

MINUTES OF A MEETING

URBANA DEVELOPMENT REVIEW BOARD

DATE: April 17, 2003

APPROVED

TIME: 7:30 p.m.

PLACE: Urbana City Building
400 S. Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Mike Brunk, Bill Gray, Rob Kowalski, Gordon Skinner, Elizabeth Tyler

MEMBERS ABSENT None

STAFF PRESENT: Tim Ross, Senior Planner; Michaela Bell, Planner; Teri Andel, Secretary

OTHERS PRESENT: Dave Barr, Doris Barr, Rich Cahill, Liz Cardman, Betsy Cronan, Russ Dankert, Bridget McGill, Steve Ross, Matt Taylor, Joan Zagorski

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

Chairperson Tyler called the meeting to order at 3:10 p.m. The roll call was taken, and a quorum was declared present with all members present.

2. APPROVAL OF MINUTES

There were none to review.

3. COMMUNICATIONS/PUBLIC COMMENTS

- ✓ Revised Historic Preservation Commission minutes.

5. OLD BUSINESS

There was none.

6. NEW BUSINESS

DRB-01-03: Development Review Board consideration of a proposed 8-unit multi-family development at 611 West Green Street in the M.O.R., Mixed-Office Residential Zoning District.

Chairperson Tyler opened the case up by reviewing the M.O.R., Mixed-Office Residential Zoning District and its purpose. She mentioned that the Zoning Ordinance sets out 13 criteria, which the Development Review Board uses to review a site plan. However, the Board is limited in its responsibilities and is not able to consider *the architectural style, appearance, color, building materials, or architectural details of the structure in reviewing the proposed site plan except as such factors affect the placement of the building, drives and parking areas on the site.*

Ms. Tyler noted that because the site is located adjacent to the Ricker House, which is a local historic landmark, the Urbana Historic Preservation Commission was given the opportunity to comment on the proposal and offer comments to the Development Review Board. There was an amended copy of the minutes that was handed out at the meeting. In addition, the proposal also requested two minor variances from the Zoning Board of Appeals, which were granted. The variances were to allow the encroachment into the front yard setbacks along Green Street and Coler Avenue to allow bay windows features to be added on the east side of the proposed structure and an entry-way feature on the north side.

Ms. Tyler reviewed the purpose and objectives of the Development Review Board according to Section XI-12.B of the Urbana Zoning Ordinance. She then opened the meeting up to the applicant to make a statement and present the Site Plan.

Russ Dankert, architect for this project, noted that he was hired by Barr Real Estate to produce a multi-family building on the proposed site. They originally submitted plans that would have fit within the category of the setbacks without any restrictions. After the preliminary meeting with the City staff, he responded with a revised architecture that lead to the Zoning Ordinance variation requests. They believe their project would fit within the community and have tried to make it pleasant in appearance by adding a front entrance off of Green Street and providing parking spaces in the rear of the proposed building, which they felt would be safer for the tenants to have better access into the parking lot. He added that there would be some extensive landscaping with this project as well.

Mr. Kowalski asked Mr. Dankert to address the landscaping plans that did not appear on the Site Plan. Mr. Dankert noted that landscaping and fencing barriers would be provided between the neighbors on the east, and a fencing barrier would be provided between the neighbors on the south. There would not be enough room for landscaping between the neighbors on the south. There would be landscaping around the base of the building, up and down on either side of the entrance walk from Green Street, and along the east side of the building there would be new trees and shrubbery planted. He mentioned that there was a mature tree on Steve Ross's property to the east, which hangs over into their property. Barr Real Estate was planning to maintain that tree as well. Mr. Ross noted that the tree had been removed because Mike Brunk, City Arborist, had deemed it unsafe.

Mr. Dankert mentioned that there would be underground electrical service to the building. Site lighting would be directed towards the proposed building as opposed to toward the neighbors. The fence would try to screen the headlights from residents pulling into the parking lot. Ms. Tyler questioned what type of fence would be used? Mr. Dankert replied that it would probably be a wood fence about six feet high. He would have been happy to provide a landscaping plan before final approval, but he did not get a chance to.

Mr. Dankert remarked that the exterior of the proposed building would be face brick. The shingles for the roof would be styled like Shakes. There would be open balconies; however, grills are not allowed. The parking lot would be hard surface either concrete or blacktop depending on the bids for that. There would be an area of the parking lot for trash, which would be enclosed with timber or wood of some kind. Mr. Gray inquired if there would be accommodations for recycling? Mr. Dankert replied yes. He commented that the target group for tenancy would be graduate students, because they tend to move further into the Urbana neighborhood to get away from the noise. He thought that recycling would be more of a feature for the graduate students.

Ms. Tyler questioned on the east elevation if there was room on the east side for landscaping? Mr. Dankert answered by saying that there would definitely be smaller trees and shrubs planted on that side of the building. He added that it would be good for both viewing and for shading. Mr. Brunk noted that it would serve as a softening or screening for the adjacent property. The fence would help for the first story of the proposed building. Some taller plant material would help soften the second story. Mr. Dankert commented that the setback on Mr. Ross's house was about 25 feet. He would like to get Mr. Brunk's opinion on materials for that. Mr. Brunk stated that he would like to have a say in the final landscaping plan.

Mr. Kowalski inquired about what kind of lighting would be used in the parking lot. He asked if it would be freestanding lighting or lighting on the building? Mr. Dankert responded that the less expensive would be to have the lighting on the building; however, that would face the neighbors. He noted that the lighting would be in the corners of the parking lot facing towards the proposed building. There would be down lighting on the building.

Mr. Dankert mentioned that the back and front entrances would be handicap accessible. The entire first floor units would be handicap adaptable.

Dave Barr, representative from Barr Real Estate, talked about the landscaping for this project. He mentioned that Brown Woods does the landscape design work for Barr Real Estate. The intent was to have a significant landscape plan. They would focus the landscaping as a buffer between their property and Mr. Ross's property. Although they would have a very solid landscaping budget around the exterior of the proposed building, they do not want to have the landscaping up tight next to the building for security purposes. He commented that grass does not grow in the shade, so they would use ground cover for those areas.

Mr. Barr remarked that he did not know enough about the Zoning Ordinance when they first presented their proposal. They have tried to meet the intent of the ordinance by making changes,

such as having brick on all sides of the proposed structure instead of the originally planned siding and having the additional entrance off Green Street. The changes have added a significant cost increase of constructing the proposed building by 20%; however, it would be much more attractive as now planned.

Another change that he suggested and would like feedback on was the construction of brick corner posts on either side of the walkway with either a brick knee wall with wrought iron above it or black railing running down the length of the sidewalk in front of the site on Green Street and on Coler Avenue. If this were something that no one liked, then it would not have to happen. If people liked this idea, then Barr Real Estate would be more than happy to add it to their plans.

Mr. Barr noted that before the MOR Zoning District was done, Barr Real Estate had looked at developing the site, and not even using the density allowed under the R-5, Medium High Density Family Residential Zoning District, they had a plan drawn that showed ten four-bedroom units. The proposed structure would be a two-story structure with eight two-bedroom units on it. This would be a reduction of more than 50% of what would be allowed under the former R-5 zoning.

He mentioned that except for the minor variances that they required to add to the aesthetics of the building, the density and parking are allowed in the Zoning Ordinance. Barr Real Estate owns the properties at 505 South Busey and 802 West Green, and he did not remember receiving any complaints from neighbors or tenants that the parking was inadequate.

He stated that their goal was to comply not only with the letter of the Zoning Ordinance, but also with the spirit of the Zoning Ordinance. As far as what they are proposing, other people may like to see a different structure and a different style of architecture. They felt that Mr. Dankert had drawn a good-looking building that would fit in with the neighborhood.

Mr. Kowalski inquired if the shrubs shown against the adjacent properties were on the proposed site or on the neighbors' properties? Mr. Dankert replied that he believed the shrubs were on the Barr's lot. Steve Ross stated that the shrubs on the east side were on his property.

Mr. Kowalski questioned if the petitioner was planning to have any signs? Mr. Barr answered that he was not sure whether they would have any signage, and if they did it would be very minimal. They would either incorporate a sign into the face of the brick signpost or maybe even do something out of limestone on the front of the building. He mentioned that they usually come up with names for their buildings and had thought about calling the proposed building, "The Wilson". The name of the building and a contact phone number would be the only information on the sign. The goal for the signage would be to have it low-key and attractive.

Mr. Barr commented that they thought they had started the process way in advance and would have plenty of time. As it is, the building season is upon them, and to get the proposed building completed by August was a time issue. If the request would be granted, then there would not be a problem. However, if the request would be denied, then they would drop any plans of construction until some other time. Mr. Kowalski asked if they were planning to have the proposed building occupied by this coming August? Mr. Barr replied that was correct. Mr.

Kowalski asked if they were planning to landscape it in the fall? Mr. Barr replied that was correct, and that the timing would be really good.

Richard Cogdal, of 502 West Pennsylvania Avenue, mentioned that he was the owner of the duplex adjoining the proposed property on the south side. He commented that there would be eight cars facing his duplex. Chairperson Tyler inquired if Mr. Cogdal lived at the duplex, and he replied no. He stated that he had written a letter to the Zoning Board of Appeals regarding the fact that there would be eight cars parked facing his duplex and would only be 14 feet away from his duplex. Mr. Brunk noted that Barr Real Estate was planning to build a fence. Mr. Cogdal remarked that it would still be too close to his property.

Chairperson Tyler stated that the applicant was proposing a fence; however, it would be something that the Development Review Board would need to require in a condition of approval since it was not shown on the Site Plan. The Zoning Ordinance requires a screening of a fence and/or landscaping. The fence would be required to be at least six feet in height and opaque.

Mr. Cogdal thought the proposed structure was too much for the small lot. The proposed building would also be too close to Green Street with only about nine inches between the building and the sidewalk. Mr. Kowalski stated that from the sidewalk to the face of the building would be 27 feet. He explained that Barr Real Estate was granted a variance by the Zoning Board of Appeals to allow a front entrance encroach into the setback; therefore, there would be 18 feet 9 inches from the front entrance to the sidewalk.

Steve Ross, of 609 West Green Street, mentioned that his family owned and occupied the house immediately to the east of the proposed site. He noted that his home was built in 1892 by the Shaw family. Following Ms. Shaw's death, the home was purchased by Lois & Gerry Brighton, who lived there for 44 years. When the Brighton family decided to downsize and move to a smaller location, Mr. Ross and his family purchased the home and have been enjoying it for the last three years.

He appreciated the willingness of Mr. Barr and Mr. Dankert to make changes to the original design and to increase the landscaping. He felt that they were sincere in their efforts, but their interests and his were cross-purposes. Therefore, he was against the proposed development.

Mr. Ross stated that although Chairperson Tyler went through and read the 13 criteria for the MOR Zoning District, he wanted to walk through the intent and purpose and some of the criteria with a little more detail. For the first criteria, he noted that the Development Review Board's purpose in this meeting was to determine whether the proposed plan "complied with requirements of the Zoning Ordinance, was consistent with the intent and purpose of the MOR Zoning District, and was compatible with the land use surrounding the site".

He focused on the phrase "intent and purpose of the MOR Zoning District" by saying that the first purpose was to protect the aesthetic and residential character of the area. He did not feel that the proposed development would do that. He presented a photograph of the house located at 712 West Green Street. Although it was not a single-family house, it looked like it was. Instead it was an apartment building. It was asymmetric like the single-family houses on the street and

was massed vertically like his house and the Ricker House. The bulk of the apartment building ran perpendicular from the street as opposed to the proposal, which is massed along and parallel to Green Street. He noted that the apartment building at 712 West Green Street was a wonderful example of what could be built in the MOR District. Chairperson Tyler inquired how many units were in the apartment building at 712 West Green Street? Mr. Barr answered by saying that there were five units with four two-bedroom units, and on the top floor there was one three-bedroom unit. Mr. Ross commented that a structure along this line would be much more in keeping with protecting the aesthetic and residential character of the neighborhood.

Mr. Ross noted that the second purpose of the MOR District was to promote the conservation of buildings and neighborhoods, which in combination or individually are of unique community and neighborhood significance. The proposed complex would not conserve the unique neighborhood.

Another purpose of the MOR District was to limit the scale and intensity of the uses and buildings that may locate in this district. He noted that the house that was previously on this site was approximately 2,700 square feet. The current proposal would be more than twice that. It would be massed parallel to Green Street and would consume over half the lot. The proposed building would simply be too big. It would run from the minimal setback of seven feet from the east property line to the variance granted setback of thirteen feet from the west property line. He shared Mr. Cogdal's concern about how far to the north the building would go. The intensity of the use was another issue of this purpose. Previously there were approximately five or six residents in the converted house that was there. Now with sixteen bedrooms, eight units with two bedrooms each, he expected a minimum of sixteen people. According to the Zoning Ordinance, there could be as many as 32 people with four residents per unit. Going from five or six residents to even sixteen would be quite a step. Going to 32 residents would be unthinkable. That would be an increase in intensity of residents from three to six times. He believed the proposed complex fails in that it limits neither the scale nor the intensity of the use.

Mr. Ross mentioned that the intent of the MOR District was to protect the stability and value of the surrounding properties. He believed that if the petitioner was allowed to more than double the size of the previous structure while increasing the number of residents by three to six times, this would protect neither the stability nor the value of the surrounding properties. If this proposal goes ahead as planned, he fully expected the assessed value of his home to drop.

In looking at Criteria D.1 and D.3 together, he noted that he had already discussed the orientation of how the proposed building would be parallel to Green Street. The setbacks were expanded to the maximum limits, and they are not reflective of the other homes in the neighborhood. The setback of his home was 47 feet compared to the 18 feet 9 inch setback for the proposed building.

Criteria D.2 asks if the proposed use will overburden the capabilities of existing streets. He noted that there would be eight parking spots for a minimum of sixteen residents. There would not be enough parking spaces. The traffic on Coler Avenue as well as the traffic in the neighborhood would increase as people drive around looking for non-existent street parking.

Mr. Ross reviewed Criteria D.7, which asks if the project design “would encourage the preservation of natural features such as mature trees and other healthy vegetation”. He noted that it was too late. The three mature trees that were on the plot originally were destroyed along with the house.

Criteria D.12 questions if the design of drives and parking areas would “result in a minimum area of asphalt or concrete”. He stated that by his calculations, forty percent of the lot would be covered in concrete.

Mr. Ross remarked that when he and his wife purchased their home three and a half years ago, they had no idea that the MOR District could potentially allow a 16-bedroom apartment complex immediately next door to them. This was not what he understood would be allowed after reading the ordinance regarding MOR District with phrases like “protecting the aesthetic and residential character of the area”, “limiting the scale and intensity of the uses”, “protecting the stability and value of surrounding properties”, “harmonizing with adjacent land uses in the character of the surrounding neighborhood”, “harmonizing in location, orientation, setbacks, spacing and placement”, and “minimizing the impact of the use and bulk on adjacent properties”. He felt suckered into buying a house by a city that claimed to support preservation and conservation with the words of its Zoning Ordinance, but not with its enforcement.

He mentioned that staff had heard comments in the Historic Preservation Commission meeting and the Zoning Board of Appeals meeting that the MOR Zoning District did not work. It was not contributing to mixed use. He believed that denying this request was staff’s chance to make the MOR District work.

Mr. Ross noted that Gerald and Lois Brighton had sold a 20-year conservation right to the Preservation and Conservation Association (PACA) for a sum of \$1.00. That conservation right prohibits anyone from demolishing the house, fundamentally altering it, or subdividing the lot. His lot would be a gold mine for a developer. The Brightons sold their gold mine for \$1.00 and chose to sell their property for significantly less than they could otherwise get for it, so that it could continue to be used as a home for a family. The Brightons could not do it alone. They saved their house, but they could not save the neighborhood. They need the MOR District and the members of the Development Review Board, who are willing to veto development that does not meet the requirements of the district.

In closing, Mr. Ross asked the Development Review Board to consider the consequences if they would vote to approve the proposed use. If they do not stop it from happening across the street from the Ricker House, then when will it stop? Jump ahead 16 years to the year 2019 and look around the neighborhood. If this proposed use would be approved, 611 would be an apartment building and 605 might very well be an apartment building as well in the future. In 2019, he might be ready to retire and downsize like the Brightons did. The 20-year historic conservation right on his house would have expired. Who would want to live in his historic property as a single-family home, given the neighborhood were potentially apartments? A developer would demolish the then 127-year old house, subdivide the lot and fill in the last hole in the Green Street concrete canyon.

Mr. Kowalski questioned when Mr. Ross was mentioning the positive aspects of 712 West Green Street, was he referring to the architectural style, the scale and massing or the number of units in the building? He believed that there were ten parking spaces in the back and would allow twenty residents to live in the building. Mr. Ross responded that there would only be five units as opposed to eight units, which he viewed as a benefit. Architecturally, 712 West Green Street was much more pleasing to the eye than the proposed building. Someone could walk by and not realize that it was an apartment building. The Development Review Board cannot look at the aesthetics of the proposed plan, which ties into how it looks. The fact that the building at 712 West Green Street was a smaller unit was very important. It was massed more perpendicular to the street and was asymmetric.

Mr. Skinner commented that it was a three-story building. Mr. Ross replied that was correct, and that it had required a variance on height. Mr. Skinner noted that the building at 712 West Green Street was really close to both property lines, and that it was a very large building for the size of the lot. Mr. Ross replied that was true.

Chairperson Tyler commented that regarding the massing of the building being perpendicular to Green Street, as she looked at the visual survey of the three blocks, she noted that there were some Queen Anne styles that were narrower along Green Street and set deeper in the lots, but then there are some that are even and some that have more of the longer face towards the street, which would be considered more Georgian style. She was wondering if his main concern was that the proposed building had a long face along Green Street or was it the sides? She was not convinced that all the buildings on Green Street were perpendicular. She noticed a variety of architectural styles depending on when the buildings were built. Some of them do have more mass along the front. Mr. Ross responded that the size of the proposed building was a problem.

Mr. Skinner questioned if Mr. Ross had evidence that the value of his property would decrease if the proposed apartment building would be constructed? Mr. Ross believed that would happen. He did not know who would want to purchase his home if he decided to sell it.

Mr. Kowalski inquired if Mr. Ross believed that some of the changes to the proposal that were made for the landscaping and the fence would help mitigate some issues? Mr. Ross replied that the changes would help, but they would only be minor changes.

Mr. Brunk asked what Mr. Ross's impression was on landscaping as far as softening the second story along with the first story? Was he concerned about the upper portion of the building as far as softening it? Mr. Ross answered certainly, and that he supposed it would help. The perfect thing was the mature tree that was there that had to be cut down. Mr. Brunk commented that was a beautiful Sugar Maple tree. It was too bad that it had to be cut down, but it was not the first along Green Street. He was glad that they discovered it before it fell apart, because it was targeted at Mr. Ross's home. Mr. Ross stated that a very tall fence would only effectively move the wall seven feet closer to him, so he was not sure what kind of landscaping would be appropriate. Chairperson Tyler inquired if there were any fast growing trees or any other kind of tree planting that might help? Mr. Brunk answered that there were many of them. There are a lot of columnar trees that would fit. It was not so much the speed of which they grow, but the quality of the plant that would serve the purpose of softening and would be desirable.

Matt Taylor, of 612 West Green Street, mentioned that he was the owner of the Ricker House. He commented that the Board had heard a lot of the main concerns that other residents have had. Basically, based on the purpose and objectives of the Development Review Board, they were there to approve changes to uses and existing structures. Unfortunately, the previous structure was no longer there. The other point regarding changes to uses were addressed by Mr. Ross. He would like to add a few things and reemphasize a few things that he had stated.

Mr. Taylor mentioned that when he and his wife moved into the Ricker House about two years ago, they understood that there was an emphasis by the City of Urbana to promote the street and label it as "The Green Street Corridor – The Entrance to the University of Illinois". They bought the house and invested into that concept. He noted that it is a nice historic neighborhood, and his home was a historic landmark. It was one of the cornerstones of this area. When development plans like the one that was proposed were approved, it really affects the historic district and the history. It takes out a home that was built around 1892, which was demolished, and adds a new modern structure that was objectionable.

He stated that his home is set back from Green Street about 38 feet. Mr. Ross's home is set back about 47 feet. The proposed building would be set back 19 feet. Every house on Green Street in this area was set back by a minimum of 38 feet. The proposed building would be like a peninsula jutting out into the street as people drive east down the street. It would be a significant eyesore. He believed it would not harmonize with the current surrounding homes.

Some other things that were mentioned was that there would be virtually no significant asymmetry on the proposed building, which were typical in the area. Also, the sheer volume would be so great. His home was one of the larger homes in the area measuring around 2500 square feet. The proposed building would be about 5,984 square feet. When talking about preservation, this proposal is on the opposite side of the spectrum. He believed it would be more exploitation of the property, which would encroach too much on the surrounding properties.

Mr. Taylor understood that the petitioner had made some alterations around the exterior to make it more appealing based the neighbors' requests. He added that they also requested that the petitioner make the building smaller.

Mr. Taylor remarked that this was a critical decision for the Development Review Board. There had been some decisions made in the past, where 802 West Green was approved and was now very unattractive. When he and his wife were looking to move, they had to make a choice between the City of Champaign and the City of Urbana. The City of Champaign was the exploitation city that gave into commercialization. It was the "ugly sister". The City of Urbana was the preservation city that kept and preserved history. That was their reason for moving to Urbana. He would like to see the City continue the preservation of Urbana.

Chairperson Tyler noted that there was a Zoning Ordinance that the City had to follow. Mr. Taylor commented that the Development Review Board was looking at the future.

Chairperson Tyler asked what Mr. Taylor felt would be appropriate for the site? Mr. Taylor replied that 712 West Green Street was a good example of something that would be complimentary. They want to make sure that the proposed structure was something that looked similar to the other houses in the area. Mr. Kowalski stated that if you took the structure from 712 West Green Street and placed it on the lot at 611 West Green Street, it probably would not have a 45 foot setback from Green Street, and it would probably also be seven feet from the east property line. He asked if the design of the building at 712 West Green Street would help mitigate the other arguments against the overall scale and massing of the proposed building. Mr. Taylor answered by saying that the design was one component. Setbacks, the asymmetry, the balconies, and the porch-effect are things that make 712 West Green Street look like a single-family home.

Mr. Brunk inquired if the building would fit within the required setbacks without the bay windows and the entrance on Green Street? Mr. Kowalski replied yes. Chairperson Tyler commented that the point was that the proposed building uses up the entire buildable area. Mr. Brunk stated that setbacks were set for buildable areas to be built on. Mr. Taylor commented that there should be a little discretion when looking at how building design aspects compliment the area.

Mr. Gray inquired about how the setbacks were determined? Chairperson Tyler answered that it was averaged against the block face according to the Zoning Ordinance. In most residential zones, the maximum setback would be 25 feet. With the exception of R-1, Single-Family Residential Zoning District, the City did not require extraordinary setbacks.

Mr. Taylor mentioned that he recently had his property appraised. He had asked the appraiser what would happen if a large apartment complex were built across the street. She did say that the property value would decrease significantly. Mr. Ross had mentioned that in 20 years when the historic conservation right had expired, Mr. Ross's property value would increase if he were to sell to a developer, but if he were to renew the historic conservation right on his home, then the property value would not be as much. The same applied to Mr. Taylor's house. Since there was a covenant on his home, his property value was not as much as if it would be without the covenant.

Rich Cahill, of 307 South Orchard, noted that he was speaking as a property owner and not as a member of the Historic Preservation Commission and mentioned that he had lived in the neighborhood since 1988. 611 West Green Street had always been a well-maintained building and seemed invisible. In contrast, 605 West Green Street had always been known as a party house. He was concerned about the precedence of this decision. He understood it was a tough call this time, but what the Development Review Board would decide in this case would influence what may be proposed for 605 West Green Street. The house at 605 had been vacant since last August. He was also concerned about what the decision would say to the owners of 601 West Green Street as well. They are trying to unload their property. They think that they could max out the corner of Coler Avenue and Orchard, and they might succeed.

Mr. Cahill mentioned that as he walks up and down Green Street, he noticed that the nicest block that was left was the 600 Block, because the most owner-occupied homes are in that area. In the 500 Block, the Presbyterian Church took down two houses and built a parking lot.

He noted that there would be an increase in traffic. There are people who drive fast down High Street to avoid Green Street. Now, there would be another six or eight people to try to make the shortcut and zip down High Street. High Street had changed a lot since he moved to the area. Now, there are younger children in the neighborhood. As their balls roll out into the street, they do not look automatically to see if any cars are coming. It was amazing how fast some drivers would go down the street.

He suggested that the Development Review Board make the tough decision and not buy into the idea that the petitioner had to start construction in May or there would be more costs. The Development Review Board should deny this petition.

Joan Zagorski, of 1605 South Race Street, expressed great empathy with Mr. Ross and Mr. Taylor. They gave many valid points. She was also empathetic with Mr. Barr, who was trying to solve this problem. She felt that if the building would be built as it was designed, she would be uncomfortable with eight two-bedroom apartments. The proposed building seemed too big for the lot. However, if it were to be built, then she would rather see it without the balconies, because balconies are a place where people store stuff, such as bicycles, chairs, grills, and junk. She also believed that he would not need an iron fence or knee wall.

Mr. Barr readdressed the Development Review Board. He noted his appreciation for the neighbors' concerns about the proposed development. He lived in a neighborhood where there were varying styles of architecture. The Urbana Zoning Ordinance specifically states that the Development Review Board does not review architectural style. He personally liked variety in architectural style.

Regarding the size of the proposed building, the plans were within the Zoning Ordinance except for the variances, which were requested to improve the aesthetics of the property. He noted that the building would also be sitting on a lot and a half. For safety reasons, Barr Real Estate moved the old entrance off of Green Street so that the new entrance would be off of Coler Avenue. The parking lot would be concrete, and the old driveway was gravel, which was an eyesore as well. With asymmetry, we would be talking about architectural styles, which was against the mandate of what the Development Review Board was not suppose to consider.

Mr. Barr stated that he did not solicit any comments. There were other developers, who own properties on Green Street, that called him with great concern about what was happening in the area, what they would be able to do, and where things would be headed for them in the future. There are people that rent apartments in this neighborhood up and down the street. He felt that there were many people who were not in favor of apartments being built in the neighborhood.

He pointed out that some people made comments that they did not like the balconies. The property at 712 West Green Street that everyone liked so much has balconies.

Finally, he stated that in no way, shape or form would the neighbors' property values be affected negatively. Property values have gone up on Green Street. With the parking lot for the church and the condominium development, property values continued to climb during that period of time. There was no evidence to say that an eight-unit apartment building would have any effect on the property values.

At this point, the Development Review Board began to review and discuss the Design Review Criteria and standards. It went as follows:

DESIGN REVIEW CRITERIA #1: Will the proposed land use conform with the purpose of the MOR District as stated in Section IV-2-H, and with the table of permitted uses listed in Table V-1? Will the project design be harmonious with adjacent land uses and the character of the surrounding neighborhood?

Mr. Kowalski commented that the proposed land use was permitted in the MOR District. The MOR requirements do not cap the number of units or specify the number of dwelling units per acre. He noted that there were multiple purposes of the MOR District, which made it difficult to decide if the proposed land use conformed to the purpose. Obviously, one of the purposes is for readaptive uses of existing structures, but it also allows for compatible new development, which was what he felt the Development Review Board should focus on since it was a vacant lot.

He stated that the Development Review Board was not to consider architectural style, appearance, color, building materials, or architectural details; in his mind he was asking, "what does project design mean?" He believed that project design was talking about the Site Plan, the building layout, the orientation, how the proposed structure would be situated on the lot, and how it functions. One of the things that he felt was very important was the way it was designed to have a common entrance on Green Street, which is a primary street. The original designs did not have that. They showed a blank wall with individual entrances into each unit from the exterior of the building. By changing that so there would be a common entrance on the front and back as well and having the entrances into each unit on the inside of the building, it helps to create more of an impression of a single-family house even though it would be larger than most single-family homes. Without having ramps coming down from doorways on the second floor or the sliding patio doors in the front, it helps to create that kind of feeling that fits better with some of the structures in the area.

He also felt that it was important that the building would be oriented towards Green Street with the parking in the back and not in front or along Coler Avenue. This would be consistent with the single-family home at 701 West Green Street that has parking in the back with the same number of spaces. It would also be consistent with 712 West Green Street that has parking in the back as well. Lastly, he felt that taking the driveway off of Green Street was an important key.

Mr. Gray inquired if the minimum number of parking spaces required for this project was eight? Mr. Kowalski replied that was correct.

Chairperson Tyler felt that the proposed building would have a residential appearance with the modifications that were made to the design. It would look like many of the Georgian-style homes in Urbana with two wings added to it.

She noted that there were some blank walls on the building at 712 West Green Street, which gave it more of an apartment building look rather than a single-family house. The change in the roofline also gave the proposed building a more residential and less of a “boxy-hotel look”, which was what staff was faced with in some of the preliminary designs. She felt the width of the balconies extending as far across the facades as they do gave the building more of an apartment look than a single-family residential look. She wondered if the balconies were only as wide as the windows, if it would give more of a residential appearance? Older homes have smaller balconies. Mr. Dankert responded that they could adjust the length of the balconies to six feet. Mr. Skinner felt it might look funnier if the balconies were smaller, because the balconies are not on the wings. Mr. Dankert commented that the width of the balconies contribute to the roof change. Chairperson Tyler noted that there are older homes that almost have ornamental balconies, which look more residential but are less functional. Mr. Dankert commented that people who have those types of balconies wish they were bigger, because it was hard to even get a chair on the balcony.

DESIGN REVIEW CRITERIA #2: Will the proposed site plan and structure(s) conform to the development regulations in Article VI? Will the proposed site plan be compatible with the surrounding neighborhood? Will the proposed use overburden the capacities of existing streets, utilities, sewers and other public facilities?

Mr. Kowalski remarked that the Site Plan did meet the development regulations with the variances that were approved by the Zoning Board of Appeals. In his opinion, the development went a long way to achieve some compatibility. What made this a difficult decision, regarding whether the proposed Site Plan would be compatible with the surrounding neighborhood, was that there were a variety of land uses, a variety of structures, a variety of sizes, single-family owner-occupied, single-family rented, large apartments, a large church and a large parking lot currently located in the MOR Zoning District. It was very hard to say that there was one predominant type of style, structure, orientation, and setback in this neighborhood. He believed that this proposal would help blend some of the variety a little bit and was compatible. He did not feel that the existing streets, sewers and utilities would be overburdened by this development.

Chairperson Tyler felt that the second question of whether the proposed Site Plan would be compatible with the surrounding neighborhood was one of the most important questions. When she looked at this proposal in isolation to whether it was compatible to the Ricker House at 609 West Green Street, she thought it was not tremendously compatible. There were many valid concerns. However, when she looked at the neighborhood of three blocks of Green Street, the proposed development would fit in, because it does have residential character. There are many varieties, styles, and sizes of buildings. There are churches, a kind of Tudor-styled apartment building at 603 West Green Street with balconies, and two modern apartment buildings at 707 West Green Street and 709 West Green Street. There are a variety of uses, and she believed it was compatible with the residential and resident-serving types of uses in the larger concept, but

on a micro-scale it did not match the style and massing of what was next door and across the street.

Mr. Gray thought that one of the difficulties with this question and with the concerns of the nearby residents was that it was a neighborhood with mixed uses. Typically, in a single-family neighborhood, one would not expect to see an apartment building next door. Conversely, in an area where there are apartments, there are not that many single-family residences next door. This was a particular street in a larger neighborhood that has both types of uses and types of structures. When you look at the context of the question, the very neighborhood is a variety or diversity of structures.

He commented that the proposed development would add extra cars to the street and more sewage to the sewers; however, it would not overburden the street system, the sanitary sewer system, or adversely impact any of the infrastructure issues. It was an existing built-up area with existing sewer systems where the street sewers were already being maintained. He did not see where the proposed development would adversely impact the utilities.

DESIGN REVIEW CRITERIA #3: Will the location, orientation, setbacks, spacing and placement of the structure(s) harmonize with the surrounding neighborhood and minimizes the impact of their use and bulk on adjacent properties?

Mr. Kowalski stated, that regarding location, he was not sure if there was anywhere else that the proposed development could go. Orientation was a big concern for him. He felt it was important that the building would be oriented towards Green Street.

The Development Review Board had heard many concerns about the setbacks and what the average of the setbacks were in the neighborhood. Frankly, if the petitioner were to try and achieve a 40- to 45-foot setback, obviously, they would not be able to do this development. They would only be able to develop perhaps a large single-family structure, a duplex or something along that nature. Regarding the closeness to the property to the east, if the petitioner were developing a single-family structure, it could be five feet from the property line, and it could be the same height of the proposed structure, maybe even taller. He could understand where the adjacent property owner felt this would be too close, but if a single-family residence was being developed, it could be even closer, taller, and have equal impact to the adjacent owner. This was one reason why Mr. Kowalski felt that it was important to have the entrances into each unit in the interior of the building.

Chairperson Tyler thought the second part of the question, “*minimizes the impact of their use and bulk on adjacent properties,*” was where the landscaping suggestions were important. She hoped that would be part of any approval that there would be screening extending to the second floor, not just on the east side and not just a fence. The previous structure was an older home that set on a lot and a half, so there could have easily been 50 feet between the buildings because of that. Therefore, the landscaping was critical to the proposed development.

DESIGN REVIEW CRITERIA #4: Will drives and parking areas be located, designed and controlled to move traffic conveniently and safely in a manner which minimizes traffic friction, noise and visual impacts?

Mr. Gray believed that the location of the drive was ideal being on Coler Avenue versus on Green Street. With Green Street being a collector street, it would be more difficult to ingress and egress off of Green Street. Due to the fact that the drive was set as far back to the rear on Coler Avenue to keep it away from the intersection of Coler Avenue and Green Street, it would not interfere with cars queuing northbound. If there are cars heading southbound on Coler Avenue and wanting to turn into the parking lot, the drive would be far enough away from the intersection that they would not have to wait for cars to queue. To optimize access to this lot, this would be the best location for the drive and parking lot given all the perimeters of this lot.

Chairperson Tyler agreed that it was better to have the traffic on Coler Avenue and not on a busy street, like Green Street. It seemed safer. Mr. Brunk felt that it held true for visual impact as well.

DESIGN REVIEW CRITERIA #5: Will adequately sized and designed parking areas be located to meet the requirements of Article VII except as modified by the Development Review Board?

Chairperson Tyler mentioned that the Building Inspector did review the parking layout.

DESIGN REVIEW CRITERIA #6: Will safe and convenient provisions for the movement of handicapped persons and parking for the vehicles of the handicapped be accommodated in the project design in conformance with the requirements of the State of Illinois?

Chairperson Tyler noted that this had been done. Mr. Gray inquired if the location of the accessible parking space was in a good location considering where the entrance of the building would be? He commented that usually a developer would try to put that location closest to the entrance. Mr. Skinner mentioned that although one might say that a handicap parking space located in the middle of the parking lot might be better, with it being located on the west end of the parking lot it would give the developer the ability to allow access to the handicap parking space in the side yard. He noted that if indeed there was not a need for a handicap parking space, this parking space would be a parking space for someone living in the apartment building. The parking space would not be left vacant. However, it could be converted to a handicap parking space when needed.

Mr. Kowalski pointed out that the rear entrance as well as the front entrance would be handicap accessible. Mr. Skinner mentioned that all the ground floor apartment units have to be handicap adaptable.

DESIGN REVIEW CRITERIA #7: Will the project design encourage the preservation of natural features such as mature trees and other healthy vegetation?

Mr. Brunk noted that there was nothing left on the site to be preserved. Mr. Kowalski stated that the shrubs on the east side were on Mr. Ross's property. The reason he inquired about the shrubs earlier was because it seemed unnecessary to take down the shrubs to put up a fence. Mr. Brunk felt that there should be some discussion between Mr. Ross and Mr. Barr/Mr. Dankert on preferences of fences versus a naturalized softening. It would be useful for both parties. He agreed that a natural softening between the two properties would provide a little more compatibility rather than just fencing it off. Ms. Tyler questioned if Mr. Brunk saw any value to fencing and landscaping? Mr. Brunk replied that the landscaping could soften the fence. However, he was an advocate of the community space. When fences are put up in yards, it segregates everyone from each other. To provide appeal for the community, it would better serve the purpose to not put a fence. Preferences of the adjoining property owners have to play into that decision.

DESIGN REVIEW CRITERIA #9: Will the project design conform to the sign regulations in Article XI?

Mr. Kowalski assumed it would. He asked that question earlier, because it was one of the real frustrations of residents in the community. It happened on Grove Street with the Campus Property Management apartment building. The residents in the neighborhood did not like the apartment building to begin with, but it made it worse when the owner put up a big sign in the front yard. He did not know if the Development Review Board had any latitude to place a condition on the type of sign that could be used for this proposed development. Whatever they are allowed to do is what they could do, which could be a freestanding, illuminated sign.

Mr. Brunk pointed out that Mr. Barr had stated that he was not interested in putting up a sign unless State law required it. Mr. Dankert replied that was correct. He noted that the maximum sign under the MOR Zoning District regulations was five feet. He stated that Mr. Barr did not want that big of a sign. But there may have to be a sign to identify whom to call about the apartment.

Mr. Kowalski stated that if the Board had the ability, then he would like to place a condition to that effect. Maybe Mr. Barr does not want a sign, but property owners change everyday. Mr. Brunk felt that was reasonable. If there needed to be a sign, then maybe it could be placed in the back in an inconspicuous area. Mr. Dankert replied maybe near the parking entrance. Mr. Brunk remarked that it could even be south of the building. Chairperson Tyler believed that the reason the State would want that information was so that someone could contact the owners, for example, service people, etc. She remarked that she liked the sign being part of the building itself.

Mr. Kowalski pointed out that most of the time, a sign would be used to advertise the building "For Lease", which would be okay. However, since they are trying to do something that would blend in with the neighborhood and blend in with the single-family character of the neighborhood, a big sign out front would not help. Chairperson Tyler commented that there are other signs for property management contact information. She suggested adding a condition to the Landscape Plan for sign details to be reviewed and approved.

DESIGN REVIEW CRITERIA #9: Will the location and construction of fencing and screening conform to the requirements of the Urbana City Code?

Mr. Kowalski mentioned that the parking lot required screening from the adjoining properties whether it be fencing or landscaping. Barr Real Estate would probably have to put a fence on the south side, because there would not be enough room for landscaping.

DESIGN REVIEW CRITERIA #10: Will the project design conform to customary engineering, site development and site landscaping standards?

Mr. Skinner stated that it had already been indicated that the project design would conform to the standards. Mr. Brunk commented that he would want the approval of this contingent upon his approval of the Landscape Plan. Mr. Gray noted that the site development layout would work with the storm water runoff. He would need an Underground Utility Plan, which usually was done with the building documents. It would indicate where the downspouts would be and note the elevations of drainage.

DESIGN REVIEW CRITERIA #11: Will landscaping berms, fences and/or walls be provided to screen adjacent properties from possible negative influences that may be created by the propose use?

Mr. Brunk commented that the petitioner was willing to make this work, so this would be contingent upon his approval of the Landscape Plan.

DESIGN REVIEW CRITERIA #12: Will the design of drives and parking areas result in a minimum area of asphalt or concrete? Will drainage be provided in conformance with the requirements of the Urbana City Code?

Mr. Gray stated that this would be contingent on his approval of the Drainage Plan, which he usually receives with the building plans. Mr. Skinner added that a building permit would not be issued without the Site Plan being approved.

Mr. Gray remarked that if a minimum of eight parking spaces was required and the dimensions were per the City of Urbana's Zoning Ordinance for a parking lot, and there would be a turnaround, which would be required, then in his opinion, there would not be any excessive asphalt or concrete.

DESIGN REVIEW CRITERIA #13: Will the location of exterior trash dumpsters, storage areas and loading areas be screened from adjacent properties and streets? Will exterior lighting be directed away from adjacent structures?

Mr. Brunk mentioned that Mr. Dankert had talked about screening the trash, and that it would be located in the southeast corner of the lot. Mr. Skinner commented that he had a couple of experiences where people have built screened-in areas for their garbage and the garbage contractors would not allow the residents to use it. It resulted in the dumpsters being located

outside of the screened-in area. The garbage collectors do not want to have to open and close the doors to the screened-in area. Mr. Gray informed Mr. Skinner to talk to Rod Fletcher.

Mr. Kowalski expressed concern about the lighting in the back. He inquired about what kind of street lighting was currently there? Was the area pretty well lit as it is, where maybe only a light or two on the building would be sufficient? Although he would not want to see a dark parking lot, he also would not like to flood the adjoining neighbors backyards. Chairperson Tyler pointed out that there some types of light that are more obtrusive. Mr. Dankert commented that the cut-off angles were very important. The far southeast corner was probably the most vulnerable location, and for safety reasons, they would need to use a higher illumination. He expected that they would use a short pole about eight to ten feet high.

Mr. Skinner asked if the lighting could be included with the Landscape Plan and have someone approve it at a future date. Mr. Kowalski agreed and suggested that instead of being called the Landscape Plan, it should be called the Site Details Plan. It should include details about the landscaping, lighting, fencing, and signage.

Mr. Dankert was glad to hear someone suggest not putting a fence on the east side and use landscaping instead. He stated that he did not like fences. They have a good opportunity to do some good landscaping on the east side. Mr. Brunk agreed. It would be an innovative challenge to landscape that area with a seven-foot setback. However, he believed it could be done, and he had confidence in Brown & Woods being a landscape contractor that could do that. Mr. Kowalski suggested that maybe Mr. Barr and Mr. Ross could work out an arrangement where the landscaping was provided on Mr. Ross property for his ownership and maintenance at Mr. Barr's expense. There would be less of a chance that there would be lack of maintenance over the years, and it would provide more room in that area as well. Mr. Brunk thought that would be an excellent idea, because then they could create a landscape screen that would not necessarily be limited in the seven-foot setback zone and have it be cohesive for both properties. Chairperson Tyler added that any landscaping along the east side needed to be done in coordination to the respect of the adjacent landowners.

Mr. Kowalski asked if the Development Review Board wanted to require a shade tree or two in the front yard? Mr. Brunk heard from Mr. Barr and Mr. Dankert that the landscaping was going to be substantial, so rather than dictate specific perimeters, he believed that the Development Review Board should suggest that there would be a softening with the use of trees and shrubs for each of the side yards and the front yard and see what the design comes back to be. They could tweak it from there. This would allow some opportunity for the designer to create a landscape plan. They could include a statement along the lines that the Development Review Board was looking for plant material including trees and shrubs that would help blend the proposed development into the neighborhood. Mr. Skinner inquired if there were trees there now? Mr. Brunk replied that there were four trees there now. Mr. Dankert mentioned that there was a brick walk along the property also.

Mr. Kowalski moved that the Development Review Board approve this proposal based on the findings that it satisfied the 13 Design Review Criteria and with the condition that a "Site Details Plan" be submitted and approved prior to a Certificate of Occupancy, and that the "Site Details

Plan” would address landscaping, lighting, and signage. In addition, a condition that the developer work with Mr. Ross and the City of Urbana for landscaping on the east side be included. Mr. Skinner seconded the motion.

Mr. Gray asked if the plan should be submitted before the Certificate of Occupancy or before the building permit was issued? Chairperson Tyler stated that she felt before the building permit was issued would be the right time to get the plan. Mr. Kowalski stated that he was only thinking of the Certificate of Occupancy, because Barr Real Estate wanted to get started on construction right away. Mr. Brunk felt comfortable with approving the Site Details Plan further down the road and holding back on the Certificate of Occupancy until it would be approved.

Mr. Gray asked if he could make a friendly amendment to the motion to make the approval contingent on the drainage plans being submitted prior to the issuance of the building permit. If the drainage plans would be approved, then Building Safety could issue a footing permit. Mr. Skinner replied that they could then begin excavating and pouring the foundation.

Mr. Kowalski mentioned that another idea would be to go ahead and let Barr Real Estate start construction of the proposed development and place a deadline of three or four weeks on when the Site Details Plan would need to be approved. If the developer violated the deadline, then they would have to stop construction. Mr. Dankert felt that was fair.

Mr. Brunk asked Mr. Ross if he was interested in participating in a landscape plan especially for the east side of the proposed development? Mr. Ross replied that it depended on the outcome of the vote.

Mr. Gray asked for the motion to be read back. After hearing the motion, Mr. Gray retracted his friendly amendment, because he thought that drainage had been included in the original motion.

Mr. Skinner clarified the discussion by saying that if the Development Review Board would approve the proposal, then Building Safety could issue a building permit or a foundation permit without any contingencies. However, the Site Details Plan would need to be submitted and approved prior to a Certificate of Occupancy being issued.

Mr. Gray commented that he heard many valid concerns. From where the Development Review Board sat, their understanding of what the MOR Zoning District was about and 13 Design Review Criteria were as follows: it is a mixed-use street or zoned area, and it was setup to have apartments with certain size and scale next to single-family homes and offices. No one on the Development Review Board was around when the MOR Zoning District was created and knows all the true background. He has heard what the residents, who live in the area, said and what the developer would like to do, which is to meet the intent of the MOR Zoning District. He believed that the developer had satisfied the 13 Design Review Criteria. Chairperson Tyler added that the irony to this was that the Development Review Board was to look at compatibility, but not architecture. There are development regulations that seem to dictate something else altogether.

Mr. Kowalski agreed with their comments. He noted that the MOR Zoning District was trying to achieve a lot of different goals and a lot of conflicting goals. From a planning perspective, many

April 17, 2003

planners would say that the Green Street Corridor should be the higher density corridor. Otherwise, the City would be pushing students to places like Melrose or other developments on the fringe of town and encouraging even more automobile dependency. That philosophy directly conflicts with the goal of keeping the area as single-family residential. Naturally, the two blend together, and it was hard to separate the two.

Roll call was taken and was as follows:

Chairperson Tyler	-	Yes	Mr. Kowalski	-	Yes
Mr. Skinner	-	Yes	Mr. Gray	-	Yes
Mr. Brunk	-	Yes			

The motion was passed by unanimous vote.

7. ADJOURNMENT OF MEETING

The meeting was adjourned at 5:55 p.m.

Respectfully submitted,

Elizabeth Tyler, Secretary