

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: November 20, 2003
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Laurie Goscha, Michael Pollock, Bernadine Stake
MEMBERS EXCUSED: Lew Hopkins, Randy Kangas, Marilyn Upah-Bant, Don White
STAFF PRESENT: Rob Kowalski, Planning Manager; Michaela Bell, Senior Planner; Teri Andel, Secretary
OTHERS PRESENT: Ed Fiskus, Stu Harrison, Ben Jones, Barbara Morgan, Terry Sharp, Susan Taylor, John Thies, Jill Van Vought

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

The meeting was called to order at 7:32 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

Chair Pollock requested to move Plan Case #1839-S-02 to be reviewed as the last item under New Public Hearings. The Plan Commission approved of the change.

3. APPROVAL OF MINUTES

Ms. Stake moved to approve the minutes from the October 23, 2003 meeting as amended. Mr. Douglas seconded the motion. The minutes were then approved as amended by unanimous voice vote.

4. COMMUNICATIONS

Regarding Plan Case #1871-A-03 and Plan Case #1871-M-03:

- Hingtgen & Naugle Annexation Agreement
- Preliminary Plat for Eagle Ridge Subdivision (Plan Case #1250-S-87)
- Letter from William Volk of MTD

- Letter from Robert & Wilma White
- Letter from Margaret Tsiang
- Letter from Charles Zukoski & Barbara Morgan
- Letter from Carl Webber

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

Plan Case # 1871-A-03: Request to annex three tracts of property totaling approximately 31 acres on the south side of Colorado Avenue east of Philo Road.

Plan Case # 1871-M-03: Request to rezone a three-acre tract of property from Champaign County R-2, Single-Family Residence to City B-3, General Business upon annexation. Property located on the south side of Colorado Avenue approximately 394 feet east of Philo Road.

Rob Kowalski, Planning Manager, presented these two cases together. He explained that the rezoning of Tract 1 to B-3, General Business was for a future banquet center for Renner-Wikoff Funeral Home, and the annexation agreement specifies approval for a residential planned unit development on part of the tracts and a standard single-family subdivision on the rest of it. The residential planned unit development would incorporate a senior retirement center with about 75 units; and then, 38 owner-occupied residential condominiums would occupy the rest of it.

Mr. Kowalski gave a brief history of the proposed property. He described the adjacent land uses and noted their zoning designations. He discussed the proposed rezoning, the proposed residential planned unit development (with the retirement center and the residential condominiums) and the tract for the single-family residential subdivision, which was not part of the planned unit development, but was part of the annexation agreement. He used the Elmo to show a copy of the site plan and pointed out where each of these development plans would occur. He briefly reviewed the revised draft of the annexation agreement, noting the major changes made from the original annexation agreement. He talked about how the proposed development related to the Comprehensive Plan. He talked about the coordination meeting with the Urbana Park District and about the residential meeting with residents from the Eagle Ridge Subdivision. He mentioned that the proposed plan does satisfy a number of goals and objectives from the current Comprehensive Plan. He highlighted some of the La Salle National Bank Criteria that pertained to this project. He pointed out the summary of staff findings in the written staff report and stated that the Plan Commission needed to take a separate action on each case. Staff recommended approval of both of these cases to the City Council.

Mr. Alix inquired about the status of the Storm Lock Warehouse that had been proposed for the north side of Colorado Avenue. Was it approved by the City Council? Did the developers still intend to build it? Mr. Kowalski answered by saying that the owner of that property also owned the Eisner building to the west. The property had been zoned B-3, General Business. Mini

warehouses are permitted in the B-3 Zoning District with a conditional use permit. The owner got approval of such conditional use permit less than a year ago and still intends to build them; however, building plans have not been submitted as of yet.

Mr. Alix noticed that the annexation agreement talked about the developer providing a right-of-way to connect the sidewalk that was shown in the unbuilt part of Eagle Ridge Subdivision extending north from the north end of Hampstead Court into the single-family development. He asked what the status was for the sidewalk at the north end of Morrow Court? Was it the developer's intention to connect that sidewalk as well? Mr. Kowalski replied that the sidewalk at Morrow Court would not be connected. The developer planned to have the planned unit development be self-contained and fenced around. That sidewalk on Morrow Court was there for a reason, which was to connect Eagle Ridge up to Lohmann Park and Sunnycrest area. Staff was satisfied that if there was a way to make this connection on the east side through the single-family subdivision, then the connection on Morrow Court could be vacated to the adjacent property owners. Mr. Alix thought it would be in the interest of the City to want to see that connection happen for pedestrian access to the businesses to the north. Did the developer make a compelling argument as to why that sidewalk should not be connected to the cul-de-sac on Morrow Court? Mr. Kowalski stated that staff and the developer only talked about the sidewalk connection to the east.

Regarding lighting, Mr. Alix understood that the City requested any lighting to be directed downward, which he felt was not particularly useful. Was there any additional discussion between staff and the developer in terms of how to screen the single-family area to the south from the impact of the parking lot lights? Mr. Kowalski mentioned that there were some questions at the neighborhood meeting about the location of the parking. The developer had indicated that they felt it was a more secure location to have the parking on the south side of the retirement center. Mr. Kowalski verified that the City of Urbana's Zoning Ordinance does require that parking lot lighting be directed downward. In considering these concerns, staff took a look at the distance between the proposed parking lot and the single-family homes in Eagle Ridge Subdivision and felt that the 120 to 150 feet distance would serve as a pretty good buffer between the two. He pointed out that there were no other street lights being proposed on that cul-de-sac or around the development. Coach lights would be used on the condominiums. Mr. Alix voiced his concern that as a planned unit development, the City would be essentially permitting a density in excess of what the zoning would allow. He wondered what options the City had to require the impact of the lighting to be comparable to what would be expected from an adjacent R-2 usage? Does the Planned Unit Development Ordinance give the City any additional leeway in terms of regulating the intensity of parking lot lighting? Mr. Kowalski responded by saying that the annexation agreement would give them this; however, the owner and the developer would have to agree with it. The annexation agreement gives the City the opportunity to require better screening of lighting.

Ms. Stake questioned if staff sent public notices for this meeting to all of the surrounding properties around the proposed development? Mr. Kowalski stated that staff sent out notices to most all of the Eagle Ridge Subdivision residents, which exceeds the 250 feet requirement, in addition to the notices sent to the residents in the north.

Ms. Stake inquired what the reason was for not having any streetlights? Mr. Kowalski answered by saying that streetlights were not required in the Urbana Subdivision and Land Development Code for new streets. If a developer wishes to install them, then he/she can, and they would have to meet certain standards. However, the City was requiring that Colorado Avenue be built up to the City's Subdivision Code. Ms. Stake believed that maybe the City should update the Subdivision Code, so that the City requires streetlights. Mr. Kowalski felt that might be something for staff to discuss when they get back into Subdivision Ordinance amendments.

Ben Jones, one of the Co-Presidents of the Eagle Ridge Subdivision Homeowner's Association, commented that the response from the neighborhood meeting has been very positive about the proposed development. The residents in Eagle Ridge Subdivision would certainly support the annexation and the rezoning.

Mr. Jones expressed only one concern, which was regarding the curved street at the proposed east end of Colorado Avenue. It would be easier to snowplow a straight street than a curved street.

In closing, he noted that the residents of Eagle Ridge Subdivision were very positive with what was being proposed and recommended that the Plan Commission support it.

Paul Tatman, the developer, approached the Plan Commission to answer any questions they may have.

Mr. Alix asked what the logic was behind not connecting the sidewalk between the retirement center and Morrow Court? Mr. Tatman replied that there were a couple of reasons. The main reason was that the condominium complex and the senior retirement center would be a closed community. The homeowner's association would own everything in the community including the streets and the sidewalks. It was also designed to be a secure community. If they laid access to the sidewalk in question, then it would destroy their plans for security.

Mr. Tatman went on to say that the whole project was designed so that the development would not infringe on the residents in the Eagle Ridge Subdivision and yet give them a buffer area between them and the Stone Creek Subdivision and the neighborhood on the north of the proposed development.

Mr. Alix inquired if Mr. Tatman had any specific thoughts about what they would do to minimize the impact of the parking lot lighting on the homes in the Eagle Ridge Subdivision. Mr. Tatman agreed with Mr. Kowalski in that the parking lot was quite a distance away from the closest condominium in the Eagle Ridge Subdivision. They plan to use a low-density light that would be directed downward.

Ms. Goscha inquired as to what his compelling reason was for placing the retirement center to the west and the single-family homes to the east? Did he consider switching those at any time? Mr. Tatman responded by saying that the original plans showed the retirement center and the single-family homes switched around. However, he felt the single-family housing blends in better with what is happening with the Stone Creek Subdivision on the backside of the

development more so than the condominiums would. It also blends in with the Eagle Ridge Subdivision as well. By catering to 55 years old and over and senior citizens, it would be helpful to be closer to the grocery and drug stores. They were trying to make it almost like a walkable community, because many of them would not have cars.

Ms. Goscha questioned if there would be sidewalks along the roadway that would access Colorado Avenue? She only saw a circular path that never connected to the road. Mr. Tatman explained that the loop would only be an exercise-walking trail. There will be a sidewalk that follows the street out to the entrance to Colorado Avenue. Mr. Kowalski added that staff did specify in the annexation agreement that a sidewalk be provided on the condominium/single-family subdivision side of Colorado Avenue.

Ms. Stake asked if the single-family subdivision was going to be a gated community as well? Mr. Tatman replied no. Ms. Stake inquired how many gates there would be to get out of the enclosed community? Mr. Tatman replied that there would only be one gate at the main entrance. Ms. Stake commented that it would not be very walkable, except in the area itself. She did not think it was a good idea for the children in the surrounding neighborhoods to not be able to walk through there. Mr. Tatman stated that the entire gated area was going to be a residential area for older citizens (55 years and older). It was not designed for children.

Mr. Douglas questioned how far the sidewalk would extend down Colorado Avenue? Mr. Kowalski answered that the sidewalk would extend from the Philo Road intersection to the stub at Stone Creek Boulevard.

In their letter, Mr. Pollock said that MTD had expressed concern that once a bus turns onto Colorado Avenue, they would have a problem coming down Colorado Avenue and getting back out onto Philo Road. Was it Mr. Tatman's intention to have MTD to have access to this community and to the retirement center itself? Mr. Tatman responded that it would not have bus service other than a gate pickup at the retirement center. Mr. Pollock inquired if a MTD bus would be able to get to the front door of the retirement center? Mr. Tatman said no. The retirement center would furnish the bus service. He added that MTD would be able to access the subdivision in the rear toward Stone Creek Subdivision.

Mr. Tatman said that he was trying to avoid impacting Eagle Ridge Subdivision, because it has been a very, very slow development process. The proposed development was the best use for the ground that they could come up with.

John Thies, of 2005 Myra Court in Eagle Ridge Subdivision, complimented Paul Tatman by saying that the City of Urbana was a better place because of what Mr. Tatman has done and will do in the future. He appreciated Mr. Tatman's effort in this development as well. He noted his appreciation for the President of the Eagle Ridge Homeowner's Association, Ben Johnson, for what he had done for the subdivision.

Mr. Thies mentioned that Mr. Johnson lives in the condominiums in Eagle Ridge Subdivision, and that many of the people there to speak at this public hearing, including himself, lived in the single-family residences. When looking at the map, one can see that substantially all of the

parking lot that would be on the south side of the retirement center would really line up with the single-family residence area in Eagle Ridge Subdivision. This was his biggest concern about the proposed development. He suggested that the developer flip the layout and move the parking lot to the north side and place the retirement center on the south side. This would solve his concern about the parking.

Safety and the security of the retirement center and condominiums were the developer's reasons for the layout of the proposed development. However, Mr. Tatman also mentioned that these areas would be secure with a fence around them. Since the area would be a secure area, then it would not matter if the parking were placed on the north side.

Mr. Thies talked about the sidewalk at the end of Morrow Court in Eagle Subdivision. It seemed non-sensible to him to keep that sidewalk in its place. It should be vacated and given to the residents of the homes on each side. He felt that would be the best thing to be done with the sidewalk.

Mr. Thies questioned if there was a commitment on the behalf of the developer to leave the space between the north edge of Eagle Ridge and the south edge of the retirement center as open space? Mr. Kowalski stated that as part of the planned unit development approval, the proposed development would have to be built just as it is on the plan. If there was a subsequent proposal to develop that open space or build something there, then the developer and the owners would need to get a new approval. Mr. Thies mentioned that the open space was an attractive feature to the residents in Eagle Ridge Subdivision.

Mr. Thies inquired about what was anticipated in the way of berms and foliage to act as a further buffer? He was concerned about going from condominiums and a parking lot in the proposed development to single-family housing in Eagle Ridge Subdivision. Mr. Kowalski noted that the developer had not submitted a landscape plan as part of the planned unit development. Staff felt that, because of the distance between the proposed parking lot and the single-family homes in Eagle Ridge Subdivision, it was not a great concern to have a specified landscaping plan submitted. Staff would work with the developer regarding foliage on the proposed property. Mr. Thies suggested that the Plan Commission consider requesting a landscape plan be part of the annexation agreement.

Charles Zukoski, of 202 Morrow Court, lives on the northeast corner of the sidewalk in question. He complimented the developers by saying that the proposed development would be a nice transition from multi-family housing to single-family housing. He felt that any concerns would be in the details rather than the concept of the proposed development.

He expressed concern about the sidewalk, in that the Eagle Ridge Subdivision was in the Thomas Paine School District. It is extremely hard for children to walk down to and along Philo Road and get somehow into Thomas Paine School property. Therefore, the children are bused from Eagle Ridge Subdivision to Thomas Paine School, whereas it could be a very easy walk or bicycle ride for the children if the sidewalk would continue through the development. However, the developer's decision to continue the sidewalk through the east side of the proposed property

would satisfy many of their concerns. As a result, he would request that the sidewalk beside his house, that would dead end into the fence, be removed.

Mr. Zukoski also expressed concern about the amount of parking lot lighting and the reflections from driving lights as cars are turning around and parking. He believed that 150 feet was a large distance and with the proper amount of landscaping, it would look very nice and indeed be very attractive. He agreed that flipping the exercise area and the parking lot would satisfy all of the residents concerns.

Mr. Alix inquired if the development was flipped around with the single-family development at the west end of the tract and the retirement center and condominium area at the east end, would Mr. Zukoski still want the sidewalk removed? Mr. Zukoski replied no. Mr. Alix asked if the residents of Eagle Ridge Subdivision wanted a sidewalk, whether on the east end or the west end, to connect to the north? Mr. Zukoski replied that was correct.

Barbara Morgan, of 202 Morrow Court, conveyed her concerns about a single-family dwelling with 75 units and a parking lot being developed right behind her house, even if it is 150 feet away. This is not what she considered to be a single-family dwelling. Happy House was developed on the west side of them, and the lights from the Happy House do impact their neighborhood. All of her concerns would be solved if the development were flipped with the retirement center on the south side and the parking lot on the north side.

Mr. Alix asked what her opinion was regarding the sidewalk? Ms. Morgan responded by saying that people use the sidewalk and then walk across the field where the proposed development would be built. They petitioned their children to go to Yankee Ridge School. It takes less time for her to walk her children to Yankee Ridge School, than it would for them to be bused to Thomas Paine School, which is closer. She felt that the City of Urbana would be much stronger if there was a connection with the local school and park district. However, having a sidewalk go down to a fence makes no sense.

Mr. Pollock questioned if the sidewalk that was to go through on the east side would satisfy her concerns about being able to get across the proposed property? Ms. Morgan said yes, because she believed Eagle Ridge was a safe community as well, and the children could walk down to the end of the block and use the sidewalk on the east side to get to the north.

Mr. Tatman re-approached to answer more questions from the Plan Commission. Mr. Pollock pointed out that a lot of the neighboring residential concerns seemed to focus on the location of the parking lot. He wondered if the intention of the developer to put the parking lot on the south end of this proposed development was strictly for safety reasons based on surrounding properties? Mr. Tatman replied that it was a little bit of both. They tried to take into consideration the rights and respect of the residents of Eagle Ridge Subdivision. They tried to design this whole property to be a very attractive development that would fit right in with the subdivision. That was why they put most of the green space on the south side. They planned to put a high-density shrubbery around the parking lots to shield the Eagle Ridge Subdivision from driving and parking lights. He mentioned that they were also planning to use low-density

parking lot lights and plant some landscaping along the fence as well. The purpose of the layout was to shield as much temptation from outside visitors as possible.

Ms. Stake asked if Mr. Tatman would consider switching the parking lot to the other side? Mr. Tatman commented that they have flipped the layout of the buildings around several times, and they have found that this is the best layout to get what they need and for the best protection of everyone.

Ms. Stake inquired about how Mr. Tatman suggested that the children walk to school? Mr. Tatman replied the same way they have walked to school in the past. Eagle Ridge has been there since 1980, and the children have managed to get to school. He did not see an obligation on him to make it easier for the children to get to school. He pointed out that the proposed sidewalk on the east side of this property would provide a pathway that would be closer than what the children currently have.

Mr. Alix questioned what type of security would be involved? Would it essentially just be the fence? Or would there be a guardhouse with 24-hour security? Mr. Tatman noted that the extent of the security would depend on what the Homeowner's Association wanted to pay for. It will have a gate, maybe an electronically guarded gate.

Mr. Alix stated that it appeared that it would be more expensive to put the parking lot on the south side, because it would require more pavement for vehicles to get back there. Although he believed that Mr. Tatman had a very nice plan with little for anyone from Eagle Ridge to argue about, he felt it would be worth it for Mr. Tatman, if he had not already done so, to consider moving the parking lot to the north side to cut the cost down. It would still be a nice looking community. He was trying to understand the thought process as to why the proposed development was laid out like this. Mr. Tatman responded by saying that there were two reasons, which were as follows: 1) The automobiles in the senior area would be out-of-sight. A lot of senior citizens do not drive that much, even if they have a car and 2) It provides more of what they were looking for at the retirement center. They can shield, berm, or tree whatever they would like on that side to satisfy the residents of Eagle Ridge Subdivision.

Ms. Goscha again asked about the location of the retirement center to the west and the single-family housing to the east. She asked for more details as to why he chose this layout. Mr. Tatman replied that the main reason was that the retirement center and the condominium area would be designed for people 55 years of age and older. By moving these areas to the west side of the property, these people would be closer to the grocery and drug stores and other businesses nearby. The gated community would allow them to shield off some of the adjacent neighborhoods to the north. It would be difficult to build homes compatible with Eagle Ridge and sell it in the front side area. Their thought process was that with the gated community and the landscaping that they would do would draw away from some of the area to the north of Colorado Avenue.

Ms. Goscha questioned what the quality of the single-family housing would be? Mr. Tatman answered that their intent was to be somewhere over the \$175,000 range. Eagle Ridge

Subdivision is in the \$200,000 or more range, and Stone Creek Subdivision was in the \$400,000 range. They wanted to provide something that would blend in with the two.

Mr. Jones re-approached the Plan Commission to respond the last question. The owners in Eagle Ridge would much prefer the current layout with single-family dwelling on the east side, because the east end of Eagle Ridge has yet to be developed. If it becomes single-family and they both butt into Stone Creek, then it would be a much better arrangement than flipping the retirement center to the east. Therefore, they would much rather see the present plan.

Mr. Pollock asked if the curve at the end of Colorado Avenue was planned to meet up with what was already poured in Stone Creek Subdivision? Mr. Kowalski replied yes. There were some discussions as to why that stub was poured in Stone Creek where it was, and the answer was that was the best guess, at that time, of where Colorado Avenue should connect. One reason it would be located a little bit south of where it should be to make the road straight was because it would run into a line of trees that are on the south edge of Lohmann Park. Mr. Alix noted that Colorado Avenue would run through more trees than just where it would connect to Stone Creek. Mr. Kowalski responded by saying that this layout would need to be altered a little bit to allow Colorado Avenue to jog down and miss most of those trees and curve to hit the stub in Stone Creek. The curve also gives the developer an opportunity when he gets to preliminary platting the single-family subdivision to possibly offer a home site or two on the north side of the road.

Mr. Alix commented that the intersection of Philo Road and Colorado Avenue was not currently aligned well. He asked if Colorado Avenue were turned into a collector street, would it be realigned to the south? Mr. Kowalski answered yes. The annexation agreement includes provisions for the Funeral Home site and three acres next to it to dedicate enough right-of-way to redo that intersection similar to what was done at Washington and Vine Streets. He added that in time that intersection would have a traffic light, because traffic was already starting to pick up there.

Mr. Pollock pointed out that when the sidewalk on the east was built, it would lead to a street that comes off the entry into the single-family subdivision. There are no sidewalks indicated on the plan that shows sidewalks on either side of this street. Will there be sidewalks on both sides of this street in the single-family area, so that pedestrians and bicyclists can stay on the sidewalk up to Colorado Avenue? Mr. Kowalski replied yes. The requirement was for sidewalks on both sides of those streets.

Mr. Alix mentioned that he was excited to see this plan. He felt it was almost the perfect utilization for this particular combination of certain transitional land. There is some of the lowest density residential housing in the City on one side. There are high-density apartments, a future storage facility, and a current funeral home on the other. This was a difficult parcel to plan for. It would be hard to come up with a better combination of uses for this site. He liked that it was a reasonably attractive layout and that it met the need for a variety of types of housing on a smaller scale. It would really help to encourage the growth and recovery of the Sunnycrest area in general. It speaks well of the project that the best thing to argue was which side the parking lot should be on.

Mr. Alix commented that if he was laying this out, he would put the parking lot on the north side and the exercise area and walking park on the south side, but that alone was not sufficient reason for him to argue against the proposal. He felt it would be a great project.

Mr. Douglas noted that there was a lot of talk about safety and sidewalks. However, he had not heard anyone address the safety of children crossing Colorado Avenue.

He agreed with Mr. Alix in that he liked this plan. There is give and take to everything, and he did not feel that the developer should design this in conjunction with Eagle Ridge Subdivision. He liked the way it was laid out. He believed that the developer should be required to use the amount of greenery that the developer of Eagle Ridge should have used.

He suggested that the developer stay in communication with the Eagle Ridge Homeowner's Association and working with them. He believed that the low-density lighting should work. He would have no problem with voting in favor of this project.

Ms. Goscha stated that while she agreed this would be a good use of the land, it bothered her fundamentally that there would be a progression of people living in single-family homes moving to condominiums for people 55 years of age and older, going to the retirement center and ending up in the funeral home. Psychologically, people living in the retirement facility looking at a funeral home would not be a positive way to layout land. Therefore, she agreed that there should be some kind of landscape screening between those two uses and also between Eagle Ridge and essentially a multi-family use. If this were an apartment building for students, there would be a holy uproar right now regarding the kind of density that would be going in adjacent to single-family homes.

She was also concerned with the overall feeling that because there was Section 8 housing to the north, the developer felt the need for a security gate between that housing and the retirement center. The City of Urbana was trying to blend people more to give everybody a place and not an isolated place to live. By composing the wrought iron fence as a buffer, but clearly as a security buffer, that psychologically and philosophically she had a problem with. This was the reason why she suggested that the layout be flipped with the single-family housing to the west and the senior retirement housing to the east. The idea of senior citizens close to business would be a good thing, because they do walk a lot. However, they would not be offered a lot of opportunity to walk, because the only way they could get out of their gated community was to go through the one entry way. If we are truly promoting walking, then there should be some additional gates within the iron fence to allow that more freely.

Mr. Alix clarified that there was no such thing as Section 8 housing units. The fact that the owners of the buildings to the north may rent to Section 8 tenants was not something that was appropriate for the Plan Commission to take into account.

Mr. Kowalski reminded the Plan Commission that they needed to take two separate actions: one for each case.

Mr. Alix moved that the Plan Commission forward Plan Case 1871-A-03 to the City Council with the recommendation for approval. Ms. Goscha seconded the motion. The roll call was as follows:

Mr. Douglas	-	Yes	Ms. Goscha	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Mr. Alix	-	Yes			

The motion was approved by unanimous vote.

Mr. Alix moved that the Plan Commission forward Plan Case 1871-M-03 to the City Council with the recommendation for approval. Mr. Douglas seconded the motion.

Ms. Stake made a motion for an amendment to require more screening for the parking lots and more screening between the retirement center and the funeral home. Mr. Pollock seconded the motion.

Mr. Pollock asked what was required for screening as being proposed without the amendment to the motion? Mr. Kowalski answered that technically what was being shown on the site plan would be what would be required.

Mr. Alix argued that the same landowner owns both the funeral home and the tract to be developed. Therefore, the City would be requiring the property owner to provide screening for himself. He commented that would be bizarre.

Ms. Goscha pointed out that there was a motion on the floor to approve the rezoning of the three-acre tract from R-2 to B-3. This is not the tract that includes the planned unit development or the single-family homes. Therefore, the amendment to the motion was inappropriate. The amendment should have been made to the first motion regarding the annexation agreement. Mr. Kowalski stated that was technically true. However, it would not be inappropriate to take it as a general recommendation.

Mr. Alix withdrew the motion to approve Plan Case #1871-M-03. Mr. Douglas approved the withdrawal.

Ms. Goscha moved that the Plan Commission reconsider Plan Case #1871-A-03. Ms. Stake seconded the motion. With no objection, this case regarding the annexation agreement was reopened and back on the floor.

Ms. Stake made a motion for an amendment to ask the City Council to require more additional buffering for the parking lot and more screening between the retirement center and the funeral home. Ms. Goscha seconded the motion.

Ms. Stake said that she was responding to the concerns of the people in the Eagle Ridge Subdivision. Mr. Alix commented that 150 feet was far in excess of what the City could require a developer to provide in terms of buffering, and he was willing to show that as a show of “good

faith". The purpose for requiring buffering was to prevent one landowner from causing harm to another landowner, and in this case the landowners are one and the same. He believed that requiring the landowner to provide buffering between two co-developed pieces of property, which he owns, was beyond the scope of what the City should be involved in. Therefore, he would not support the additional hurdles.

Ms. Stake said that the planned unit developments were not developed to be a problem for other areas. Residents of Eagle Ridge Subdivision do not want to lose part of their quality of life. The proposed development should not infringe upon the existing areas.

Mr. Pollock agreed with Ms. Goscha in that the assumption that Section 8 housing automatically means that there are some safety concerns was misplaced. However, he also believed that this development was laid out the way it should be with single-family housing butting up against two different single-family developments on either side and a residence for older folks much closer to the commercial area that they would need to access. The developer had already said that he was willing to do the screening that was necessary to make the residents of Eagle Ridge Subdivision more comfortable. He supported the main motion and the general motion.

The motion to amend with Ms. Stake's proposal was passed by a 4 to 1 vote.

The roll call for Plan Case #1871-A-03 as amended was as follows:

Mr. Alix	-	Yes	Mr. Douglas	-	Yes
Ms. Goscha	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes			

The motion was passed by unanimous vote.

Mr. Alix moved that the Plan Commission forward Plan Case #1871-M-03 to the City Council with the recommendation for approval. Ms. Goscha seconded the motion. Roll call was as follows:

Mr. Alix	-	Yes	Mr. Douglas	-	Yes
Ms. Goscha	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes			

The motion was passed by unanimous vote.

Mr. Alix commented that he was happy to see the provision made in the annexation agreement to actually construct Colorado Avenue to connect to Stone Creek Subdivision. He reiterated that Smith Road needed to be connected to the north edge of Stone Creek as well. He asked that staff continue to put pressure on the requisite powers that be to see that this be done more expediently than having to wait for the north phase of Stone Creek Subdivision to be final platted.

Mr. Kowalski mentioned that these two cases would be presented to the City Council on December 1, 2003.

Plan Case # 1872-SU-03: Request by Verizon Wireless for a special use permit to establish a Cellular Tower use at 1501 South Maryland Drive.

Michaela Bell, Senior Planner, introduced the case and gave a brief description of the site and surrounding properties. She discussed the proposal and some factors to be considered that are noted in the written staff report. Staff recommendation was as follows:

Based on the evidence presented 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 as presented to the Urbana City Council, with the following conditions:

- 1. That the tower use and subsequent construction conform to the submitted site plan.*
- 2. The tower shall meet the applicable building code requirements by obtaining necessary building permits through Urbana Building Safety and necessary inspections to verify compliance.*
- 3. The tower use landscaping requirements shall be waived. The 8-foot wall surrounding the site should be made with brick veneer material with a wrought-iron style gate as submitted in the site plan.*

Ms. Stake asked if there was any room for landscaping? Ms. Bell replied that there was possibly room for landscaping. The Zoning Ordinance requires security fencing and landscaping plan with plant material. Usually cell towers are surrounded with chain-linked fences, and that was why they would require plant material. They are adhering to the University of Illinois's aesthetic requirements. Staff felt that they are already using quality materials and that it should look well and provide adequate screening; therefore, staff was recommending that more plant materials were not necessary.

Ms. Goscha questioned how this case comes under the City of Urbana since the University of Illinois owns the property? Ms. Bell answered that was true, but the University of Illinois needed to adhere to the City's telecommunication ordinance and go through the special use permit procedure for new towers in the CRE, Conservation-Recreation-Education Zoning District.

Terry Sharp, Real Estate Manager for Verizon Wireless for the Central Illinois markets, Ed Fiskus, Assistance Performance Manager for Verizon Wireless, and Stu Harrison, Site Acquisition Consultant for Verizon Wireless, approached the Plan Commission to answer any questions.

Ms. Stake inquired as to the nature of the lease. Mr. Sharp stated that the lease was for five years with three five-year option agreements. Mr. Pollock inquired if it was by mutual agreement. Mr. Sharp replied that the option agreements were automatic and could only be stopped by notice.

Mr. Alix asked if the construction of this tower required any changes to coverage patterns of other towers already in the area? Mr. Fiskus responded by saying that this will allow them to reduce power at some of the other sites to make the footprints smaller to let this new tower pick up some of the traffic, which was how they could add capacity. Mr. Alix had heard people commenting about the quality of Verizon, and he wanted to make sure that this tower would help the situation. Mr. Fiskus replied that this tower would improve the southeast portion of the City of Urbana.

Mr. Douglas commented that he drives by every morning and never knew the cell tower was there. He asked what amount of increase in the calling capacity would this tower give Verizon? Mr. Fiskus replied that it was hard to put an exact number on it. There are currently three cell sites that cover the campus area, which are one in Downtown Urbana, one in basically Downtown Champaign, and the last one was just south of the Assembly Hall. This one would be almost on the grid to the southeast corner of the University of Illinois' campus. It would take up at least 25% more capacity than what they have with the other three cell towers.

Mr. Douglas inquired if the main function would be for emergency service and GPS. Mr. Fiskus stated that was a side benefit of the capacity and the coverage. It would make the quality of the calls much better.

Mr. Douglas mentioned that he knew Verizon had people who checked on municipal regulations. He asked if this procedure was missed accidentally? Mr. Sharp stated that this was an oversight, and he took responsibility for it. When this site was first given to him about a year and a half ago, he approached the University of Illinois and they were not interested at all in having a cell tower on University property. After starting negotiations with Mt. Hope Cemetery, the University of Illinois approached Verizon Wireless about installing security systems. Verizon's GPS was their solution. There was a quick reversal where the University of Illinois invited Verizon Wireless to construct a cell tower. During the entire process, Verizon failed to come back to the City of Urbana and check the regulations. He noted that they have worked in a number of communities where universities are exempt from zoning regulations, but not from building regulations. Mr. Alix noted that to Verizon's credit, the University of Illinois had been somewhat confused about the City's zoning authority with respect to the University of Illinois.

Ms. Goscha noted that one of the things that the Plan Commission was to consider was whether this would be injurious to the public welfare. She questioned if the cell tower was located close to the dormitories? Was it acceptable to have a cell tower 500 feet from a residential occupancy? Mr. Fiskus answered definitely. Verizon's engineer was required to do a radio frequency emission study on every cell tower to be constructed. With the site that was built, there was 140 watts of energy going up to the antenna, which the compliance matrix tells them that the cell tower must be 69 feet high. The cell tower was built 110 feet high. He added that if someone were 8 to 10 feet in front of the antenna, then they would still be safe.

Ms. Goscha inquired if the University of Illinois had looked into the fact that the Laredo Taft Building was a historic property and Verizon located a cell tower right behind it? Mr. Fiskus mentioned that Verizon had a letter from the Illinois Historic State Association saying that it was fine with them for Verizon to build the cell tower.

Mr. Alix moved that the Plan Commission forward this case to the City Council with a recommendation of approval subject to the staff report, specifically that it conforms to the site plan, conforms with building code, and waiver of landscaping requirements. Mr. Douglas seconded the motion.

Mr. Pollock commented that he was a little concerned that this tower had already been constructed. So, he drove by it and found it in a location that was as least intrusive as it could get in an urban setting for this kind of tower. Although he was not wild about cell towers, he felt that this would be a good one to have because it will enhance emergency service. He also felt it was a good location for it.

The roll call was as follows:

Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Ms. Goscha	-	Yes	Mr. Douglas	-	Yes
Mr. Alix	-	Yes			

The motion was approved by unanimous vote.

Plan Case # 1839-S-02: Request for Preliminary and Final Subdivision Plat Approval for Sunny Estates Subdivision located at 2506 East Washington Street.

This case was continued to the next scheduled public hearing of the Plan Commission.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- **MOR, Mixed-Office Residential Zoning District Text Amendment** –He mentioned that the text amendment was heard at City Council on November 17, 2003. It was approved with some changes. Most significantly, there was a list of design guidelines that were added to that section that staff had reserved. This was a stop-gap amendment to have those changes in the text amendment until staff could present the

full set of design guidelines to the Plan Commission for review and the City Council for adoption.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission