

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: February 22, 2018

TIME: 7:00 P.M.

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

MEMBERS PRESENT: Jane Billman, Tyler Fitch, Nancy Esarey Ouedraogo, David Trail, Daniel Turner, Chenxi Yu

MEMBERS EXCUSED: Barry Ackerson, Andrew Fell, Lew Hopkins

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Christopher Marx, Planner I, Marcus Ricci, Planner II; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: Chris Billing, Magdalena Casper-Shipp, Jacob Croegaert, Jason Doornbos, Derick Fabert, David Farrar, Michael Fuerst, John Hall, Mike Hosier, Ken Mooney, Pierre Moulin, Dale Rex, Sasha Rubel, Alex Ruggieri, Noah Ruggieri, Nehemiah Tan

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 a quorum of the members was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the February 8, 2018 regular meeting were presented for approval. Ms. Ouedraogo moved to approve the minutes as presented. Mr. Trail seconded the motion. The minutes were approved by unanimous voice vote as written.

4. COMMUNICATIONS

Communications received regarding Plan Case No. 2328-SU-18

- Letter from Sofia Sianis and Andrew Anderson, *in support*
- Email from Joe Edwards and Family, *in support*
- Email from Ricardo and Emma Loret de Mola, *in support*
- Email from Bob Schimmel, *in support*
- Letter from Kate Hunter, *in opposition*

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2328-SU-18 – A request by Frat Life, LLC, represented by its Manager and Sole Member, Jonah Weisskopf, on behalf of the Church in Champaign, represented by two of its Directors, Kenneth Mooney and Nehemiah Tan, for a Special Use Permit to operate a church at 713 West Ohio Street in the R-7, University Residential Zoning District.

Chair Fitch re-opened the public hearing for this case. Ms. Yu stated that due to a conflict of interest she recused herself from this case and removed herself from the dais.

Marcus Ricci, Planner II, presented an update to the staff report for this case to the Plan Commission. He began by noting the following corrections to the written staff memo: 1) the list of conditions is now properly numbered 1 through 6 rather than 1 through 5 and 2) the original floor plans showed 11 bedrooms; however, one of the bedrooms will actually be a storage room, so the updated floor plans now reflect only ten bedrooms. He reviewed the updated floor plans, as shown in Exhibit B, which now indicate the percentage of the church use and the percentage for the residential use. Referring to Exhibit C, he discussed the occupancy calculations that would be allowed by the requirements and regulations of the Building Code. He addressed other concerns that were expressed at the previous Plan Commission meeting regarding how parking requirements are calculated and the intent of the R-7 Zoning District. He concluded his presentation by reading the options of the Plan Commission and presenting City staff's recommendation for approval including six conditions.

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

Chair Fitch asked if the maximum occupancy of 90 people included the main assembly room and the other rooms designated for church use. Mr. Ricci said yes.

Mr. Trail wondered about the practical effect of the percentages for the floor plans beyond this meeting. Mr. Ricci replied that one of the proposed conditions recommended by City staff requires construction to be in general conformance with the Site Plan and Floor Plans. If it does not conform, then the Special Use Permit would no longer be valid and they would not be allowed to conduct church activities in the building. In addition, if they violate the occupancy of the church use portion of the building, then they risk losing their Certificate of Occupancy and would be forced to vacate that portion of the building. There are definite consequences to not following the building plans as submitted.

There were questions about having two conditions rather than one simplified condition regarding the occupancy of the church use. Planning staff stated that they could combine the two

conditions; however, they could not include or limit the residential use because it is not part of the Special Use Permit. If the Plan Commission was concerned about the conditions being too specific with using the floor plans, then they could replace it with the square footage. The Special Use Permit would carry over to all future owners.

With there being no further questions, Chair Fitch opened the public input portion of the hearing. He reviewed the procedures for a public hearing.

Jonah Weisskopf, owner, and Ken Mooney, representative of the Church in Champaign, approached the Plan Commission to speak in support of their request. Mr. Mooney stated that the church board met and agreed that they could abide by the conditions recommended by City staff.

With no further input from the audience, Chair Fitch closed the public input portion of the hearing. He opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Trail moved that the Plan Commission forward Plan Case No. 2328-SU-18 to the City Council with a recommendation for approval including the following conditions as listed in the revised staff memo:

1. Construction must be in general conformance with the site plan entitled “Church Ramp – Ramp Construction – 713 W. Ohio” dated January 26, 2018 (Exhibit A) and floor plans entitled “Floor Plans of 713 W. Ohio” and dated February 12, 2018 (Exhibit B).
2. The occupancy of the main church assembly room will be established and placarded by the Building Official and Fire Marshal to not exceed 80 persons, and noted on the Certificate of Occupancy.
3. The occupancy of the church use portion of the building – including the main church assembly room – will be established and placarded by the Building Official and Fire Marshal to not exceed 90 persons, and noted on the Certificate of Occupancy
4. Church events conclude by 10:00 p.m.
5. Any future exterior lighting fixtures may be no taller than 12 feet.
6. The use must conform to all applicable zoning, building, and development regulations.

Ms. Billman seconded the motion. Roll call was as follows:

Ms. Billman	-	Yes	Mr. Fitch	-	No
Ms. Ouedraogo	-	Yes	Mr. Trail	-	Yes
Mr. Turner	-	Yes			

The motion was passed by a vote of 4 ayes to 1 nay. Ms. Pearson noted that this case would be forwarded to City Council on March 5, 2018.

NOTE: Ms. Yu rejoined the other members at the dais.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2337-CP-18 – A request by Retreat at Urbana, LLC to amend the 2005 Urbana Comprehensive Plan future land use designation for properties owned by Illinois-American Water Company and Tekton Group LLC Series Churchill at 601, 701, 703, 705 and 707 North Lincoln Avenue, 906, 908 and 910 West Church Street, AND 903, 905, 907 and 909 West Hill Street from Institutional and Community Business to Mixed Residential.

Plan Case No. 2338-M-18 – A request by Retreat at Urbana, LLC to rezone 12 parcels totaling approximately 9.89 acres, owned by Illinois-American Water Company and Tekton Group LLC Series Churchill, from IN-1, Light Industrial/Office, R-2, Single-Family Residential, and B-2, Neighborhood Business-Arterial zoning districts to R-5, Medium High Density Multiple-Family Residential zoning district at 601, 701, 703, 705 and 707 North Lincoln Avenue, 906, 908 and 910 West Church Street, AND 903, 905, 907 and 909 West Hill Street, Urbana, Illinois 61801.

Chair Fitch opened the public hearing for these two cases simultaneously.

Christopher Marx, Planner I, presented the cases to the Plan Commission. He began by describing the site location and the two requests that were being heard concurrently. He explained that one application was for changing the future land use designation for the properties in the City's Comprehensive Plan Map. He said the second application was a request to rezone the properties. Mr. Marx described how the applicant had agreed to a change in the rezoning request from R-5 to R-4. Mr. Marx also described the proposed development of townhome-style buildings and its site plan. He discussed how the subject properties were appropriate to have their future land use designation changed and that they generally meet the LaSalle criteria that must be met to rezone properties. Mr. Marx concluded his presentation by reading the options of the Plan Commission and presenting City staff's recommendation for approval of each case.

Mr. Trail asked about the number of parking spaces and the possibility of lower zoning. Mr. Marx stated that R-3 zoning district was mainly for duplexes and single-family homes and could not accommodate the proposed development. He also said that the parking requirements met Zoning Ordinance requirements.

Ms. Yu asked if the housing was targeted more for students or young professionals. Mr. Marx mentioned that the applicant could also provide an answer, but initial discussions were that the development was geared towards both markets.

Mr. Turner asked about the closing of Church Street. Ms. Pearson pointed out that it is a right-of-way but no street exists on Church Street. Mr. Marx explained that the applicant has also requested a partial vacation with an access easement for pedestrians.

Ms. Billman asked where the CU-MTD stop was located. Mr. Marx pointed out the MTD stop on Lincoln Avenue and explained that staff have had discussions with MTD about the best location for the transit stop.

Mr. Fitch asked for clarification about vehicle access to the site and Mr. Marx pointed out the entrances and circulation route. The access point on the western side of the site would not be

available to the public. Ms. Billman asked to confirm that there was only one public entrance and Mr. Marx confirmed that there was.

With no further questions for City staff, Chair Fitch opened the hearing for public input. He reviewed the procedure for a public hearing.

Jason Doornbos, representing the applicant, spoke about the proposed development. He gave details of its layout and specifications. He stated how the proposal would fit with the R-4 zoning district requirements.

Ms. Yu asked what the square footage per unit was that allowed the proposal to have its Floor Area Ratio (FAR) as required in the Zoning Ordinance. Mr. Marx stated that the development would have a ratio of about 3,419 square feet per unit.

Ms. Yu asked the applicant about the breakdown of units between two and four bedroom units. Mr. Fitch noted that questions should pertain mainly to the zoning of the property. Mr. Doornbos mentioned that the number of units was meant to conform to the R-4 requirements and what the market could dictate.

Michael Fuerst spoke before the Commission and expressed concern about the impact of the development on his properties in terms of blocking sunlight and being visually unappealing. Mr. Trail asked about any current problems with the visual status of his properties. Mr. Fuerst noted that the street is very narrow and the properties would be close together.

Ms. Billman asked about the maximum height and setbacks in the R-4 zoning district and Mr. Marx stated the development regulations.

Mr. Doornbos stated that they would reach out to Mr. Fuerst to discuss his concerns.

With no additional input from the audience, Chair Fitch closed the public input portion of the public hearing. He then opened the hearing for Plan Commission discussion and/or motion(s).

Ms. Yu pointed out the need in the community for more apartments for young professionals and one and two bedroom units. She also noted the building height and the limits.

Mr. Trail pointed out the substantial changes in the zoning and whether the development met those zoning standards. He expressed concern about the excess of parking and the pedestrian safety for students walking towards campus.

Ms. Ouedraogo noted the impact to the surrounding community towards the north. Mr. Marx pointed out that the applicant held an open meeting to the public to provide nearby residents the opportunity to ask questions and get information. Mr. Marx stated that staff had received no communications in support or opposition of the project.

Mr. Trail pointed out the Comprehensive Plan called for business uses. Mr. Marx stated that several business uses are allowed in R-4 and called for in the Mixed Residential future land use designation.

Mr. Trail also asked about pedestrian access across the vacated right-of-way. Mr. Marx reiterated the access easement that was being processed.

Mr. Turner pointed out the merits of the proposal and the need for housing in the community for young professionals. He supported the rezoning. Ms. Yu agreed that the project is beneficial, especially if they replace some of the proposed four bedroom units with more two-bedroom units.

Ms. Yu inquired whether the proposed development would be gated and landscaped to separate it from the residential neighborhood to the north. Mr. Doornbos replied that they would install a decorative looking fence around the perimeter of the property. Ms. Pearson added that the applicant would also be required to provide landscaping in areas.

Ms. Billman felt the proposed development was exactly what the City of Urbana needs; however, she had some concern about congestion. Mr. Trail stated that is why the City should seek a development project that would encourage tenants not to use their vehicles. His concern was with the danger of the tenants crossing University Avenue. Mr. Turner believed that students would bring their vehicles to town and then walk or find other transportation to get to classes because they cannot park on campus.

Mr. Fitch stated that the proposed project is a redevelopment opportunity on a site and if the City does not zone the property right, it otherwise may remain vacant for a long time. The R-4 zoning district is a better zone for this area than R-5 would be. He would support the rezoning to be able to redevelop the proposed parcel. Mr. Trail commented that there might be better zoning and uses that could be used for the site. Mr. Fitch said that the R-3 zoning district might not attract a developer who would be interested in building duplexes.

Mr. Fitch talked about the request to change the future land use designations for the proposed properties.

Ms. Billman made a motion to forward Plan Case No. 2337-CP-18 to City Council with a recommendation to approve. Mr. Turner seconded the motion.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Trail	-	No	Mr. Turner	-	Yes
Ms. Yu	-	Yes	Ms. Billman	-	Yes

The motion was passed with 5 ayes and 1 nay.

Ms. Billman made a motion to forward Plan Case No. 2338-M-18 to City Council with a recommendation for approval of the R-4 Zoning District. Mr. Turner seconded the motion.

Roll call on the motion was as follows:

Ms. Ouedraogo	-	Yes	Mr. Trail	-	No
Mr. Turner	-	Yes	Ms. Yu	-	Yes
Ms. Billman	-	Yes	Mr. Fitch	-	Yes

The motion was passed with 5 ayes and 1 nay. Ms. Pearson noted that these two cases would be forwarded to the City Council on March 5, 2018.

Plan Case No. 2333-M-18 – A request by the Champaign County Board to rezone approximately 13.82 acres from CRE, Conservation-Recreation-Education Zoning District, to R-4, Medium-Density Multiple-Family Residential Zoning District, located at 500 Art Bartell Road, Urbana, 61802.

Chair Fitch opened the public hearing for this case.

Marcus Ricci, Planner II, presented the staff report for this case to the Plan Commission. He began by giving brief history of the subject property. He noted the zoning, existing land use and future land use designations of the subject property as well as that for the surrounding, adjacent properties. He talked about the “Institutional” designation on the Future Land Use Map and how the proposed rezoning would meet the goals and objectives of the 2005 Comprehensive Plan. He also discussed the CRE, Conservation-Recreation-Education, and the R-4, Medium Density Multiple Family Zoning Districts. He reviewed how the LaSalle criteria pertain to a comparison of the existing zoning with that being proposed. He summarized staff findings and read the options of the Plan Commission. He presented staff’s recommendation for approval.

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

Mr. Trail wondered if the Nursing Home needed to rezone the property in order to sell it. Mr. Ricci stated that the applicant and the Assistant State’s Attorney were in the audience and would be able to answer questions regarding the sale of the property.

Chair Fitch asked if the rezoning request was denied, then would the Special Use Permit remain in place and the Conditional Use Permit become null. Ms. Pearson said that was correct. Approval of the Conditional Use Permit required the rezoning of the property to a zoning district that allows Skilled Care Facility Nursing Home as a conditional use.

Mr. Turner questioned if the City rezones the proposed property to R-4, what would keep the owner from developing townhomes on the site. Mr. Ricci replied that the current or any future owner could develop any use that would be permitted in the R-4 Zoning District if the City approves the proposed request. For any rezoning request, it would be in the purview of the Plan Commission to consider any use that would be permitted by right, allowed with approval of a Special Use Permit or allowed with approval of a Conditional Use Permit.

With no further questions for City staff, Chair Fitch opened the hearing for public input. He reviewed the procedure for a public hearing.

John Hall, on behalf of Champaign County, and Jacob Croegaert, Assistant State’s Attorney, approached the Plan Commission to speak. Mr. Croegaert explained that Champaign County has a requirement for any new buyer to continue to operate the property as a skilled nursing care facility along with a number of other restrictions consistent with its current use until the end of 2027.

In response to Mr. Trail's question about the rezoning being required to sell the property, Mr. Croegaert replied that a rezoning would be required for a private entity to own the nursing home.

With no additional input from the audience, Chair Fitch closed the public input portion of the public hearing. He then opened the hearing for Plan Commission discussion and/or motion(s).

There was discussion about the sale of the nursing home and the role of the Plan Commission in this case. Chair Fitch stated that it is the responsibility of the Plan Commission to consider whether the R-4 Zoning District would be appropriate for the subject property.

Many members voiced concerns about the nursing home becoming privately owned and what would happen to the existing clientele. Mr. Croegaert assured the Plan Commission members that the Champaign County Board would require the following covenants of any sale of the property:

1. The new owner would continue to operate the property as a skilled care nursing facility.
2. All existing residents as of the closing date would continue to be residents after the closing date. No resident would be transferred by the new operator to another facility without the written consent of the resident or for medical necessity as determined by a medical professional.
3. At least 50% of the licensed beds in the facility shall be reserved for Medicaid eligible persons.
4. The new operator and its successors shall provide priority for admissions to residents of Champaign County.
5. Other provisions for retaining employees.

The Champaign County Board is doing its best with these provisions to ensure that the nursing home will continue to operate as it has been in the interest of Champaign County residents. The referendum authorized Champaign County to sell the property or to close the Nursing Home. The accompanying referendum to fund the nursing home failed. Champaign County Board has difficult decisions before it and is currently asking the City of Urbana to rezone the property in order to be able to sell it.

Mr. Trail inquired if a new owner files bankruptcy three months after purchasing the property, what happens? Mr. Croegaert replied that the new owner would be required to continue operating the nursing home regardless of whether they make a profit according to the covenants that they would have signed when purchasing the property.

Chair Fitch reviewed the zoning of the surrounding properties, questioning why Weaver Park is zoned R-3 rather than CRE. He also reviewed the list of uses allowed in the R-4 Zoning District. Mr. Ricci stated that the R-4 Zoning District would be the least intensive district. Other districts would allow a nursing home by right, but would allow higher intensity uses in the future. Ms. Billman and Ms. Yu believed that the R-4 Zoning District would be an appropriate zoning for the subject property even if the use changed in the future to another use on the list.

The Plan Commission talked about whether this is the right time to make a decision about rezoning the property. They felt the Champaign County Board needed to make a decision before the Plan Commission made a decision. Mr. Croegaert pointed out that the Champaign County

Board voted in favor of marketing the nursing home for sale and is in the process of getting bids from interested parties to purchase the subject property. The current zoning of CRE does not allow the Champaign County Board to be able to accept any bids and to sell the property. With that being said, he noted that there would still need to be a final vote by the Champaign County Board in order to confirm a sale.

Ms. Ouedraogo commented that if the Plan Commission has hesitations because they are thinking about the public good, they need to keep in mind that the public has spoken when they voted and the vote was to not financially support the Champaign County Nursing Home.

Ms. Billman moved that the Plan Commission forward Plan Case No. 2333-M-18 to the City Council with a recommendation for approval. Mr. Turner seconded the motion. Roll call was as follows:

Mr. Trail	-	No	Mr. Turner	-	Yes
Ms. Yu	-	Yes	Ms. Billman	-	Yes
Mr. Fitch	-	Yes	Ms. Ouedraogo	-	No

The motion passed by a vote of 4 ayes to 2 nays.

Ms. Pearson noted that this case would be forwarded to the Committee of the Whole on Monday, February 26, 2018.

Plan Case No. 2329-M-18 – A request by the City of Urbana to rezone four parcels totaling approximately 2.28 acres from B-1, Neighborhood Business, R-6, High-Density Multiple Family Residential, and IN-1, Light Industrial/Office to B-4, Central Business located at 202, 206, and 212 West Green Street and 302 North Broadway Avenue, Urbana, Illinois 61801.

Chair Fitch opened the public hearing for this case.

Kevin Garcia, Planner II, presented the case. He began by explaining that the purpose of the request is to rezone four properties to match the future land use designation for each parcel in the Urbana Comprehensive Plan. He briefly described each parcel’s ownership, current zoning designation, and current land use, and explained the logic behind rezoning each parcel to B-4, Central Business Zoning District. Mr. Garcia then stated that each of the parcels generally meets the LaSalle criteria that must be met to rezone properties. Mr. Garcia concluded his presentation.

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

Mr. Fitch asked if 302 North Broadway Avenue was the property whose owner had opted out of an earlier rezoning of multiple properties downtown to the B-4 district. Ms. Pearson stated that the property was under new ownership, and that the owner was in the audience if the Plan Commission had any questions for him.

Ms. Yu asked who owned the three properties along Green Street. Mr. Garcia explained that the Urbana Free Library owns 202 and 206 West Green Street. He then explained that while the City of Urbana owns 212 West Green Street, the City has an agreement with the Library to sell the

property to the Library at a future date. The property will be sold within two years of the Library informing the City that the Library would like to purchase the property.

With no further questions for City staff, Chair Fitch opened the hearing for public comment.

Mike Hosier, the owner of 302 North Broadway Avenue, stated that he had spoken to City staff about the rezoning and that he was present to support the proposed rezoning request. The Plan Commission had no questions for Mr. Hosier. Mr. Fitch thanked Mr. Hosier for his comments.

There was no additional comments or questions from the audience, so Chair Fitch closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Ms. Billman made a motion to forward Plan Case No. 2329-M-18 to City Council with a recommendation to approve. Mr. Turner seconded the motion.

Roll call on the motion was as follows:

Mr. Fitch	-	Yes	Mr. Turner	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Trail	-	Yes
Ms. Billman	-	Yes	Ms. Yu	-	Yes

The motion passed by unanimous vote.

Ms. Pearson noted that this case would be forwarded to City Council on March 5, 2018.

8. NEW BUSINESS

Plan Case No. 2335-S-18 – A request by the Champaign County Board to waive the following requirements of the Urbana Subdivision and Land Development Code for the proposed Champaign County Nursing Home Subdivision, located at 500 Art Bartell Road: 21-36.A.2 – provide access to a public street; 21-37.A – install sidewalks; and 21-38.A – dedicate street right-of-way.

Chair Fitch opened this item on the agenda.

Marcus Ricci, Planner II, presented this case to the Plan Commission. He talked about Art Bartell Road and reviewed the waivers being requested. He reviewed how the requested waivers applies to the criteria listed in Section 21-7 of the Urbana Subdivision and Land Development Code. He reviewed the goals and objectives of the 2005 Comprehensive Plan that relate to the proposed waivers. He summarized staff findings and read the options of the Plan Commission. He presented City staff’s recommendation for approval of the requested waivers from Section 21-36 which requires public street minimum road standards and access provision, and from Section 21-38.A. which requires the dedication of public right-of-way, with the following condition:

1. At the time of any future request for a subdivision of the parent or subject parcel, the owner must reconstruct Art Bartell Road to the public street standards in effect at the time of that future subdivision and dedicate the public right-of-way;

Staff recommends that the Urbana Plan Commission forward to the City Council with a recommendation for **denial** of the waiver of Section 21-37.A. which requires sidewalk installation requirements, but support for a **deferral** of sidewalk along one side of Art Bartell Road with the following condition:

1. The owner must install sidewalk along one side of Art Bartell Road from East Main Street to Lierman Avenue and install sidewalk on the other side of Art Bartell Road at the time of any future request to subdivide the parent or the subject parcel.

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

Ms. Billman questioned why City staff did not specify which side of the road the sidewalk should be immediately constructed. Ms. Pearson replied that it would be the decision of the applicant and the City Engineer to determine based on engineering plans for the site and which side it would be more cost effective.

With no further questions for City staff, Chair Fitch opened the hearing for public comment.

John Hall, of Champaign County, and Jacob Croegaert, Assistant State's Attorney, approached the Plan Commission to speak.

Mr. Hall explained the reason for requesting a waiver of the dedication of Art Bartell Road was because it runs through the heart of the Champaign County campus. Art Bartell Road was never intended to be a public street. As for the sidewalks, he understood why the City would want a sidewalk installed from Lierman Avenue to the nursing home; however, a sidewalk raises concerns of security and safety.

Chair Fitch inquired if people currently walk to the nursing home or to the detention center. Mr. Hall replied that he only has seen people walking to sporting events held by the Urbana Park District and Champaign County employees walking for exercise during breaks. Although he has never witnessed someone walking to the nursing home, he cannot say it has never happened.

Chair Fitch asked if people walk in Art Bartell Road. Mr. Hall said yes. It is not a public street, so people generally drive at a reduced speed.

Mr. Trail commented that he used to ride his bike in this area. It would be very difficult to access the area any other way, so sidewalks would be extremely useful. He found it difficult to come up with a good reason for sidewalks to not be installed.

With no additional input from the audience, Chair Fitch closed the public input portion of the public hearing. He then opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Turner stated that he liked City staff's recommendation to defer some requests and to require sidewalks on one side of the road now. It is a good compromise.

Ms. Billman was surprised to see how much traffic uses Art Bartell Road. The parking lot behind the Brookens Administrative Center is well used, and she saw traffic going to the nursing home. She agreed that it would be a good compromise to provide a sidewalk along one side of the road.

Mr. Trail asked if sidewalks would be required if someone was just building the nursing home. Ms. Pearson replied that it is a different situation because the road is already constructed, but if the subject property was undeveloped and someone was proposing a nursing home or other development on the site, then they would have to meet the City’s building and development requirements and regulations. The developer could ask for a waiver and it would be reviewed and voted on by City officials.

Mr. Turner moved that the Plan Commission forward Plan Case No. 2335-S-18 to the City Council with a recommendation for approval of the requested waivers from Section 21-36 which requires public street minimum road standards and access provision, and from Section 21-38.A. which requires the dedication of public right-of-way, with the following condition:

1. At the time of any future request for a subdivision of the parent or subject parcel, the owner must reconstruct Art Bartell Road to the public street standards in effect at the time of that future subdivision and dedicate the public right-of-way;

Additionally, that the Urbana Plan Commission forward to the City Council with a recommendation for **denial** of the waiver of Section 21-37.A. which requires sidewalk installation requirements, but support for a **deferral** of sidewalk along one side of Art Bartell Road with the following condition:

2. The owner must install sidewalk along one side of Art Bartell Road from East Main Street to Lierman Avenue and install sidewalk on the other side of Art Bartell Road at the time of any future request to subdivide the parent or the subject parcel. The result would be immediate construction of a sidewalk on one side of the road, with construction of sidewalk on the other side predicated on any future subdivision.

Ms. Billman seconded the motion.

Mr. Trail asked if there would be some uses of the R-4 Zoning District that would not trigger a subdivision of the property. Ms. Pearson said that was correct. The reason that staff included this language was because they did not want to see the subject 65-acre property divided into other private developments and keep Art Bartell Road as a private street. City staff wanted to draw a clear line that staff would support this use now, but in the future, the road would need to be upgraded.

Roll call on the motion was as follows:

Ms. Yu	-	Yes	Ms. Billman	-	Yes
Mr. Fitch	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Trail	-	Yes	Mr. Turner	-	Yes

The motion was passed by unanimous vote.

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 10:04 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission