

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: January 5, 2023

TIME: 7:00 P.M.

PLACE: Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

PLAN COMMISSION

MEMBERS ATTENDING: Dustin Allred, Will Andresen, Debarah McFarland, Chenxi Yu

MEMBERS EXCUSED: Andrew Fell, Lew Hopkins, Karen Simms

STAFF PRESENT: UPTV Camera Operator; Marcus Ricci, Planner II; Nick Olsen, Planner I; Scott Tess, Sustainability & Resilience Officer

PUBLIC PRESENT: Susan Burgstrom

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

Chair Allred called the meeting to order at 7:00 p.m. Roll call was taken, and there was a quorum of the members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the December 8, 2022 regular meeting were presented for approval. Ms. Yu stated that she misspoke at this meeting with regards to the size of the development being discussed. Staff assured her that the correction had been made. Ms. Yu moved that the Plan Commission approve the minutes as written. Ms. McFarland seconded the motion. The minutes were 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. 2465-SU-22 – A request by Scott Tess on behalf of the City of Urbana to allow the installation, operation, and maintenance of a solar energy system up to 25 acres in size, and generally located near 1210 East University Avenue in the AG (Agriculture) and CRE (Conservation-Recreation-Education) Zoning Districts.

Chair Allred opened the public hearing for Plan Case No. 2465-SU-22. Marcus Ricci, Planner II, presented the case to the Plan Commission. He began by explaining the purpose of the proposed special use permit request and by clarifying that the solar farm would use up to 15 acres of land, not 25 acres as mentioned in the written staff report. He noted an additional correction in that they planned to install a seven-foot tall fence rather than an eight-foot tall fence.

Mr. Ricci noted the location of the subject property referring to the Exhibit A – Location & Land Use map. He noted the current zoning of the property is split into AG (Agriculture) and CRE (Conservation-Recreation-Education). He showed a photo of the existing solar farm located on the adjacent landfill property. He noted the zoning, existing land uses and future land use designations of the adjacent neighboring properties.

Mr. Ricci talked about the proposed future solar farm and the equipment that would be used. He reviewed the requirements for a special use permit according to Section VII-4.A of the Urbana Zoning Ordinance. He stated that staff received no input from the public or neighbors. He shared an aerial of the subject property.

Mr. Ricci read the options of the Plan Commission and presented staff's recommendation for approval with the condition that *the proposed construction and use must generally conform to the site plan submitted in the application, Exhibit D of the written staff report, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation.* He noted that the applicant was available to answer any questions.

Chair Allred asked if the Plan Commission members had any questions for City staff.

Chair Allred asked if there had been any complaints or issues received on the operation of the existing solar farm on the adjacent land. Mr. Ricci stated that he had not received any public complaints or heard of any from Public Works staff. Scott Tess, Sustainability & Resilience Officer, confirmed that there had been none.

Chair Allred asked if there was a mapped floodplain for the Saline Branch Drainage Ditch. Mr. Ricci stated that he would need to research this. If there is a floodplain map for this area, then the developer would need to comply with the City's Floodplain Development Ordinance. He noted that the easement was for the Saline Branch Drainage District Commission to access the ditch for their maintenance of the ditch. *[Note: Research performed after the meeting showed that there is a mapped 35- to 55-foot floodplain area associated with the Saline Branch along the north property line, well within the current 80-foot Saline Branch Drainage District easement.]*

Chair Allred asked for clarification on the condition recommended by City staff. Mr. Ricci explained that the condition is simply a caveat to allow some other public agency to require a wider buffer. It keeps the developer from having to come back and get additional approval.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. There was none, so Chair Allred declared the public input portion closed and opened the hearing for Plan Commission discussion and/or motion(s).

Ms. Yu moved that the Plan Commission forward Plan Case No. 2465-SU-22 to the City Council with a recommendation for approval with the condition that the proposed construction and use must generally conform to the site plan submitted in the application, Exhibit D of the written staff report, including a minimum 80-foot buffer to the centerline of the Saline Branch Drainage Ditch, except where modified to meet City regulation. Ms. McFarland seconded the motion. Roll call on the motion was as follows:

Mr. Andresen	-	Yes	Ms. McFarland	-	Yes
Ms. Yu	-	Yes	Mr. Allred	-	Yes

The motion passed by unanimous vote. Mr. Ricci stated that this case would be forwarded to the Committee of the Whole on January 17, 2023.

Plan Case No. 2466-M-22 – A request by Nabil Messai to rezone 1009 Cunningham Avenue from R-3 (Single and Two-Family Residential) to B-3 (General Business).

Chair Allred opened the public hearing for Case No. 2466-M-22. Marcus Ricci, Planner II, presented the case to the Plan Commission. He began by explaining the purpose of the proposed rezoning. He noted the location and zoning of the subject property as well as the zoning, existing land uses and future land use designations of adjacent neighboring properties. He talked about how a proposed future use of a catering service relates to the Comprehensive Plan for the area. He reviewed how the proposed rezoning request relates to the *La Salle National Bank* and *Sinclair Pipe Line Co.* criteria. He noted that he had not received any input from the public or neighbors regarding this case. He showed more photos of the vacant lot.

He read the options of the Plan Commission and presented City staff's recommendation for approval.

Chair Allred asked if the Plan Commission members had any questions for City staff.

Ms. Yu asked why the subject property was zoned R-3 (Single and Two Family Residential) when the neighboring properties along Cunningham Avenue are zoned B-3 (General Business). Mr. Ricci stated that it is common when a property is rezoned that the zoning reflects the existing land use. In this case, there was a duplex on the site until it was demolished in 2021.

Ms. Yu asked if a duplex is allowed in the B-3 zoning district. Mr. Ricci replied no, it is not allowed.

Ms. Yu inquired as to when the R-3 zoning was applied to the subject property. Mr. Ricci stated that he was unaware of when it was zoned R-3. *[Note: Research performed after the meeting showed that this property and residences to the west had been zoned R-1, Single-and-Two Family Residential, as far back as 1966,*

and that they were all rezoned to R-3, Single-and-Two Family Residential, around 1983. Meanwhile, other parcels along Cunningham were being rezoned Business at the request of property owners.]

With no further questions for City staff, Chair Allred opened the hearing for public input. He asked if the petitioner would like to speak. Due to technical difficulties, staff was unable to connect the petitioner via phone call.

With there being no other input, Chair Allred closed the public input portion of the hearing and opened the hearing for Plan Commission discussion and/or motion(s).

Ms. Yu moved that the Plan Commission forward Case No. 2466-M-22 to the City Council with a recommendation for approval. Mr. Andresen seconded the motion.

Chair Allred said he felt that the rezoning request made sense in terms of the future land use designation in the Comprehensive Plan for the proposed site and the surrounding area.

Roll call on the motion was as follows:

Ms. McFarland	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes	Mr. Andresen	-	Yes

The motion passed by unanimous vote. Mr. Ricci stated that this case would be forwarded to the Committee of the Whole on January 17, 2023, and to the City Council on January 23, 2023.

8. NEW BUSINESS

CCZBA-058-AT-22 – A request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance to allow expanded materials management and other waste-related uses in the AG-1, AG-2, B-1, B-4, B-5, I-1 and/or I-2 county zoning districts.

Chair Allred opened Case No. CCZBA-058-AT-22. Marcus Ricci, Planner II, presented this case to the Plan Commission. He began by explaining the process for a text amendment to the Champaign County Zoning Ordinance and why the City of Urbana is reviewing the proposed amendment. He reviewed the changes being proposed by the Champaign County Zoning Administrator in this case. He talked about the implications for development within the City’s Extra-Territorial Jurisdiction area. He read the options of the Plan Commission and presented City staff’s recommendation that the Plan Commission forward the case to City Council with a recommendation not to protest the proposed amendment.

Chair Allred asked if the Plan Commission members had any questions for City staff.

Chair Allred asked if the maps were showing new uses or existing uses for which regulations would be changing. Mr. Ricci showed a table from the staff report clarifying which uses are new and which ones are already regulated by the County Zoning Ordinance. He stated that unlike the City, the County cannot as easily classify undefined uses as the closest defined use; they have to define newly proposed uses. *[Note: Research performed after the meeting showed that the Champaign County Zoning Administrator has the authority to treat an unspecified use as the most similar use listed in the Champaign County*

Zoning Ordinance. However, having the specified use is preferred and allows for application of specific conditions. Section 5.2, Footnote 1.]

Chair Allred asked if the Plan Commission and City Council could protest County special use permit requests. Mr. Ricci explained the City can comment on special use permits, but not protest them. The process is initiated after County staff notify City staff of a submitted special use permit application. City staff would then notify City administration. There are no instructions or guidelines in the City’s Zoning Ordinance that determines how the City should process County special use permit requests.

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

With there being no input, Chair Allred closed the public input portion of the hearing and opened the hearing for Plan Commission discussion and/or motion(s).

Ms. Yu moved that the Plan Commission forward Case No. CCZBA-058-AT-22 to the City Council with a recommendation not to protest the proposed amendment. Ms. McFarland seconded the motion.

Roll call on the motion was as follows:

Ms. Yu	-	Yes	Mr. Allred	-	Yes
Mr. Andresen	-	Yes	Mr. Andresen	-	Yes

The motion passed by unanimous vote. Mr. Ricci stated that this case would be forwarded to the Committee of the Whole on January 17, 2023.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

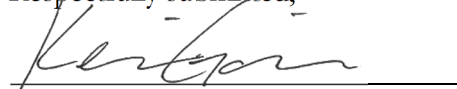
11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:04 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission