

## **MINUTES OF A REGULAR MEETING**

### **URBANA PLAN COMMISSION**

## **APPROVED**

**DATE:** February 20, 2020

**TIME:** 7:00 P.M.

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

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**MEMBERS PRESENT:** Dustin Allred, Jane Billman, Andrew Fell, Tyler Fitch, Jonah Weisskopf, Chenxi Yu

**MEMBERS EXCUSED:** Lew Hopkins

**STAFF PRESENT:** Kevin Garcia, Planner II; Lily Wilcock, Planner I

**OTHERS PRESENT:** Xuanshu Lin, Zijun Xu

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

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

### **2. CHANGES TO THE AGENDA**

Mr. Garcia stated that the item, "Review of Bylaws" under New Business should have been listed under Old Business.

### **3. APPROVAL OF MINUTES**

The minutes of the December 5, 2019 regular Plan Commission meeting were presented for approval. Ms. Yu moved that the Plan Commission approve the minutes as written. Mr. Fell seconded the motion. The minutes were approved by unanimous vote as written.

The minutes of the January 30, 2020 special Plan Commission meeting were presented for approval. Ms. Yu moved that the Plan Commission approve the minutes as written. Ms. Billman seconded the motion. The minutes were approved by unanimous vote as written.

#### **4. COMMUNICATIONS**

There were none.

#### **5. CONTINUED PUBLIC HEARINGS**

**Plan Case No. 2359-T-18 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), and other relevant section, to facilitate solar energy system installation.**

Chair Fitch announced that this case had been withdrawn. Mr. Garcia noted that staff plan to work on this in the future; however, rather than leaving the case open indefinitely, staff wish to withdraw the case for now and start it new when they can get back to working on it.

**Plan Case No. 2360-M-18 & Annexation Case No. 2018-A-03 – A proposed annexation agreement between the City of Urbana and Henri Merkelo, including rezoning from County R-5, Manufactured Home Park, to City R-1, Single-Family Residential, for a 1.01-acre parcel located at 2218 East University Avenue, Urbana, Illinois 61802.**

Chair Fitch announced that this case had been continued to the April 23, 2020 regular meeting of the Urbana Plan Commission.

**Plan Case No. 2383-T-19 – An application by the Urbana Zoning Administrator to amend the Subdivision and Land Development Ordinance and create the Manual of Practice.**

Chair Fitch announced that this case was being continued to the May 21, 2020 regular meeting of the Urbana Plan Commission.

#### **6. OLD BUSINESS**

##### **Review of Bylaws**

Chair Fitch opened this item on the agenda. He stated that he did not see any mention of remote attendance in the bylaws that were sent to the members or put on the website. Kevin Garcia, Planner II, stated that staff sent out the wrong set of bylaws. Chair Fitch continued the Review of Bylaws to the next regular meeting to allow for proper notification.

#### **7. NEW PUBLIC HEARINGS**

**Plan Case No. 2395-M-20 and Annexation Case No. 2020-A-01 – A proposed annexation agreement between the City of Urbana and Olympian Properties Development, LLC for a 0.22-acre parcel located at 1909 Brownfield Road, including rezoning from County R-1, Single Family Residence, to City R-3, Single and Two Family Residential Zoning District.**

Chair Fitch opened these two cases simultaneously since they related to the same property. Lily Wilcock, Planner I, presented the staff report to the Plan Commission. She began by noting that the petitioner was in the audience to answer any questions that the Plan Commission members may have. She explained the purpose for the proposed annexation agreement and rezoning is to allow the petitioner to build a duplex on a vacant property. She talked about the proposed annexation agreement, noting that it would be active for 20 years, would transfer to any future owners, and annexation would not occur until the property became contiguous with the boundary line of the City limits. She described the site by noting its location, zoning, and its Future Land Use designation of being residential. She talked about how the proposed rezoning would relate to the goals and objectives of the 2005 Comprehensive Plan and reviewed the LaSalle National Bank criteria. She stated the options for the Plan Commission and stated City staff's recommendation for approval of both cases.

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

Mr. Fell noted that all along Brownfield and Perkins Roads there is a mix of single-family and duplex homes. If it is all zoned County R-1, would it annex into the City as a non-conforming use in the City's R-1 Zoning District or would the City ask to rezone each property before the properties were to be annexed. Ms. Wilcock explained that the majority of the area is zoned County R-1; however, most of the properties were developed before Champaign County adopted a Zoning Ordinance in 1973. She confirmed there is a mix of types and styles of housing in the immediate area.

Mr. Fell asked if a property is annexed into the City with a non-conforming use and the structure burns down, would the owner need to request a rezoning prior to being allowed to rebuild? Ms. Wilcock said yes.

Chair Fitch asked for clarification. City staff is asking the Plan Commission to approve an annexation agreement for a property that cannot be annexed and to rezone a property that the City does not have the authority to rezone. Ms. Wilcock explained that the Commission would be making a recommendation on an annexation agreement with a rezoning attached to it for a property within the Extra Territorial Jurisdiction (ETJ) 1.5-mile area and within the Urbana-Champaign Sanitary District. The owner is required to enter an annexation agreement. If approved, the annexation agreement would be effective immediately; however, the property would not become part of the City until other adjacent properties were annexed making the property contiguous to the City limits. Kevin Garcia, Planner II, added that the City has an agreement with the Urbana-Champaign Sanitary District that states any time there is a new sewer connection within the ETJ area, the owner of the parcel needs to enter into an annexation agreement with the City to ensure that the property would fit in with the City.

Ms. Yu believed that the need for a sewer connection triggered the request for the annexation agreement. The annexation agreement does not matter if the owner wants to build a duplex or a single-family house as any new connection to the sewer requires an annexation agreement. The rezoning is being requested as part of the annexation agreement to allow the owner to construct the duplex. Mr. Garcia said that is correct.

Mr. Weisskopf asked if it is possible to vote to approve the annexation agreement and to deny the rezoning request. Mr. Garcia said, yes, theoretically. Annexation agreements only come before the Plan Commission if there is a proposed rezoning. A standard annexation agreement without a rezoning request would go directly to City Council. The Plan Commission could deny the rezoning and then there could be an annexation agreement to allow a single-family home.

Mr. Allred inquired about the property to the east that has an annexation agreement. Ms. Wilcock explained that the owner of the property to the east sought an annexation agreement to allow for an emergency sewer connection to the Urbana-Champaign Sanitary District. Emergency sewer connections annexation agreements do not normally have a rezoning component.

Chair Fitch reiterated that nothing happens right away if the City approves the proposed annexation agreement and rezoning. Mr. Garcia stated that the owner would be allowed to build the duplex right away.

Mr. Allred wondered if the future zoning of this area would be discussed when revising the Comprehensive Plan, since there are so many existing duplexes. Ms. Wilcock said that the Comprehensive Plan and the future land use designation of the subject area would be a good conversation. Keep in mind the Comprehensive Plan is more generalized; however, there could be recommendations, goals, and objectives that could be more specific about this particular area.

With no further questions for City staff, Chair Fitch opened the cases for public input.

The Plan Commission discussed the two cases. No member could find a downfall or negative impact to approving them.

Ms. Billman moved that the Plan Commission forward Plan Case No. 2395-M-20 and Annexation Case No. 2020-A-01 to the City Council with a recommendation for approval. Ms. Yu seconded the motion. Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Weisskopf	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes	Ms. Billman	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that the two cases would be forwarded to the City Council on March 9, 2020.

## **8. NEW BUSINESS**

There was none.

## **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 7:30 p.m.

Respectfully submitted,

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Kevin Garcia, Secretary  
Urbana Plan Commission