



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission
FROM: Kevin Garcia, AICP, Principal Planner & Zoning Administrator
DATE: March 4, 2022
SUBJECT: Plan Case 2442-T-22: An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to require applicants for Planned Unit Developments to hold a neighborhood meeting prior to consideration at Plan Commission.

Introduction

Planned Unit Developments (PUDs) are typically the most complicated type of zoning approval in Urbana. As such, hearings at Plan Commission and City Council can be long, confusing, and emotionally-charged, especially since in many cases, a Plan Commission hearing is the first chance that nearby residents have to learn all of the details about a project and to ask questions about it.

The proposed text amendment would require applicants for Planned Unit Developments that are proposed near residential areas to hold a neighborhood meeting at least a week before the public hearing at Plan Commission. This is likely to have several benefits, as detailed below.

Discussion

Given the complicated nature of many PUDs, several years ago the Planning staff started asking applicants of PUDs to hold neighborhood meetings in advance of official public hearings at Plan Commission. Staff thought that such meetings would foster more dialogue about projects and lead to better outcomes, and our experience has borne that out. These meetings are more open and allow more direct communication about a project between applicants, residents, and City staff than can happen in a public hearing. The amendment will codify a practice that staff have been encouraging – but not requiring – PUD applicants to follow for several years.

This text amendment could lead to shorter public hearings and to fewer continuations of hearings, since many of the questions and suggestions that the public has about a project can be discussed and can be addressed by the applicant in advance of the Plan Commission hearing. In addition, the proposed amendment gives an applicant the option to hold a neighborhood meeting before they ever submit an application. This should help ensure that only reasonable applications are submitted, both by weeding out applications that are unlikely to be approved, or by letting applicants make significant revisions to such proposals in response to the feedback they receive.

Finally, adding a requirement to hold a neighborhood meeting before the Plan Commission hearing should not affect a project's timeline, since the meeting can be held in the required period of time between the application's submittal and the Plan Commission hearing. This is significant because time is usually a real concern for anyone applying for a zoning approval.

Exhibit A, Proposed Amendments, outlines the proposed changes using strikethrough and underline notation. A ~~strikethrough~~ is used to indicate deleted language, while an underline is used to indicate added language.

Summary of Findings

1. The proposed amendment will require applicants for Planned Unit Developments that are located near residential zones and uses to hold a neighborhood meeting at least seven days before the public hearing at Plan Commission.
2. The new requirement will allow more direct communication and dialogue between an applicant and neighborhood residents about proposed PUDs.
3. The amendment will likely save time at Plan Commission and City Council, and should lead to better outcomes overall.
4. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

Options

The Plan Commission has the following options regarding Plan Case 2442-T-22:

1. Forward this case to City Council with a recommendation to approve as presented;
2. Forward this case to City Council with a recommendation to approve as modified by specific suggested changes; or
3. Forward this case to City Council with a recommendation to deny.

Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission forward Plan Case No. 2442-T-22 to the Urbana City Council with a recommendation to **APPROVE** the proposed text amendment to the Zoning Ordinance.

Attachments: Exhibit A: Proposed Amendments

Exhibit A: Proposed Amendments

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Section XIII-3. Planned Unit Developments

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H. *Preliminary Development Plan Review*

1. *Plan Commission Review.*

- a) Following receipt of a complete Planned Unit Development application and supporting materials, and the payment of applicable fees, the Secretary of the Plan Commission shall schedule, and the Plan Commission shall hold, a public hearing in accordance with the notification requirements of Section XI-10 of the Zoning Ordinance.
- b) If the proposed Planned Unit Development is within 300 feet of a residentially zoned parcel or a parcel containing a residential use, the applicant shall hold a neighborhood meeting where the public can review the project and provide comments to the applicant.

The applicant shall:

- 1) Work with Planning staff to identify a suitable location for the meeting;
- 2) Notify surrounding property owners¹ at least 10 days before the meeting; and
- 3) Hold the meeting at least seven days before the Plan Commission hearing.

Alternatively, an applicant who holds a neighborhood meeting before submitting an application will be considered to have met this requirement.

- c) Within 30 days after completing the public hearing, the Plan Commission shall recommend approval or disapproval, or, at the request of the applicant, continue discussion pertaining to the preliminary development plan. The Plan Commission shall consider the proposed preliminary Planned Unit Development plan in accordance with the definitions and goals of this section, the report and recommendations of City staff, and the minimum requirements set forth in this section. The Plan Commission shall forward to the City Council the preliminary Planned Unit Development application and plan, together with its recommendation thereon. The recommendation may include revisions to, additions to, or deletions from the application and development plan submitted by the applicant.

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J. *Final Planned Unit Development Review*

1. A public hearing shall be held by the Plan Commission, in accordance with notification requirements specified in Section XI-10 of this Ordinance. A neighborhood meeting shall be required if the conditions of Section XIII-H.1.b above are met.

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¹ At a minimum, applicants shall send written notification to property owners who are required to be notified of the Plan Commission hearing, per Section XI-10.B.

