

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 5, 2007
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Tyler Fitch, Ben Grosser, Lew Hopkins, Bernadine Stake, James Ward
MEMBERS EXCUSED: Jane Burris, Michael Pollock, Marilyn Upah-Bant, Don White
STAFF PRESENT: Robert Myers, Planning Manager; Paul Lindahl, Planner I; Teri Andel, Planning Secretary
OTHERS PRESENT: Wes Meyers; Ed Salfelder, Sr.

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

The meeting was called to order at 7:28 p.m., the roll call was taken, and a quorum was declared present.

NOTE: Ms. Stake moved that Ben Grosser serve as Acting Chair in the absence of Michael Pollock. Mr. Ward seconded the motion. The motion was unanimously approved by the Plan Commission.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Ms. Stake moved that the Plan Commission approve the minutes from the June 21, 2007 meeting. Mr. Ward seconded the motion.

Mr. Fitch requested corrections for typographical errors. The first change is on Page 6, Paragraph 5, Line 5, to read, “almost ~~under~~ unheard of. ...” The second change is on Page 7, last item under Staff Report, to read, “... Mr. ~~Tyler~~ Fitch volunteered to speak.”

The motion to approve the minutes as amended was approved by unanimous voice vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2040-S-07: A request by Edward Salfelder for Preliminary Plat approval for Washington Square Second Subdivision comprising a 2.54-acre tract zoned B-3, General Business Zoning District, and located on the east side of the 1100 block of South Philo Road.

Paul Lindahl, Planner I, presented this case to the Plan Commission. He gave a brief background of the subject property. He discussed how the proposed subdivision plat relates to the 2005 Comprehensive Plan. He also talked about access, drainage, utilities and deferrals and waivers for the proposed subdivision. He summarized staff findings and read the options of the Plan Commission. He presented staff's recommendation, which is as follows:

Staff recommends that the Plan Commission forward this case to the City Council with a recommendation to approve the Preliminary Plat of Washington Square Second Subdivision with the waiver as requested.

Ms. Stake inquired as to how many blocks would be located along the railroad. Mr. Lindahl replied that there is about 530 feet which equals about one block. The City's Engineering Division has indicated two addresses would be assigned to the location.

Ms. Stake asked for clarification as to why there was a change from the original plat submitted in 1972. Mr. Lindahl stated that the petitioner thought he would have a cul-de-sac that would come down from Washington Street at the north. The reason for the cul-de-sac was because the former railroad tracks still existed along the east side of Philo Road. However, the railroad has since been vacated and the right-of-way sold to adjacent land owners. Currently, the most logical access to and from the proposed development is from Philo Road, which is where the petitioners wish to have it.

Acting Chair Grosser asked if the driveway between the Silver Bullet and the property to the east is actually a street. Mr. Lindahl said yes, it is a public right-of-way, but functions more as a parking lot. The City Engineering Division is aware of this. Because adjacent lots take access to it, there really is not an opportunity to vacate the street. He noted that there will be a hammerhead turnaround constructed at the end of Washington Square .

Mr. Hopkins asked about the access drive on the west side of the proposed property. Mr. Lindahl pointed out that this is an access easement. Boomerang and the Silver Bullet have easement rights to this access. It is not a public right-of-way.

Mr. Hopkins wondered if this easement would be altered by the proposed replat. Mr. Lindahl said no. It would not be altered.

Mr. Fitch noted that some of the power lines in this area hang pretty low. Does Ameren IP have any issues with this development. Mr. Lindahl stated that the proposed subdivision plat has been sent out for review to Ameren IP and the other agencies. If Ameren IP has any concerns about their power lines or about construction that might interfere with their power lines, then they will contact the builders at that time.

Ms. Stake asked if there are homes located across Philo Road. Mr. Lindahl said yes. Ms. Stake commented that she did not understand why they do not want sidewalks. Mr. Lindahl explained that there is a sidewalk on the side of the street where the residential homes are. At this time, if the City required the petitioner to install sidewalks, they would go from nowhere to nowhere, because there is no sidewalk in front of the old Tri-Star building farther to the north and there is no sidewalk to the south or east of the proposed site. Ms. Stake did not understand why the petitioner would not want a sidewalk to make future businesses locating on the proposed site to be more accessible for people/customers. Mr. Lindahl replied that the City would certainly like to have a sidewalk that goes all the way up and down Philo Road. But until the City Engineer determines that sidewalks are necessary to complete a connection to other sidewalks, City staff would agree to a deferral of sidewalk construction until that time. Ms. Stake remarked that without a sidewalk, people will not walk there. She stated that we should be encouraging people to walk. If one person constructs a sidewalk, then the next property owner will as well.

Mr. Grosser questioned if the Plan Commission wanted sidewalks installed, then what the options for the City for adjacent properties. Mr. Lindahl answered that because the sidewalks would be in the public right-of-way, sidewalks would be constructed at the City's expense. The only opportunity that City staff has to get the land owners to build sidewalks is a subdivision. Robert Myers, Planning Manager, added that in the proposed subdivision plat, the petitioner is only asking for a deferral and not a waiver. If sidewalks were built along this side of Philo Road, then the petitioner would still have to build their portion at their own expense to connect with what the City is building nearby.

With no further questions for City staff, Acting Chair Grosser opened the case to hear input from the public.

Wes Meyers, of Vegrzyn, Sarver and Associates, Inc., stated that he is the engineer for the proposed subdivision plat. He said that they also represent Shawnee National Properties, which is one of the prospective lot purchasers. They are looking to purchase Lot 1 of the proposed subdivision to construct a Family Dollar store.

To supplement what Mr. Lindahl presented in the staff report, he stated that the former railroad right-of-way has reverted to private ownership and allowed access to the proposed site to be reversed. He also noted that on older plats there is a temporary turnaround easement shown at the end of the Washington Square stub street. He recalls that the preliminary plat states that the

turnaround is to be vacated once the street is extended. Technically, he does not believe it to be an officially dedicated right-of-way. It was only meant to serve as a temporary turnaround until this subdivision is developed.

Regarding sidewalks, he feels that it would make sense to install sidewalks now if the City of Urbana was planning to install sidewalks to connect to it, but until that time comes, the sidewalk would be an isolated stretch of sidewalk that would only be accessible to and from the property. People using the sidewalk would either have to cross through someone's yard or walk in the public right-of-way.

With no other public input for this case, Acting Chair Grosser closed the public input portion of the hearing. He asked staff if they had any other comments, and if not asked the Plan Commission for any discussion and a motion.

Mr. Lindahl pointed out that City staff has been working with the applicant on the proposed subdivision for a while. If and when this Preliminary Plat is approved, the petitioner plans to submit the Final Plat for approval right away. He mentioned that unless there are significant changes or any additional requests for waivers, the Final Plat would go directly to the City Council for approval. It would not come back to the Plan Commission.

Mr. Myers noted that City staff has researched the temporary turnaround referred to by the applicant's engineer. Staff determined it was placed on the plat to reserve a place for fire truck turn around. But there was never any pavement constructed. It's just grass. Fire trucks do not work well on unpaved surfaces because they are so heavy that they can easily sink in the mud. The temporary turnaround was never used for that purpose, and the City's Fire Department today says that it's unnecessary. Because the street was never extended we are left today with a stub street, which is not the ideal situation, but we need to determine how to make the best of what we have. The hammerhead turnaround to be constructed by the applicant at the end of Washington Square is not ideal but is the best solution.

Mr. Ward moved that the Plan Commission forward this case to the City Council with a recommendation of approval of the Preliminary Plat along with the requested waiver. Mr. Fitch seconded the motion.

Mr. Fitch stated that this is currently a vacant lot across from the neighborhood and adjacent to other commercial properties. From a neighborhood perspective, he felt this would be a preferable use compared to the vacancy. It will also bring some economic potential to the corner, which is a higher traffic area. Therefore, he is in favor of it.

Ms. Stake stated that she is going to vote against it this time because of the deferral for the sidewalks. She feels that if we require the sidewalks to be constructed now, then the other connecting sidewalks will be developed as well.

Mr. Ward commented that he plans to support the motion. As Mr. Fitch said, this is an area that needs economic development. It is near the Philo Road Business District, and it has been a goal of the City to promote development in this area. This would lead to that.

As far as the sidewalk situation, he believes that all the protections are in the agreement. Any time the City decides to install sidewalks in this area, the agreement allows the City Engineer to require the petitioner to build sidewalks on the proposed site. He did not feel that the Plan Commission is in a position to instruct the City Council whether or not to budget to put sidewalks in any particular area. The City Council makes that decision in all due time.

Ms. Stake remarked that she is excited as well about getting more businesses in the City of Urbana. She is just concerned about the sidewalk. The City should have required them in all the other places, and then we would not have this problem.

Acting Chair Grosser agreed that not having a sidewalk is a problem. He believes that there will be pedestrian traffic to and from the proposed Family Dollar store. It would be ideal to have a sidewalk to be able to cross the street to go to it. However, if there are only sidewalks along the proposed site, then people will have to jaywalk to get to it anyway. He thinks the City should consider building sidewalks on the adjacent properties and ask the petitioner to build a sidewalk on the proposed site.

Ms. Stake commented that the City is trying to make places more walkable. If we do not have walkable places, then people will drive.

Acting Chair Grosser restated the motion and asked for a roll call. The roll call was as follows:

Mr. Fitch	-	Yes	Mr. Grosser	-	Yes
Mr. Hopkins	-	Yes	Ms. Stake	-	No
Mr. Ward	-	Yes			

The motion was approved by a vote of 4-1.

Mr. Myers noted that the proposed case would go before the City Council on July 16, 2007. He also noted that if a Final Plat is submitted that does not deviate substantially from the Preliminary Plat, then it would be forwarded directly to the City Council for review and possible approval.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers reported on the following:

- Trammell Crow Special Use Permit and Major Variance will be presented to the City Council at a special meeting held on Monday, July 9, 2007.

- Special Census: City staff is working on the possibility of conducting a special census. One of the benefits would be getting additional motor fuel tax if we can show that the population of the City of Urbana has increased. Staff will be creating a cost/benefit analysis to present to the City Council for their review and direction.
- Upcoming Case: Staff has received an application for a rezoning of the Sigma Nu Fraternity House located at 1009 West Pennsylvania Avenue. The petitioner is requesting to rezone the property from R-7, University Residential Zoning District, to B-3U, General Business—University District.
- Next Regular Meeting for the Plan Commission will be held on July 19, 2007 with the later start time of 8:00 p.m. There is a conflict with another commission that night. There is only one item on the agenda under New Public Hearings so he does not anticipate a long meeting.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Robert Myers, AICP
Secretary, Urbana Plan Commission