

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: July 8, 2004
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Christopher Alix, Laurie Goscha, Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Don White
MEMBERS EXCUSED: Marilyn Upah-Bant
STAFF PRESENT: Rob Kowalski, Planning Manager; Teri Andel, Secretary
OTHERS PRESENT: Brandon Bowersox, Pega Hrnjak

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

The meeting was called to order at 7:30 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

The item under Old Business, regarding the Annual Review of the By-Laws, was postponed to the next scheduled meeting to be held on July 22, 2004 to allow Steve Holz, City Attorney, could attend.

3. APPROVAL OF MINUTES

Ms. Goscha moved to approve the minutes from the June 24, 2004 meeting of the Plan Commission as presented. Mr. Kangas seconded the motion. The minutes were approved by unanimous voice vote.

4. WRITTEN COMMUNICATIONS

- APA-ISS Conference Brochure

5. CONTINUED PUBLIC HEARINGS

Plan Case # 1897-T-04: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance with respect to the Mixed Office Residential (MOR) District including the adoption of Design Guidelines.

Rob Kowalski, Planning Manager, gave the staff report for this case. He mentioned that there were four types of changes that staff had made to the Design Guidelines when taking into consideration the comments and requests of the Plan Commission members from the previous meeting. They were as follows:

1. To have the Design Guidelines distinguish zoning code regulations versus guidelines a little bit better.
2. To adopt a common system of whether something was encouraged, strongly encouraged, discouraged, or strongly discouraged.
3. To change the pictures in the "Parking" section.
4. To eliminate one of the illustrations in the "Landscaping" section and to replace it with a picture showing a lot that had both mature landscaping and some new landscaping as well.

Mr. Kowalski walked through the Design Guidelines and noted each change that staff had made. The changes were as follows:

- **The "Façade Zone" and Building Orientation & Patterns** – Staff changed some wording by replacing should and shall in the Design Guidelines at the bottom of each section with encouraged, strongly encouraged, discouraged, and strongly discouraged.
- **Massing & Scale** – Staff changed some wording as mentioned in the previous two sections. Mr. Kowalski also recommended that they change #4 in the Design Guidelines to say that *"Use of various decorative details and exterior materials is ~~strongly~~ encouraged to add interest, scale, and dimension to a building"*.
- **Openings** – Staff made the standard changes of replacing some of the words with encouraged, strongly encouraged, etc. He mentioned that Design Guideline #6 was an example of one that was currently listed in the Zoning Ordinance as a regulation. Staff proposed in the Design Guidelines that *"Sliding patio doors are discouraged within the façade zones"* rather than leaving it in the Code saying that they were not allowed at all.
- **Outdoor Living Space** – Staff had made the standard wording changes to this section. Mr. Kowalski suggested changing #1 to read as such: *"Outdoor living spaces ~~should~~ are encouraged to compliment the overall composition of the building..."*
- **Materials** – Staff changed the shall(s) and should(s) to encourage, strongly encourage, etc. Mr. Kowalski suggested they replace #1 design guideline with the following: *"Roof materials are encouraged to be compatible with those found within the district."*

- **Parking & Parking (Under a Principal Structure)** – He noted that these two sections had been altered quite a bit. Staff replaced many of the pictures to illustrate the intent of what the City desired a little better. He suggested changing #1 to read as follows: “*Parking areas, including garages, ~~should not be located in the facade zone and~~ are strongly encouraged to be located behind the principal structure and not in the façade zone.*” The next change would be to #5 to read as such: “*Parking below a principal structure is strongly encouraged to be constructed so that it is not visible from the façade zone. It ~~should also~~ is also strongly encouraged that parking below the structure be adequately screened to reduce visual impact from adjacent properties”.*
- **Landscaping** – Along with the standard word changes to encourage, etc., staff changed the graphics to lots that have some mature landscaping and new landscaping.
- **Commercial Site Design** – In addition to interchanging shall and should with encourage, strongly encourage, discourage, and strongly discourage, Mr. Kowalski suggested changing the last sentence in #2 to read as follows: “*The design of new structures ~~should~~ is encouraged to be residential in character”.*
- He also suggested changing #3 as follows: “*Business signs ~~should~~ are strongly encouraged to be pedestrian oriented as well as visible to traffic. Signs ~~should~~ are encouraged to compliment the design of the structure and ~~should~~ not obscure important features”.*
- **Photo Map Inventory of Properties in the MOR Zoning District** – This section was new to the Design Guidelines draft.

Ms. Stake commented that although the City uses language like encourage, strongly encourage, discourage, and strongly discourage, a developer could still go ahead and build what they want to. Mr. Kowalski reminded the Plan Commission that the Design Guidelines would always be used by the Development Review Board (DRB) and in some cases, when the proposed changes were very minor, by City staff. The Design Guidelines would not be used in a way where a developer or homeowner would have try and interpret them to build their addition on a home or a newly constructed apartment building.

Ms. Stake inquired where the Design Guidelines talked about new construction. Mr. Kowalski stated that new construction regulations were in the Zoning Ordinance regulations for the MOR Zoning District. It reads as such, “*The Development Review Board is to review new projects and exterior remodeling projects that are considered to be substantial and change the character of an existing home*”. Ms. Stake remarked that new construction should be mentioned in the Design Guidelines as well. Mr. Kowalski explained that new construction was something that was a little more regulatory in nature, where the Design Guidelines were more recommended, encouraged, etc. Mr. Kowalski added that there was a regulation that says there could not be any parking under a principal structure. The proposal was to take that out of the Zoning Ordinance and to allow parking under a principal structure providing that everyone was satisfied that the Design Guidelines address the intent of how that could be done.

Ms. Goscha recommended that the City add that it was strongly encouraged to use garage doors in the Design Guidelines. It could be added in as Point #6 on page 12. Mr. Pollock pointed out

that on the bottom of page 13, it noted that *Use of garage doors would be recommended*. He asked if the Plan Commission changed that to read *strongly recommended*, would that cover what she intended to accomplish? Mr. Hopkins did not feel that it would be appropriate for the Plan Commission to recommend garage doors over carports, because there are many people already in the MOR Zoning District with carports. Mr. Alix agreed. When looking at the existing homes in the MOR neighborhood, only a minority of them probably has garages with garage doors. Carports or driveway parking for single-family homes in the neighborhood would be perfectly acceptable. Mr. Kangas inquired if they were not really talking about future development instead of existing structures. Mr. Kowalski reminded the Plan Commission that they were talking about parking underneath of a structure. So, if the property owner, for example at 611 West Green Street, wanted to build a carport, then the Zoning Ordinance would allow them to build it. Mr. Hopkins commented that if the City would allow parking lots and not allow carports, then they would be creating an odd situation.

Ms. Goscha rescinded her recommendation, because she preferred if people would install a covered parking area rather than just a parking lot. As she was listening to the discussion, her concern became that if they strongly encouraged or encouraged garage doors, then would they be making it less likely that a developer or property owner would provide covered parking rather than just providing a parking lot. After more discussion on whether or not garage doors should be encouraged or strongly encouraged, the Plan Commission came to the agreement that they should not make that change to the Design Guidelines and that the caption at the bottom of page 13 that stated "*Use of garage doors would be recommended*" should be removed.

Mr. Alix inquired about the intent of using the picture on the lower right of a "Recommended" parking area on page 13. Was it intending to show that the stilts were not visible from the façade zone? Mr. Kowalski replied that the intent was to show that a person could not see the parking from the street. Mr. Alix commented that the picture was very misleading, because it was not clear to him that the picture above it was of the same building. He suggested changing the layout of the pictures so that they were side-by-side with the picture of the rear of the building being smaller. Mr. Pollock recommended adding captions that say "*Front View*" and "*Rear View*".

Ms. Stake thought the picture was ugly, but that garage doors would help. She stated that she did not like the idea of parking underneath the building anyhow.

Ms. Stake stated that the language in the Design Guidelines was not correct. For example, the City could not encourage the main entrance of a structure or new additions. We needed to encourage someone to build the main entrance. Mr. Hopkins agreed and noted that the language bothered him as well. He suggested having sub-heads that were titled "strongly encouraged, encouraged, strongly discouraged, and discouraged". Then move the item numbers to the appropriate sub-heads as bullets. Mr. Pollock commented that would require rewriting all of the guidelines; however, it would make it easier to understand the guidelines. There would be less compound sentences, so that the ideas would be more clear and concise. Mr. Kowalski agreed that the Design Guidelines were half written like full sentences and half written like bullet points. Staff could make this change to the format.

Mr. Kangas recommended placing “The use of” to the beginning of each sentence. Ms. Goscha felt that the categorization would be helpful. Mr. Alix had a problem with requiring staff to do this task. It would be a lot of work for the staff and it might not necessarily make it a whole lot better. It would certainly be less narrative and more enumeration of things that they liked and don’t liked. He felt it was a stylistic issue rather than a content issue. He would be willing to leave the decision of whether or not to change the format up to staff. Mr. Pollock agreed. He suggested that staff either clean the language up or go to a different format listing as recommended by Mr. Hopkins. It would not make any difference in terms of the content in the proposed Design Guidelines.

Ms. Stake cited the first sentence in the last paragraph on page 4, which read as such, “*As an incentive to encourage the adaptive re-use of existing principals structures in the MOR District, any proposal for a change of use, a building addition, and/or exterior remodeling of an existing structure shall not require review by the Development Review Board*”. She was concerned that this might be quite a bit of change that a property owner could make without having the changes reviewed. Mr. Pollock explained that the most important thing to do in this document was to encourage adaptive re-use. If every bit of adaptive re-use had to be done would have to go through the DRB, then there would not be any adaptive re-use. He felt it was crucial to leave the ability to avoid the DRB process for these types of projects.

Mr. Hopkins mentioned that the paragraph starts out making one statement and ends up making another statement, which is stated as such: *In cases where proposed additions and/or remodeling efforts are so extensive as to result in substantial change to the appearance and/or scale of an existing building, the Zoning Administrator shall make this determination and shall then request the Development Review Board review and approval of the project*”. It was the contradiction that was the problem. One solution might be to move the last sentence to the beginning of the paragraph and add the words “Only in cases” to the beginning of the now then first sentence. Mr. Kowalski stated that this paragraph was taken word-for-word from Section V-8-B of the Zoning Ordinance. It was not clear when something should go to the DRB for review and when something should not.

Mr. Hopkins commented that he was comfortable with sending the Design Guidelines forward to the City Council with the expectation that staff would do some cleanup that was non-substantive but may include some graphic tweaking and some reformatting. The Design Guidelines were substantially better than originally presented. Mr. Pollock agreed with staff tweaking the language and some of the graphics; however, he did not feel that it would be necessary for staff to go back and reformat the Design Guidelines, because the content and the ideas would not change.

Mr. Alix pointed out that there was a typo on page 7 in the second paragraph. It should read as such, “*Observation of a block...* ”.

He noticed the terms “block” and “block face” were used in a number of places throughout the Design Guidelines. He asked staff to go through the document to ensure that each application of “block” and “block face” were being used appropriately. From reading the Design Guidelines, he got the feeling that they were being used synonymously. He suggested including the

definition of “block face” in the document. Mr. Pollock agreed and suggested that staff include definitions of both terms in the document.

Mr. Alix inquired if the Plan Commission felt that they should apply the guidelines to properties on the same side of a block or properties on either side of a block. The DRB might make a different decision on a plan if they were suppose to look at properties on both sides of the street than if they were suppose to look at properties on the same side of the street as a proposed development or change. Mr. Kangas felt that it would be impossible to look at properties on both sides of the street. For example, on Green Street, there are churches on one side of the street and houses and apartment buildings on the other side of the street. Mr. Pollock agreed with that. Mr. Alix stated in that case, he felt they should use the term “block face” more extensively.

He recommended that the Plan Commission delete #7 on page 9. It read as follows: *Balcony doors in the façade zones are encouraged to be French-style, multi-lite paned and hinged.* He felt it was already accounted for in #5 and #6, and that it was overly specific and not useful in the Design Guidelines. The rest of the Plan Commission agreed, and therefore, it was deleted.

Mr. Alix remarked that on page 10, fourth sentence in the first paragraph, he did not understand due to the phrase “dwelling unit”. The sentence read as follows: *Balconies provide openings that are intended to be privately used by a dwelling unit.* He inquired as to what this was suppose to mean. Mr. Kowalski replied by saying that it described a little more of what a balcony was, but it was described well in the previous sentence. Mr. Alix recommended removing the sentence from the document. The Plan Commission agreed; therefore, the sentence was deleted.

Mr. Alix found another typo on page 14 in the second line of the first paragraph. It should read as such, “*Landscaping is an important design element when blending any building or parking area ~~within~~ into the neighborhood*”. Regarding #2 on page 14, “*The City Arborist can determine the “significance” of a tree depending on its size and species*”, he asked what guidance this was intended to convey? Mr. Kowalski believed that it might be better as an illustrated point on the right side of the page. He explained that in some of the proposals, staff has had the City Arborist go out to the proposed site and take a look at the existing trees, determine their health, and determine how big they might be (if they are not that mature yet) and to look at the site to be able to recommend species of trees. Mr. Alix wished to rephrase this as a form of recommendation to read as such, “It was strongly encouraged that developers consult with the City Arborist with regards to the “significance” of existing and future trees”. Mr. Hopkins suggested making #2 be the last sentence of the introductory paragraph. It was not really a guideline that the DRB would use to judge a proposal. Mr. Pollock and Mr. Alix agreed. Mr. Kangas added that the point was that they wanted people/developers/property owners to be aware of the resources available. Mr. Kowalski clarified that #2 would be moved to become the last sentence of the introductory paragraph and would read as such, “The City Arborist could be used as a resource in making decisions with regard to existing landscaping, as well as future plantings”.

Mr. Alix was concerned that #4 on page 14 was two recommendations in one. He felt that the issue of planting tree species, which would mature and replenish the stock of mature trees, was worthy of being a separate item. It should not be co-mingled with the issue of foundation plantings. He thought they had decided at the last meeting to delete any mention of foundation plantings from the document. After some discussion, the Plan Commission decided to delete the sentence regarding foundation plantings and to add the following wording, "In consultation with the City Arborist, planting of trees, which when mature would replenish the urban canopy, is strongly encouraged" as #3.

On page 15, Mr. Alix expressed concern with #2, which states as such, "*The design of new structures should be residential in character*". Mr. Kowalski remarked that this would be where staff would suggest saying this would be encouraged, and not strongly encouraged because there were some businesses that would not be residential in character. It had to do more with the appearance of the exterior design. Mr. Alix pointed out that it would not be related to the first sentence in #2 then. The first sentence related to the use, and the second sentence meant that it should look like a house. Therefore, it should be two separate recommendations.

Ms. Stake felt that the Plan Commission needed to see the Design Guidelines again before voting on it. Mr. Pollock pointed out that many of the Plan Commissioners were comfortable enough with the major points and presentations.

Mr. Hopkins moved that the Plan Commission forward the case to the City Council with a recommendation for approval after staff performs the cleanup discussed in this public hearing. Mr. Kangas seconded the motion. The roll call was as follows:

Mr. White	-	Yes	Ms. Stake	-	No
Mr. Pollock	-	Yes	Mr. Kangas	-	Yes
Mr. Hopkins	-	Yes	Ms. Goscha	-	Yes
Mr. Alix	-	Yes			

The motion was passed by a 6-1 vote.

Ms. Stake requested a copy of the new draft before it went to City Council for their approval.

6. OLD BUSINESS

Annual Review of the By-Laws

This item was removed from the agenda and postponed till the next scheduled meeting of the Plan Commission.

7. NEW PUBLIC HEARINGS

Annexation Case #2004-A-02: Annexation Agreement between the City of Urbana, Pega Hrnjak and Ivana Bodulic for a 1.00-acre tract of property located on the northwest corner of Willow Road and Anthony Drive commonly, referred to as 2209 North Willow Road.

Plan Case #1899-M-04: Request to rezone a 1.00-acre tract from Champaign County I-1, Light Industrial to City B-3, General Business, upon annexation. Property located on the northwest corner of Willow Road and Anthony Drive, commonly referred to as 2209 North Willow Road.

Mr. Kowalski presented this case by giving a brief introduction and background of the proposed property. He gave an overview of the history of the proposed rezoning case. He pointed out the highlights of the annexation agreement. He summarized staff findings and read the options of the Plan Commission. 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 maybe presented at the public hearing, staff recommended that the Plan Commission forward Annexation Case No. 2004-A-02 and Plan Case No. 1899-M-04 to the Urbana City Council with a recommendation for approval.

Ms. Stake inquired about what kind of waste would be created with their experiments. Mr. Kowalski answered by saying that he did not believe there would be any waste. He noted that the annexation agreement specified that outdoor storage was not permitted beyond the storage in the existing accessory structures. There would not be any refrigerators, etc. stacked up in the yard.

Mr. Alix asked what the sewage status was? Mr. Kowalski explained that they were currently building a sewer extension down the west side of Willow Road directly in front of Mr. Hrnjak's property. Michelle's Bridal would be tying into that sewer service connection from their new building under Willow Road and tapping into the sewer. Mr. Hrnjak would have the opportunity to connect into that sewer as well. Although Mr. Hrnjak did not need to do this now, if he did in the future it would require annexation into the City. Staff would probably annex his property straight in without an agreement. The reason for the annexation agreement and changing the rezoning was to get the commercial zoning. If Mr. Hrnjak or any future owner stays zoned industrial in the County, connects to the sewer and annexes in, then the City would be obligated to annex him with the direct conversion to City Industrial.

Mr. Alix questioned if Mr. Hrnjak would be allowed to operate his proposed business without connecting to the sewer and annexing into the City? Mr. Kowalski replied yes. It was related more to the use of the property, and not necessarily the zoning.

Pega Hrnjak, of 203 West Vermont, approached the Plan Commission as the petitioner to answer any questions that they may have. In response to Ms. Stake's previous question, he stated that there would not be any waste. His objective was to work more towards environmentally friendly refrigeration systems. Carbon dioxide was a new potential replacement for currently used refrigerants. He has been working on this at the University of Illinois as a Research Professor for the last ten years. He had been developing that type of assistance at the University of Illinois, and he would now like to try to commercialize some of the technologies that he had developed. Therefore, there would not be any type of leftovers on the ground. There may be some

conventional refrigerants, but he would follow the Environmental Protection Agency’s (EPA) rules and standards for disposing of them.

Mr. Kangas inquired if it would just be an experimental lab? Or was he planning on manufacturing of the new invention? Mr. Hrnjak replied that he would not be manufacturing anything. However, he might make some prototypes of new instruments, but absolutely no manufacturing. The size of the lot was so small that he could not do any manufacturing.

Mr. Kangas moved that the Plan Commission forward Annexation Case No. 2004-A-02 and Plan Case #1899-M-04 to the City Council with recommendation for approval. Ms. Stake seconded the motion. The roll call was as follows:

Ms. Stake	-	Yes	Mr. Pollock	-	Yes
Mr. Kangas	-	Yes	Mr. Hopkins	-	Yes
Ms. Goscha	-	Yes	Mr. Alix	-	Yes
Mr. White	-	Yes			

The motion was approved by unanimous vote.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- ✓ **The Next Scheduled Meeting:** There would be a Plan Commission meeting on Thursday, July 22, 2004 at 7:30 p.m. in the City Council Chambers. The Commission would be discussing the rezoning and special use permit for the condos on the Melrose tract. Discussion of the By-Laws would be picked up, and there was a rezoning request for 505 South Urbana Street from R-3 to R-4.
- ✓ **APA-ISS Conference on July 30th:** The Conference would be focused on “The Rebirth of Downtowns”. He talked about the guest speakers. He invited the members of the Plan Commission to attend and noted that the City would pay for their registration.

11. STUDY SESSION

There was none.

July 8, 2004

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission