

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: May 5, 2011

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Jane Burris, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock

MEMBERS EXCUSED: Ben Grosser, Bernadine Stake, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Zach Woolard, Planning Intern; Teri Andel, Planning Secretary

OTHERS PRESENT: Cynthia Hoyle

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

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


2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the April 7, 2011 Plan Commission meeting were presented for approval. Mr. Fitch moved that the Plan Commission approve the minutes as presented. Mr. Hopkins seconded the motion. The minutes were approved by unanimous voice vote as presented.

4. COMMUNICATIONS

 MTD Handout, “*Building a Mobility Infrastructure to support Champaign-Urbana becoming a Micro-Urban Community*”

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2142-T-11: Request by the Zoning Administrator to amend Section VI-9 of the Urbana Zoning Ordinance regarding portable storage containers.

Robert Myers, Planning Manager, introduced Zach Woolard, who is a Planning Division intern.

Zach Woolard presented this case to the Plan Commission. He explained that the main reason City staff proposes a text amendment regulating portable storage containers is a small but growing concern. Some residents have placed them in front yards. Also, some people use them as a garage or shed which can circumvent building codes. Lastly, some people store these containers on the street or in the public right-of-way when there is no space in the driveway. He reviewed the proposed language for Section VI-9, Portable Storage Containers. He read the options of the Plan Commission and presented staff's recommendation.

Chair Pollock asked if there is a local office in Champaign-Urbana that rents out portable storage containers. Mr. Woolard answered no. The closest offices are located in Bloomington and Peoria. The companies are willing to work with the City of Urbana and would inform clients of the City's regulations once enacted.

Mr. Fitch asked if a resident would need one permit or two to have a container in the public right-of-way. Mr. Woolard responded that if a resident wanted to place a unit in the right-of-way, then they would need to obtain one permit from the City's Public Works Department. If the resident wants to place the portable unit on their property then they would obtain a permit from the Community Development Services Department. Mr. Fitch questioned how the resident would know where to go to get a permit.

Mr. Fitch inquired if there would be a fee for each type of permit. Mr. Woolard replied that City staff hasn't determined if any fee would be charged.

Mr. Fitch commented that he is unsure if seven days is long enough. He wondered if a resident could rent a portable unit for two seven-day periods for a total of 14 consecutive days. Mr. Woolard assumed that would be possible. Mr. Fitch asked if that person would need to acquire a second permit for the last seven days. Mr. Woolard said that under the proposed amendment, yes. The Zoning Administrator might decide in a situation like this to waive the process for acquiring a second permit if she knows ahead of time that the person needs a unit for more than seven days.

Mr. Fitch inquired about enforcement of the proposed regulations. There is no language included in the proposed text amendment regarding fines or notices of violation. Mr. Woolard noted that other communities do not give fines. They try to work out any issues with their citizens. Mr. Myers added that a violation of the proposed regulations would be considered a general violation of the Urbana Zoning Ordinance and could be subject to fines. The vast majority of the time, City staff does not have to assess fines because we inform people when they are in violation and give time to correct it.

Mr. Fitch asked for clarification on what zoning districts would allow portable storage containers. Mr. Woolard explained that they would be allowed in any residential zoning district as well as for a residence in any other zoning district. Mr. Fitch questioned whether a business could use a portable unit to move their business. Mr. Woolard said that the proposed Zoning Ordinance amendment would allow them just for residences, but City staff is open to suggestions on how to deal with this issue.

Ms. Burris stated that seven days is not enough time for someone moving. It even contradicts the last regulation regarding maintenance. A portable unit would not rust or fall apart in seven days time. She mentioned that if she wanted to move then she would need at least 30 days to load a storage container as she has lived in her home for 20 years and has accumulated a lot of things. Mr. Woolard explained that City staff has recommended seven days with the idea that people would have already gone through their items and decided what to keep and what to discard.

Mr. Otto was curious as to whether the City of Champaign has an ordinance regulating portable storage units. Mr. Woolard replied that he does not believe the City of Champaign has an ordinance. Mr. Otto stated that we need to be sure, and if they do have an ordinance, then we should try to adopt a similar ordinance. Otherwise it might be confusing to have two standards in adjoining communities.

Mr. Fell understands that the maximum unit size was taken based on one company. However, as they become more popular, a new company renting these units might have different sizes. So City staff might want to allow for this in the proposed regulations.

Mr. Fell wondered if the permit would be issued to a person or to an address. He could see a potential problem with issuing a permit to an address. One person might be moving out and rent a portable storage unit, and then the person moving in might need to rent one as well. Mr. Woolard said that City staff would discuss this issue.

Mr. Hopkins asked what mechanisms are there for exceptions. For example, some people still have gravel driveways, and they live on streets with no parking allowed. Chair Pollock added that there are some residents who do not even have driveways. Mr. Otto questioned if the portable storage container companies are willing to set the units up on dirt or gravel and landowners are willing to accept responsibility for any damages, then what interest does the City have if landowners mess up the surfaces of their own lot? Mr. Myers responded that most of the time, when the companies deliver the units, they will drop them off on hard surfaces because

they would rather not drive over curbs. The City is concerned with rutting, dead grass, units sinking into the ground, and possibly erosion running off into the storm sewers.

Chair Pollock inquired about the range of time limitations that Mr. Woolard found in his research. Mr. Woolard replied that most communities portable units for 14 days or less once a year. The City of Urbana is proposing seven days twice a year.

Chair Pollock questioned who would be responsible for maintaining the units. Even if the City allowed a resident to have a portable unit for 30 days, they would not rust and peel in this period of time. Wouldn't maintenance be an issue for the owners of the units? Mr. Woolard responded by saying yes. Once the City of Urbana has established regulations, City staff will send copies to companies letting them know of those regulations.

With no further questions for City staff, Chair Pollock opened the hearing for public input. There was none.

Chair Pollock closed the public input portion and opened it to Plan Commission discussion and/or motion(s).

Ms. Burris remarked that she would like to see the time period extended to at least 14 days. She would also like to further discuss the requirement that units must be placed on paved surfaces versus gravel.

Chair Pollock suggested that the Plan Commission discuss the proposed text amendment and try to come to some consensus of the changes they would like to see made and send it back to City staff to fine tune the language. He, then, recommended that they discuss the proposed text amendment one concern at a time.

Mr. Otto suggested that the time limit be split for those units placed on private property versus in a right-of-way. The time limit to store a portable unit in the public right-of-way should be quite short. If it is on private property, then seven or fourteen days is not enough, especially if it is being rented to store furniture during construction purposes such as remodeling a house. Typically neighbors are willing to live with this if their neighbor is making improvements to his/her house. The Plan Commission might need to specify that the units be stored behind the front setback so it is not right out on the sidewalk. He feels that there should be quite broad latitude if the unit is stored on private property. Storage of units in public right-of-way should be limited to 48 to 72 hours. He could see where students moving in and out could rent units up to four times in one year.

Mr. Fitch commented that he would even consider exempting construction trailers and tightening up the definition of what is a personal storage portable container and what is a construction storage container. Chair Pollock pointed out that the text amendment is not about construction storage containers. It is about moving things. Mr. Fitch stated that he is not sure the definition is written in such a way that a construction trailer or a portable storage unit used for construction left on a lot for 30 or 60 days would not be covered by the proposed ordinance.

Mr. Hopkins mentioned that a trigger here is complaints from neighbors about portable storage containers being used in permanent ways and being located in front of the front-yard setback for long periods of time. Because they are essentially permanent, the units are not being maintained. It might be useful to work from this towards improving the language. It seems to him that this problem is coming from much longer period than seven days, fourteen days or even thirty days. It is coming from 2 months or 3 months, and it is coming from a perception that it is not being used in an appropriate way. If he knows his neighbor is remodeling his house and it takes three months, has stored his furniture in a portable container and the unit is reasonably located, then it will not be a problem. However, just like parking a car in the front yard off the driveway on a regular basis, which tears up the yard and looks ugly, there is a public interest in this kind of behavior and is what the City is trying to avoid.

Chair Pollock stated that the Public Works staff looks at the public rights-of-way on a regular basis so violations could be easily noticed. Mr. Myers commented that Public Works does not like them to be placed in the public right-of-way just because there are so many factors involved, such as blocking cars and parking, circulation and visibility. If for some reason, the units cannot be located on private property, then Public Works is willing to allow them to be located on public rights-of-way in parking spaces for short periods of time. Mr. Hopkins responded that it appears to him that Public Works is already dealing with portable storage units and construction trailers somehow. He recommended that the Planning staff find out how they deal with them now and figure out whether to reference it in the proposed text amendment or modify it. Then, we could focus on the question of how to control nuisance use of non-permitted accessory buildings.

Mr. Otto asked how the City controls dumpsters that are placed on the street. Do they have to be permitted? Mr. Myers answered that the person renting the dumpster needs to obtain a right-of-way permit. Mr. Otto suggested that the City staff research how long dumpsters are permitted to be on the street. There may already be reasonable time limits and permit applications in place that could be used for portable storage units as well.

Mr. Fell expressed concern about if a portable storage unit company delivers a rusty unit then the homeowner could get fined for poor maintenance. Mr. Myers explained that fines are not issued that fast. City staff would notify the property owner and the company and have the company relocate the unit.

Chair Pollock asked how many complaints has City staff received. Mr. Myers said that over time we have received a half dozen over a few years. It is not a pressing problem at this point.

Chair Pollock stated that one issue the members agree on is that it is clear that seven days is not enough time. He asked how the other members wanted to handle this case.

Mr. Hopkins recommended they send it back to City staff to figure out what is already in place with regards to similar situations, such as dumpsters, junk cars, etc.

Mr. Otto did not believe that maintenance would be an issue with the rental units. Most companies keep their equipment – dumpsters, portable storage units, etc. – painted and in good shape. It is only when they are decommissioned that equipment begins to rust and fall apart.

Mr. Myers noted that City staff appreciates the feedback and will make some changes to address the Plan Commission's concerns.

Mr. Fitch stated that one final issue he has is that portable storage units are not allowed to be used for businesses moving from one location to another. Chair Pollock agreed and feels that City staff needs to revisit the zoning districts that these types of units are allowed in.

The Plan Commission then continued this case to the next scheduled meeting.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Robert Myers, Planning Manager, discussed the following topics:

- **Soccer Planet Rezoning and Final Subdivision Plat** were approved by the Urbana City Council. The new owners have purchased the property and are in the process of applying for a building permit to construct the new facility. The owners hope to have the facility constructed by this fall in time for the indoor soccer leagues.

11. STUDY SESSION

White Street and Springfield Avenue Corridors Analysis

Robert Myers, Planning Manager, followed up on the discussion from the previous meeting. He shared some comments that were exchanged during a conversation that he had with Cynthia Hoyle, consultant with the Champaign-Urbana Mass Transit District (MTD).

The White Street and Springfield Avenue Corridors Analysis document is not a plan and does not include goals and objectives. It is actually a study. The study explains how development within the two existing transit corridors (White Street and Springfield Avenue) can support transit and how the two downtowns of Champaign and Urbana can be linked to the University of Illinois campus. The study builds on Urbana's adopted Comprehensive Plan and existing zoning. He talked about how the level of transit infrastructure could be raised in these corridors if development if adjoining development supported it. Transit infrastructure could include kiosks at high traffic use areas, bus shelters, burs turnouts, etc. He explained that MTD also

anticipates applying for a Very Small Starts Grant which could provide major infrastructure funding within their new high capacity corridors. He asked Cynthia Hoyle to address the Plan Commission to explain more about the grant.

Ms. Hoyle began by telling the Commission that MTD applied for one of the Federal stimulus grants under Livable Communities/Sustainable Communities process last year. There was a limit on the grant for \$30 million. MTD did not receive the funding. They found out later that the majority of communities receiving funding offered a 70% local match.

One of the things that happened along with the study process is the City of Urbana had designated Springfield Avenue as a transit corridor in the 2005 Comprehensive Plan. With MTD overseeing preparation of the Mobility Implementation Plan, that process gave MTD a lot of feedback and input. Based on some of the feedback and input, MTD has revamped the transit routes for the first time in a very long time. Springfield Avenue now has daytime bus service during the semester every five minutes. White Street has a similar level of service. The infrastructure along these streets in some locations is not capable of handling a lot of the traffic so MTD needs the infrastructure to be able to support their service.

Along with doing that MTD reviewed what else needs to be in place such as providing a multi-modal corridor, sidewalks, bicycle infrastructure, what kinds of land use and design would support this, and what opportunities are along these two routes.

We already meet many criteria for a Very Small Starts Grant. However, the Federal Transit Authority is looking for a dedicated right-of-way for transit. MTD has thought that Green Street between Lincoln Avenue and Wright Street would be a candidate for consideration. The proposed Corridor Analysis provides MTD with a good foundation for a Very Small Starts Grant application by showing what the two communities have already done. Although this is not a new idea and it is something that we are already doing, we need help getting it done because neither of the cities right now have the funds necessary to improve the streets.

The needs for each street are different. White Street needs to be widened enough to include bicycle lanes. Springfield Avenue cannot be widened because there already constraints such as uses that are not going away, including Park District property. The proposed analysis took a look at each street's needs.

The limit for any grant application is \$60 million dollars. MTD anticipates applying for up to this amount. Compared to other communities that are making applications for trolleys, light rail or commuter rail systems, this project is very small. This grant has more often been used for linear corridors and bus rapid transit applications around the country. MTD has not yet submitted a grant application and plans to submit one to the Federal Transit Authority in the fall of 2011.

Mr. Myers explained that the map on the handout "*Building a Mobility Infrastructure to Support Champaign-Urbana becoming a Micro-Urban Community*" shows MTD's high-capacity service network. As a result of creating a high level of service on for these bus routes, we need the infrastructure to support it.

Chair Pollock asked if the study was driven by improvement for MTD routes more than anything else. Ms. Hoyle replied by saying no. The Mobility Implementation Plan was about implementing the non-single occupancy vehicular portions of the Long Range Transportation Plan. In fact MTD has already been implementing some of the preliminary recommendations from the Mobility Implementation Plan process. The Mobility Implementation Plan has not been finalized because MTD is still updating the transportation model. For example, the High Capacity Service Network concept was in the Long Range Transportation Plan, and it is now in place. The proposed White Street and Springfield Avenue Corridors Analysis is part of the larger Mobility Implementation Plan process.

Chair Pollock explained that one of the issues the Plan Commission had with the proposed analysis at the previous meeting was that it is entirely about two separate corridors. He understood that two separate corridors are being studied because of the influence and wishes of the University of Illinois in not wanting to promote cross town routes through their campus. However, an important question posed at the previous Plan Commission meeting is whether Springfield Avenue is where the City of Urbana wants to put its efforts, funding and redevelopment. Or should the City concentrate on other redevelopment areas first?

Ms. Hoyle responded that choosing Springfield Avenue as one Champaign-Urbana corridor isn't practical, in addition to the University's concerns. Springfield Avenue's right-of-way through the center of campus is narrow and has high pedestrian volumes. In fact MTD has removed the bus routes off of this section of Springfield Avenue so that segment would not be a major bus corridor.

Chair Pollock asked if MTD is looking for infrastructure improvements so they can put bus routes back on that segment of Springfield Avenue. Ms. Hoyle stated that MTD had not looked at this option. There are a number of issues including safety. MTD does not believe that the ability to widen Springfield Avenue exists the same way it does along White Street.

Chair Pollock questioned how Springfield Avenue got chosen as the corridor in the City of Urbana to concentrate on in the proposed analysis. Ms. Hoyle explained that the City requested Springfield Avenue. Some of the first analyses utilized Green Street, but that brought push back from the Urbana City Council. They did not want Green Street between downtown and Lincoln Avenue to be the high capacity service corridor for MTD. Mr. Myers added that the 2005 Comprehensive Plan shows Springfield Avenue as a future transit corridor. Ms. Hoyle commented that the zoning along Springfield Avenue lends itself better to the possibility of redevelopment because there is already commercial zoning. Whereas on Green Street, there is clearly a stated desire on the behalf of the neighborhood to maintain a residential feel.

Chair Pollock asked if the Plan Commission was being asked to accept the proposed analysis or send a recommendation to the City Council. Mr. Myers answered that staff is not asking for the study to be made part of the Comprehensive Plan or officially adopted by the City. Instead City staff would like the City Council to receive and consider the study and use it as a point of reference for future plans. Chair Pollock wondered if City staff wants the proposed document to drive development decisions to some degree. Mr. Myers replied that it could be a point of reference that could be used in decision making, but it would not be a policy because it is not a

plan that would be adopted. He considers it to be more of a collection of good ideas that the City could draw from.

Mr. Hopkins asked how much of a grant that MTD would request. Ms. Hoyle responded that they are looking at the possibility of rebuilding the streets where needed, branding the bus stops to identify them as being higher level service area, providing some kiosks, extending bike lanes on White Street and fixing the sidewalks.

Mr. Hopkins wondered if the University of Illinois could use some of the grant funds to fix the pavement in front of the Florida Avenue Residence Hall where the buses stop. Ms. Hoyle explained that this is the type of improvements they would like to make. MTD will look at what improvements are needed and choose the ones that are a higher priority. MTD's proposal could reach \$60 million. \$60 million is the limit that one party can request in a grant application.

Mr. Hopkins questioned what the match would be to win this grant. Ms. Hoyle answered that this grant program has been in existence and has not had the sort of competitive level of applications that the Federal Stimulus funding had. She does not know what the match will be. Mr. Myers pointed out that for the Federal Stimulus grant application the City could use money that we were already programming for our Capital Improvement Plan (CIP) to repair and upgrade streets and infrastructure.

Mr. Hopkins feels that there are two things that are pertinent for the City of Urbana to prioritize. One is the missing sidewalks along Springfield Avenue. He does not know if this is already in the CIP. If the City can participate in getting funding for this, then it is a good thing. However, he feels that this concern is 95% independent of the redevelopment notions that are implied in the study. He does not feel that land use redevelopment on Springfield Avenue is a priority for the City of Urbana. The second relative item is pavement improvements for bus routes.

Ms. Hoyle clarified that the study was prepared with the Very Small Starts Grant program kept in mind. Although the study mainly supports the Mobility Implementation Plan process, it also provides MTD and the City with a good foundation for the grant application. It provides a lot of useful information.

Mr. Hopkins replied that most of the study information is not the kind of information that the City of Urbana wants in order to justify spending money on Springfield Avenue. In other words, he doesn't believe that the City wants to refocus effort of attracting mixed use in Urbana onto the Springfield Avenue corridor. If using the CIP match requires reprioritizing existing capital improvements schedule to bus routes, then he did not feel that they could make that decision separate from the whole CIP programming process. There may be reasons improvements to Springfield Avenue is not a high priority. Mr. Myers did not feel that as a result of this study the City would reallocate funds from other CIP projects to make funds available for improvements to Springfield Avenue. In other words we're not proposing to "take from Peter to pay Paul."

Mr. Hopkins pointed out that he did not want the City Council to use the proposed document as a point of reference due to the analysis suggesting mixed use, suggesting a retail products gap, suggesting that it should focus on Springfield Avenue, etc. Although the analysis may not come

out and say these things, it is basically the message given to readers. Ms. Hoyle noted that based on the existing zoning, if a developer wanted to build a mixed use development, then she would assume that the City would be in favor of that. Mr. Hopkins stated that he understands what the zoning is, but the two examples of development projects mentioned in the proposed analysis are not even located in the corridor. So, the implication of the way the proposed analysis is presented as a corridor analyses with a study boundary, a set of objectives and criteria, and implications of priority is not what they want to recommend to the City Council. Ms. Hoyle explained that the two examples were used at the recommendation of City staff. They are within the area that the study incorporated even though they are not on the corridor itself. Ms. Hoyle mentioned that the City's Public Works Department already plans to rebuild Springfield Avenue so this study wouldn't cause money to be shifted from other street projects.

She went on to say that she does not understand the Plan Commission's concerns because the analysis only provides some recommendations and suggested ideas to look at for implementation strategies. They do not seem to be in contrast or conflict with the City's existing plans and priorities.

Mr. Fitch is not sure that the study helps to justify that improvements to Springfield Avenue are very important. At the previous meeting, he had asked Mr. Myers about some of the population growth scenarios. There are four growth scenarios. There is a baseline, an optimistic, a baseline with mobility enhanced development, and a really optimistic scenario. When you look at the retail opportunities built around these scenarios, the only one that pays off using the numbers is the really optimistic population growth scenario. This might be why the Plan Commission is hesitating to spend money in this area. He stated that if he thought it would help with the grant application to get some funds for the City of Urbana to help with the infrastructure, then he would be in favor of it. He is not sure though that the proposed analysis does, and it detracts from what he believes is the most realistic need in the area, which is pavement.

Mr. Myers believes that the study sees Springfield Avenue as an existing transit corridor with opportunities for adjoining development to support transit and benefit from it. Mr. Fitch agreed that the concept is attractive. He is not sure that the numbers he looked at would pan out to be realistic in the Springfield Avenue corridor.

Mr. Hopkins explained that because of the framing as a corridor analysis, and because of the apparent focus of much of the analysis on the question of retail, it appears to be about emphasizing mixed use development in the corridor. Again, even though the analysis doesn't specifically say this it is the overall message that the analysis sends. The City of Urbana wants buses on Springfield Avenue to keep them off of Green Street. We also want buses on Springfield Avenue to get people from campus to the Downtown Urbana area. The City of Urbana is trying to get empty vacant lots in the downtown area developed and new businesses in existing buildings. So, in a sense, the City of Urbana's interest in improving Springfield Avenue has to do with the pavement, the sidewalks and the bike lanes. The land use surrounding it can come along when it comes along. The land use is not high priority. The zoning is there and the potential is there, but filling up another corridor with empty store fronts on the first floor just does not make sense when we already have mixed use areas which are not yet successful.

Ms. Hoyle responded that she did not get the same implications for Springfield Avenue from reading the study. The focus is more on higher density residential development. It does not recommend that the City provide financial incentives for redevelopment along the corridor. The recommendations are to encourage the City to look at creating overlay districts to leverage the transportation options where possible and to provide design guidelines. Mr. Hopkins pointed out that most of the recommendations are about development, and he is reluctant to recommend it to the City Council, even as a point of reference.

Chair Pollock suggested that the Plan Commission could mention the pluses of what the analysis does do and the possibility of capturing funds to do a lot of infrastructure rebuilding that the City needs. They can distinguish the recommendations that they think are inappropriate. However, they need to send a message of some kind about the proposed analysis.

Mr. Hopkins commented that rather than making a formal recommendation, they could send the item to the City Council and have them listen to their discussion. If the study is not a plan then he does not know what they are recommending to the Council. If the Plan Commission wants to recommend that the Council use the study then he would have to vote against it.

Mr. Myers suggested that City staff share with the City Council the results of the study and pass along the Plan Commission's concerns and comments without asking the City Council to formally "accept" it. Mr. Fitch agreed that the Plan Commission explained their position on the study at both the previous meeting and at this one. He feels that they should let the minutes speak for themselves to the City Council.

Ms. Hoyle mentioned that the study talks a lot about parking standards and density limitations, which are the kinds of things that the City might be able to do that do not require any financial investment but would perhaps provide incentives for developers to redevelop properties. Those are instances in which those specific recommendations would come before the Plan Commission as a plan case for a formal recommendation to City Council.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:08 p.m.

Respectfully submitted,

Robert Myers, AICP, Secretary
Urbana Plan Commission