

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: September 4, 2008

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Tyler Fitch, Lew Hopkins, Michael Pollock, Bernadine Stake, Don White

MEMBERS EXCUSED: Ben Grosser, Marilyn Upah-Bant

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services Department; Robert Myers, Planning Manager; Lisa Karcher, Planner II, Jeff Engstrom, Planner I; Teri Andel, Planning Secretary

OTHERS PRESENT: Katy Balderson, Marianne Downey, Jason Finley, Paul MacCallum, Sara Metheny, Dennis Roberts, Bill Sheridan, Christopher Stohr, Susan Taylor

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

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

2. CHANGES TO THE AGENDA

There was none.

3. APPROVAL OF MINUTES

Mr. White moved to approve the minutes of the August 21, 2008 meeting as presented. Ms. Stake seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

There were none.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2080-M-08: A request by the City of Urbana Zoning Administrator to rezone a number of properties in the Historic East Urbana Neighborhood.

Lisa Karcher, Planner II, briefly restated the purposed of the rezoning. She addressed the issue of the block bounded by Maple, Grove, Elm and Green Streets. She explained that based on the 2005 Comprehensive Plan Map, this block was not included in the rezoning request. Libby Tyler, Director of Community Development Services Department, added that City staff has received telephone calls and e-mails from people expressing their concerns about the boundaries. She apologized for the confusion. Map #10 in the Comprehensive plan is not very clear on the west boundary. There is text on top of the boundary line on the map that obscures the Grove Street western boundary. City staff had sent out some notices outside of the boundary, and there were a field survey map that included areas outside of the boundary. In making a determination on what the true boundaries would be, City staff felt that they had to comply with Map #10 of the Comprehensive Plan since it has been adopted by Ordinance. Staff felt that it would be improper to go beyond that boundary for the broader zoning study.

She went on to say that there were some property owners just west of the study area that are interested in rezoning their properties as well. City staff has accommodated those property owners' requests to rezone as a separate concurrent plan case.

Another concern for the area is the building plans for two properties located at 503 and 505 East Elm to be developed as apartment buildings. There is a concern by the residents of the Historic East Urbana Neighborhood area to include these two properties in the rezoning request. She believes that some of the residents want to include these two properties to cease the construction process. From a legal standpoint, City staff cannot cease the construction of apartment buildings on these two properties because the building permits have been issued, and the building plans are compliant with the zoning of the properties. It was not included in the official study area boundary, and it would likely be considered a taking at this late stage.

These properties have been zoned R-5, High Density Multiple Family Residential, for a long time. City staff recommended studying the area to the east zoned R-4, Medium Density Multiple Family Residential, to correct the zoning down to R-3, Single and Two-Family Residential. It is still seen as a buffer area, and it doesn't mean that it doesn't have other concerns that need to be addressed by the City. One of the things that City staff will be looking at, in addition to the separate rezoning case that will be considered next, is the possibility of applying some design guidelines. Where you have disputed buffer areas and areas that have a lot of pressure, these are good areas to take a look at applying some overlay design review.

The City already has the MOR, Mixed Office Residential Zoning District, where design guidelines have been adopted for any construction of that area. City staff will be bringing the Lincoln-Busey Design Guidelines to the Plan Commission and the City Council in the near future. The properties zoned R-5 in the Historic East Urbana Neighborhood would be a logical third area to apply some design guidelines.

City staff would like to work with the developer for 503 and 505 East Elm Street and with the neighbors to come up with a plan that would allow the apartment buildings to fit better into the area. City staff is encouraged because the last apartment building that the developer built in the City of Urbana fit very well into the neighborhood. It is called Coler Crossing and is located at the corner of Coler Avenue and Green Street.

Mr. Fitch stated he appreciated Ms. Tyler's explanation. He does not want to expose the City of Urbana to a lawsuit. It is unfortunate that they cannot include the block in question in the rezoning request. It is probably the last and best example of why the Historic East Urbana Neighborhood Association (HEUNA) is in favor of the rezoning. He pointed out that the text covering the boundary line on Map #10 of the Comprehensive Plan reads as such, "...Neighborhood Plan to determine appropriate boundaries and desired development." This makes it sound like there is some flexibility to be able to adjust the boundary line. The HEUNA Plan had a vision of down zoning this particular area.

With no further questions for City staff, Chair Pollock opened the hearing up for public input. There was no audience participation so Chair Pollock closed the public input portion of the hearing and opened the case up for Plan Commission discussion and/or motion(s).

Mr. White moved that the Plan Commission forward Plan Case No. 2080-M-08 to the City Council with a recommendation for approval. Ms. Burris seconded the motion.

Ms. Stake asked if the people who are concerned about the boundary propose that the City downzone the area separately from the proposed rezoning case. Ms. Tyler responded that it would definitely be a separate case because City staff has already legal noticed what is shown in the Comprehensive Plan. The HEUNA Plan does not have a map showing the boundaries in it. Such a request would take more time and studying of the R-5 Zoning District. Therefore, it might be a better area to apply design guidelines rather than to down zone it. If individual property owners, such as the petitioners in the next case, want to request a down zoning of their properties, City staff would certainly take their petitions. However, she feels that they do not know enough yet to say whether they should pursue another zoning study for this area. It is not as clear as it was for the proposed area further east where there is so much single-family use in an R-4 Zoning District. It seems like an obvious disconnect between the use and the zoning in the proposed rezoning area. As we get into the area of concern, there are many apartment buildings, it is a higher zone, and there are higher expectations. Therefore down zoning of the R-5 properties becomes much trickier. Staff will certainly think about it and talk about it some more though.

Mr. Fitch stated that he is very much in favor of the proposed rezoning. He thanked City staff for all their work on this case. The survey of the residents was a particularly strong element of the proposed rezoning. The residents expressed overwhelming support.

Chair Pollock commented that the proposed rezoning represents a lot of work, even more than what appears on the surface.

Roll call on the motion was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Chair Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	Yes

The motion was approved by unanimous vote. Mr. Myers noted that this case would go before the City Council on September 15, 2008.

Plan Case No. 2082-CP-08: A request by Sara Metheny, Jason Finley, Samuel Santos and Elizabeth Adams to amend the 2005 Urbana Comprehensive Plan’s Future Land Use Map designation for 502, 504 and 508 East Elm Street from Central Business to Residential (Urban Pattern).

Plan Case No. 2083-M-08: A request by Sara Metheny, Jason Finley, Samuel Santos and Elizabeth Adams to rezone 502, 504 and 508 East Elm Street from R-5, Medium High Density Multiple Family Residential, to R-3, Single and Two-Family Residential.

Lisa Karcher, Planner II, briefly reviewed the two cases. She stated that the two cases could be reviewed together but that the Plan Commission should make two separate recommendations – one for each case.

With no questions for City staff, Chair Pollock opened the hearing up for public input.

Jason Finley, 504 East Elm Street, stated that he is one of the petitioners in these two cases. As Ms. Karcher mentioned earlier, the north half of the 500 block of East Elm Street was not included in the larger rezoning initiative. He and his neighbors are very much in favor of the rezoning initiative so they were instructed by City staff to file the two petitions to rezone their properties separately. Basically, the purpose behind the proposed rezoning request and Comprehensive Plan amendment are the same as those behind the larger rezoning, which is to preserve the low density character of the neighborhood and to bring the zoning more in line with actual use.

He commented that it has been fulfilling to be a part of a community in which people know each other. He previously lived in an apartment building in East Urbana, so he has seen first hand how the lack of motivation of the apartment owners and the tenants of such buildings who do not treat the apartment buildings as their own homes. The motivation to care about appearance or upkeep beyond an immediate short term needs is something that he feels is important for preserving the character of a neighborhood in the long run.

Sara Metheny, one of the petitioners and owner resident of 502 East Elm Street, said that she has lived in her home for 23 years and loves the neighborhood. Thankful to her neighbors who spoke at the previous Plan Commission meeting in her favor. She is glad to hear that City staff is willing to work with the property owner of the two properties across the street from her home when he builds the new apartments. She talked about the big oak trees that were cut down at 406

East Elm Street about eight years ago after the property was purchased and the old house was torn down.

Chris Stohr, Chairman of the Historic East Urbana Neighborhood Association (HEUNA), expressed his gratitude of the efforts of City staff, Alderman Dennis Roberts and Dr. Libby Tyler to come together and work out an agreement.

Ms. Metheny re-approached the Plan Commission to ask for a continuance. She feels it might be a good idea to meet with the property owner of 503 and 505 East Elm Street and with City staff and see what may happen with regards to the construction of two apartment buildings. Otherwise, she and the other petitioners might be shooting themselves in the foot to down zone if there are not some accommodations made. It could put them in a position where it becomes a race to sell their homes as quickly as possible before the property values go down.

Chair Pollock stated that the petitioners are free to continue the case; however, given the amount of time it will take to address these other issues, then this petition may expire. Mr. Fitch commented that if the petitioners continue with their application and wish to sell at a later date, the future property owners could always come back individually and request to up zone the properties again. Chair Pollock said yes. It would require another change to the Comprehensive Plan along with the zoning in trying to keep the two in sync with each other.

Ms. Tyler pointed out that it is easier to try to down zone rather than up zone. It would be a harder path in the future. City staff may be able to hold a meeting with the property owner of 503 and 505 East Elm Street between now and the next Plan Commission meeting. Maybe that would give the petitioners a better sense of the value of their petition. The larger planning issue would take so much time that the petition would become invalid. Mr. Pollock questioned how long the Plan Commission could hold the case open. Ms. Tyler did not believe that there were hard and fast rules. If the petitioners ask for a continuance, then there is more leeway to get more information. They are still on safe ground right now. The City has had continuances of several difficult text and plan cases before. Chair Pollock informed Ms. Metheny that if the petitioners are interested in continuing the cases, then they have the right to do so.

Ms. Burris stated that she understood the petitioners' concern, but the request to continue the rezoning and Comprehensive Plan amendment requests does not sit right with her. If the petitioner wants to rezone, then now is the time to do so. The new property owner of 503 and 505 East Elm Street has already purchased the properties and are planning to build the apartment buildings. She feels that it is admirable of the property owner to be willing to work with City staff for design elements. However, the petitioners cannot assume that the promises made between the City and the property owner of 503 and 505 East Elm Street would be bonding. The property owner could change his mind. Either the petitioners want to protect the rights that they have now or leave it open. Chair Pollock added that they certainly hope the developer, as a good neighbor, works with City staff and the neighborhood in trying to come up with something that fits in well. However, legally the developer does not have to do so.

Ms. Metheny described the apartment buildings across the street. All these apartment buildings are close to the downtown area and to the City building. She would think that the City (with a

world class university) would want to put nice buildings in the downtown area. She realizes that City staff is working on it.

Ms. Tyler replied that City staff has some varied success. Even beyond the City's rules and regulations, City staff has been able to use a good neighbor persuasion. They achieved a great look with Coler Crossing. In other cases, it is more economic. City staff has tried working with other developers in getting a better look, and it has not been very receptive. City staff is optimistic in this case and will definitely give it their best shot with the property owner of 503 and 505 East Elm Street.

Ms. Metheny inquired as to how many units the new property owner plans to build. Ms. Karcher stated that it appears to be five units on each floor, so there could be about ten units per building, but they would need a set of full plans to be sure.

Chair Pollock asked Ms. Metheny what she would like to do regarding the proposed two cases. Ms. Metheny stated that she would like to continue with two petitions as they stand.

With no further questions or concerns from the audience, Chair Pollock closed the public input portion of the hearing. He, then, opened the hearing up for Plan Commission discussion and/or motion(s). He reminded the Plan Commission that they need to deal with the two cases separately when making motions.

Ms. Burris commented that she is in favor of the rezoning, but she is against changing the Comprehensive Plan. She does not believe that the Comprehensive Plan should be tampered with. It would set a precedent for future people to try to change the Comprehensive Plan.

Mr. White moved that the Plan Commission forward Plan Case No. 2082-CP-08 to the City Council with a recommendation for denial. Mr. Fitch seconded the motion.

Mr. White stated that the Comprehensive Plan is what it is. He does not agree that someone who files a petition should be able to request a change to the Comprehensive Plan with all the work and input that went into creating the 2005 Comprehensive Plan.

Ms. Stake felt that it was a mistake to not include this section of Urbana when they updated the Comprehensive Plan. Sometimes we make mistakes. However, she does not like the idea of changing the Comprehensive Plan over and over again. So she will probably vote in favor of denying the Comprehensive Plan amendment. She will definitely vote in favor of the rezoning request though.

Chair Pollock commented that the Comprehensive Plan is a snapshot that is not written in stone, so it can be changed. He would not call it a mistake because when they were creating/updating the Comprehensive Plan they were looking at everything in the entire City. The things that came up during discussions of updating the Comprehensive Plan are issues and topics that people are aware of and alarmed by or terribly interested in personally. There are about five to ten specific areas that drew a lot of attention. It is not that every single area in the City was well considered and thought out. It may just not have been addressed at that particular time. He likes the fact that

people in the neighborhood want to protect the neighborhood nature of where they live. If the people who live there want to make a change, he does not see a problem with that, and he applauds them for coming forward.

Mr. Hopkins thought this to be a tricky issue. His reaction is to also not change the Comprehensive Plan. However doing so is also information. The information is that the designations, if they have that much strength, on the maps in the Comprehensive Plan are block by block and not parcel by parcel. This means that they are approximations. In some cases, they were kept separate from apparent parcel lines to avoid this.

This block is already more than two-thirds commercial. It is adjacent to blocks that were intentionally identified to become “Central Business”. Two of the five parcels on this block are multi-family. By not changing the Comprehensive Plan designation, he believes that they are keeping the message that this is what makes sense there at sometime in the future. If they change the zoning down now, then they are acknowledging that someone will come back to the Plan Commission and City Council and ask to bring the zoning back up later. When they ask to bring the zoning back up later, then it will be consistent with the Comprehensive Plan. He stated that this is okay with him, but he does not feel that this is what other people are imagining and accomplishing by not changing the Plan and changing the zoning.

Roll call on the motion was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	No
Ms. Stake	-	No	Mr. White	-	Yes

The motion to deny was approved by a vote of 4 – 2.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2083-M-08 to the City Council with a recommendation for approval. Ms. Stake seconded the motion.

Mr. White opposed the proposed rezoning because there is commercial to the north in the same City block. There are apartment buildings going in on two lots across the street as well. There are duplexes and multi-family units to the west. He believes that this block would be a wonderful location for a store. Therefore, he would prefer to leave the zoning as is. He does not believe that rezoning would protect them against anything, because as long as they own the house, they can keep it as a single-family residence.

Ms. Stake felt that the City should rezone the properties, because the petitioners have requested it. One of the things that the City needs to be doing is saving more of the older homes. This is part of our conservation. The City of Urbana has a lot of nice old homes that should be saved. Therefore, she is going to vote in favor of the motion.

Mr. Fitch stated that because of the timing of the larger rezoning, the filing of the proposed petition to rezone and then the filing of the building permit for the two apartment buildings, these

two petitions have been put in a difficult situation. He is going to respect the petitioners' wishes and approve their request to rezone.

Mr. Hopkins expressed two concerns about the rezoning. The first concern is whether or not the rezoning would accomplish what the petitioners wish to accomplish. The second concern is whether the petitioners will be happy with the rezoning once they have it. He understands that the petitioners would like to be able to continue to use their properties the way they use them now. The concerns they raise depend not on how they use their properties, but on how their neighbors use their properties. In other words, it is not a question of "do I not like my house?", it is that "I would not like my house as much if all the neighboring houses became these ugly 5-unit or 10-unit apartment buildings with no trees". Rezoning the petitioners' properties does not deal with this. The way in which this attempts to accomplish this is that three property owners have gotten together and are essentially making a mutual commitment to rezone their properties. The difficulty is that the zoning is not really going to accomplish this because any one of those properties can still come back to the City to get a rezoning individually. There is no actual binding of these three properties together. If the intent is to bind these three properties in a commitment, the way to do that is with a Covenant of Deed. This would have more affect in accomplishing the purpose. So, his inclination is to vote against the proposed rezoning because he does not feel that it works.

Ms. Stake feels that the Plan Commission should vote in favor of the rezoning because it is making a statement that this is a residential area. Ms. Tyler is very good at working with developers, and if she works with the developer of 503 and 505 East Elm Street, then they accept the fact that there would be a mixed residential and larger buildings. This does not mean that they have to say that all the residential properties will become larger buildings. So, she feels this should be a precedent to show that the City really is in favor of saving the older homes. By rezoning the homes, it is one way of saying that we are in favor of keeping the single-family homes as they are.

Ms. Burris saw three petitioners coming together as a community. Although we are talking about a short block and two of the houses are going to be turned into apartment buildings, the petitioners want to preserve the corners and the ends of the block. She feels it is more about community. The idea is to preserve community. If at some point in time, one or two of the properties sell, and the new owners want to build apartment buildings, then they could come back to the Plan Commission and to the City Council and ask to be rezoned back up. Right now, these homes deserve their lifetime, and she would not want to cut it short by denying the rezoning request and causing the property owners to house hunt somewhere else. Ms. Stake agreed with Ms. Burris's comments.

Chair Pollock commented that Mr. Hopkins may in fact be right. This may not accomplish what the ultimate goal is for the petitioners, but the fact is that by coming together and forming a community in this block, if they are making an error in the long term, it is not something that cannot be repaired. The petitioners own their homes, and he is willing to allow them to rezone their properties, so he plans to support the motion.

Mr. White expressed his concern about spot zoning. There would be an R-3, R-5 and Commercial all in the same block. This rezoning would set a precedent; therefore, he would prefer to leave the zoning as it is. Chair Pollock responded by saying that he did not see the precedent as a particular problem. When other rezoning cases come before them, the Plan Commission and the City Council should consider them based on their merit. There may be some cases they agree with and others they do not agree with, but they are not going to decide any other case based on the approval of the proposed case.

Mr. Hopkins felt this is a concern. There is an inference that one could take from some of this discussion, which is that it is reasonable for the City to zone a piece of property for whatever an individual property owner wants because they own it or for a small cluster of property owners want because they own it, and that this is the criteria of zoning. However, this is not the underlying legal authority by which the City backs its zoning authority. The backing for the zoning authority is some reasonable application of principles such as what are set out in a land use plan as the backing for regulation of the use of property. So there is a precedent here that matters.

Ms. Burris stated that the average person buying a home does not look at the zoning of the property when purchasing it. They look at the community and the school. The petitioners purchased their single-family homes in an R-5 Zoning District. They might have thought it was zoned for single-family since that is the type of properties they purchased. So, she is not convinced that this will set a precedent or that it will be detrimental.

Mr. Fitch noted that he has only been on the Plan Commission a short while, but he has seen individuals come in all the time to request a zoning change. It is almost never down zoning requests though. There is usually a discussion on how a rezoning request fits into the public good. In this case, the notion of community and the notion of making a statement is good logic.

Roll call on the motion was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	No	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	No

The motion to approve was passed by a vote of 4 – 2.

Mr. Myers pointed out that these two cases would go before the City Council on September 15, 2008.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Plan Case No. 2086-S-08: A request by Meijer Store Limited Partnership for approval of a Combination Preliminary and Final Plat of the Second Replat of Lots 1 and 2 of Meijer Urbana Subdivision consisting of 30.946 acres located northeast of the intersection of Windsor Road and Philo Road in the City's B-3, General Business Zoning District.

Lisa Karcher, Planner II, presented the request to the Plan Commission. Using Exhibit A, Location and Existing Land Use Map, she showed where the proposed subject property is located. Referring to Exhibit B, Existing Zoning Map, she pointed out the current zoning and land use of the proposed site as well as for the surrounding properties. The Future Land Use Map (Exhibit C) shows the proposed area being designated as "Regional Business". The Preliminary Plat (Exhibit D) shows how the developer plans to divide the property up into nine lots. She discussed the proposed subdivision layout and talked about access to the property. She also talked about drainage for the proposed site in addition to sidewalks and utility easements. She read the options of the Plan Commission.

Ms. Stake asked about walkways to the store entrance. Ms. Karcher referred to Exhibit F, Site Improvement Plan, and pointed out that the sidewalks are indicated by a very faint line in a hatch pattern. She stated that there is a sidewalk that connects with the shared use path along the eastern side of the drive from Windsor Road to the pavement in the parking lot. They have done the same thing on the north side off Amber Lane. Off Philo Road, the developer has provided a sidewalk on the south side of the northern most access drive. The sidewalk leads to the pavement of the parking lot. Pedestrians will then walk through the parking lot as anyone else would who park their vehicles in the lot. So, Meijer has provided for sidewalk connections from each of the roads that they front on.

Ms. Stake asked if there is a berm that will protect the Meijer store from the residential areas besides the roads that are on each side. Ms. Karcher stated that this was part of the annexation agreement. The Planning Manager has been working with the neighbors to the east and with the developer on putting up a fence to shield the loading dock from the residential properties. Essentially there are berms on the north side to shield the development from the residential north of Amber Lane. The developer plans to use landscaping to shield the residential neighbors across Philo Road where outlots will have their parking to the outside.

Mr. Myers stated that the preliminary and final plats comply with the annexation agreement in terms of berms and screening. As you drive around the building on the surrounding streets, one will be able to see the top of the Meijer store but not the parking lot. Behind the Meijer store, there is a low berm and a drop off down to the townhomes. Then there is a row of landscaping in trees. Also, near the loading dock they will construct a fence or wall to provide a little more buffering. City staff has been working very closely with the Ridge Homeowner's Association and with Meijer in terms of what screen would go between the loading area and the townhomes. He said that Meijer still has a few things to comply with in order to make sure that they are good neighbors on the east side. City staff will make sure that these things are finished before Meijer opens their door.

Mr. Hopkins inquired as to whether or not the outlot idea in general was part of the annexation agreement. Ms. Karcher replied that Meijer had a general idea that they would have outlots, but they were not sure about how they would divide them up. The preliminary and final plats are consistent with the Site Plan that was included in the annexation agreement.

Mr. Hopkins wondered if the berms on Philo Road would still exist even if they will not be within the outlots. Ms. Karcher said yes.

Mr. Hopkins questioned where the access to the outlots would be located. Mr. Myers stated that the outlots are not to take access directly from Windsor or Philo Roads. Ms. Karcher added that they would have to comply with the City's Access Management Guidelines for spacing between intersections. So, it is possible for the access to each outlot to be off the main access drives into the proposed site. Mr. Myers pointed out that any driveway to an outlot must be at least 150 feet from the street.

Mr. Fitch inquired about how many access drives there would be and where traffic lights would be located. Ms. Karcher explained that there would be six access drives with two access points from Windsor Road, two from Philo Road and two from Amber Lane. The traffic lights would be located at the intersection of Windsor Road and Boulder Drive, at the intersection of Windsor and Philo Roads, and at the intersection of Philo Road and Scovill Street. There are really only two traffic lights that correspond with accesses to the proposed development.

Mr. Hopkins wondered if there would be left turn access roads that do not have traffic lights. Ms. Karcher recalled that the first entry way from Windsor Road is right turn only.

Chair Pollock asked if there would be a median on Windsor Road. Ms. Karcher said no. They have actually improved Windsor and Philo Roads as part of this project.

Ms. Stake inquired about drainage for the site. Ms. Karcher responded that the City Engineering Division office has reviewed and approved the proposed plats. When the annexation agreement was approved, it was agreed that the developer would do a regional detention basin. In the Eastgate Subdivision, there is a huge detention basin, which was engineered to hold the drainage for the proposed tract as well as everything to the east. Mr. Myers commented that from the very beginning the developer took drainage into account and designed it so the water would go elsewhere.

With no further questions for staff, Chair Pollock opened this item up for public input.

Paul MacCallum, representative of Meijer Store, said that he has worked with Meijer for many years. They make a nice store, and the outlots that they sell are to good end users that help the community.

Ms. Stake asked if he dealt with the drainage. Mr. MacCallum replied that he is a surveyor and not an engineer. He has dealt with drainage on a minimal level; however, he knows that the beautiful detention pond in Eastgate Subdivision was designed really well, because it is very pretty and serves a very good function.

Ms. Stake inquired if the Meijer Store is like the store in the City of Champaign. Mr. MacCallum responded by saying yes. The difference between the two is that the Meijer store in Champaign has a lot of other development around it; whereas, this Meijer store will be a big store by itself. Mr. Myers added that this store is Meijer’s newest prototype store.

Ms. Stake remembered all the opposition there was when Meijer originally submitted plans several years ago. Mr. Myers stated that things have changed since then. The proposed development was on the outskirts of town. He would now consider the proposed project as an infill project.

With no more questions or concerns from the Plan Commission, Chair Pollock closed the public input portion and opened this item up for Plan Commission discussion and/or motion(s).

Mr. White moved that the Plan Commission forward Plan Case No. 2086-S-08 to the City Council with a recommendation for approval. Ms. Stake seconded the motion.

Mr. Fitch commented that we want the Urbana Meijer to be better than the Champaign Meijer.

Roll call on the motion was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Chair Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	Yes

The motion was approved by unanimous vote.

Mr. Myers noted that this case would be forwarded to the Urbana City Council on September 15, 2008.

Plan Case No. 2087-S-08: A request by Urbana, LLC for approval of a Combination Preliminary and Final Plat of the Replat of Lots 2 and 3 of Lincoln & I-74 Resubdivision, encompassing 2.94 acres to be divided into two lots, located at the southwest corner of Lincoln Avenue and Killarney Street in the City’s B-3, General Business Zoning District.

Jeff Engstrom, Planner I, presented the subdivision request to the Plan Commission. He gave a brief explanation for the purpose of the proposed subdivision request. Referring to Exhibits A (Location and Existing Land Use Map), Exhibit B (Zoning Map), and Exhibit C (Future Land Use Map), he described the area noting the current land use, zoning and Comprehensive Plan designation of the proposed site as well as that of the surrounding properties. He discussed access to the proposed subdivision. He also talked about stormwater drainage and sewer mains, water utilities and sidewalk connections. He read the options of the Plan Commission and presented staff’s recommendation, which was as follows:

Staff recommended that the Plan Commission forward the Combination Preliminary/Final Replat of Lots 2 and 3 of Lincoln & I-74 Resubdivision to the Urbana City Council with a recommendation of approval.

Ms. Stake asked whether there was going to be one or two buildings. Mr. Engstrom answered by saying that the developer has not submitted any building plans as of yet. The proposed site is divided into two lots. From his understanding, there will be a hotel constructed on Lot 1, and the developer has not indicated what they plan to build on Lot 2. When the developer submits the building plans, they will go through the plan review process administratively.

Ms. Stake questioned where the sidewalks would lead to. Mr. Engstrom replied that the sidewalks will allow people to get around the site. Generally any subdivision is required to provide sidewalks along the right-of-way.

Mr. Hopkins asked if the access for Lot 101 is by easement on a curb cut to the north of the lot. Mr. Engstrom said that is correct. Mr. Hopkins inquired as to whether the gas station shown on the aerial photo is the old gas station. Mr. Engstrom said no, it is a new gas station. Mr. Hopkins questioned if the curb cut was then used by a current facility. Mr. Engstrom explained that the curb cut leads to the new gas station.

Mr. Hopkins wondered if the gas station lot was big enough for another tenant. Mr. Engstrom said technically yes. However, he is not sure if the property owner is going to develop the property further. Mr. Hopkins asked if the curb cut had been sized or approved as efficient to serve all the lots. Mr. Engstrom said yes.

Ms. Stake questioned what kind of screening would be used on the south to Capstone Condominiums. Mr. Engstrom responded by saying that the developer will submit landscaping plans when they submit the building plans. When the site is proposed to be developed, there is a requirement for screening between lots zoned for business and lots zoned for residential.

Ms. Stake commented that she did not understand why the developer has submitted a preliminary/final plat before submitting building plans. Mr. Engstrom explained that this is the actual subdivision process. Unless a petitioner submits a request for a special use permit or other special zoning permission, then building plans generally do not go before Plan Commission and City Council.

With no more questions for City staff, Chair Pollock opened this item up for public input.

Bill Sheridan, of HDC Engineering, mentioned that they are working on the Site Plan for the proposed hotel. They will address all the screening and access through common ingress/egress easements. The new gas station has been totally redeveloped. There will be no further development on the gas station parcel. The proposed replat is simply a reconfiguration of lots lines. There are no changes other than to extend the sewers.

With no further questions or comments from the audience, Chair Pollock closed the public input portion, and he opened this item up for Plan Commission discussion and/or motion(s).

Mr. White moved that the Plan Commission forward Plan Case No. 2087-S-08 to the City Council with a recommendation for approval. Ms. Burris seconded the motion. Roll call on the motion was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Mr. White	-	Yes

The motion was passed by unanimous vote.

Mr. Myers noted that this case would go before City Council on September 15, 2008.

CCZBA 622-AM-08: A request by Bill and Marion Smith to rezone 5 acres, located at 1851 County Road, 1475 East, from County B-4, General Business Zoning District, to County I-2, Heavy Industry Zoning District.

Robert Myers, Planning Manager, stated that the owners are expected to withdraw the case. They may resubmit a request to rezone later down the road. He will bring this case forward only if the application continues.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Myers reported on the following:

- ✚ Crystal View Townhomes Subdivision Plat was approved by City Council.
- ✚ Faith Community Church Special Use Permit was approved by City Council.
- ✚ Upcoming Agenda Items include the Lincoln-Busey Design Guidelines and the Crystal Lake Neighborhood Plan.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Robert Myers, AICP
Secretary, Urbana Plan Commission