

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: June 7, 2007

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward, Don White

MEMBERS EXCUSED: There were none.

STAFF PRESENT: Robert Myers, Planning Manager; Jeff Engstrom, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Lorraine Ehmen

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 present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Ms. Stake moved that the Plan Commission approve the minutes from the May 24, 2007 meeting. Mr. Grosser seconded the motion.

Mr. Grosser recommended a change on page three, second paragraph from the bottom, first sentence. The change would be as follows: *“Mr. Grosser inquired whether the major variance would only be for the current property owner or would it be for the property ~~and~~ in perpetuity.”* The Plan Commission agreed with the change, and the minutes were approved as amended by unanimous voice vote.

4. COMMUNICATIONS

- Eastland Suites Master Site Plan

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2042-M-07: A request by Eastland Suites Hotel and Conference Center to rezone a portion of 1907 North Cunningham Avenue from B-3, General Business, to R-4, Medium Density Multiple-Family Residential Zoning District.

Jeff Engstrom, Planner I, presented this case to the Plan Commission. He began with a brief introduction and background on the history of the subject property. He noted the zoning and land uses of the subject property and of the surrounding properties. He talked about the proposed development and referred to the Master Site Plan which was handed out prior to the start of the meeting. He discussed how the proposed development relates to the Comprehensive Plan. He reviewed the LaSalle National Bank Criteria that pertains to the proposed rezoning. He read the options of the Plan Commission and presented staff's recommendation, which is as follows:

Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommends that the Plan Commission forward Plan Case No. 2042-M-07 to the Urbana City Council with a recommendation for approval.

Mr. Fitch asked if No. 2 of the LaSalle National Bank Criteria, which states "*The extent to which property values are diminished by the restrictions of the ordinance*", only applies to the property being rezoned or would it apply to the adjacent properties as well. Robert Myers, Planning Manager, replied that it is interesting to look back at this court case. The ruling on that case in 1957 or 1958 was specifically about diminishing the property value of the property being rezoned rather than for neighboring properties.

Mr. Fitch said that he asked this because the proposed structure would be closer to the adjacent residential properties. He wondered if this would affect the property values of those residential properties. Mr. Myers stated that strictly speaking the LaSalle National Bank Criteria concerns the property value of the land being rezoned.

Mr. Fitch inquired if there are any other cases applying to the adjacent properties or are there standard practices that the City would look at when considering the appropriateness of these

things. Mr. Myers replied that claims are common that something being constructed would diminish property values next door. In this case, however, the side-yard and rear-yard setback requirements are the same for the current zoning as they are for the proposed zoning. The one variable would be the proposed use. It is a common concept to transition from commercial to higher density residential to lower density residential. He stated that a parking lot is located on this property now but by right the property owner could build a commercial structure that would be five to ten feet away from the homes behind there. The applicant wants to construct an apartment building instead.

Ms. Upah-Bant mentioned that there are other multi-family apartments in the area. Exhibit C shows all single-family residences. She did see an apartment building along there when driving.

Ms. Stake inquired as to what other property the petitioner owns besides the subject property. Mr. Engstrom replied that the Eastland Suites Hotel and Conference Center owns 11 ½ acres in total which is the entire area outlined in Exhibits B, C and E.

Ms. Stake wondered if the Multi-Family area in Exhibit C is already developed. Mr. Engstrom said yes. There are older apartment buildings there currently.

Ms. Stake asked if the petitioner wants to rezone only the small portion. Mr. Engstrom replied yes. Mr. Myers pointed out that the area for rezoning measures about 0.2 acres.

Mr. Ward mentioned that he understands that if the proposed rezoning is not approved and remains zoned as B-3, the property owner could ask for a special use permit to accomplish the same thing. Mr. Engstrom stated yes.

Ms. Stake moved that the Plan Commission forward Plan Case No. 2042-M-07 to the City Council with a recommendation for approval. Mr. Ward seconded the motion.

Chair Pollock remarked that he was thinking about the fence between the subject property and the adjacent residential properties and whether it belongs to Eastland Suites and who would maintain it. The fact is that it is such a small area that perhaps overlaps two of the properties on Willow Road. Mr. Fitch said when looking closer at the map, he realized that it would only affect one property.

Roll call was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Grosser	-	Yes	Mr. Hopkins	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Mr. Ward	-	Yes
Mr. White	-	Yes			

The motion was approved by unanimous vote. Mr. Myers noted that this case would go before the City Council on June 18, 2007.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

- ◆ Lorraine Ehmen, of 2007 Willow Road, wanted to know if her property lies inside or outside of the dotted line in Exhibit D. She mentioned that she lives in the County and does not wish to be annexed. Chair Pollock explained that the proposed rezoning will not bring any properties into the City. It is a request to rezone a property that has already been annexed to allow the developer to do what they would like to do.

10. STAFF REPORT

Mr. Myers reported on the following:

- Gravel Parking Text Amendment was approved by the City Council on Monday, June 4, 2007.
- Neighborhood Conservation District Text Amendment and Eastland Suites Rezoning will be reviewed by the City Council on June 18, 2007.
- Trammell Crow Special Use Permit Request will come before the Plan Commission on June 21, 2007.
- Crystal Lake Area Plan Visioning Workshop will be held on June 12, 2007 from 7:15 to 9:15 p.m. at the Anita Purves Nature Center.
- Additional Intern – The City has hired Kathleen Duffy as an intern to help with the process to create a Crystal Lake Area Plan.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Robert Myers, AICP, Planning Division Manager
Urbana Plan Commission