

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 17, 2025

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Dustin Allred, Will Andresen, Andrew Fell, Debarah McFarland, Karen Simms, Chenxi Yu

MEMBERS EXCUSED: Lew Hopkins, Bill Rose

STAFF PRESENT: Kevin Garcia, Principal Planner; Marcus Ricci, Planner II; Teri Andel, Planning Administrative Assistant II

OTHERS PRESENT: John Gatzmer, Kathleen Groark, Madalyn Mills

A. CALL TO ORDER and ROLL CALL

Chair Allred called the meeting to order at 7:04 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

Kevin Garcia, Principal Planner, proposed hearing Plan Case No. 2501-SU-25 before Plan Case No. 2500-T-25 because the applicants for Plan Case No. 2501-SU-25 are the only people in the audience. Chair Allred agreed.

Mr. Fell moved that the Plan Commission make the change to the agenda as recommended by City staff. Mr. Andresen seconded the motion. The motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

There were none.

D. COMMUNICATIONS

- Supplemental Memorandum for Plan Case No. 2501-SU-25
- Updated Exhibit B for Plan Case No. 2501-SU-25
- Email from Jeff Unger in opposition to Plan Case No. 2501-SU-25

E. NEW PUBLIC HEARINGS

Plan Case No. 2501-SU-25 – A request by Kathleen Groark, dba Insite RE, Inc., on behalf of DRA Properties, LLC and Verizon Wireless, for a Special Use Permit to allow a tower with antennas at 102 East Michigan Avenue in the CRE (Conservation-Recreation-Education) Zoning District.

Chair Allred opened Plan Case No. 2501-SU-25. He reviewed the procedure for a public hearing. Marcus Ricci, Planner II, presented the case to the Plan Commission. He began by stating the reason for the special use permit request, which is to allow a tower with antennas in the CRE Zoning District. He described the proposed location of the tower and of the surrounding properties noting the zoning, existing land use, and future land use of each. He showed a photo of the existing light pole that would be replaced if the special use permit is approved. He reviewed the site plan that was submitted as part of the application. He talked about a similar request by US Cellular in 2011, which was withdrawn, about radio-frequency emission concerns, and about aesthetic concerns of neighboring residents. He showed images of the proposed view of the tower from different directions. He reviewed the requirements for a special use permit according to Section VII-4.A of the Urbana Zoning Ordinance. He talked about the public notification steps that were taken prior to this meeting and about the input received from the public.

Mr. Ricci referred to the Supplement Memorandum, which was handed out to the Plan Commission members before the start of the meeting. He reviewed the requirements mentioned in the supplemental memorandum, which pertained to the following: 1) general requirements, 2) setbacks, 3) height limitations, 4) tower separation distance, 5) location preference, 6) collocation, 7) coverage area, 8) aesthetic requirements, 9) State and Federal requirements, and 10) special use permit term limitation for a wireless service tower. He also reviewed the factors that the Plan Commission should consider in granting a special use permit for the proposed tower. He talked about security fencing, landscaping, and removal of abandoned antennas and towers. He discussed the variances requested for waivers to provide security fencing around the tower and to provide a vegetative buffer around the tower. He presented staff's recommendation that the Plan Commission recommend approval of the proposed special use permit to City Council with the following condition: 1) The proposed tower construction shall generally conform to the submitted site plans, 2) to waive the requirement to provide security fencing around the tower itself, and 3) to waive the requirement to provide a vegetative buffer around the tower itself. He noted that the applicant and members of the school district were in the audience to speak on behalf of their application.

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

Mr. Fell said that he served on the Plan Commission when the original tower was proposed. He recalled the reason the case was deferred was because the applicants were proposing to have a light on the tower to shine on the American flag they intended to hang on the tower. He said that the pole would have been lit 24 hours a day.

Mr. Ricci stated that he had not mentioned a requirement for a flashing safety beacon by the Federal Aviation Administration (FAA) because the proposed pole is less than 200 feet in height, and there is no additional lighting proposed other than what it would shine itself when it is lit.

Mr. Fell asked if there is any concern that there is an Urbana High School (UHS) light now hanging on a Verizon pole. Will UHS need permission to use the proposed pole? Mr. Ricci deferred this question for the applicants to answer when they speak. He said that there is a detailed lease agreement between the Urbana High School and Insite RE, Inc. Mr. Fell said that it may not be of the concern of the Plan Commission.

Chair Allred made a clarification regarding variances and waivers. He said that waivers in some cases are described as variances and in other cases as waivers. Variances are usually approved by the

Zoning Board of Appeals; however, in this case, there are specific standards that describe the possibility of waivers in Section 13.1, which addresses telecommunications equipment. Mr. Ricci said that this is correct.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. He invited the applicant(s) to come forward.

Katie Groark, on behalf of Verizon Wireless and DRA Realty, approached the Plan Commission to speak. She thanked the Plan Commission for their time in considering the proposed request. She gave a presentation on the following:

- Release of a Search Ring – She explained that each network has different cells that demands pull on. So, when there is an increased demand from either data or calls, it shrinks the amount of area that the cell can handle. What has happened in this area is there are more drops and gaps in coverage because there is more demand in the area. This area has been identified as an area where additional service is needed.
- Diagram of the Proposed Tower – She stated that the tower pole would be 120 feet in height and would have the existing lights on it. She confirmed that the equipment would be located under the bleachers.
- Ever Growing Demand for Wireless Service
- Increasingly Vital to Public Safety – She noted that more than 80% of 911 calls are made from cell phones. 78% of parents site safety as the primary reason why they have purchased a phone for their child. Wireless phones are the only phones that most people have nowadays.

John Gatzmer, Chief Information Officer for Urbana School District, approached the Plan Commission to speak. He stated why UHS came to Verizon and asked them to investigate some additional resources in our area. He explained that every school day, there are about 2,100 students and an additional 400 staff members in the high school and middle school. When he first started working for the Urbana School District, he was asked to do something about the cell reception at the schools. There have been some false bomb threats and gun threats at UHS where the schools had to go on full lockdown. Parents are very anxious when there are 20 police officers outside a school, and they cannot get ahold of their children. Three years ago, Urbana School District switched to their Primary Crisis System, which lets the schools send rapid communications in the event of an emergency (fire, tornado, or school shooter). This system allows the school to send rapid communications to all staff and students in any school building. This system would be great if people would be able to get the messages. Currently, with the existing cell service in the high school and middle school, it has been very difficult sometimes to get these emergency messages or the messages come up a little later. Therefore, he feels that there is a real public need for additional cell coverage. He said that he would be happy to answer any questions.

Ms. Yu said that they showed the Plan Commission according to the Verizon's network where the limitation of surface is and how the proposed tower will be enhancing that. However, not everyone has Verizon service. So, how are we to ensure this kind of vital infrastructure is also available for people using other cell services? Ms. Groark said that the proposed tower would be primarily for Verizon. They do have available location for one additional carrier to collocate. An additional carrier would need to get permission from the City to collocate on the tower. Mr. Gatzmer added that Verizon service is one of the biggest problems that the schools have been having at the high school and middle school. T-Mobile service is generally okay. AT&T service is another carrier that they have had some problems with.

Mr. Gatzmer mentioned that the school has formed a corporate partnership with some of the other carriers. He also stated that AT&T had installed a microcell, which is a small light post cell tower on Vine Street just north of Michigan Avenue. It has alleviated some of the problems in the middle school. Because the cells are smaller, it has not helped at the high school.

Mr. Fell asked if Verizon had the ability to refuse another carrier on their pole. How is the pole regulated? Ms. Groark replied that the pole would be owned by Dolan Realty, and they will market the tower to other carriers.

Mr. Fell asked if they had considered other locations for the tower. He mentioned that Blair Park is a block away with similar conditions. Ms. Groark said that she did look at other locations, including several parks. They are not desirable in terms of camouflage. The Park District did not show much interest in moving forward to locate a cell tower in one of them. She noted that she also reached out to several churches in the area. Most of the area is residential and does not offer many locations for a tall tower. She explained that they also looked at other poles on the school property to locate the tower, and they wound up at the proposed location because the existing pole is the tallest and would be the least amount of change. It also provides them the ability to place the equipment under the bleachers, where it would be easily camouflaged. Mr. Gatzmer confirmed that this is the best location on school property.

Ms. Simms asked how much of the problem the proposed cell tower would solve or how much of a dent would the proposed tower make for overall coverage. Also, because we do not like for students to use their phones while they are in school, does this help remedy the problem as well? Ms. Groark explained that the cell network is set up so that they all work together. There is an increased demand on the cells that are covering the school, which is why the coverage shrunk. So, in addition to alleviating the area that does not have coverage, the proposed tower and antennas will help the existing antennas because they would no longer be trying to support this area.

Mr. Gatzmer said that the Urbana Middle School has been piloting a program called “Yondr bags”, where at the beginning of the day, students put their phones in lockable bags. Teachers have been happy with the success of this program. This allows students to still have their phones with them. If something bad happens, students are to keep their phones silenced but are still turned on. Parents are supplying younger children with phones to make sure that their children are doing what they are supposed to be doing.

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

Ms. Yu stated that she felt the applicant was doing a pretty good job hiding the tower with the pole. Given that there is not much other option, she thinks this plan is okay. Chair Allred said that before he looked at the photo simulations, he walked around and tried to see the existing light towers, which is pretty hard. You must be in the clear on Race Street or on one of the side streets to see the towers.

Mr. Fell agreed that installing a cell tower and combining it with all the other functions that the existing light tower has is kind of the best of all worlds that could be done. Anecdotally, he said that there is a need for better cell service at the high school. His wife’s classroom was in the girls’ locker room from 1914. He was not able to talk with his wife during the school day at all.

Chair Allred mentioned that his son went to Urbana High School. He assumed that not being able to get a signal in there had to do with the thickness of the walls. It is good to hear that this is not the issue, and that the issue can be remedied.

Mr. Fell moved that the Plan Commission forward Plan Case No. 2501-SU-25 to the City Council with a recommendation for approval with the conditions that it generally conforms to the site plan given, to waive the security fencing around the tower itself, and to waive the vegetation buffer around the tower itself. Mr. Andresen seconded the motion. Roll call on the motion was as follows:

Mr. Andresen	-	Yes	Mr. Fell	-	Yes
Ms. McFarland	-	Yes	Ms. Simms	-	Yes
Ms. Yu	-	Yes	Chair Allred	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that Plan Case No. 2501-SU-25 would be forwarded to Committee of the Whole on Monday, May 5, 2025.

F. CONTINUED PUBLIC HEARINGS

Plan Case No. 2500-T-25 – A request by the Urbana Zoning Administrator to amend regulations in Article VI of the Urbana Zoning Ordinance to allow porches and porch stairs to encroach into a required yard.

Chair Allred opened Plan Case No. 2500-T-25. Mr. Fell recused himself based on him having a similar case come before the Zoning Board of Appeals recently and may have another one in the near future. Chair Allred stated the procedure for a public hearing.

Kevin Garcia, Principal Planner, presented this case to the Plan Commission. He began by noting the reason for the proposed text amendment. He stated that in residential zoning districts, the front yard setback varies from 15 to 25 feet depending on the setbacks of existing buildings on a block face. So, essentially, when we say the City allows porches to encroach 5 feet into a required yard regardless of the average setback, it means that all front yards meet the minimum of 15 feet. So, one does not need to factor in the average setback. This was a zoning interpretation that was codified about 20 years ago. Using a diagram, he showed what this means visually. He talked about a recent case where an applicant requested a major variance to allow front steps to encroach into the required front yard setback. While City staff, City Council, and the applicant believed what was being proposed was the most aesthetically pleasing and most in character with other properties on the block, the variance request was denied because there was no compelling reason that the design of the porch and stairs could not meet the requirements in the Zoning Ordinance. City Council encouraged City staff to draft a text amendment to remedy the situation.

Mr. Garcia reviewed the specific changes to the language in Article VI of the Zoning Ordinance. He presented staff's recommendation, which is as follows: The Plan Commission forward Plan Case No. 2500-T-25 to the City Council with a recommendation for approval.

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

Ms. Simms asked why there is a provision around glass or walls being excluded. Why did we keep this? Mr. Garcia said that the intent is to allow this just for spaces that are semi-private. He said that completely enclosed things are like a building addition and does not interact with the street or the public as does a porch that is open. We do not want to allow additions on the front to encroach into the front yard. Ms. Simms said that she still considers glass enclosure to be a porch. Mr. Garcia said that he understands, but he also did not want to make other substantive changes in this text amendment because it is not the main purpose.

Chair Allred asked if there are examples of where stairs go out to within 6 inches of the property line. Mr. Garcia said yes. He had taken pictures of two examples and meant to share it. There are many examples of stairs coming close to the property line, especially in the City's older neighborhoods. Chair Allred said that someone could really exploit this and make very long steps or platforms that almost function like a deck, that comes to within 6 inches of the property line. Mr. Garcia noted that he did see quite a few where the steps come down from the porch to a sidewalk leading to the front property line, and then there are a couple of steps leading down to the public sidewalk. He added that staff is not proposing the 6-inch provision. It is already in the existing language of the Zoning Ordinance.

Chair Allred asked if it is possible for someone to build stairs to within 6-inches of the side yard property line. How would you get off the deck without going into someone else's property? Are we setting up potential conflicts? Mr. Garcia said that a person would not want to design the steps to go directly toward the neighbor's yard. It would be better to design steps that are parallel to the house. Chair Allred said that he just wanted to make the regulation so that it avoids people having conflicts with other people. Mr. Ricci pointed out that the construction of porch stairs would have to conform to the Building Code. Mr. Garcia said that outdoor living areas may encroach up to 5 feet into a minimum required yard, but not within 5 feet of a property line. If someone wanted to have elongated steps, staff could consider that to be like a series of decks or an outdoor living space, and it would not be allowed within 5 feet of the property line.

Chair Allred asked about enforcement if someone does not obtain a permit and get approval of a site plan. Mr. Garcia said that if someone has to retroactively change something, City staff deals with enforcing this pretty frequently.

Ms. Simms stated that she would like for the Plan Commission and City staff to revisit the question of "what is a porch?". Design change, weather gets warmer, and keeping something that is historical and not necessarily relevant might be something to revise. Mr. Garcia said that one of the Big Ideas in the *Imagine Urbana* Comprehensive Plan is to rewrite the Zoning Ordinance. It contains a lot of legacy things, and that just because they came up with it in 1970 and has been on the books for 50 years does not mean it is still a good idea.

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

Ms. Yu moved that the Plan Commission forward Plan Case No. 2500-T-25 to the City Council with a recommendation for approval of the text amendment. Mr. Andresen seconded the motion.

Roll call on the motion was as follows:

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

The motion was passed by unanimous vote.

Mr. Garcia noted that this case would be forwarded to Committee of the Whole on Monday, May 5, 2025.

G. OLD BUSINESS

There was none.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Mr. Garcia reported on the following:

- Training Opportunities – He encouraged the Plan Commission members to check out the Findings of Fact virtual training and the upcoming APA-IL Planning Commissioners training that are available.
- *Imagine Urbana* Comprehensive Plan Changes – He reviewed the changes that were recommended by the Plan Commission. He stated that the changes were included in the Committee of the Whole packet that went out earlier in the day. He encouraged the Plan Commission members to attend the Committee of the Whole meeting on April 21, 2025.

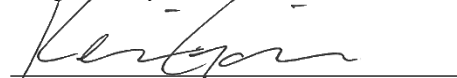
K. STUDY SESSION

There was none.

L. ADJOURNMENT

The meeting was adjourned at 8:38 pm.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission