

MINUTES OF A REGULAR MEETING

HISTORIC PRESERVATION COMMISSION

APPROVED

DATE: February 4, 2004

TIME: 7:00 p.m.

PLACE: Council Chambers, 400 South Vine Street, Urbana, Illinois 61801

MEMBERS PRESENT: Rich Cahill, Scott Dossett, Bill Rose, Art Zangerl

MEMBERS EXCUSED: Alice Novak, Trent Shepard

MEMBERS ABSENT: None

STAFF PRESENT: Rob Kowalski, Planning Manager; Michaela Bell Oktay, Senior Planner; Teri Andel, Planning Secretary

OTHERS PRESENT: Gerald Brighton, Donovan Finn, Cynthia Hoyle, Rubina Khan, Christopher Stohr

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

Urbana Historic Preservation Commission Co-Chair, Art Zangerl, called the meeting to order at 7:03 p.m. The roll call was taken, and a quorum was declared. He welcomed Scott Dossett to the Historic Preservation Commission as the newest member.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF THE PREVIOUS MINUTES

Mr. Dossett inquired as to whether there had been an analysis performed on the condition of the Lincoln Statue prior to the Register Nomination? What kind of shape was the Statue in? Did the City need to make plans to stabilize it? Mr. Zangerl responded by saying that it was owned by the Urbana Park District, and he did not believe that an assessment of the condition of the Statue had been made. Mr. Rose added that he knew the Statue very well, and it was his opinion that the Statue was in very good condition.

Mr. Cahill moved to approve the minutes from October 1, 2003 as presented. Mr. Dossett seconded the motion. The minutes were approved by unanimous vote as presented.

4. WRITTEN COMMUNICATIONS

Zoning Map of the M.O.R., Mixed Office Residential Zoning District and the surrounding properties.

5. AUDIENCE PARTICIPATION

There was none.

6. CONTINUED PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

(MOR) Mixed Office Residential Zoning District – Design Guidelines

Michaela Bell Oktay, Senior Planner, presented the case to the Historic Preservation Commission. She provided a brief background regarding the moratorium on development in the MOR Zoning District. She pointed out some of the changes that were made to the Development Review Board in a text amendment to the Zoning Ordinance.

Mr. Dossett noted the exclusions to the guidelines that were mentioned in the staff report. The landscaping exclusion he could understand; however, the commercial site design exclusion was a concern for him. Ms. Bell Oktay explained that although landscaping and commercial site design guidelines were not included in the proposed design guidelines, staff was still working with the City Arborist and would be bringing the landscaping portion and the commercial site designs to be reviewed at a later date.

Mr. Cahill inquired what the status was on filling the Development Review Board? Rob Kowalski, Planning Manager, responded by saying that it was something that the Mayor was working on. Staff had met with the Mayor to give him some ideas of people who could be contacted. The Mayor was accepting applications for the positions as well. He mentioned that there had not been any appointments made to the Development Review Board.

Mr. Cahill stated that the proposed design guidelines could go through before a board was put together. Mr. Kowalski stated that was staff's plan all along. They did not know how long it would take to put a board together, and staff did not want to wait on the design guidelines until the board was up and running.

He asked if "neighboring property owners" under Section 3, Paragraph G, Item 2-c would follow other definitions in the Zoning Ordinance about what a neighboring property was? Would neighboring properties be only those properties on the same block? Or would it extend to properties across the street? Mr. Kowalski replied that there were other parts of the Zoning Ordinance that

specified, especially the Urbana Subdivision and Land Development Code, that adjacent property owners should be labeled on site plans.

Mr. Zangerl referred to Section 3, Paragraph H, Item 2 when asking for clarification as to whether the secretary or the petitioner would appeal the request to the Zoning Board of Appeals? Mr. Kowalski replied that the petitioner did not appeal. This was carried over from how the Development Review Board regulations were written originally. If the Development Review Board did not approve a site plan, then an appeal would automatically be forwarded to the Zoning Board of Appeals.

Under Section 3, Paragraph I, Item 3 of the Ordinance, it talked about “Retention of street trees along the Green and Elm Street corridors shall be encouraged.” Mr. Zangerl questioned if this would only be restricted along the corridor streets and not to the side streets in the MOR Zoning District? Mr. Kowalski replied that “street trees” are located in the right-of-way. The City has discretion on any street. He mentioned that there had been plans submitted in the past by petitioners asking for permission to remove street trees to allow for accesses to be built. He stated that the proposed Ordinance included language to let future petitioners know that staff would not encourage the removal of street trees.

Mr. Zangerl pointed out that under Section 3, Paragraph I, Item 5, the issue of color was mentioned. He found this strange since the Historic Preservation Commission did not even regulate color of historic structures. Mr. Kowalski replied that this was an accident. Staff modified the wording in the Ordinance by changing the following, “The Development Review Board shall consider the...” to “The Development Review Board shall not consider the...” Color was an issue that staff typically did not want to get into regulating.

Mr. Zangerl questioned if there would be some flexibility of the list of materials to be considered under Section 3, Paragraph J, Item 5-t? Mr. Kowalski commented that the intent was for more natural materials rather than synthetic materials. This list of Design Guidelines Review was a stopgap list that was put in by the City Council until the Design Review Criteria were adopted.

Ms. Bell Oktay proceeded with an overview of the Design Guidelines. She discussed the following:

- I. Introduction
 - A. Purpose of the Guidelines
 - B. Where Design Guidelines Apply
 - C. Building Code and Zoning Ordinances
 - D. Historic Structures
- II. Brief History of the MOR Zoning District

Mr. Cahill felt that part of the history of the MOR Zoning District should include the demolition activity in the MOR Zoning District.

Ms. Bell Oktay continued on with her presentation by discussing the following:

- III. Development Review Board Procedures

- A. The Development Review Board
- B. Site Plan Review Criteria
- IV. Design Guidelines
 - A. The “Façade Zone” & Lot Types
 - B. Patterns & Building Orientation
 - C. Massing: Reducing the Perception of Bulk
 - D. Openings: Windows & Doors
 - E. Porches & Balconies
 - F. Materials
 - G. Parking Areas

Mr. Zangerl mentioned that somewhere in the proposed Ordinance, he read that there would not be any balconies on the second floor or higher. Ms. Bell Oktay replied that it was under Section 3, Paragraph J, Item 5-i, and it stated that no balconies or porches would be allowed on the second floor or higher on sides abutting to single-family residences.

Mr. Zangerl asked for clarification as to whether an adaptive reuse would be reviewed by the Development Review Board or not? Whether an adaptive reuse would be consistent with the design guidelines would be a decision made by the Zoning Administrator rather than the Development Review Board. This was one of the incentive tradeoffs because there was some concern that the City was making it harder and discouraging property owners to reuse existing structures in the MOR Zoning District.

Mr. Rose inquired if there were other examples of encouragement of adaptive reuse of the existing properties in the proposed Ordinance? Mr. Kowalski replied that the only encouragement mentioned was in the review procedure. Mr. Zangerl felt that there was stability to waive some of the parking requirements. Mr. Kowalski stated that cases that would be considered by the Development Review Board, the Board has the ability to tweak some codes, and the Zoning Administrator had that ability with adaptive reuse projects.

With regards to materials, Mr. Zangerl asked how staff defined “synthetic”? Would aluminum siding be considered to be synthetic?

Mr. Rose felt that the Material Section was one of the weakest sections in the proposed Ordinance to the extent that the Ordinance tried to do something beyond working for sustenance and the compatibility of buildings within the area. The balconies on the sides seemed to be more of an issue of neighborly social compatibility rather than design compatibility. The distinction of allowable or good versus bad materials seemed to be done on the basis of some kind of naturalness criterion that was not in the history of the neighborhood. When looking at the neighborhood, one would see that horizontal, low-scale wood siding and all of its variance creates a graphic tableau for the neighborhood that vinyl would be much more consistent with than say fieldstone and possibly brick. The principal objection to vinyl siding had to do with the toxicity involved its production, but even in terms of performance and durability, it has some advantages over brick. Overall, he felt the effort on this section was good, but it still raised questions for him. Mr. Kowalski commented that this was a good point. One of the things that staff tried to avoid in the design guidelines was getting too strict like a Historic Preservation Ordinance might. When talking about materials, they started

treading that line of becoming too strict. He agreed that this section needed more work. Mr. Cahill believed that changing some of the wording might tone it down a little bit.

Mr. Kowalski mentioned that the Parking section needed a little more work. There were not many examples of where staff could take pictures to show how parking areas should be done.

He noted that the current Zoning Ordinance stated that parking under a structure was prohibited. There had been a lot of debate about this at City Council meetings. He believed that this restriction was in the Zoning Ordinance to keep property owners from building on stilts. However, he believed that there were cases where parking could have been accommodated under the structure in a garage form or something that did not have a negative look.

Mr. Cahill mentioned some of the concerns and issues he believed should be addressed in the design guidelines. He felt that parking was the critical hurdle in each of the cases brought before the Development Review Board in the past. With the parking, he would like to see an example of how Hunsinger was able to provide screening to the north on his property. Screening issues were important along with lighting. Another issue that he believed should be addressed was pedestrian safety. He did not believe that the traffic should not come onto Green Street from a property; rather it should come in on a side street, if possible.

Mr. Dossett inquired if there was any reason why the side and rear setback requirements had not been included in the Patterns and Building Orientation section? Ms. Bell Oktay stated that staff had included language about the placement of a building and that it should not drastically change or cause a visual disruption along the block. As far as setbacks, there was a specific building envelope on lots. Under the Zoning Ordinance, there are minimum setback requirements. Mr. Kowalski added that the setback requirements for the MOR Zoning District were already a little greater than most other zoning districts. They require a minimum of 7-foot side yard setback on either side, but a total of 17-foot setback for both. Most of the other residential zoning districts simply required five-foot setbacks on each side. Mr. Zangerl mentioned that the Massing guideline might help out, because the emphasis was to go up as far as possible over an area, rather than having a one-story structure reaching all of the setbacks.

Mr. Rose thought that the problem in the MOR Zoning District began with demolition. He saw the Design Guidelines as encouraging adaptive reuse and placing a greater burden on developers who would demolish and build new properties. He asked if that was all that the City could do to help solve the demolition problems? Mr. Kowalski replied that there had been a lot of discussion about demolition during the creation of the proposed Ordinance. Staff decided that was not a restriction that they were ready to impose. There was no other zoning district or area of the City where property owners were restricted from demolishing their property, unless it was designated as a historic landmark. The City's Legal Department advised staff that demolition was a basic property right that the City did not want to restrict, even though there were many people interested in doing so. This was why staff felt it was important to offer incentives to property owners to adaptively reuse their existing structures. Mr. Zangerl added that property owners could allow their older buildings to dilapidate to the point where the City would condemn them. The City would then be advocating demolition. Ultimately, the City could not enforce a property owner to maintain their building.

Mr. Zangerl went on to say that staff had put forth a great effort on the Design Guidelines. It was nice to see so much of what the Historic Preservation Commission had suggested be included in the guidelines. He mentioned that it would be nice to have a similar document for the Historic Preservation Ordinance having to do with replacement of non-conforming structures.

Mr. Rose seconded that comment. He complimented the City staff and members of CIVITAS who were involved in the preparation of the proposed Ordinance and the Design Guidelines. He felt that they were both done very well.

Mr. Cahill was very impressed with the document as well. It had come a long way. He inquired about the time frame for executing the document? Ms. Bell Oktay replied that staff hoped to bring it back to the Historic Preservation Commission one more time, because they were still working on the text and wanted to add some more illustrations. Staff hoped to bring it back at the next meeting scheduled for March 3, 2004. If any of the commission members had any more comments, please submit them to staff. Mr. Kowalski added that there were still a couple of areas that staff had not addressed well yet. One of them was any kind of guidelines for commercial development. Although there currently was not a lot of commercial development in the MOR Zoning District, it was permitted, and that was part of the intent of the district as well. Therefore, they need to include some language about commercial development in the Design Guidelines.

Another thing that staff needed to mention in the Design Guidelines was how the Design Guidelines would be used. Staff's intent was to not have the Design Guidelines become regulations. In most cases, the Design Guidelines would be used by the Development Review Board, which would be an appointed board of seven members. There would be a lot of discretion with a lot of people having different interests that would be using the Design Guidelines. In cases, where it would be an adaptive reuse project, the Zoning Administrator would be using the Design Guidelines. There would always be a reviewing entity using the Design Guidelines in reviewing project proposals. Staff's intent was to keep them as guidelines, and not anything that would handcuff the Development Review Board, because there will always be special circumstances with each building and lot.

8. NEW PUBLIC HEARINGS

There were none.

9. NEW BUSINESS

There was none.

10. MONITORING OF HISTORIC PROPERTIES

There were none.

11. STAFF REPORT

There was none.

12. STUDY SESSION

There was none.

13. ANNOUNCEMENTS

Mr. Kowalski mentioned that staff was continuing to finish up the process on the update to the City's Comprehensive Plan. The Comprehensive Plan Steering Committee would be meeting on February 12, 2004 at 7:00 p.m. in the City Council Chambers. They would continue to discuss the proposed draft of the Future Land Use maps.

Mr. Kowalski announced that the Planning Division was up to full staff. Paul Lindahl was hired as Planner in November.

Mr. Zangerl commented that at some point, the Historic Preservation Commission and City staff should start thinking about any events they might be doing for Historic Preservation Week, walking tours, etc.

14. ADJOURNMENT

Mr. Rose moved to adjourn the meeting at 7:59 p.m. Mr. Cahill seconded the motion. The meeting was adjourned.

Submitted,

Michaela Bell Oktay, Senior Planner