

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 8, 2004
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Alan Douglas, Laurie Goscha, Lew Hopkins, Michael Pollock, Bernadine Stake, Don White

MEMBERS EXCUSED: Randy Kangas, Marilyn Upah-Bant

STAFF PRESENT: Elizabeth Tyler, Director of Community Development; Rob Kowalski, Planning Manager; Michaela Bell Oktay, Senior Planner; Teri Andel, Secretary

OTHERS PRESENT: Jeff Bush, Thomas Greemann, Michael Haas, Dennis Inman, Jeff Marshall, Jeremy Maupin, 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

Mr. White moved to approve the minutes from the March 18, 2004 meeting of the Plan Commission as presented. Mr. Douglas seconded the motion. The minutes were approved as presented by unanimous voice vote.

4. WRITTEN COMMUNICATIONS

- Communications Regarding Plan Case # 1888-SU-04

Letter from Bill Volk, of Champaign-Urbana Mass Transit District (MTD)

- Communications Regarding Plan Case # 1885-M-04

Letter from Alice-Anne Kingston
Notice of Public Hearing
Site Development Plan

- Communications Regarding Plan Case # 1887-A-04 and Plan Case # 1887-M-04

Preliminary Site Plan

- Email Regarding APA Illinois Section Planning Commissioners' Workshop

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

Plan Case # 1888-SU-04: Request from Champaign County for a Special Use Permit to allow the establishment of a Nursing Home in the CRE, Conservation, Recreation and Education Zoning District on Art Bartell Drive, east of Lierman Avenue between Main Street and Washington Street.

Rob Kowalski, Planning Manager, presented this case to the Plan Commission by giving a brief background of the proposed nursing facility. He described the site and pointed out the Comprehensive Plan Designation, zoning and land uses of the surrounding properties. He talked about the proposal by discussing the maximum capacity, the new location, access and parking, storm water management and development regulations. He reviewed the requirements for a Special Use Permit according to Section VII-6 of the Urbana Zoning Ordinance. He read the options of the Plan Commission and stated that staff's 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 Permit as presented to the Urbana City Council with the following conditions:

1. *That the layout of the facility shall closely resemble the Site Development Plan. Any significant deviation from the Site Development Plan will require an amendment to the Special Use Permit, including further review by the Plan Commission and approval by City Council.*
2. *An inter-governmental agreement providing for interim and perpetual off-site stormwater detention (commonly referred to as the "Scottswood Detention Basin") be completed. The governmental consortium may consist of city, county, parks, and township interests.*

3. *The construction plans for the extension of Art Bartell be reviewed by the Urbana City Engineer.*

Ms. Stake inquired if anyone had a chance to look at this area when it rained heavily and many other areas were flooded? Mr. Kowalski replied that Dennis Inman had reported to him that similar to other significant rain events, the dead end of Illinois Street at the park was flooded pretty bad. The flooding was half way up to the houses. The problem at this location was that the amount of rainwater overwhelms the existing storm sewer, because there was nothing holding the water back. The proposed detention basin would hold this water and would greatly solve these problems in rain events.

Mr. Hopkins asked about the street connectivity north to south between Lierman Avenue and High Cross Road. He wondered if there was any expectation of how that would occur? Mr. Kowalski stated that the City was in favor and has encouraged the connection of Smith Road from where it ends on Washington Street to where it picks up again on Main Street. The Urbana Park District and the City of Urbana have a difference of philosophy of roads and parks. However, the City would continue to push for that connection and a design of Smith Road that would be complimentary to the park and could work around a detention basin as well.

Mr. Hopkins noticed that there appeared to be approximately a 60-foot parcel on the east side of the proposed site. He asked if the parcel was a right-of-way? Mr. Kowalski responded by saying that strip of parcel was owned by the City and was known as Bakers Lane. It could be used as a partial right-of-way for a future road. However, it would take more than the 60-foot parcel to put in a collector level roadway.

Mr. Hopkins commented that regardless of the route of the road, whether it went east or west of the clump of trees in the northeast corner, the road was almost certainly going to go on the east edge of the parcel where the detention basin was. Therefore, it seemed to him that the City should know that they are maintaining a right-of-way in the way that it worked for a roadway cross section. Mr. Kowalski mentioned that he had not seen the details for the detention basin for quite a while now, but that he felt there would be enough room on the east side for that right-of-way.

Mr. Alix noticed that Site Plan presented in the Champaign County Board's request was different than the Site Plan attached to the City staff report. He questioned if there was any on-site detention being proposed? Mr. Kowalski replied no. He explained that before the Scottswood Detention Basin was as far along as it was, it was unsure of whether a detention would need to be provided on-site or not. The Site Plan in the Champaign County Board's request was an earlier draft when on-site detention was considered as possibly being needed.

Mr. Alix inquired about the timing of the construction of the Nursing Home in comparison to the completion of the Scottswood Detention Basin? Mr. Kowalski stated that they were working with an interim agreement with the Urbana Park District to provide a detention basin on the Park District's property with the intention that they would receive a grant and fully construct the basin in the future. This relieved the immediate problem of starting construction of the proposed nursing facility and allowing the water to drain to wherever it goes. So, drainage would be

handled in the short term. In the long term, it was expected that the grant would come through, and the basin would be built. If the grant did not come through, then the Champaign County and other governmental agencies would figure out another solution for getting a detention built in that location.

Mr. Alix only wanted to make sure that the City was comfortable with the conditions that were being recommended to be sufficient to avoid a scenario in which the nursing home project was completed and there not be adequate drainage detention. Mr. Kowalski explained that the City had been very involved in getting the detention basin located in the planned spot. It was something that the City and Champaign County were working on together, and they do expect the detention basin to be at that location. He clarified that as construction would begin on the proposed nursing home facility, there would be interim measures to excavate enough of the detention basin on a temporary basis to hold storm water and slowly release it, so that the construction on the new facility would not add to the existing problem. The City would not allow the construction on the nursing home facility to start without any provisions for holding storm water.

Mr. Alix asked Mr. Kowalski to talk about the comments from Bill Volk in his letter. Mr. Kowalski stated that MTD was concerned, as with any development, that there would be the ability for passengers to get off the bus and be able to use a sidewalk to get to their location without having to walk through someone's yard or in the middle of a street. He believed that MTD's main concern was to make sure there would be sidewalks on Art Bartell Street.

Mr. Pollock questioned if Condition #3 included a review of a sidewalk plan? Mr. Kowalski answered by saying that it would include a review of the street and the sidewalks.

Ms. Stake asked if there would be information available on how they plan to heat the building? Mr. Kowalski deferred the question to the petitioners.

Dennis Inman, Champaign County Co-Administrator, and Jeremy Maupin, Champaign County Nursing Home Administrator, approached the Plan Commission to answer questions that had been previously asked.

Mr. Inman began by explaining the difference in the Site Plans. Since they submitted the original Site Plan, the consortium, including the City of Urbana, Champaign County, the Urbana Park District, Regional Planning Commission and the Drainage Districts, had worked together very diligently to come up with a plan for the drainage for the proposed nursing home and attempt to take care of the Scottswood Subdivision issues. As a result, there would not be any on-site detention basins for the proposed nursing facility.

He mentioned that he had been in contact with Representative Jakkobsen's office and hopefully, notification regarding the grant would be released sometime in the next week. The funds would probably arrive in the next thirty to sixty days.

He noted that there was a preliminary schematic plan included in their packet material. The Urbana Park District was planning to add an environmental engineer to the consulting team to ensure that the detention basin would be appropriate for their needs and met their criteria.

On the interim, they were using Berns, Clancy and Associates to come up with an interim way to work with the stormwater issue. They were also working on a filtration system for the water that did come off of the Champaign County properties, so that when it hit the detention basin, it would be in better shape than when it left their property.

Phase 1 really addresses more of the issues within the Scottswood Subdivision than a total package for the solution. This was the reason for an interim package.

The second grant, which would be applied for in October of 2004, would take care of the detention basin at that time. Therefore, they are about a year away from constructing the permanent basin. In the meantime, they would have the interim.

Mr. Inman felt they were fortunate to have many entities get together and agree on the plans. He did not foresee any problems in getting any of the grants to complete the detention basin.

He mentioned that they hoped to occupy the new facility in January of 2006. They believed that the new facility would be in full compliance with the wishes of the City of Urbana on all aspects of the project.

Mr. Maupin addressed Ms. Stake's question regarding heating the building. He stated that they would have to go through a series of getting approvals from different agencies. The primary one was the Department of Public Health. The Illinois Health Facilities Planning Board would need to review and approve the plans as well before issuing a Certificate of Need. In that process, the Board would review everything from the sprinkler system to the plumbing, electrical and heating.

Mr. Douglas wondered about the choice of the site. He asked if there were any regulations of building this close to a juvenile detention center or adult detention center? Was there a special buffering that they planned to use? Mr. Maupin responded by saying that there were not any regulations in terms of being close to the adult detention area. Mr. Inman added that as far as being close to the Juvenile Delinquent Center (JDC), Champaign County did have a regulation; however, the new nursing home facility would be fully compliant within that regulation. A series of landscaping berms, small berms or trees would take care of any kind of aesthetics from a residential point of view looking towards the JDC. On the JDC side looking out, the windows are one way. JDC residents can look out, but no one can look in. The site would be adequately lit and patrolled.

Ms. Stake inquired as to how many children did they expect to have in daycare? Mr. Maupin replied that they would be licensed for 36 children.

Mr. Inman expressed his appreciation to Mr. Kowalski and to Elizabeth Tyler for standing by and supporting Champaign County on this project.

Mr. Alix moved that the Plan Commission forward this case to the Urbana City Council with a recommendation for approval along with the conditions requested by staff. Ms. Stake seconded the motion. The roll call was as follows:

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

The motion was passed by unanimous vote.

Plan Case # 1885-M-04: Request to rezone 395 North Race Street from IN, Industrial to B-4, Central Business Zoning District.

Michaela Bell, Senior Planner, gave the staff report for this case. She presented a description of the site and of the surrounding properties. She talked about the general trends and future plans for the proposed site. She reviewed the summary of staff findings and read the options of the Plan Commission. 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 forward this case to the Urbana City Council with a recommendation for approval.

Mr. White inquired if the two houses to the north of the proposed banquet center were owned by Allen Strong as well? Ms. Bell said that was correct.

Ms. Stake commented that she felt this was a great location being close to Carle Foundation Hospital. She moved that the Plan Commission forward this case to the City Council with the recommendation for approval. Mr. Douglas seconded the motion.

Mr. Hopkins questioned why the rezoning request did not include the other properties next to this site were not being rezoned as well? Ms. Tyler explained that this rezoning request was in response to a redevelopment plan. It did not seem appropriate at this time to reach beyond the perimeter of the redevelopment project.

The roll call was as follows:

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

The motion was passed by unanimous vote.

Plan Case # 1887-A-04: Annexation Agreement between the City of Urbana, Michael Augustino Maggio and Bushman, LLC for a 2.71 acre tract of property located at the southwest corner of Lincoln Avenue and Bradley Avenue commonly referred to as 1501 North Lincoln Avenue.

Plan Case # 1887-M-04: Request to rezone a 2.71-acre tract from Champaign County B-2, Neighborhood Business to City, B-3, General Business upon annexation. Property located on the southwest corner of Lincoln Avenue and Bradley Avenue commonly referred to as 1501 North Lincoln Avenue.

Mr. Kowalski presented the staff reports for both of these cases together since they were related to the same property. He talked about the proposal and explained the reason for the rezoning request from Champaign County B-2 to City B-3, General Business Zoning District upon annexation. He pointed out the land uses and zoning designations of the adjacent properties. He pointed out that the Comprehensive Plan identified the proposed site as being appropriate for a commercial land use; therefore, the proposed use would fit appropriately on the site. He talked about the Illinois-American Water Company's wellfield that was immediately to the west of the proposed site. He explained that in the annexation agreement, staff had made a provision allowing for two larger freestanding signs on the frontage of Bradley Avenue and one on Lincoln Avenue. He read the options of the Plan Commission, and 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 forward Plan Case No. 1887-M-04 and Plan Case No. 1887-A-04 to the Urbana City Council with a recommendation for approval.

Mr. Douglas questioned if the Vineyard Church could ask for the same size sign as the proposed development at a later date? Mr. Kowalski answered by saying that it would not give any adjacent property owners the right to have the same size of sign. If an adjacent property owner wanted a larger sign, then he/she would have to request a variance of the regulations. The annexation agreement was a tool that allowed the City to grant variances or other minor forgiveness of the Zoning Ordinance without having to go through a public hearing process.

In referring to Exhibit F: Proposed Draft Future Land Use Map, Mr. Douglas asked if south of this property on Lincoln Avenue, where there was an arrow pointing to a lot labeled for community business, if it was an empty lot? Mr. Kowalski replied by saying that was correct. It was an undeveloped parcel in front of University Commons. It was a project that the City was currently partnering with the owner of University Commons to find a commercial development for that site. It was currently zoned B-3, General Business.

Mr. Alix inquired about the barrier that was being proposed to be built between the opposing lanes on Lincoln Avenue to the east of the proposed development. Mr. Kowalski responded by saying that the developers had proposed a "right-in, right-out" provision on Lincoln Avenue. After reviewing the plans, Bill Gray, City Engineer, was most comfortable with allowing this

provision provided that the developers build a median on Lincoln Avenue to prevent people heading north on Lincoln Avenue from turning left and crossing the opposing lanes to pull onto the proposed property. It would not be safe for people to do so, and a median could prevent it from happening.

Mr. Alix asked if the Fire Department had any comments about the proposed median? Mr. Kowalski stated that the Fire Department had reviewed the plan and was satisfied with it.

Ms. Stake inquired about the signage. How much would the petitioners have? Mr. Kowalski explained that the annexation agreement specified the allowed signage. The petitioners would be allowed to be allowed up to 82 square feet per freestanding sign. There was also some language in the annexation agreement clarifying the amount of canopy signage they would be allowed.

Mr. Alix inquired about the existing curb cut on the west side of Lincoln Avenue that was about 150 feet south of the Vineyard entrance on the opposite side of the street. If the intention was that the southern parcel would be accessed using the shared new curb cut with the parcel to the north, then would the City require that the existing curb cut be removed? Mr. Kowalski noted that there were two existing curb cuts to the proposed property, one on Bradley Avenue and one on Lincoln Avenue. The existing curb cut on Lincoln Avenue would not line up with the proposed curb cut, so a new barrier curb would be installed in place of the existing curb cut.

Mr. Alix questioned what the required timing of the installation of the barrier curb would be. Would it have to be done at the time of the construction of the new curb cut? Mr. Kowalski said that all the site improvements would happen with the construction of the gas station. Mr. Alix asked if that included access to the undeveloped parcel? Mr. Kowalski replied yes, because that curb cut would serve as an access for both the gas station and for the future development as well.

Jeff Marshall, of Design and Planning, approached the Plan Commission to answer questions that were presented earlier by the Plan Commission regarding sewer location. He explained that they planned to take the sewer location down to an inlet south of the Girl Scout building. There was an existing easement across that property that would allow them to get to the inlet. There would also be an agreement to provide an easement across the backside of the fire station. They were working with the Fire Department to help them with their problems with their access to the sewer.

He briefly talked about removing the existing access on Lincoln Avenue and installing a new curb cut across the street from the access into Vineyard Church. He also discussed the signage that they planned to use on the canopy. He explained that the Zoning Ordinance allowed them so much square feet of signage on the canopy per square feet of canopy fascia.

Mr. Alix asked what the height of the canopy would be? Mr. Marshall replied that the height of the canopy would be 16 foot, 6 inches to the bottom of the canopy with a 42-inch high fascia.

Mr. Marshall briefly talked about the freestanding signage, the proposed use, and the barrier median. He then stated that he would answer any other questions that the Plan Commission may have.

Ms. Stake had concerns about the distance between the wellfield and the subject site. Mr. Marshall clarified that 400 feet minimum required setback was for the underground wellfield. The area of water above the ground was a reservoir, and therefore was not the same thing. It was also above the water table and would be above the height of where the gas tanks would be.

Mr. Pollock inquired if the reservoir was lined? Mr. Marshall stated that it would have to be lined or else the water company would lose all the water in the reservoir.

Mr. White asked if the gas tanks would be double lined with censors? Mr. Marshall stated that over the last 20 years, there had been many changes in legislation of what is required. He stated that although it was not required, the petitioner planned to put in a double-walled tank with double-walled piping and a chaste. It would protect the petitioner as well in the event that something would happen. There would also be electronic monitoring.

Mr. Pollock asked if the gas station should close down in the future, would the petitioner be required to remove the tanks? Mr. Marshall answered by saying that the petitioner would be responsible for removing the tanks within one year of closing the gas station. The petitioner could apply for an extension for another year.

Ms. Stake questioned if the Environmental Protection Agency (EPA) would have anything to do with the wellfield and how it was kept? Mr. Marshall mentioned that both of the state fire marshal offices would be responsible for the installation of the design and the approvals of all the tanks, equipment, etc. that would be put underground and the monitor of the system once it was in the ground. The petitioner had to go through the Illinois EPA as well with the respect to the location of the gas tanks, especially with the relationship to the wellfield. Therefore, there would be both state and federal agencies that would monitor the gas station.

Mr. Douglas moved that Plan Case No. 1887-A-01 and Plan Case No. 1887-M-04 be forwarded to City Council with a recommendation for approval. Ms. Goscha seconded the motion. Roll call was as follows:

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

The motion was passed by unanimous vote. Mr. Kowalski noted that these cases would go before City Council on Monday, April 19, 2004. At 7:20 p.m., there will be a special hearing for the annexation, and then City Council would act on both the annexation and the rezoning at the regular meeting the same night.

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:

- ✓ *The Annual Update of the Zoning Map* was approved by City Council.
- ✓ *The Next Scheduled Plan Commission Meeting* will be held on April 22, 2004. There will be a study session on the Greenways and Trails Plan. The Design Guidelines for the M.O.R., Mixed Office Residential Zoning District and the By-Laws will be presented to the Plan Commission.
- ✓ *A Comprehensive Plan Steering Committee Meeting* is scheduled for Thursday, April 15, 2004 at 7:00 p.m. in the City Council Chambers. The main topic will be looking closer at the concept of "Traditional Residential" category. Members of the Committee will also be looking at Future Land Use categories in the Lincoln Avenue and Busey Avenue Corridors.
- ✓ *APA, American Planning Association Workshop* will be held in Normal, Illinois on Friday, May 14, 2004 from 3:00 p.m. to 4:00 p.m. The focus will be "Sensible Growth".
- ✓ *B-1 Zoning District Text Amendment Informational Meeting* will be held on Wednesday, April 14, 2004 from 4:00 p.m. to 5:00 p.m. in the City Council Chambers.
- ✓ *Buena Vista Informational Meeting* will be held on Wednesday, April 14, 2004 at 7:00 p.m. at the Phillips Recreation Center. Staff will hold the meeting to talk to the property owners in the Elm Street Court about the potential of a local historical district for the area.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission