

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: September 18, 2003

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Christopher Alix, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White

MEMBERS EXCUSED: Alan Douglas, Laurie Goscha

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services Department; Rob Kowalski, Planning Manager; Teri Andel, Secretary

OTHERS PRESENT: Zach Borders, Rich Cahill, Liz Cardman, David Monk, Esther Patt, Doug Quivey, Steve Ross, Rich Schugel, Trent Shepard, Ruth Wyman, Joan Zagorski

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

The meeting was called to order at 7:33 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Ms. Stake moved to approve the minutes from the August 21, 2003 meeting as presented. Mr. Kangas seconded the motion. The minutes were then approved as presented by unanimous voice vote.

Mr. Alix and Mr. Hopkins were not in attendance when the minutes were approved. Mr. Alix questioned the setting of the Council Chambers clock and felt the meeting essentially started early. Since Mr. Alix had changes to the minutes, the Plan Commission agreed to accept the changes suggested by Mr. Alix.

4. COMMUNICATIONS

The Plan Commission agreed to allow people, who desired to speak at the beginning of the meeting, to talk about the M.O.R. Zoning District, which was on the agenda to be discussed as an item under Study Session. The following is a list of people along with a summarization of their discussion:

Trent Shepard (of 409 West Oregon) wondered if there was something similar to the Tax Incrementing Finance (TIF) District that could be implemented for the M.O.R., Mixed-Office Residential Zoning District. If a person wanted to put money into a lot or parcel in the M.O.R. Zoning District, whether it would be upgrading any existing structures or building a new building and would agree to abide by some standards of review (architectural or floor area ratio: something that would make the property less dense and fit in more with some of the existing buildings), then perhaps they could get ten years of tax abatement on the increase in the assessed value.

Liz Cardman (of 708 West California) stated that she presented the initial petition to the City Council with nearly 200 signatures requesting the moratorium. She noted that there were some people who discredited some of the signatures for those who do not live in the M.O.R. Zoning District. Many people throughout town really think of Green Street as being the heart of Urbana connecting campus to the downtown area. It was more than just the residents adjoining the M.O.R. Zoning District who care about what was going on.

She shared a quote from a newspaper column on June 16, 2003 in the News-Gazette. She encouraged the Plan Commission to consider what their predecessors in 1990 intended to do with the M.O.R. Zoning District, which was to “protect and preserve the historical, architectural, economic, and environmental character of the neighborhood. The spirit of that had not really been accomplished. Therefore, she suggested that the Plan Commission consider the following criteria: 1) architectural criteria for any new construction, 2) a minimum setback, 3) a maximum height, and 4) what to do with the parking problems in the area. She also suggested that the Plan Commission consider underground parking as a possible solution.

Rich Cahill (of 307 South Orchard) mentioned that when the M.O.R. Zoning District was created, his property was down zoned from R-5 or R-6, Medium to High Density Multiple Family Residential Zoning District to R-2, Single-Family Residential Zoning District. He said that it was very frustrating living in this area. He noted that he has talked to several boards and commissions.

The demolition of the two houses on the 500 Block of Green Street put a major hole in the character of Green Street. Now, the Campus Oaks are standing out with vinyl siding and balconies hanging off the side. Several years went by without any changes in the M.O.R. Zoning District, and then all of a sudden there was the proposal for the development of an apartment building at 611 West Green Street. Next thing, the proposed development for 605 West Green Street came along. 701 West Green Street development snuck in right before the moratorium was passed.

The worse proposal of these three is the apartment building to be constructed at 701 West Green Street. It will be the tallest building in the neighborhood next to the Hendrick's House and will be located kitty-corner to the Ricker House.

He noted that he is a member of the Historic Preservation Commission, which was able to discuss and make comments on the 611 West Green development because it was across the street from the Ricker House. He did not understand why the Historic Preservation Commission was not allowed to make comments on the 605 or 701 West Green Street proposals as well. How do you define what the impact would be? Would it be right across the street or would it be all the way from Lincoln Avenue to Race Street? There is still some character on Green Street, which will go down hill real fast. The impact was not on Green Street, but rather it was High Street, Orchard Street and California Avenue.

Mr. Cahill commented on the Development Review Board (DRB) and the M.O.R. Zoning District by saying that residents feel that unlike the other boards and commissions, they get a fair chance to voice their opinions. He believed that it would be a hard choice. Should staff just eliminate the DRB entirely? Why have a board that really has not accomplished its goal? Although he believed it would be a tough deliberation, he was interested in seeing some major changes.

Mr. Pollock clarified that the issue in front of the Plan Commission was not whether to do away or change the M.O.R. Zoning District, but to amend it to try to tune it up and try and make it work a little better based on what its original intention was. Mr. Cahill stated that it would be hard to zone for good taste or lack of taste.

Ruth Wyman (of 502 West Main Street) stated that she recently moved away from the M.O.R. Zoning District and wanted to share a concern about the district. The issue of parking is a major concern, and because there are a lot of multi-family apartment units located in the M.O.R. Zoning District, there is not sufficient parking. This was also something that the City Council has to deal with.

Some landlords may say that there was enough parking provided, but that is not so. Some landlords have the required minimum parking space, which was one parking space for every two bedrooms. Although that certainly meets the City's requirements, it did not provide enough parking spaces for all the tenants. Some tenants do not use the provided parking spaces by the landlords, because the landlords do not provide those parking spaces for free. They charge an extra \$40.00 per month to tenants to be able to park their cars off the street. If the density increases in any of the M.O.R. Zoning District changes, then the parking problems will increase as well.

Mr. Alix mentioned that when the moratorium case was brought to the Plan Commission, they heard two general complaints from the public regarding parking. One complaint was that the City required too much parking. Specifically in the vein of preserving the character of the neighborhood, some people said that it was destroying the neighborhood to have so many cars to

have to fight for parking spaces on the street, because new developments were not being forced by the City to provide sufficient parking.

The other complaint was that the City did not require enough parking. Some people stated that they did not want to look out their back windows and see that a house had been torn down in order to build parking to satisfy the requirement that the City imposes that a landlord provides parking.

He commented that it seemed that Ms. Wyman was in favor of the City requiring that the developers provide more parking. Ms. Wyman felt that both problems were valid and important. This should not be that everyone's backyard should have to be paved. On the other hand, if the City was going to meet the needs of the people living there, they were not meeting it in the current requirements and would certainly not meet it if the number of apartment units increase in the area. She suggested that the City keep the density low, maybe even lower the density some more to prevent a sea of concrete. She noted that Hunsinger's built a parking lot on Elm Street between Busey and Coler Avenues. The parking lot was available for people who live at some of their units at 604-1/2 and 606-1/2 West Elm. The tenants may have to walk a half of a block, but it preserves some of the housing structures located there.

Mr. Alix mentioned that at one time, there was probably a single-family home located where the parking lot now is. The Plan Commission always hears about how landlords are not providing enough parking. What they do not hear were suggestions on how the City can get regulations that require landlords to provide that much parking without doing even more damage to the neighborhood. Ms. Wyman replied that the answer might just be not that the developers need to destroy the beautiful single-family houses that have and add such character to the neighborhood, but that the City says the area has to be low density because the neighborhood was not built at a time when there were cars around and because there was no way to keep the character of the neighborhood and meet the increase needs of parking associated with higher density residential.

Steve Ross (of 609 West Green Street) noted that he and his family live at "ground zero". Three single-family homes were torn down, and now three apartment buildings will be built in their places.

He stated that if you look at the size of each of the apartment buildings to be built at 605, 611 and 701 West Green Street, the floor plans are designed to be as close to the maximum floor space ratio, which is 5,950 square feet, as possible. He suggested that a reasonable enhancement to M.O.R. Zoning District would be to limit the amount of increase from previously existing buildings to future newly constructed buildings. This would not encourage the building of large apartment complexes.

Esther Patt (of 706 South Coler Avenue) felt Mr. Ross's suggestion was a very good suggestion. It would get to the heart of the scale, which was how new construction fits into the existing neighborhood.

She talked about the parking problem. She agreed with Ms. Wyman by saying that people do not want to see backyards paved for parking. However, the streets are getting filled with cars. How

do we resolve this problem? The neighborhood cannot accommodate high-density multi-family. Although the M.O.R. Zoning District allows lower density than some other areas, what is currently allowed is still too high density for the neighborhood. She believed that if the City increased the parking requirements, then it would reduce the density of the buildings, because the developers would have to use more of the lots for parking.

She had heard talk of a bicycle path being putting in on Green Street from Lincoln Avenue to Race Street. Whether it would happen on Illinois Street or Green Street, it would remove 50 on-street parking spaces. She felt that it would be poor planning to allow the building of apartment buildings with the expectation that 50% of the needed parking would be provided on-street when there was not enough parking on-street to start with and there were plans to remove some of that on-street parking.

She believed that what mainly drives the whole interest in higher density development was building a tax base. Although she was all for building the tax base, she thought it would be wise to have a look at how much the tax base would lose by reducing the density allowed somewhat to make new construction in this neighborhood compatible with the neighborhood and within the limitations of what could be provided in that neighborhood. She believed that Mr. Ross's suggestion was a good one for accomplishing a lot of the goals of trying to maintain the profile of the neighborhood.

Mr. Alix addressed the density issues by saying that the argument that the City should reduce density in all the areas immediately adjacent to campus creates another problem, which is finding affordable and accessible housing for people. He did not know if it was an appropriate solution to say that anyone who was not in a position to buy a home and wants to live close to campus was "out of luck" and should move on North Lincoln Avenue in Capstone, University Commons, or Melrose Apartments. He would like to think that there was a way that the City could encourage the development of occupancy types other than single-family occupancy close to campus without destroying the character of these neighborhoods. Maybe it was an issue of lower density apartment buildings with four or six units.

Ms. Patt responded by saying that about 14 years ago when the Plan Commission was having hearings on the Campus to Downtown Plan, the whole thing seemed to be a fight between single-family only and the developers complaining about their property rights. She suggested small-scale multi-family. She personally found it nicer living in an apartment building with only three or four other apartments rather than a building with 15 units. You know your neighbors better, you feel safer, it is easier to maintain, and the building is kept cleaner and is quieter.

In general, there was no shortage of rental housing close to campus in the City of Urbana. The percentage of owner-occupied homes in the Campus to Downtown area was shrinking. From Lincoln Avenue to Race Street, there has been quite a bit of new construction since 1990. Therefore, she did not feel that there was any risk in the immediate future.

West Urbana neighborhood is a really nice single-family neighborhood. In terms of tax base, there are some nice homes with large property tax bills. The community has invested a lot of money in renovating the neighborhood school. She felt it was really a shame to say that an

apartment building would bring in more money than not having any development on a property, so who cares what happens to the neighborhood.

On the subject of parking, Ms. Patt noted that building apartment buildings on Green Street does not only add parking to Green Street, but on High Street and Illinois Street as well. There are not enough parking spaces to satisfy apartment buildings. All this multi-family activity is pushing closer to single-family homes, which makes it appear to single-family homeowners that it will be harder to sell their homes as single-family homes.

Mr. Alix stated that he was trying to assess where the line between appropriate and character destroying uses sits. Whether the line sits just above a single-family home or whether there was an opportunity to allow some types of higher density development without going to the scale of 19 and 20-unit apartment buildings? Would it be appropriate for a developer to build a 4-unit, 2-bedroom building and the City require four parking spaces for that building? Ms. Patt felt that a four-plex type of development would be beneficial in a lot of different ways.

Ms. Upah-Bant thought that maybe the City could remove enclosed parking in the M.O.R. Zoning District by offering an incentive for people to have remote parking and maybe not bring their cars into the M.O.R. Zoning District. If we get the tram and put a bike path in, we already have good bus service, then we could plan for a young, urban professional area. Ms. Patt felt that would be an example of poor planning. There are government officials and urban planners, who all have cars and have no intentions of giving them up, are suggesting that we create a class of people who would not use cars. People need cars. It was unrealistic to presume that if we make it hard for people to park their cars, then people will forgo automobile ownership.

Ms. Upah-Bant believed that the City was not going to be able to get any infill, like first floor deli construction that we would like, in some of the older houses on Green Street unless there was a need for them. The only way there would be a need for them is if people cannot drive to the grocery store, etc. Everyone keeps complaining about cars, but we keep zoning to allow more cars. Ms. Patt responded by saying that the City had not changed the zoning requirement for parking in many years. That was one of the reasons why parking problems exist in the West Urbana neighborhood area. She added that people buy cars because of their need and not because of City zoning.

Ms. Stake wondered whether we could require new construction to have parking underground in the Downtown Urbana area, on Green Street and close to campus? Ms. Patt replied that if the parking would be completely underground, then it would be great. She felt that first floor parking lots would be so much worse than having streets crowded with cars. Developers do not like to build underground parking, because it is very expensive.

Joan Zagorski (of 1605 South Race Street) inquired as to how much it cost to buy a demolition permit? Elizabeth Tyler, Director of Community Development Services, replied that the fee for a demolition permit was \$100.00. Ms. Zagorski questioned about how much it would cost to purchase a building permit? Ms. Tyler answered by saying that the cost of a building permit was calculated by cost, size, and type of construction. It could be several hundred. Ms. Zagorski read from a book about straw-bale houses. She suggested that the City charge more for a

demolition permit, so that might keep developers from tearing down houses to build apartment buildings. She felt the cost of the demolition permit should be based on whether the developer or property owner was planning to build a new single-family house or an apartment building. The extra money from the sell of a demolition permit could be used to pay an inspector to inspect homes in the neighborhood, so that they could be repaired instead of being allowed to deteriorate.

Ms. Tyler clarified the following:

- ✓ Minimum Setbacks – The minimum setback in the M.O.R. Zoning District is 15 feet in the front. There is also a maximum setback, which is averaged against the other buildings along the block face. The maximum setback is 25 feet.
- ✓ Balcony Inspection Program – The City has a program in place, where the City requires property owners with balconies to do inspections. Re-inspections are at the cost of the property owners. The City was not allowing unsafe balconies in Urbana.
- ✓ Parking Ordinance – The size of the bedrooms and how many bedrooms are provided in a building are what determines how many parking spaces that will be required. Staff has found that more students are bringing their cars to campus than in previous years. Surveys from about two years ago showed that car ownership rates have crept up above the City's parking requirements. This is a real dilemma, because if the City increases the required parking to be consistent with what is now the ownership, then there will be an impact on the City's development regulations. So far, the City has not been able to come up with a resolution to this problem.
- ✓ Underground Parking – This is something you would see in higher densities, where the developer can afford the elevator, and there is enough of a building construction to make it worth to put that parking underground. Currently in the M.O.R. Zoning District, first floor parking levels are not allowed.
- ✓ Impact of On-Street Parking – As she understands it, there is no permit parking allowed on Green Street, but there is on High Street. Anyone living on Green Street cannot get a permit. This prevents those tenants living on Green Street from parking on High Street, and it gives the tenants and residents on High Street a place to park.
- ✓ Density Reductions – Currently, staff was not suggesting any density reductions, because it represents from 13 years ago, density reductions that were carefully done throughout the whole Downtown to Campus Plan. If staff were though this amendment to reduce density potential in this area, which is only 16% owner-occupied, then they expected to be challenged pretty hardily on that.
- ✓ Demolition Permit Fee – This fee is pretty nominal. However, demolishing a structure is pretty costly, ranging around \$7,000 to \$8,000 for a small-sized house.
- ✓ Building Permit Fee – This fee is definitely more costly for any type of commercial use, including multi-family than for a single-family permit.

Mr. Alix asked for a summary on the restrictions placed on people being able to park on certain streets. Ms. Tyler explained that a resident must have an address that has permit parking. Her

understanding was that High Street was protected for the extended permit parking, but Green Street was not.

Mr. Alix inquired if a person living on High Street could buy a parking permit for California Street? Ms. Tyler replied that a person couldn't obtain a permit unless he/she lives in the permit parking area. Mr. Alix asked who could purchase a parking permit? Ms. Tyler stated that any resident, tenant, or homeowner that lives in the permit parking area. Ms. Cardman believed that the line for the parking district went down Green Street. In affect, anyone who lives on the south side of Green Street would be in the parking zone. Ms. Tyler stated that this was a good question and she would find out the answer.

5. CONTINUED PUBLIC HEARINGS

There were none.

6. NEW PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

CCZBA 403-AM-03: Request by J&R Schugel Trucking, Inc. to amend the Champaign County Zoning Map from I-1, Light Industrial to B-4, General Business for a 7.5-acre tract of land located at 3501 Countryview Road.

Rob Kowalski, Planning Manager, presented the case to the Urbana Plan Commission. He began by giving a brief background on the history of the company and a description of the site. He talked about the rezoning request. He noted the LaSalle National Bank Criteria that pertained to this case. He summarized staff findings and read the options of the Plan Commission. Staff recommendation was as follows:

Based on the summary of findings specified in the written staff report, staff recommended the Plan Commission recommend that the Urbana City Council defeat a resolution of protest.

Ms. Stake questioned how many trucks the petitioner would be allowed to have in a B-4 Zoning District? Mr. Kowalski answered that J & R Schugel Trucking, Inc. could sell more than six. He did not know if there were a specific number of how many trucks that could be sold, but the entire operation could be used to sell trucks.

Ms. Stake stated that she was looking for the information from the County Board. She quoted the following: *"The County Board will not encourage new commercial development, except in*

those areas where sewer, water, adequate fire protection and other utilities are readily available.” She understood that the sewer was not available for this operation. Mr. Kowalski believed that the petitioner ran under a septic system. If they did connect to the City sewer, then they would be required to sign an annexation agreement. He thought the goal in that policy was intended more for an area that was not developed and where new development was proposed to be built. J & R Schugel Trucking, Inc. does have water and are in close proximity to have adequate fire and police protection.

Next, Ms. Stake quoted the following: *“The County Board will strongly discourage proposals for new commercial development not making adequate provisions for drainage and other site considerations.”* She inquired if the drainage had been checked out? Mr. Kowalski responded by saying that City staff had not received any correspondence from the County that there was a drainage problem on this proposed site. The petitioners are not proposing any changes to their site or their building that would require a new drainage facility.

Ms. Stake asked how the petitioners would get sewer connection? Would they have to connect to the City? Mr. Kowalski said that the petitioners would have to connect to an interceptor that would run to their property. He was not sure where the sewer currently ends. If the sewer were extended to their property and they connected to it, then they would have to annex into the Sanitary District and agree to annex into the municipality when they became contiguous to the City boundary.

Ms. Stake understood that there was some problem with the other solution to sewers. There could be problems with the water table underneath with the aquifer? When a person has a septic tank, how was that worked out? Ms. Tyler stated that the Illinois Environmental Protection Agency and the County Department of Health issues permits for on-site sanitary waste disposal systems (septic systems). They perform percolation tests. As long as the system is operating correctly and the petitioner has a health permit, it should not affect the aquifer and should not pose a public health issue. The City has an agreement with the Sanitary District to basically force sanitary sewer connections when there is new development within about 200 feet of the sewer. The proposed location is a little past that point.

Doug Quivey, of Webber & Thies, represented J & R Schugel Trucking, Inc. He responded to some of staff findings and questions asked by Ms. Stake.

Regards to sales, the County has not found that any existing sales are not incidental to what has been going on since 1985. The petitioner desires to increase sales, and instead of having a fight over when it becomes incidental and how to define incidental, they thought that they would go ahead and request a zoning amendment. There are some adjacent businesses that this has already been done for.

He stated that under the proposed zoning plan, there is no cap per se on the number of sales that could take place. The petitioner does not plan to change the character of the business. Although they would like to increase their sales, it was still a secondary part of their business. It was a little misleading in the sense that the business was not like a common car lot, where general customers come in to look. A lot of the sales are to specific drivers. Many of the sales do not

even take place there. It was not like they had plans for hundreds of trucks sitting there to be sold.

In terms of the sewer, the County Public Health has inspected the lot. For a change or modification, it would have to be reinspected and would have to comply with all requirements. The County Zoning Board of Appeals basically said that there were not any problems with any of the infrastructure as it relates to sewer and drainage as to the request in zoning.

Mr. White believed that this made sense. There was definitely room for more trucks to sit on the site. He moved that the Plan Commission recommend that the City Council defeat a resolution of protest. Mr. Hopkins seconded the motion.

Mr. Alix commented that he did not have any problems with the proposal. In general, the Plan Commission should be careful about rezoning Industrial to Business when there are parcels that are setback from a main road like this. He was thinking in terms of whether the road access would be sufficient. He did not feel that this was an issue in this case, though.

The roll call was as follows:

Mr. White	-	Yes	Ms. Upah-Bant	-	Yes
Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Mr. Kangas	-	Yes	Mr. Hopkins	-	Yes
Mr. Alix	-	Yes			

The motion was passed by unanimous vote.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- *Plan Case # 1862-M-03 (Otto Rezoning)* was approved by City Council.
- *Comprehensive Plan Update* is continuously being worked on. The Comprehensive Plan Steering Committee and City staff has been working on the Future Land Use Maps. Staff has set up a second round of neighborhood workshops that will be starting on October 8, 2003.

Ms. Stake asked if staff could make maps of what currently exists in each area and of what would be proposed, so that people could see the difference? Mr. Kowalski replied yes. He mentioned that the maps will eventually be available online as well. This round of workshops will be in an open house format. People will be asked to fill out a survey after looking at the maps.

11. STUDY SESSION

M.O.R., Mixed-Office Residential Zoning District

Mr. Kowalski presented the study session with an overview of the M.O.R. Zoning District by discussing the following:

- Background of the M.O.R. Zoning District
- Intent Statement
- Activity in the M.O.R. Zoning District
- Other Developments on the Corridors that are Not in the M.O.R. Zoning District
- Recent Proposals in 2003
- Request for a Moratorium
- Goals of the Moratorium
- Changes to the Development Review Board
- Development Review Board – Existing Composition
- Review Criteria (According to the Zoning Ordinance XI-2.D)
- Design Compatibility
- Design Guidelines
- Factors Limiting Structure Size in the M.O.R. Zoning District
- The 8,500 Square Foot Rule
- Floor Area Ratio (FAR)
- Open Space Ratio (OSR)
- Setback Requirements
- Previous Attempt at Revision
- Next Steps

Mr. Kangas inquired what the maximum height requirement was? Mr. Kowalski replied that it was 35 feet, which was consistent with other zoning districts. It was measured from the ground up to the average of the roof pitch.

Ms. Stake really liked the idea of a percentage in relation to the existing structure. It would prevent the six and eight-bedroom apartment buildings from being developed in the M.O.R. Zoning District. It would still allow the development of four-bedroom apartment buildings, which would fit in with the density that was there now. She would like to have the density be reduced in order to solve the parking problem.

Mr. Hopkins pointed out that the calculation was confounding two different things: footprint and floor area. In the example used in the presentation, he noted that the setbacks do not affect the maximum floor area, so the result would actually be that 6,000 square feet would be the maximum building size. 3,000 square feet would either be the maximum or an example of a footprint size. Mr. Kowalski agreed. He stated that 5,900 square feet would be the maximum gross square footage. When the apartment building at 611 West Green Street is developed, it will give you an idea of what the maximum size building a developer could build in the M.O.R. Zoning District.

Mr. Hopkins inquired as to the purpose of having the 8,500 square foot rule? Mr. Kowalski believed it was to reduce the size of a structure that could be built and to in effect, reduce the density of what would be possible. Ms. Tyler added that the purpose was to also limit lot consolidation. Mr. Hopkins replied that this could still encourage a developer to develop three lots simultaneously, but it could not be a single building. What we are trying to prevent is large buildings: not large developments. One of the ways we might get better developments and the opportunity to switch things around and face the street, would be to change lot shapes. Lot shapes are one of our problems. He expressed concern over using lot size this way, because it may restrict some options that the City would actually want. Ms. Tyler mentioned that staff researched the amendment and found that the previous task force, when they tried to adjust the square foot limit, over corrected and did not test it. Whatever was the negotiated process through the Plan Commission, back then, this was what came out.

Mr. Hopkins said in regards to the architectural features, it might be worth considering, leaving part of the statement of what the Development Review Board would not consider. He suggested leaving "architectural style" in that statement. The compliment to that would be in the design guidelines to address architectural features in relation to orientation of the structure, massing, scale, etc. Those are the things that he thought was worth arguing about in terms of how it affects the street and not whether we will have buildings that were built 60 years ago.

Mr. Hopkins talked about the parking issue. He said that the simple answer was that there was no answer. We need to recognize that the situation we are creating in West Urbana and on Green Street in particular, is a very artificial situation. Without lots of regulatory monitoring input and effort, it would not be anything like what it is. The City has put a lot of effort into this. However, at some point, we have to accept the notion, that if we are going to create a single-family neighborhood where it does not belong, that the people who choose to live there have to accept that there are some costs to living in a place that they essentially get the right to walk to work without paying the cost of displacing larger numbers of people who must live farther away and pay higher costs of movement in order to get to work or to get to the University of Illinois. So some of the issues about parking and relationships within the City and the single-family, he thought "tough". People need to accept that when they make kind of choice, they cannot get a single-family dwelling with no one crowding for a parking space, no one walking by, and no one living more densely next door, and still be within walking distance from the University of Illinois.

Mr. White stated that it seemed like there were very few of the homes in the M.O.R. Zoning District were occupied by their owners. He asked staff to find out how many people reside in the rental properties. Mr. Kowalski replied that staff could find that out. Mr. White noted that his son used to live in a rental house that was fairly dense. He wondered how much more dense it would get with a four or six-bedroom apartment.

Ms. Stake remarked that the single-family dwellings were not just for the people that are in the neighborhood. It was because these old homes cannot even be built again as they are now. That is the historic area of the City of Urbana. People really want to keep some of the history of

Urbana. She recognized that students have different lifestyles then when she went to school; however, we need to save historic Urbana for everyone in the community.

Ms. Upah-Bant stated that she is concerned about design guidelines. This would be a real change in the way that the City of Urbana would zone. She remarked that she would never live in a subdivision with a covenant. She felt this would be the first step towards that. Will the design guide become part of the Zoning Ordinance? Mr. Kowalski answered by saying that staff has not figured out how the design guidelines would fit with the Zoning Ordinance as of yet. Design guidelines are new to a lot of communities. The key is to keep them as guidelines. Ms. Upah-Bant commented that did not comfort her. She did not have any great confidence that would be what happens. Since there would only be one architect on the Development Review Board, she would feel better if she got to pick the architect. Mr. Kowalski mentioned that the Mayor would appoint the members of the Development Review Board. The idea was that the guidelines would be general enough, that a person would not have to be a licensed architect in order to understand them. They would be something that are general enough, and the guidelines themselves would be illustrated graphically.

Ms. Upah-Bant inquired if design guidelines would be added to other residential zoning classifications? Mr. Kowalski replied that would be a lot of work. Ms. Tyler added that the City staff does not want to dictate design, but they want to give some guidance. Staff wants to walk a fine line between giving guidance, but not dictate design. Part of having the Development Review Board work with a majority was that there would be different voices. Hopefully, there would be good guidance from a Plan Commissioner, a Historic Preservation Commissioner, a resident, a property owner and an architect. Mr. Kowalski mentioned that staff was doing an inventory of the structures in the Green and Elm Street Corridors as well as the M.O.R. Zoning District. They are trying to get a sense of what some of the common design themes are in the area.

Mr. Kangas commented that the hard part was to give some guidelines on what the City wants and also allow for some flexibility. No one wants controls on their own property, but everybody wants controls on their neighbors' properties. That was the hard part of this.

He agreed with several of the comments on parking. The City should not raise their expectations too much, because when whatever is done specifically on Green Street, it will not create lots of empty parking spaces to solve the problems in the neighborhood.

Ms. Stake wondered if there was anything that the City could do to help the conservation of the buildings already in the M.O.R. Zoning District. Developers and property owners should have to pay more than \$100.00 to tear down some of these beautiful old buildings. She also wondered if there was any incentive that the City could give the property owners to use the old buildings. The idea in the beginning of the M.O.R. Zoning District was that people would use the old buildings for shops, etc. rather than tearing them down to put up housing. She liked the original intent/reason for the M.O.R. Zoning District. Mr. Kowalski responded by saying that the main vehicle the City has was for a property to become a historic landmark or historic district. The City does not have any local programs that give any kind of financial incentives. There are some state tax advantage possibilities for large scale projects. However, it does not necessarily work

for a homeowner who bought a house and wants to fix up the front of it. Any kind of program was possible. It was just a question of “what kind of local funding could be committed for it?” and “How was it structured?” Really for preserving buildings, the City’s best tool right now was the Historic Preservation Ordinance and nominating properties as landmarks.

Mr. Hopkins mentioned that one of the opportunities to make sure that staff keeps was their opportunity to work with property owners and developers to persuade to do good things quite aside from regulations. There was much more effect at the staff review level than at the guidelines level. That would also be one way to keep this distinction between what is norms setup for staff to seek in working with developers and what is actually a regulation that the City could require someone to meet. He felt that the regulations should be explicitly limited, and that staff should give as much help in the way of norms that are expressed visually and otherwise to sell the ideas to the developers of good things to do. Ms. Tyler stated that the idea would be to give staff a little more freedom to go through the staff review with the guidelines and improved criteria to form a good staff report and recommendation. Then, the Development Review Board could work democratically to approve or disapprove a case. Staff would be more involved in helping to improve the projects this way. Mr. Hopkins suggested that the current staff based development review function should not disappear. However, instead of being a regulatory function, it should be an advisory workshop function to the developer. It may mean that there would be no staff actually on the decision-making Development Review Board. Ms. Tyler believed that staff was heading in that direction. Mr. Kowalski believed that it would work very similar to how staff currently processes Special Use Permits, where staff meets with the petitioners well in advance of the public hearing. Staff has lots of suggestions, and the site plans are changed quite a bit before the public hearing, because the developers and property owners are looking for staff’s support in the public hearing. Mr. Hopkins felt that staff could go one step beyond that and prepare an agenda in place to go into those meetings with those groups. Staff could have ideas, guidelines, examples and illustrations, so that they could do even more in this area.

Mr. Hopkins talked about the percent increase idea. If it was a percent increase per parcel, then he felt it was not a good idea. He saw a couple of problems with this concept.

The first problem was if there was a small building on the same size parcel as the one next to it, then the property owner would be restricted to building a structure depending on the size of the current structure on that parcel. It was a matter of fairness. There was a question of equity of treatment in the law. There was also a strategic response question. Does it make any sense that because this parcel happens to have a small house, that we do not want a bigger building replacing that small house on that parcel, and if the parcel next to it has a bigger house, that the property owner could have that much bigger of a house on his/her parcel? The idea is to relate new development to a general massing bulk characteristics of an existing development. He did not feel the way to do it was parcel by parcel.

The second problem was it begs strategies. If a property owner buys a house and expands it by adding on cheap additions until it is up to the size desired, then this could be worse and more problematic. Ms. Stake stated that maybe then the Floor Area Ratio (FAR) should be different then in terms of the lot size. The buildings are getting too big. What do you change to make it

so that we do not have huge buildings next to single-family residences? Would the size of the lot and the FAR, if the City changed the FAR, make a difference? Mr. Kowalski answered by saying that if the FAR were lowered, then it would affect how big of a structure that could be built.

Ms. Tyler reminded the Plan Commission that the original petition did ask for a review of “density reduction”. That wording did not pass at City Council. There is also not any administrative support for “density reduction”. She was not saying that it could not be discussed or that it could not be part of the Plan Commission recommendation. However, the moratorium only moved ahead when the density question was removed from the petition.

Mr. Hopkins added that if the Plan Commission was going to talk about density and FAR at the same time, then they need to talk about what is meant by “density”. “Density” usually means per dwelling unit or per person. “Floor Area Ratio” is building volume. There can be big buildings with small numbers of apartments, and that would actually have low density. It may be bulk was what they were concerned about and not density. It may also be that household density or dwelling unit density was not what they were concerned about, but people density. He guessed that a lot of the concern was not about people density, but about car density, which was something else and unrelated. The idea of not changing density was sufficient to talk about.

Mr. Alix suggested some ways in which the City might be able to reduce the impact of these properties. Those suggestions were as follows: 1) The 3,000-foot footprint was significantly larger than the first floor of any single-family home. A 3,000-foot footprint would allow an 8+-unit apartment building. If the intention was to prohibit the construction of large apartment buildings in this district, then the footprint was too large to achieve the desired result. 2) One way in which the number of both the density of traffic generated and the density of units could be reduced would be to limit the amount of lot that was allowed to be paved and used as parking combined with the existing or an increased requirement for the number of parking spaces that a developer or property owner would be required to have per unit. For example, if the City required one parking space per bedroom, then we would effectively be limiting, by simple physics, the number of apartments that could be built on one of these lots. Developers and property owners could not build more units than they could provide parking for. This could be an avenue that may address both the parking issue and the density issue at the same time.

Mr. Alix found a lot of what Ms. Upah-Bant said compelling. We are spending a lot of effort on the M.O.R. Zoning District, which is a very small district with a small number of lots. The tools that we are talking about using in this district are very different than the tools that we consider in other areas of the City. He would appreciate if his neighbor could not tear down her home and build a big, ugly single-family home covered with vinyl siding, but the City has no perceived need to impose design controls on the other districts. This seemed to be something unique to the M.O.R. Zoning District. He was troubled to some extent by this.

He was also troubled by the fact that he was not hearing a consistent message as to what the City was trying preserve and why they were trying to preserve it. There was sort of a universal belief that nice old houses should be saved, but if that was a historic preservation issue, then that was something that the City should be dealing with in the Historic Preservation Ordinance or coming

out and saying that the primary reason for the existence of the M.O.R. Zoning District was to preserve these historic structures, most of which do not fall within the bounds of our current Historic Preservation Ordinance. If the issue was to control parking, then the City needs to come out and address this as a parking issue. If the need was to preserve the single-family residential character of this neighborhood, he felt that the map, which staff had presented earlier, clearly showed that this was not predominantly a single-family residential neighborhood anymore. If we are trying to preserve the property values or the life-style of a small number of single-family homeowners, then that could be done in a way that was consistent with the interest of the community.

It seemed that in the discussion of the M.O.R. Zoning District that the goals have wandered around. It was sort of a historic preservation goal. It was sort of a quality-of-life goal. It was sort of a parking goal. It was sort of a neighborhood character goal. He believed, if not at this body level, then certainly at the City Council level, that there would be a pretty compelling argument made that the changes that are happening in this neighborhood and the recent proposals that have been brought, are part of the natural cycle of neighborhood development. A neighborhood with this close proximity to campus on a relatively major street would be under constant pressure to increase density and repurposed for commercial development. There will be an argument at City Council level that the City needs the economic benefits that come from permitting areas such as this neighborhood to be developed with ever increasing density. For staff to make arguments to change the M.O.R. Zoning District, he would like to see those arguments, whatever they may be, backed up by a consistent message as to what and why the City was trying to preserve this. He was concerned that the City was designing this one zoning district with a scalpel. Where as, in general, the Zoning Ordinance was kind of a blunt axe. City staff has deliberately tried not to get involved in the designing control business for as long as he had been on the Plan Commission. If the City was going to get into that sort of business in the M.O.R. Zoning District, then why are we not getting into that business on a citywide basis? If we are not getting into it on a citywide basis, then why are we trying to do it in the M.O.R. Zoning District?

Mr. Alix was disappointed to hear that the Historic Preservation Ordinance considers a property worthy of consideration by the Historic Preservation Commission if that property is across the street from a historic structure, but not if that property was located diagonally across an intersection. Ms. Tyler added in the M.O.R. Zoning District only. Mr. Alix commented that if there were quirks like that in the Historic Preservation Ordinance and/or in the M.O.R. Ordinance, then that might be something that staff might want to address with something like a 75-foot rule or something like a better definition of "immediate adjacent". Clearly, it is the case that a historic structure could be impacted by something that was located not immediately adjacent to it.

He found Ms. Upah-Bant's argument about parking was a good one. It was not necessarily the case that the City was obligated to provide parking for everyone who wants to park. In effect, in more urban areas, people do make the choice of whether or not they buy a unit or rent a unit based on the availability of parking. As Ms. Patt had said, people may not decide to buy a car based on whether or not they have a place to park it; he felt this was generally true. However, he did not feel it was the case that people would happily rent or buy a property if they know it

comes with no place to park their car. It will not be possible to keep everyone happy and to allow the type of density that developers and some of the community would like to see built in these areas, but at the same time make sure that there are parking spaces for all these cars. To some extent, it was an unsolvable problem or another way to look at it would be as a self-solving problem. People who live in the neighborhood or people who are considering living in the neighborhood will adapt based on the amount of available parking. He was not convinced that the City needed to impose restrictions or even that it was a good idea to encourage or require developers to pave over more of this neighborhood in order to provide more parking.

Ms. Upah-Bant clarified that she was proposing that maybe the City could offer the students an incentive if they would park their cars remotely or not bring a car to Urbana. Ms. Tyler noted that the University of Illinois used to have restrictions on students bringing cars to campus, and they got away from that. Now, the University of Illinois encourages staff to park remotely. Mr. Alix felt that was a very good point. There are ways that the City could support if not actually provide the notion of remote parking by subsidizing increased frequency of bus service in a particular neighborhood and by subsidizing a creation of remote parking or encouraging developers to cooperate in terms of providing that kind of service. There was more that the City could do than just require developers to build more parking spaces.

Mr. Alix made a point of order to discuss the time on the clocks in the City Council Chambers. He believed that they were set about five minutes fast.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 10:15 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission