated that in researching the subdivision plat for this case he found that the Champaign County Assessor's office recognizes Les Johnson as the owner of record and as the person who pays the taxes. Mr. Alix pointed out that some of the issues being discussed are beyond the scope of the Plan Commission. He said that he felt the only issues that the Commission could deal with would be adverse impact of the proposed project on the surrounding land. He continued by stating that if Ms. Wilson felt there was an ownership issue with the land or that she had a right to continue to use the land it would be appropriate for her to consult an attorney. Ms. Tyler said that the City has a copy of the contract of sale from Pat Fitzgerald, the former owner, to Les Johnson. Ms. Tyler said that there are no encumbrances or easements on the property that are not shown on the subdivision plat. Mr. Kowalski said that the first review on the plat showed no easements and that the engineer at HDC, Mr. Steve Kurth, assured the City that there were no easements of any kind on the property.

Ms. Peggy Whelan a neighbor and friend of the Wilsons spoke in opposition to the request.

Mr. Knaap asked Mr. Johnson if the sale of the property in May was contingent on the approval of the Special Use Permit. Mr. Johnson said no. He said that he had to join this lot to the other parking lot because it is landlocked and has no entrance or exit.

Ms. Silverman asked if there are laws that would protect the neighbors in case they could be upset or disturbed by people using the parking lot at unlikely hours. Ms. Tyler said that there are nuisance laws to cover this situation and that disturbed neighbors could call the police to enforce these. She stated that this is not a zoning issue. Ms. Stake said that once the request is approved the Plan Commission would no longer have any control over its use. She said that the Special Use request does not have to be granted if the Plan Commission feels there is a problem, and she stated that she feels there is a serious problem. She said that even without the additional parking there had already been problems. She stated that in her opinion a parking lot should not be located next to a residential zone. She then said that she had heard enough to know that this request would create an even larger problem and that creating problems is not what a Special Use Permit should do. She said that the petitioner has to guarantee that there is not going to be any problems. She said there is no reason the Plan Commission should grant the requested Special Use Permit for this parking lot. She said that she would not be able to vote in favor of this request because she would not want to live next door to a parking lot and she did not think these neighbors should have to do so either.

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Ms. Tyler reminded the Plan Commissioners that there is a list of conditions that they can require of Special Use Permit requests which have been granted to them under the authority of the Zoning Ordinance. She said that they have broad authority to regulate the layout of these uses, including the hours of operation. Ms. Tyler noted that in this zoning designation there are apartment buildings with parking lots next to them from necessity. She said that this is not like a rezoning where the Commission cannot make conditions. She suggested that after hearing all of the testimony and evidence the Commissioners might like to make suggestions that they feel will make this Special Use Permit fit the City's criteria better.

Ms. Colleen Canke, a neighbor, spoke in opposition to the request.

Mr. Ron Kovatch, a neighbor spoke in opposition to the request.

Ms. Margaret Whelan, a neighbor, spoke in opposition to the request.

Ms. Silverman stated that she was extremely concerned with the situation concerning the Wilson's backyard. She said that she thought there is difference between a Comprehensive Plan and a Zoning Ordinance and which should take precedence. She said that she was extremely concerned with the issue of residential priority and the good faith social contract that residents have with the City of Urbana in an ethical way. She stated that development in later years can really break the social contract and in so doing break the social fabric of the City. She said that she realized that the Plan Commission can only make recommendations to the City Council to approve or deny a petition, but she felt that in this case and all similar cases which concern the quality of life in Urbana, she hoped that the Plan Commission would act to maintain that which makes Urbana a desirable community which is different from others. She said that she hoped this could be done whether the Commission approved or disapproved and that if approved she would like to see added as many reasonable protections for the residents as are permitted. She said that in the Comprehensive Plan she hoped these sorts of issues would be anticipated because she stated that she found it very alarming that Comprehensive Plans are written and rewritten every ten years. She said that under this method a resident could move into an area under one set of concepts only to find them radically altered at a later time.

Mr. Drew Jones, son-in-law to Ms. Wilson, spoke in opposition to the request. He said that he felt there was already enough blacktop in the area. He said there was no need for additional parking lots.

Ms. Gloria Cross, a neighbor, spoke in opposition to the request. In answer to a question from Ms. Stake she said that she did not think a parking lot next to the homes in that location was a good idea.

Ms. Tyler stated that Ms. Cross's discussion dealt with a portion of Mr. Johnson's property that was not included in the Special Use Permit being sought. Mr. Tyler said that Ms. Cross was looking at Lot 2 not Tract 2. Mr. Kowalski stated that the garden area was not part of the original subdivision in 1993. He said that Mr. Johnson purchased that Lot along with a smaller Tract 1 on Orchard Street and is now redoing his subdivision to include those two lots into his original

subdivision in order to make it all one large lot. He said that the issue on McCullough Street is that the first Plat that was recorded in 1993 recorded Lot 2 over McCullough Street and that there had been discussion whether that was City right-of-way or not. Mr. Kowalski said that after recording that plat Mr. Johnson came to the City with his request to construct a parking lot in order to extend his parking lot. There was discussion at that time as to whether that part of McCullough Street was a City street or not. He said that in 1994 it was decided that Mr. Johnson should not at that time construct his parking lot onto that questionable right-of-way until it was determined whether McCullough Street was a dedicated street. Mr. Kowalski continued that shortly after that the City tried to do a title search and it is at this point that staff is saying they do not know how that search ended. He said that he believes that is the reason the parking lot was not finished over that part of the McCullough right-of-way. Mr. Kowalski said that this was all separate from the issue of the two new lots, one of those being the garden area and the other the small wedge on Orchard Street that Mr. Johnson is planning to tie into Lot 1 of the Johnson Addition. Ms. Tyler said that the address was a location that had been used for legal notice purposes. She said that staff knows that there is no address on that part of the parking lot but that the closest address on the address map was 308 N. Orchard Street. Ms. Tyler said that any individual can go to the County Recorder's Office to look up recorded documents which would contain all recorded information on that piece of property. Ms. Tyler said that McCullough Street extended was not part of the issue being heard.

Ms. Stake noted that residential zoning next to a parking lot is only allowed per the Zoning Ordinance by Special Use Permit. She said that there are people in this case who do not want a parking lot next to their homes. She stated that there is noise pollution and light pollution as a result of this parking lot. She said that she feels it is inappropriate and said that the Plan Commission should not vote in favor of allowing this parking lot. She said that she hoped the Commission would vote to deny the Special Use Permit.

Mr. Kowalski explained that the reason a Special Use Permit is required for this parking lot is because it will be a principal use and there will be no other structure with it. He said that if there were to be another structure such as an apartment building a parking lot would be allowed by right.

Mr. Rank said that he had three concerns. His first was that previous conditions of Special Use Permits had not been satisfied and that he would like to have verification as to whether they have or have not been met. Secondly, regarding drainage, he said that he would like to ensure that Article VIII-2 H, Sections 1-4 of the Zoning Ordinance concerning drainage be verified by the City Engineer. His last concern was that he had expected to see a revised Site Plan showing plantings or a fence. He said that in the absence of these verifications and if the case was not continued until they could be presented, if this case came to a vote this evening his vote would be to deny.

Ms. Upah-Bant said that she felt that the proposed Special Use Permit request seemed to fit the present Comprehensive Plan. She said that the area is zoned Medium Density Residential and that the future land use calls for it to be Medium Density Residential and that the parking lot did not seem to her to be unacceptable in that area. She stated that she was having difficulty with

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some of the arguments being made. She said that she would be more convinced if the discussion concerned an R-1 or R-2 zoning district, but she noted that this is an R-5 area and she did not feel that the parking lot was an exceptional request. She said that she would go along at this point with the staff recommendation to approve.

Ms. Silverman stated that there is a difference between residential and business use. She said that she understands that a business needs a parking area adjacent to that business but she added that if she lived in an area that was zoned residential she would not expect to have a parking lot right outside her door. She said that she was therefore voting to deny the request.

Mr. Alix said that the standard for a Conditional Use Permit is usually low, such as when someone is doing a use that is expected to be compatible with the area and they just want City approval. He said that on the other hand the standard for a Special Use Permit is relatively high as in the sense that it is something that the Ordinance anticipates being permissible in a given zone only under special circumstances. He said that he would disagree that a primary use parking lot would be compatible with an R-5 zoning designation. He said that he would like to see the plan for screening the lot from the residences. Mr. Alix stated he would vote for denial because he did not feel that the standard had been met for a Special Use Permit. He said that he did not feel that the Plan Commission should become involved in disputes between neighbors. Mr. Alix said the City could not be expected to preserve green space at the expense of property owners. He urged everyone interested to attend the City Council meeting on July 17 to make their opinions heard.

Ms. Tyler said that when there are unresolved questions that arise during public hearing that hearing can be continued. She said that if there were questions left unanswered such as those concerns mentioned by the Commission it could serve the purpose of allowing time to get those answers.

Mr. Knaap agreed that the case had not been made to overcome the conditions for the Special Use Permit. He said that he would like to see all of the right-of-way of the railroad become green space. He said that it was his preference to vote on this case at this time.

Ms. Stake moved to forward Plan Case 1748-SU-00 to the City Council with a recommendation for denial of the request for the Special Use Permit. Ms. Silverman seconded the motion.

Mr. Knaap called for a roll call. The vote follows:

Upah-Bant, no	Rank, yes	Stake, yes	Knaap, yes
Silverman, yes	Alix, yes		

The motion passed 5-1. The Special Use Permit was denied.

8. NEW BUSINES

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There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Tyler noted that Plan Case 1748-SU-00 would be forwarded to the City Council meeting of August 7, 2000.

Ms. Tyler also reported that CCZBA 219-AT-99 Omnibus Text Amendment of the Champaign County Zoning Ordinance had been moved to the July 20, 2000 meeting of the Plan Commission.

Ms. Tyler stated that on July 26, 2000 there would be a County Board hearing on the Big Grove issue that will start at 5:30. She said that the County Board has requested that all written materials be submitted by 4:30 p.m. on July 24.

Ms. Tyler reported that there would be a town hall meeting on July 27, 2000 dealing with the Downtown Plan. She said this would be the best opportunity to hear from the public.

11. STUDY SESSION

There was none

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

April D. Getchius, Secretary
Urbana Plan Commission