

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** May 6, 2004

**TIME:** 7:30 P.M.

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

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**MEMBERS PRESENT:** Alan Douglas, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant

**MEMBERS EXCUSED:** Christopher Alix, Laurie Goscha, Don White

**STAFF PRESENT:** Rob Kowalski, Planning Manager; Teri Andel, Secretary

**OTHERS PRESENT:** Andy Craig, Clint Popetz, Dennis Roberts, Brett Stillwell, Susan Taylor, Ann Thomas

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

The meeting was called to order at 7:28 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 April 22, 2004 meeting of the Plan Commission as corrected. Ms. Upah-Bant seconded the motion. The minutes were approved as corrected by unanimous voice vote.

**4. WRITTEN COMMUNICATIONS**

- Email from Chris Foster

**5. CONTINUED PUBLIC HEARINGS**

There were none.

## 6. NEW PUBLIC HEARINGS

**Plan Case # 1893-M-04: A request by Campus Town Development Group/RJ Cooke for a rezoning of a portion of 502, 504, 506 and 602 South Glover Street. The request is to rezone the property from the IN, Industrial Zoning District to the R-4, Multi-Family Residential Zoning District.**

Rob Kowalski, Planning Manager, presented the case to the Plan Commission. He introduced the proposal to rezone these portions of land. He showed photos and maps to help identify the proposed lots. He gave a detailed description of the surrounding properties noting their zoning designations as well. He discussed how the Comprehensive Plan compared to the request for the rezoning. He reviewed the La Salle National Bank Criteria that pertained to the case. He read the options of the Plan Commission and noted that staff's recommendation was as follows:

*Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommended that the Plan Commission forward this case to the Urbana City Council with a recommendation for approval.*

Brett Stillwell, of Architectural Spectrum, approached the Plan Commission to answer any questions that they may have. With none, Chair Pollock moved on to the public audience addressing any concerns to the Plan Commission.

Clint Popetz, of 506 South Glover Street, expressed his concerns. The first being that the Zoning Map made it appear that the proposed lots were surrounded by R-4 Zoning Districts; but in fact, it was really surrounded by R-4 Zoning Districts that were underutilized and were actually used by single-family housing. The second concern was that the City had not really come up with a new plan for the area. With conversations he has had with other residents in the area, with the neighborhood association, and with Alderwoman, Laura Huth, he could not complain that the IN Zoning District was proposed to be replaced with the R-4 Zoning District. It would definitely be to the advantage of the neighborhood to have an apartment versus a warehouse. However, he was worried that once the R-4 Zoning District was allowed, then the existing R-3 neighborhood would be crept into by more R-4 proposals.

To the west of Glover Street, there was a stretch of lots zoned as R-3, Single and Two-Family Residential Zoning Districts. To the east, there was no consistent zoning. To him, there was a chance, with the zoning being reconsidered and with the planning that was being done in the area, that the City could think about zoning the area as R-3. There was definitely a need for more medium to lower income single and two-family housing.

Mr. Popetz noted that in the long range, when Solo Cup eventually closed, he worried that the R-4 Zoning District would spread to the east. Many of the existing single and two-family housing were rental units. Many of those property owners would probably love to have higher densities allowed, but under the R-3 Zoning District they are not allowed to build apartment buildings. If the proposed rezoning was approved, the property owners of the rental units might try to rezone their properties from R-3 to R-4.

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Dennis Roberts, Chairman of the Historic East Urbana Neighborhood Association, noted that the Association, in their hope to help the residents who live in the East Urbana area, has chosen to enlarge the general boundaries of the neighborhood association. He mentioned that he always liked the neighborhood with its small affordable homes.

He explained that Mr. Popetz' concern was that the streets in the neighborhood, which currently look like single residences, would turn into an apartment row. Although it would be wonderful to get rid of the Industrial zoning, it would be better for the neighborhood to rezone the area to R-3. It would help maintain the quality and the current manner of the neighborhood.

Mr. Roberts commented that the architectural plan for the project looked nice. However, if the whole street ended up dominoing into these types of developments, then there would be a higher density population on small rural side streets in the City of Urbana. There needed to be a line drawn, so that the entire neighborhood would not be manipulated or changed.

Mr. Kowalski commented on the concerns that were mentioned. Regarding the zoning of the neighborhood, one of the maps in the current Comprehensive Plan for the Historic East Urbana Neighborhood showed a large portion of the neighborhood being overzoned as R-4. This had been a big concern for the Neighborhood Association for the last two or three years. One of the outcomes that the City staff was expecting from the new Comprehensive Plan was a recommendation to look at this neighborhood and the zoning classifications that were there.

He also remarked that since R-4 was what was being requested, then that was what the Plan Commission needed to consider. The Plan Commission did not have the option to pick a different zoning classification to rezone the proposed lots to.

Mr. Pollock clarified that the maps for the current Comprehensive Plan showed that the area to the south of Green Street and to the West of Glover Street had mostly R-3 zoning in the area. North of Green Street was mostly zoned R-4, and all of the East side of Glover Street was a mix of IN and R-4. The new Comprehensive Plan showed the area to remain single-family residential.

Ms. Stake tried to visualize the maximum size of any R-4 lot. She asked what the limit would be on the number of units allowed on the proposed sites? Mr. Kowalski replied that the limit of how many units the petitioner could put on the lot was based on the requirements in the Zoning Ordinance that regulates Floor Area Ratio (FAR). Staff did not work with density or the number of units that were permitted based on how big the lot was. It all depended on the FAR.

Ms. Stake questioned if there would be a limit on the height of the units? Mr. Kowalski answered by saying that there was a 35-five foot height limit. It would be equal to about two and a half to three stories.

Ms. Stake inquired about how much green space there would be? Mr. Kowalski responded by saying that that the Zoning Ordinance also specifies an Open Space Ratio (OSR), which would be .35. Therefore, 35% of the site would need to be open space. Not all of the open space would have to be green.

Mr. Douglas asked if the Plan Commission should be concerned with the configuration of the layout of the apartment units? Mr. Pollock stated that the Plan Commission's charge was to decide whether the petitioner's request for the rezoning change was appropriate for the neighborhood regardless of the site plan.

Ms. Upah-Bant wondered how the City ended up with one lot zoned single-family in the middle of the Industrial lots surrounding it? Mr. Kowalski replied that the lot with the single-family home on it was actually zoned multi-family residential.

Mr. Hopkins noted that from one of the photographs, it appeared that the expansion of the mini-warehouse had already occurred. Mr. Kowalski stated that part of the expansion had already begun. One building had been built, and the property owner was planning to build another structure.

Mr. Hopkins inquired if there was any way in which this kind of configuration, which was essentially a zero lot line private entrance rowhouse, that it could be built in a R-3 Zoning District? Mr. Kowalski explained that staff had looked at how the configuration could be laid out with a R-3 zoning classification. The problem was that it would have to be subdivided into smaller lots with duplexes on the lots. Duplexes would be allowed in a R-3 Zoning District. The bigger problem was that the Urbana Subdivision and Land Development Code did not allow for a private street to serve the units. Mr. Hopkins commented that the proposed configuration was very close to a R-3 configuration. Mr. Kowalski remarked that the petitioner could have a duplex unit on each lot after the site was subdivided into four lots, but that would mean fewer units than what they are proposing. This was how they got to the R-4 zoning district request.

Mr. Kowalski talked about the OSR more in depth. He read the definition of "Open Space Ratio" from the Urbana Zoning Ordinance. He pointed out that no space could be less than 15 feet by 15 feet. Mr. Hopkins questioned how this site plan would meet the OSR? Mr. Kowalski explained that when the petitioner laid this plan out, he suspected that the areas behind all of the units would be 15 feet at minimum.

Mr. Kangas moved that the Plan Commission forward this case to the Urbana City Council with a recommendation for approval. Mr. Douglas seconded the motion.

Mr. Hopkins commented that part of the reason why it made sense for the Plan Commission and the City Council to approve this would be because the proposed parcel was enclosed by Industrial uses on sides except for Glover Avenue. The ability to use this parcel in a reasonable way was very difficult if it would not be zoned R-4. At the same time, when they get the plan map, they should be taking into consideration that the notion of the whole side of Glover Avenue being zoned R-4 was something they should think very carefully about because it was in fact not built R-4. Some of the concerns that were being expressed should be taken into account of why the proposed parcel, given its situation, made sense to be rezoned to R-4 without letting it become a precedent without thought for the rest of the area.

Ms. Stake agreed with Mr. Hopkins. If the City rezones the proposed site to R-4, then how many more developers would come in and request the rezoning of other lots to R-4 in the same area? When going from IN to R-4, it is a better zoning classification. Can the City do anything about this in the Comprehensive Plan? Mr. Hopkins responded by saying that on the basis of the

Comprehensive Plan, the City could initiate rezoning and change the zoning that was currently R-4 on the east side of Glover Avenue to R-3. He believed that the City should consider this when the time arises. He did not believe that it should stay zoned as IN, and at the same time, he did not believe that someone would come in and build two single-family homes being surrounded on two sides by mini-warehouses and on one side by a produce company. The explicit details for the proposed parcel was what made it sense to approve the proposal.

Ms. Stake reassured the public that with the idea that the Plan Commission would be looking at the Comprehensive Plan update in the near future, they would be sure to think about the problems in this area and try to solve them. In the meantime, she would vote in favor of this proposal, because it would be downzoning from IN to R-4.

Mr. Pollock commented that over a period of time before the warehouses were built, the entire area between Glover Street and Solo Cup was a terrible intrusion on the neighborhood. With industrial zoning, there was very little limit to what could be done there in a sense that would not be good for the neighborhood. It took about two years to negotiate the building of the mini-warehouses in such a way that they were screened, properly maintained, and the folks in the neighborhood were reassured that the warehouses would not be an intrusion. In fact, the mini-warehouses would be better than an awful lot of other uses that could occur there. With the layout of the land in the area, there were a limited number of uses that could be done that would be useful and still not intrude on the neighborhood to the west side of Glover Street.

Mr. Pollock remarked that this proposal was a downzoning. Getting rid of industrial zoned land and turning it into R-4 zoned land would be an advantage for this neighborhood. He agreed that the City needed to be careful of what happens on the west side of Glover Street. According the City staff, the area would remain designated as single-family residential in the new Comprehensive Plan. This was a very stable, long-term neighborhood, and they want to make sure that they protect it. Mr. Pollock advised the residents who were concerned to voice their concerns to the Plan Commission and to the City Council when the new Comprehensive Plan was reviewed.

The roll call was as follows:

Ms. Upah-Bant	-	Yes	Ms. Stake	-	Yes
Mr. Pollock	-	Yes	Mr. Kangas	-	Yes
Mr. Hopkins	-	Yes	Mr. Douglas	-	Yes

The motion was passed by unanimous vote.

**7. OLD BUSINESS**

There was none.

**8. NEW BUSINESS**

There was none.

**9. AUDIENCE PARTICIPATION**

Mr. Roberts addressed the Plan Commission to express his appreciation towards them for looking at the wider picture for the neighborhood. There were issues that come up that are not as apparent in reading the descriptions on paper. The neighborhood was full of small homes on fairly large lots. They might be underutilized, but it was wonderful for the residents in the area to have them that way.

Mr. Pollock reiterated that when a case comes before the Plan Commission from a petitioner, it was their responsibility to look at what the petitioner was requesting and decide whether the request was appropriate or not. The Plan Commission did not have the ability to say that it was appropriate, but they preferred something else.

**10. STAFF REPORT**

Mr. Kowalski reported on the following:

- ✓ **The next scheduled meeting on May 20th** has been cancelled.
- ✓ **Upcoming cases for the June 10<sup>th</sup> meeting** include a discussion on the By-Laws and a text amendment for the Mixed-Office Residential (MOR) Zoning District Design Guidelines.
- ✓ **MOR Design Guidelines Open House** will be held at the Lincoln Square Mall sometime during the week of May 24<sup>th</sup> for property owners and for anyone else who wants to see what was going to be proposed.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

Chair Pollock adjourned the meeting at 8:10 p.m.

Respectfully submitted,

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Rob Kowalski, Secretary  
Urbana Plan Commission