

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 11, 2002

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant

MEMBERS EXCUSED: Joseph Rank

STAFF PRESENT: Rob Kowalski, Planning Manager; Tim Ross, Senior Planner; Michaela Bell, Planner; Teri Andel, Secretary

OTHERS PRESENT: Thomas & Nancy Anderson, Tom & Jeannie Berns, Jim Merz, Esther Patt, Wayne Shaw, Susan Taylor

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

The meeting was called to order at 7:30 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Ms. Stake moved to approve the minutes from the meeting held on June 6, 2002. Mr. Kangas seconded the motion. The minutes were approved by unanimous vote.

4. COMMUNICATIONS

Facsimile from Tom Berns

5. CONTINUED PUBLIC HEARINGS

Plan Case #1824-T-02: Request by the Urbana Zoning Administrator to Amend Section II-3, Definitions and Table V-1, Table of Uses of the Urbana Zoning Ordinance to add “Methadone Treatment Facility” was continued to a future meeting to be determined.

6. NEW PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

Plan Case # 1829-SU-02: Request for a Special Use Permit by Urbana Assembly of God to allow the construction of a one-story education building addition at 2502 South Race Street.

Tim Ross, Senior Planner, introduced the case by giving a background on the history of the church and a description of the site and the surrounding properties. He discussed the requirements for a Special Use Permit according to Section VII-6 of the Urbana Zoning Ordinance. He summarized staff findings and read the options of the Plan Commission. Mr. Ross stated the staff recommendation was as follows: *Based on the evidence presented in the discussion in the written staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Plan Commission recommend approval of the proposed special use in Plan Case 1829-SU-02 as presented with the following conditions:*

- 1. The location and design of the proposed 5,000 square foot building be in substantial compliance with the site plan and perspective drawing submitted and attached to the written staff report as Exhibit “H” and Exhibit “I”.*
- 2. That the Church complete work on the Master Site Plan to comply with the previous Special Use Permit.*
- 3. That an engineered drainage plan be prepared for the proposed building that meets the requirements and approval of the City Engineer.*
- 4. The ash tree located on the church property along the north property line be preserved.*

Mr. Kangas asked if condition #2 referred to the plan or the additional work on the parking lot? Mr. Ross answered that it referred to the Master Site Plan. The City of Urbana had previously requested that the Church complete.

Wayne Shaw, of Abris Architects, noted that he is the architect for this project, as well as for other projects with the church in the past. The Urbana Assembly of God needs additional Sunday school classroom space. Their existing classroom space is located in the higher portion of the building and down in the lower level.

Mr. Shaw pointed out that the Church would have liked to connect the addition to the main building; however, the upper level of the main building is used as a gymnasium and as an assembly area. The Urbana Building Codes require a two-hour fire separation between the gymnasium and the proposed education building. Therefore, the Church decided to move the proposed education addition thirty-feet away from the main building.

Mr. Shaw stated that the landscape architects that he had previously talked with did not feel that construction of the proposed addition would be a problem in preserving the ash tree. The Church definitely wants to maintain the Ash tree, because it is a big tree and provides a lot of shade.

Mr. Shaw explained that the Church plans to extend the fascia line so that it appears to be related to the rest of the existing building. They are also planning on having a brick base around the proposed addition that matches the existing main building, as well as matching the shingles on the proposed addition to the shingles on the existing building. He commented that the Church was in the process of deciding what the rest of the design of the building would be made of. Some possibilities included a Morton building, steel, or a custom building. The Church does not have unlimited funds, so they are trying to do this as economically as possible and still create a residential nature to the proposed building.

Mr. Shaw mentioned that the Church's intentions were to add more shrubbery around the building. Although, they do not have a landscape plan at this point, their intentions are to add further greenery.

Mr. Shaw addressed the Special Use Permit for additional parking, which was previously approved by City Council. He explained that the problem was that the Church had gotten a quote from a blacktop company on the cost to complete the project, and the sub-surface drainage comes out to be very expensive. Now, Abris and the Church are trying to find a more economical way of handling the project.

Mr. Shaw noted that Abris and the Urbana Assembly of God are in the beginning stages of working on the Master Site Plan. Abris is trying to find out what the Church's long-term goals are, what the Church foresees the size of their future sanctuary that would be needed, how many parking spaces would be needed, and what the needs would be for a storm-water detention.

Ms. Stake inquired as to whether Mr. Shaw had checked with an arborist to see how much space the Ash tree would need for future growth of its roots? Mr. Shaw responded that he checked on this issue and was told to keep the construction of the building out of the drip line of the tree. Ms. Stake questioned if the Ash tree would be up against the proposed addition? Mr. Shaw noted that the Church might tweak the location of the addition if they find that the building would be too close to the tree.

Mr. Douglas asked if this was the location where the Church was going to build a garage? Rob Kowalski, Planning Manager, replied that the Church decided not to build the garage. The proposed education addition would take its location. Mr. Douglas inquired as to whether any of the Church's last three projects requiring Special Use Permits had been completed? Mr. Shaw responded that the vestibule project had been completed. The parking lot project is still being planned out to find a more feasible way to construct it.

Mr. Pollock asked if the setback to the east was around sixty feet? Mr. Shaw recalled it to be around sixty-five feet. Mr. Pollock questioned if the size of the sanctuary determines the size of the congregation? Mr. Shaw commented that his experience was that if there is no room for people to sit, then a church holds extra services. If the congregation outgrows the extra services, then a church usually looks to expanding the sanctuary. Mr. Pollock questioned if part of the Church's master plan was to look at the possibility of expanding the sanctuary in the future? Mr. Shaw replied yes. The church was also looking at whether the site would support the size of sanctuary that they would want to build.

Tom Berns, of 109 Whitehall Court, lives in the subdivision next to the Urbana Assembly of God to the north. The Ash tree provides the shade for his backyard and the back of his home. He noted that overall; the Church has been a good neighbor. He and his wife have supported all of the Church's requests for Special Use Permits in the past. This was the first time that the Church had not asked the surrounding neighbors to take a look at their proposal before being submitted.

Mr. Berns mentioned that after reviewing the staff report, he submitted a six page facsimile letter stating concerns that his neighbors and himself have about this proposal. Mr. Berns reviewed those concerns, which were as follows:

1. **No Master Site Plan.** Since 1967, the Church has still not provided a Master Site Plan for this property. The Church is not permitted by right in a residential district. It is only permitted with a Special Use Permit. City Council had previously told the Church that before any further significant development could be approved, that a Master Site Plan for the entire site needed to be submitted.
2. **Church Remain at this Location.** The Church is not sure whether or not they should remain at this location and whether the Church has overgrown the site.
3. **Building Material.** The Church has not finalized the design materials to be used to build the proposed education addition. The Church is looking at a variety of design materials; however, Mr. Shaw depicted that the Church would probably build either a Morton Building or use sheet metal to side the addition. Mr. Berns did not feel that a building out of this material would fit into and would also be detrimental to the neighborhood. Since this is a Special Use Permit, it requires that the Church do a little more work and decide what the proposed building would be made of. Once the Special Use Permit is granted, then the Urbana Assembly of God would not have to come back before the Plan Commission regarding building materials.

4. **Church's Focal Point on Money.** The Church's focus is on cost and not on what would make the neighborhood happy. The Church has not gotten the Master Site Plan completed, the two-hour fire separation would be very expensive, a landscaping plan has not been performed due to the expense, and the drainage issues have been too expensive to address.
5. **Use of the Building.** Surrounding neighbors are concerned that the Church would use the proposed addition for either a daycare center or parochial school. Mr. Berns suggested that the use be limited to Sunday school classroom only as a condition of the Special Use Permit.
6. **Impact on Neighborhood.** Mr. Berns and other neighbors built the tall fences on top of the berm in order to provide separation from the Church and to prevent a low impact of the Church's buildings on the neighborhood.
7. **Site Lighting.** There is a concern that the lighting would shine on the neighbor's backyards and back windows. He suggested another condition for the Special Use Permit be that the Church aim and/or shield the lighting away from the adjacent homes.
8. **Ash Tree.** The Ash Tree has become important. It provides shade and screening in the summer time. If something happens to the Ash tree, planting Evergreens now would take a long time to provide any protection for the neighborhood.
9. **Height of the Building.** There are concerns about how high the proposed education addition will be. Mr. Berns does not want to look out his backyard and see a sheet-metal building over the fence.
10. **Storm Water Detention.** It is more expensive in Urbana to conform to storm water detention. This site has no such facility as of yet. The proposed building could overload the storm sewers in surrounding neighborhoods. The purpose for Urbana's Storm Water Management is to protect the neighbors downstream.
11. **Concerns Not Addressed.** Mr. Berns commented that he was concerned about not hearing any response to his six-page facsimile addressed to Mr. Shaw. It bothered him that the Church did not respond to the neighbors and his concerns. They did not even attempt to satisfy the surrounding neighborhoods.

Mr. Berns noted that it was suggested that the Church look into expanding the main building on the west side to add another story. He was told that would be more expensive than building a new one-story building.

Mr. Alix inquired if the six-foot fence was on top of the four-foot berm or beside it? Mr. Berns replied that the fence was on top of the berm. Mr. Alix questioned if the fence and berm were on the property line or entirely within the Church's property? Mr. Berns answered that the fence and berm were entirely within the Church's property. It was part of the agreement with the Church that the property owners would both build and maintain the fence. Mr. Pollock inquired as to how far south of the property line was the fence? Mr. Berns responded approximately one foot.

Mr. Pollock asked Mr. Berns if he had the same concerns when the Church requested a Special Use Permit to build the garage that did not get built? Mr. Berns stated that the building that was proposed then was much smaller and farther over toward the corner.

Mr. Alix questioned how the presence or absence of windows would affect him? Mr. Berns answered that he does not know what affect windows would have because the Church does not know whether there will be windows or not, and if there are windows whether they will be placed high or low on the building. There was a problem in the past with one of the windows in the gymnasium. The Church had a pop machine by the window, which lit up like a neon bright light in his backyard. He asked the Church to move the pop machine, and the Church graciously did so.

Ms. Upah-Bant inquired as to why Mr. Berns believed that the Church would use the proposed building as a daycare center? Mr. Berns replied that the Church had a daycare center in the past.

Nancy Anderson, of 106 West Whitehall Court, was concerned with the square footage and height of the proposed addition, in addition to the appearance of building. She felt that the Church should provide a Master Site Plan, so that the City of Urbana and the surrounding neighborhoods would know what the Urbana Assembly of God is planning to build in the future.

Mr. Shaw re-approached the Plan Commission to address some of the concerns that Mr. Berns noted. The Church does not want to upset the surrounding neighbors; therefore, he cleared up some misconceptions, which were as follows:

1. **Sheet-Metal Siding.** Abris and the Urbana Assembly of God is not sure what material will be used for the proposed addition. Even if they decided to use sheet-metal material, manufacturers make better-looking siding than the sheet metal on the existing gymnasium building. Nowadays, Morton Buildings do not just construct barns and other “out” buildings and metal-sided buildings.
2. **Master Site Plan.** The Master Site Plan never became an issue until the last Special Use Permit that the Church requested for the parking lot addition. They are in the process of designing a Master Site Plan.
3. **Drainage Plans.** Mr. Berns was correct in saying that drainage plans are required to protect the neighbors downstream from the Church. The Church has no choice due to the City’s Building Codes; therefore, the drainage plans will be included in the Master Site Plan. The Church is not trying to get out of providing storm water management. They are just evaluating the costs to provide it.
4. **Intended Use.** The Church plans to use the proposed addition for Sunday school classrooms and for meetings on Wednesday evenings.
5. **Site Lighting.** The Church would not want the site lighting to be a problem for the neighbors. In addition, the Church would look at shielding any existing lighting to correct any problems that there are now, if they exist.
6. **Expanding West Building.** The existing building is tied into an office use on the second floor. Again, the Urbana Building Codes require a two-hour separation from the proposed addition.

7. **Financial Focus.** Abris is trying to be sensitive to the costs of building, because the Church has to answer to the congregation. From his experience, it would be much more economic to build a one-story building on a clean site than to try to tie in to an existing building.
8. **Flat roof versus pitched roof.** The Church has had leak problems with the flat roof on the gymnasium. A flat roof is ugly when viewed from the other side. A pitched roof with shingles on it would be more residential in nature than a flat roof.
9. **Window heights.** The top of the windows would probably be around seven feet, which would not even be above the fence.

Mr. Kangas asked if Mr. Shaw would be interested in deferring this case and allow time to work out with City staff the contractual obligations highlighted in this meeting? Mr. Shaw commented that he could not personally commit to that and hold up the church on their plans without consulting with the church.

Ms. Stake inquired if the Church had a Board of Directors? Mr. Shaw replied that the Urbana Assembly of God has a Board of Deacons.

Mr. Alix asked what range of roof pitches would be used? Mr. Shaw replied 4:12. Mr. Alix inquired how Mr. Shaw figured the proposed building to be twenty-seven feet tall? Mr. Shaw responded that the height would be twenty feet to the ridge. The Church may use a 5:12 pitch.

Mr. Kangas asked if it would hurt if the Church's plans if the Plan Commission decided not to pass the Special Use Permit until schematic designs could be decided and shown to the Plan Commission? Mr. Shaw answered that the schematic design basically goes through doing floor plans and its cost and evaluating who would do the work. He was not sure how that would play into the Special Use Permit.

Mr. Berns re-approached the Plan Commission. He did not believe that the Urbana Assembly of God was ready for the Special Use Permit. It is the Plan Commission's call to defer until the schematic design has been done. The impact on the neighbors is not known. He is not trying to hurt the church, but there are too many concerns to be addressed before the Church should be allowed to build the proposed building.

Mr. Kowalski expanded on the staff recommendation by saying that the recommendation is typically based on location, massing scale, setbacks, access, noise pollution, etc. Staff does not get too far into aesthetics and design. It is the Plan Commission's and the City Council's decision when considering a Special Use Permit to defer this case if desired. City staff would be happy to work as a facilitator for both the neighbors and the Church to help come up with resolutions to some of the issues that were mentioned. If the Plan Commission wanted to defer, he requested that the Plan Commissioners give some general thoughts on what concerns should be addressed.

Ms. Upah-Bant requested that Mr. Kowalski talk about the lack of a Master Plan, how this happened, and what power does the staff have to require that a Master Site Plan be designed. Mr. Kowalski stated that the Church is working on a Master Site Plan, and that he caught a glimpse of it. The thought for the Master Site Plan was for the undeveloped portion of the site and for drainage as well. Mr. Ross added that the drainage issue was what sparked the facilitation of a Master Site Plan.

Ms. Upah-Bant questioned if the Plan Commission could stipulate a replacement for the Ash tree? Mr. Kowalski replied that the Plan Commission could list that as a condition under the Special Use Permit. Staff requested that the drip line of the tree be the closest point at where the building could be built. Ms. Stake commented that the building should be built further away from the Ash tree than the existing drip line to allow for growth. Mr. Pollock noted that in a Special Use Permit, any venues or issues of concern could be added into the Special Use Permit as conditions.

Mr. Kangas felt that there was a valid concern for the aesthetics of the proposed addition. Although the types of materials to be used can be a sensitive issue, he believed that the Plan Commission needed to address aesthetics somehow. There were also concerns about the site line, the size of the building, the roofline, and lighting. Another important concern is the fact that the Church was told to design a Master Site Plan before they came back with another request, and they have not done that. His preference would be to continue the case to give everyone involved time to address these concerns.

Mr. Alix stated that he was not concerned about the appearance of the proposed building. We are only talking about a one-story building, which is about the size of a house, especially with a ten-foot barrier between the proposed building and the adjacent property. The proposed building would be setback thirty-feet from the barrier as well. It was hard for him to imagine that there would be a negative impact on the surrounding neighborhood. The Plan Commission should encourage in the Special Use Permit that the proposed building be compatible with the surrounding residential use.

Mr. Alix addressed the issue of usage of the proposed building by saying that his understanding was that the Special Use Permit only applied to church use. He would consider an elementary school or a daycare center to not be a church use. By granting the Special Use Permit, the Plan Commission would not be permitting the Church to operate either of these.

Mr. Alix commented that it would appear that the reason why the Urbana Assembly of God has not produced a Master Site Plan was because they do not know what they want to do. Insisting on a Master Site Plan would result in the City of Urbana getting a site plan that looks like what is currently existing on this site.

Mr. Alix stated that his primary concern was drainage. If the City continues to support this sort of development on this site by granting a Special Use Permit for the construction of a garage, granting a Special Use Permit for the expansion of the parking lot, and now possibly granting this Special Use Permit request for the proposed education addition, then at some point the

Church will have to comply with these storm water issues. The proposed building would probably not be significant in causing drainage problems; however, the more buildings the Church builds, the more significant the drainage issue will become. At some point, the City will have to enforce the Church to design a Master Site Plan for drainage purposes. At this point, he would be supportive of this Special Use Permit request. One other concern that he has was with the site lighting, and he recommended that the Special Use Permit carry a restriction that all lighting on the site be shielded to minimize the impact on the adjacent residential uses.

Mr. Ross noted that he presented this Special Use Permit request by the City's Engineering staff, and they had no concerns at this point related to the specific building. He pointed out, on page five of the written staff memo, the eight types of conditions that could be placed on a Special Use Permit.

Mr. Hopkins inquired as to what the difference was between continuing a case and deferring a case? Mr. Pollock stated that the way deferral is used in the City of Urbana, especially at City Council, is the ability for two members to send a piece of legislation away for two weeks or till the next regular meeting automatically without any discussion. It does not have anything to do with tuning up ordinances and improving the nature of the legislation. Although, continuance is not an option listed in the staff report, the Plan Commission can ask staff to go back and sit down with all the interested parties and address the specific requirements that the Plan Commission might add into the Special Use Permit.

Mr. Pollock continued to say that he felt a continuance for two to four weeks would not be enough time to address his concerns, which are as follows: 1) track record of previous Special Use Permits - where the last two Special Use Permits were approved and still have not happened and 2) the requirement placed on the Urbana Assembly of God for a Master Site Plan has still not happened as well. He added that without a landscaping plan, a final design on the building, and a site plan, there are too many questions, and he will not be able to vote in favor of approving this Special Use Permit.

Mr. Alix asked what type of Master Site Plan was requested? Mr. Pollock replied that he would like to see a Master Site Plan that would address the drainage and address future plans for building. Mr. Alix remarked that the value of having the Church do a site plan is that the Church would understand what the overall sensitivities are.

Mr. Douglas moved to deny the Urbana Assembly of God's request for a Special Use Permit to construct the proposed education addition. Ms. Stake seconded the motion. The roll call was as follows:

Mr. Alix	-	No	Mr. Douglas	-	Yes
Mr. Hopkins	-	Yes	Mr. Kangas	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes			

The motion was passed by a 6-1 vote.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- ✓ **Southridge Subdivision Waivers** – City Council upheld the Plan Commission’s recommendation to deny the waiver to not build the turnaround hammerhead. However, City Council did grant the waiver to allow the mountable curbs on Myra Ridge Drive.
- ✓ **Champaign County Storm Water Management** – City Council did not protest this text amendment.
- ✓ **The Nabor House Rezoning** – City Council denied the zoning request with a 6-0 vote.
- ✓ **Next Scheduled Meeting** – The Methadone Treatment Facility case may come back on July 25, 2002.
- ✓ **New Planner** – Mr. Kowalski introduced Michaela Bell.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:33 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission