

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: October 5, 2017

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Tyler Fitch, Lew Hopkins, Nancy Esarey Ouedraogo, Christopher Stohr, David Trail

MEMBERS EXCUSED: Andrew Fell, Dan Turner

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Christopher Marx, Planner I; Brad Bennett, Assistant City Engineer; Teri Andel, Administrative Assistant II

OTHERS PRESENT: Chris Billing, Brenda Blager, David Blager, Mark Blager, Tom Frasca, Hugh Gallivan, Susan Taylor, David Thies, Steve Walker, Amos Yim, Xuezhn Zhao

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

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

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the September 21, 2017 regular meeting were presented for approval. Mr. Ackerson moved to approve the minutes as presented. Ms. Billman seconded the motion. The minutes were approved by unanimous voice vote as written.

4. COMMUNICATIONS

- Email from Robert DeAtley in support of Plan Case No. 2313-SU-17

- Email from Janet Scharlau in opposition of Plan Case No. 2313-SU-17
- Summary of Findings from Berns, Clancy and Associates in opposition of Plan Case No. 2313-SU-17

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2313-SU-17 – A request by Roanoke Concrete Products, Co. for a Special Use Permit to establish a Ready-Mix Concrete Plant and Material Recycling Center at 3202 North Lincoln Avenue in the IN-2, Heavy Industrial Zoning District.

Chair Fitch re-opened this case on the agenda. Kevin Garcia, Planner II, presented the case to the Plan Commission. He began by stating the purpose for the proposed special use permit request and by giving background information on the subject property. He noted the location, existing land use, zoning and future land use designations of the proposed site as well as for the surrounding adjacent properties. He stated that Exhibit D is a preliminary Site Plan, and the applicant would need to submit a final site plan before getting approval on any building permits and being able to open the facility. The owner would also need to submit a full landscape plan as well. He reviewed the requirements for a special use permit according to Section VII-4.A of the Urbana Zoning Ordinance. He noted the two communications he received from Janet Scharlau and Robert DeAtley. Lorrie Pearson, Planning Manager, added the communication from Berns, Clancy and Associates. Mr. Garcia stated the options of the Plan Commission and presented City staff's recommendation for approval including the conditions as written in the staff memo.

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

Mr. Hopkins wondered if there was a subdivision request related to the proposed special use permit. Mr. Garcia said no. Mr. Hopkins asked if the special use permit would apply to the Site Plan, the parcel or the use. Mr. Garcia replied that the special use permit would apply to the use. Ms. Pearson added that it would apply to the use and the Site Plan and not to the entire property.

Mr. Trail questioned if the owner wanted to expand beyond the proposed Site Plan, then would the owner need to request an additional special use permit. Mr. Garcia answered that the owner would need to apply for a new special use permit. The City does not allow an expansion of an existing special use permit.

There were no further questions for City staff. Chair Fitch stated the procedures for a public hearing. He opened the hearing for public input.

David Thies approached the Plan Commission to speak in opposition on behalf of Blager Properties and to file protest papers for Apcon Corporation, Shirley Squire, Squire Farms, Robert DeAtley and Shapland Realty. He urged that the special use permit request be denied. He introduced Chris Billing from Berns, Clancy and Associates and asked him to summarize his communication that was handed out prior to the start of the meeting. The communication states that the property is not just an 11-acre tract, but instead is a 47-acre tract that is one of the key potential industrial developments in the City of Urbana. They believe the Plan Commission and

City Council should take into consideration the long-term planning that has been done for the entire 47 acres.

Chris Billing approached the Plan Commission to speak in opposition. He talked about his background in civil engineering. He summarized his findings of impacts that would result from the proposed development, which were as follows:

- Significant negative impacts include traffic capacity and safety along Lincoln Avenue
- Piecemeal development of this tract as proposed is detrimental to the public's interest
- The proposed Site Plan does not comply with many of the requirements of the Urbana Subdivision and Land Development Code
- Traffic impact analysis methodology
- Existing Lincoln Avenue conditions
 - Lincoln Avenue serves as main corridor to the industrial area
 - Number of lanes for Lincoln Avenue to Anthony Road, Anthony Drive to Wilbur Road, Wilbur Road to the new alignment point and the new alignment point north to Olympian Drive.
- Traffic analysis
 - Average Daily Traffic (ADT) count
 - Development of 47-acre tract would create an increase in traffic on Lincoln Avenue by 56% (1,300 ADT to 19,250 ADT)
 - Funding of future improvements to Lincoln Avenue from Interstate 74 to Olympian Drive
 - Extension of Airport Road
- Other traffic related issues
 - Excessive driveways along Lincoln Avenue
- Traffic Recommendations
- Impacts to area businesses
 - Impact to Frasca Airport runway
- Site development issues
 - Funding of sanitary sewer service connection
 - Storm water management
- LaSalle Factors

He stated that he believed the 47-acre tract should be developed as industrial use; however, as it is proposed would be very problematic. Many negative impacts would need to be mitigated to make it the development that it should be.

Mr. Thies concluded that they are not anti-development for the subject property. Instead, they are stating that this 47-acre property is a diamond in the rough and to properly plan for it, these potential considerations need to be made with discussion with the developer.

Mr. Hopkins asked Mr. Thies to indicate on the map the parcels of the clients that he was representing. Mr. Thies pointed the properties out. Mr. Hopkins questioned if these property owners/clients have contributed to the upgrading of Lincoln Avenue. Mr. Thies said yes.

Mr. Trail questioned what particular harm his clients fear from the proposed special use. Mr. Thies replied that his clients would endure the consequences of the proposed development such as costs with traffic, sanitary sewer and stormwater issues. They do not have an issue with the particular type of development that was being proposed, but rather the process of developing the 47-acre tract.

Mr. Stohr asked Mr. Billing to expand on why a single access to the subject property would not be desirable for an industrial site. Mr. Billing explained that when the remainder of the tract would be developed, then there would potentially be more driveways. The number of access points onto a major arterial street should be kept to a minimum. CUUATS states that there should be one for every ¼ mile.

Mr. Stohr wondered if the proposed access being opposite another access drive would pose any potential problems. Mr. Billing said yes. The Code says that access drives should be offset by a minimum of 100 feet. He stated that opposite access drives either should align or be offset with enough feet to allow for turning. Larger vehicles need more accommodation.

Ms. Billman asked if an Industrial Park make sense for the proposed area. Mr. Billing said certainly. On the west side of Lincoln Avenue, there are multiple properties that generate their own traffic onto Lincoln Avenue at a controlled location or public intersection. If there are a reasonable number of public streets to access Lincoln Avenue rather than multiple individual access drives, the City could do traffic timing. Otherwise, traffic on Lincoln Avenue will not move and when the extension of Airport Road is constructed, it will cause traffic to use Airport Road, which will not be intended for industrial type of truck traffic.

Mr. Stohr questioned if the alignment for the extension of Airport Road was determined. Brad Bennett, Assistant City Engineer, stated that a preliminary alignment study had been performed for the extension of Airport Road. There will be additional follow up to set where the layout would be exactly. Mr. Stohr asked if the right-of-way for the extension had been purchased yet. Mr. Bennett said that discussion is going on, but no property has been purchased yet.

Tom Frasca approached the Plan Commission to speak. He expressed concern about the impact that the height of the proposed concrete development would have on the end of Frasca Field's runway. Typically, they do not like to see any development occur in their approach zone. If the height of the proposed use does encroach into their approach zone, the Federal Aviation Administration (FAA) will cut their runway in half. With no runway, there will be no airport for Frasca Fields in the City of Urbana.

Mr. Fitch asked if their concern was with the proposed use or with development of the entire tract. Mr. Frasca stated that the subject property is in line with the end of their runway, and Frasca's concern is that any development in line with the end of the runway could negatively impact their business.

Mr. Hopkins commented that while he understands the emotional issue, one cannot expect the subject property to not be developed. It has been zoned Industrial for at least 15 years. He asked if Mr. Frasca knew the height limits that would be allowed without negatively impacting Frasca's

runway. Mr. Frasca said yes. He believed that City staff had that information too. He mentioned that he found out about the proposed case through a friend. He was not notified by City staff.

Mr. Trail inquired what the distance was from the proposed development to the runway. Mr. Garcia stated that there was an Airport Road Study performed in 1998 by Hanson Engineering. They did an analysis for runway protection zones, and it was done on the assumption that Frasca's runway would be extended, so the estimates were conservative. The subject property appears to be well outside of those runway protection zones. The centerline of the runway is essentially in line with the northern edge of Somer Drive. Ms. Pearson added that the map on the last page of the communication submitted by Berns, Clancy and Associates indicates the runway to be 2000 feet to the eastern property line of the subject property. Mr. Garcia noted that if this is a concern then the Plan Commission could add a condition that the proposed special use permit must comply with the FAA runway protection zone requirements.

Mr. Trail asked Mr. Frasca if height was the only concern that he had. Mr. Frasca recalled an airplane accident that happened in 2002 where the plane landed right in the middle of the subject property. Safety is their family and business main concern. Although he knows that he cannot prevent development from happening, he would like to be assured that there would not be a 100-foot tower constructed that would impact his runway.

Mr. Trail questioned if Mr. Frasca had any concerns with dust or smoke issues coming from the subject property. Mr. Frasca said no. Dust and smoke was already created in the area.

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

Ms. Pearson commented that the LaSalle criteria was mentioned in the Berns, Clancy and Associates memo; however, the LaSalle criteria only pertains to rezoning requests and does not pertain to this case. The only criteria that the Plan Commission could consider is the three criteria from the Urbana Zoning Ordinance.

She stated the purpose of the IN-2, Heavy Industrial Zoning District. She mentioned some of the uses that would be allowed by right and with approval of a special use permit. The proposed concrete plant use falls under **All Other Industrial Uses** and therefore requires a special use permit. The subject property is currently zoned IN-2 and is consistent with the 2005 Comprehensive Plan future land use designation.

Mr. Bennett mentioned that the City's Engineering Division reviewed the impacts of the proposed use on Lincoln Avenue. They felt there would be enough capacity on Lincoln Avenue to accommodate the proposed use. The Lincoln Avenue extension to Olympian Drive will open on October 31, 2017. The Lincoln Avenue extension was designed as a truck route, so the proposed use would not have a negative impact. It was also designed to be expanded at some point in the future when needed as the area develops.

Regarding driveway access, the City typically does require ¼ mile between each access drive onto arterial streets. On a collector street, such as Lincoln Avenue, because there are existing driveway

approaches already, Engineering felt it would be appropriate for the proposed use to have their driveway approach where it is located. However, in the future, if the remainder of the parcel is subdivided, a street may be required. The City would not allow each subdivided parcel to construct access drives directly onto Lincoln Avenue. There is no offset requirement for driveway approaches. Offset requirements only pertain to streets.

Stormwater detention would be addressed with site design at a later date. The property owner would have to comply with the stormwater management regulations that are in the Urbana Subdivision and Land Development Code. He mentioned that the subject property was close to the Saline Drainage Ditch so there would not be an issue with drainage. He also believed that sanitary sewer system already existed in the area. Engineering did not anticipate any utility barriers to the proposed development.

Mr. Ackerson questioned why we are only considering development on 11 acres rather than development for the entire 47 acres. Ms. Pearson replied that the City does not require a property owner to develop their property all at once. One usually purchases a property and develops the portion that they need and as others become interested in developing a portion, the remainder of the property that is undeveloped would then be subdivided, sold and developed.

Ms. Pearson recalled that the petitioner had initially hoped to develop in the bottom corner of the 47 acre parcel. City staff told them that the area was planned for road construction. So, the petitioner decided to develop to the north but found that would be in line with Frasca Field's runway, so they moved the development as far north as practical to still be able to have an access drive onto Lincoln Avenue.

Mr. Stohr asked if Engineering had a chance to review the communication from Berns, Clancy and Associates. Mr. Bennett said no. He received a copy right before the start of the meeting. He briefly scanned it. He noted that their numbers are based on the total build out of the area. Engineering assessment was based on development of the proposed portion of the site. At some point in the future, there will be enough build out that the roads would need to be expanded. It depends on how quickly development would occur as to when that expansion would be needed.

Mr. Hopkins stated that the petitioner located their development in a particular area of the parcel because Planning staff said it would not work where they originally wanted to place it. Planning staff clearly has an unofficial map of right-of-way. So, he sees the proposed development as success. They are not changing the zoning and they know where the alignments are. The City's Mobility Map even shows an arrow that suggests a connector from Airport Road to Oaks Road at approximately the east boundary of the subject parcel. The way the development is laid out keeps that potential right-of-way available.

He understood that this was a great 47-acre plot of land, but he also is looking at what the proposed use is and what uses are located across the street and to the south. If someone comes along and wants to develop a 40-acre parcel, then a concrete recycling plant would not be irreversible. There is no reason to refuse the proposed use. Therefore, he moved to forward Case No. 2313-SU-17 to the Urbana City Council with a recommendation for approval including the four conditions recommended by staff with the additional condition that the FAA guidelines on

height limits and airport runway protection zones are met in this proposal. Ms. Billman seconded the motion.

Mr. Hopkins noted that the written staff memo and statement constitute the findings for the motion.

Mr. Trail questioned whether the residential area to the south/southeast were notified of the public hearing. Mr. Garcia said no. City staff is required to notify property owners within 250 feet of the subject property. The residential area was outside the 250 feet area so they were not notified. Mr. Fitch added that there was a legal ad published in the News Gazette and a sign posted onsite. Mr. Trail expressed concern about certain types of industrial uses having impacts outside of the 250 foot area and felt that City staff should consider notify beyond the 250 feet depending on the use. Ms. Pearson stated that City staff needed to abide by the rule for all uses.

Mr. Stohr stated that it might ease some concerns if the petitioner provided a Site Plan for the remainder of the 47-acre parcel to address stormwater retention, access drives, single access road, etc. Mr. Fitch responded that the Plan Commission could not expect the petitioner to change the Site Plan to reflect a futuristic Industrial Park. The Commission should only consider what is before them.

Mr. Ackerson felt it was important to add the condition about the FAA rules.

Roll call on the motion was as follows:

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|--------------|---|-----|---------------|---|-----|
| Ms. Billman | - | Yes | Mr. Fitch | - | Yes |
| Mr. Hopkins | - | Yes | Ms. Ouedraogo | - | Yes |
| Mr. Stohr | - | Yes | Mr. Trail | - | No |
| Mr. Ackerson | - | Yes | | | |

The motion passed by a vote of 6 to 1. Mr. Garcia pointed out that this case would be forwarded to City Council on October 16, 2017.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

Plan Case No. 2319-S-17 – A request by MBR Management Corporation for a waiver of Sections 21-42.B.1.b and 21-42.B.5.b of the Urbana Subdivision and Land Development Code regarding stormwater management plan requirements for Lot 2 in Carter’s First Subdivision located at 407 North Maple Street.

Chair Fitch opened this item on the agenda. Christopher Marx, Planner I, introduced this case to the Plan Commission noting the location of the subject property. Brad Bennett, Assistant City Engineer, explained the reason for the waiver from the stormwater detention requirements. He noted that staff's findings were that it would be better to move any stormwater quickly into the Boneyard Creek rather than detaining the water and releasing it slowly over time, especially since the Boneyard Creek is immediately adjacent to the subject property. The idea is to move the water as quickly as possible off the land before the main peak of watershed comes down. City staff is looking to add exemptions for this in proposed revisions to the Urbana Subdivision and Land Development Code that is currently in draft form. The reason for the exemption is that many times, portions of properties adjacent to streams and creeks are located in the floodway or floodplain, and the City does not want to locate stormwater detention on floodway properties. We want structures located outside of floodway and floodplain areas, so requiring a portion of the usable property to be used for stormwater detention immediately adjacent to creeks can prove problematic.

City staff does not anticipate any adverse impacts from waiving the stormwater detention requirements. The property owner would still be required to convey the 50-year design storm to the creek, which they could do through their storm sewer system. Therefore, there would still be flood control provided, just not flood detention.

Mr. Marx reviewed the criteria from Section 21-7 of the Urbana Subdivision and Land Development Code that must be met. He presented the options of the Plan Commission and stated City staff's recommendation for approval including the condition that the storm drainage system for the site be designed to convey a 50-year design storm directly to the Boneyard Creek.

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

Mr. Ackerson mentioned that the application appeared to ask for another waiver of a requirement for semi-permeable surface as opposed to impermeable surface. Why would the City not want them to use a semi-permeable surface? Mr. Bennett believed the statement in the application was in reference to the City's policy on redevelopment for stormwater management. The policy is that the property owner would only need to provide stormwater detention for the net increase in impervious area. A portion of the subject property is already graveled, so that portion would be grandfathered in and the owner would not need to provide a detention for it. As the owner develops out the site, they would need to provide for any increase in detention. If over 50% of the site is impervious, it triggers stormwater detention requirements. The property owner in this case would be over 50% and would need to provide detention if the Plan Commission and City Council do not waive it for them.

Mr. Stohr wondered about the structure to the immediate west of proposed site. He asked if it was a stormwater retention. Mr. Bennett said that was part of the Boneyard Creek. An 84-inch storm sewer comes down from Schnucks and discharges into a double box culvert that runs under University Avenue. Mr. Hopkins asked if that would be where the proposed site would discharge in. Mr. Bennett said yes.

Mr. Hopkins stated that in this case, it appears they would be waiving from the requirement for a stormwater management plan. Mr. Marx said that was correct. Mr. Hopkins replied that he would rather change the wording to waive the requirement for a detention to the 5-year standard. He wants the applicant to still be required to provide a stormwater management plan, which is direct discharge to the Boneyard Creek. Mr. Bennett agreed. Even if they were below the 50%, the City would still want to see how the owner plans to drain the site.

There were no further questions for City staff. Chair Fitch opened the hearing for public input. There was none. He closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s).

Ms. Billman wondered if the size of the existing building increased dramatically, would the Plan Commission have any say. Mr. Fitch explained that the Plan Commission was only considering a waiver to the stormwater management plan. The size of the existing building has already triggered the requirements for the owner to have a stormwater management plan, so the size of the building increasing was not a concern.

Mr. Trail wondered if the City staff had a long-term vision of any recreational activity along the Boneyard Creek. Mr. Bennett stated that the Boneyard Creek Master Plan covers this section of the Creekway. He explained that the proposed site would discharge into the 84” storm sewer that ties into the underground box culvert. As a result, the discharge would not be coming into the open portion of the Boneyard channel where the Boneyard Creek Master Plan calls for improvements

Mr. Stohr asked if the property to the west had any stormwater retention. Mr. Bennett said no. The property was probably developed before the stormwater regulations were created in the 1980s.

Mr. Hopkins moved that the Plan Commission forward Case No. 2319-S-17 to the City Council with a recommendation for approval including the following condition: The storm drainage plan for the site is designed to convey a fifty-year design storm directly to the Boneyard Creek. Mr. Ackerson seconded the motion. Roll call on the motion was as follows:

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|---------------|---|-----|--------------|---|-----|
| Mr. Fitch | - | Yes | Mr. Hopkins | - | Yes |
| Ms. Ouedraogo | - | Yes | Mr. Stohr | - | Yes |
| Mr. Trail | - | Yes | Mr. Ackerson | - | Yes |
| Ms. Billman | - | Yes | | | |

The motion passed by unanimous vote. Ms. Pearson announced that this case would be forwarded to City Council on Monday, October 16, 2017.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Pearson gave a staff report on the following:

- By-laws amendment to change the meeting start time from 7:30 p.m. to 7:00 p.m. will be on an agenda in the near future for discussion.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:14 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission