

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: May 6, 2010

TIME: 7:30 P.M.

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

MEMBERS PRESENT: Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock

MEMBERS EXCUSED: Jane Burris, Ben Grosser, Bernadine Stake, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Rebecca Bird, Planner I; Connie Eldridge

OTHERS PRESENT: Scott Dossett, Sara Metheny, Jason Reedy, Dennis Roberts, Christopher Stohr, Susan Taylor

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

Chair Pollock called the meeting to order at 7:32 p.m., roll call was taken, and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. Fitch moved to approve the minutes of the April 22, 2010 regular meeting as presented. Mr. Hopkins seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

- Email from Lynn Canfield
- Revised Page 9 of the East Urbana Design Guidelines
- Planning Commissioner's Journal – Spring 2010

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2126-T-10: A request by the Zoning Administrator to amend Section XI-15.J.1 of the Urbana Zoning Ordinance to create the East Urbana Design Review Overlay District and to adopt the East Urbana Design Guidelines for that district.

Rebecca Bird, Planner I, presented this case to the Plan Commission. She stated that the reason for creating a design review district in the East Urbana neighborhood is to help in the transition between two distinct neighborhoods – the Downtown Business District and the Historic East Urbana Neighborhood.

Section I, which is the Introduction, outlines the district, the proposed boundaries as well as the purpose and the intent. Section II gives definitions for some of the key terms used in the proposed Design Guidelines.

Section III (Character of District) deals with the background of how the proposed district and design guidelines came into being. She reviewed the zoning and future land use designations of the properties in the proposed district. She reviewed the ownership and existing land use patterns, the existing building types, and existing neighborhood pattern.

Section IV (Review Process) explains what is subject for review. She mentioned that single-family residential would be exempt for review in the proposed district. The Historic East Urbana Neighborhood Association (HEUNA) expressed their concerns in a previous meeting about multi-family buildings not having the same relationship to the public space to the street that the single-family residences have. HEUNA also did not want the design guidelines to be so restrictive that they prevent property owners from maintaining and improving their homes. Ms. Bird went through the review process and reviewed the process and criteria.

Ms. Bird discussed the open house that city staff held to solicit neighborhood input. She stated that city staff gave a presentation to the Design Review Board and took their comments.

She talked about the proposed amendment to Section XI-15. She explained that a separate ordinance would be required to adopt the design guidelines, which would serve as a stand alone document. They would not be part of the Zoning Ordinance.

Each design element listed in the proposed design guidelines document are divided into mandatory, appropriate and inappropriate. Very few elements that are mandatory but include requirements for buildings being oriented towards the street by having a front door and windows facing the street. Each project is reviewed individually as to whether or not a project's design is

appropriate or inappropriate. She then briefly reviewed the elements of the design guidelines, including: The Façade Zone, Building Orientation, Window & Door Openings, Landscaping, Parking Areas and Sustainability.

Ms. Bird read the options of the Plan Commission and presented staff's recommendation, which is as follows:

The Plan Commission forward Plan Case No. 2126-T-10 to the Urbana City Council with a recommendation to approve the East Urbana Design Guidelines and the East Urbana Design Review Overlay District.

She pointed out that the Plan Commission should make separate motions and take separate votes on these two items.

Mr. Fitch inquired about the two emails that they received from Lynn Canfield, of 202 South Urbana Avenue. Ms. Bird explained that Ms. Canfield wrote the first email after receiving a letter notifying her of the public hearing for the proposed text amendment. The letter did not include a copy of the Design Guidelines so she did not fully understand what they were proposing. She thought the proposed text amendment would make it impossible for her to sell her house. Ms. Bird spoke with Ms. Canfield and explained that her property is zoned R-5, Medium-High Density Multiple Family Residential, and that the proposed Design Guidelines would not affect the zoning. They are simply design guidelines. After speaking with Ms. Canfield, she no longer seemed upset about the proposed text amendment and then wrote the second email.

Mr. Fitch referred to Page 10 of the Design Guidelines under "*Application Review Criteria.*" It states, "*In reviewing proposals, the Design Review Board will consider the effects of the proposal on the other properties on the block face.*" He wondered if this conflicted with the language on Page 9 of the design guidelines under "*Review Context*", which states, "*Project proposals will be reviewed in the context of the surrounding properties.*"

Ms. Bird responded that the reason City staff was moving away from using "*the block face*" is because some of the blocks only have two properties on them. So if you only compare with one other property, it doesn't really give a representation of what is actually going on in the area. City staff could change the language to say "*on the other properties on the block face and other surrounding properties.*" This would ensure that they include the block that the property is located on as well as what properties are around it. Properties across the street will have greater impact than properties at the other end of the block.

Mr. Fitch stated that there seemed to be more specific requirements in the Lincoln-Busey Corridor Design Guidelines. Ms. Bird said that this is correct. It was a much easier district to describe because all of it was higher intensity on the west side and lower intensity on the east side. Consequently it was very easy to draw a line down the middle and create Zone 1 and Zone 2 areas. It has very clear language regarding block face and surrounding properties. With the proposed East Urbana Design Guidelines it is not as easy to explain how to take into account surrounding properties. By being more general in the language, it would allow for the different situations depending on where the actual project is located.

Mr. Fitch asked if there would be any detrimental effect to taking a more specific approach. Ms. Bird replied that without describing each property, it would be difficult to explain what its context is. One area is more cohesive than another. They could have a minimum number of properties to include in the block face.

Robert Myers, Planning Manager, pointed out that they would need to consider the context of each property. It would be hard to write language for this. He wondered if part of the concern came from a misunderstanding that design guidelines will set what the future development potential is for a property. This is set by the underlying zoning which will not be change by the design guidelines. For instance, if there is a single-family home on a lot and it is zoned for multi-family, then at some point in the future a multi-family apartment could be built on that lot.

Mr. Fitch asked if Ms. Bird would talk about the recent rezoning of the northwest portion of the proposed district. There is a “notch” of two properties (in the 500 block of E. Elm Street) that are not included in the proposed district. Ms. Bird responded that originally the line used the street as the boundary. When the City rezoned many of the properties in the Historic East Urbana Neighborhood, three property owners where the “notch” is now located requested to be rezoned from Central Business District to R-5, Medium High Density Multiple Family Residential. The two properties in question, although in the middle of the block, are still shown as part of the Central Business District in the Comprehensive Plan. The boundaries of the proposed East Urbana Overlay Design Review District follow the Comprehensive Plan designations.

With no further questions for City staff, Chair Pollock opened the case up for public input.

Scott Dossett, 501 East High Street, stated that he does not live in the proposed district but has been active in the Historic East Urbana Neighborhood Association for many years. He thanked City staff for putting together the proposed text amendment.

He stated that approximately 60% of the properties in the HEUNA area are rental properties. One of the main concerns is the “wear down-tear down” issues in their neighborhood. The neighborhood fully anticipates economic development in the proposed area of the neighborhood. However, they would like to maintain the quality of life that they have in their small single-family craftsman built kind of homes.

Another issue they have is buildings having blank walls facing the street. This is detrimental to the neighborhood. The proposed design guidelines address this issue. He believes that the proposed design guidelines will not be discriminative against rental property owners or owners of R-4 and R-5 properties. Instead it will help benefit these owners by requiring them to develop properties that fit into the character of the neighborhood. This in turn will help them to retain their property values. The people in the neighborhood have nothing against rental properties or tenants living in the neighborhood. In fact, renters are some of the finest neighbors in the neighborhood.

He showed a PowerPoint presentation of some of the residential homes depicting the issues such as a blank wall facing the street, etc. He hopes that the Plan Commission forwards the proposed text amendment to the City Council with a recommendation for approval.

Mr. Otto wondered how Mr. Dossett felt about being more specific in the proposed design guidelines about the type of materials allowed for development/redevelopment projects.

Ms. Bird pointed out that the proposed design guidelines as they are currently written do not have criteria for materials. The neighborhood recognizes that it is not a high income neighborhood, and they would rather have vinyl siding than to have a property owner allow their property to continue to deteriorate and later be demolished due to lack of finances.

Mr. Dossett responded that materials are really hard to talk about in terms of what is considered historical or neighborhood appropriate and how they may or may not reflect the character of the neighborhood. He was not concerned with the lack of criteria for materials in the proposed design guidelines.

Christopher Stohr, 405 East High Street, stated that he lives in the proposed design review overlay district. He is also Chair of HEUNA. HEUNA has promoted the concept of design review guidelines for the Historic East Urbana Neighborhood. He wondered if they could include some restrictions on billboard-type signs mounted on apartment buildings.

Mr. Myers replied that the Sign Ordinance does address apartment signage more specifically. A recent Sign Ordinance amendment dealt with the issues of size, height, and lighting. They also changed the definitions for signs and types of signs to make sure that they are content neutral. "For Sale or For Rent signs" can only be displayed if a property is for sale or there is a unit available to rent.

Mr. Stohr said that the main thrust of HEUNA is to preserve the quality of owner-occupied homes in the neighborhood. Having a house torn down and replaced with something that detracts from the neighborhood decreases everyone's property values and it discourages people from maintaining their homes.

He noticed that there are people actively doing repairs on their homes which is a sign of real vitality in the community. This is also a good motivation to help those home owners by establishing the proposed design review overlay district and adopting the proposed design guidelines.

Dennis Roberts, of 507 East Green Street, stated that he serves on the Urbana City Council. He has not participated in the neighborhood meetings concerning the creation of the proposed text amendment. He commended the effort of HEUNA and thanked City staff for focusing their attention on this area. He feels that the large-scale rezoning of the properties on the northern area of the neighborhood was one of the most significant things that happened in the last year. It really does save the neighborhood from a serious degradation and a high density within the residential corner of the near-downtown neighborhood. The neighborhood is not afraid of having some significant development along Vine Street because it seems to be a logical place to widen the city's business district and mixed residential and office use. How it impacts the edge of the older part of the neighborhood and the single-family residence section is of significance to the neighborhood. The proposed design review guidelines and overlay district will help at least modify how the buildings that are constructed look and how they blend into the neighborhood.

The HEUNA group put a lot of energy and support into the Neighborhood Conservation District discussion that happened about two-and-a-half years ago. The City accepted the concept of neighborhood conservation districts. However, the bar for the conditions for establishing such a conservation district were set so high that probably no conservation districts would be created. The rezoning that recently occurred last year and the proposed design review text amendment are both very positive and a more integrated plan. Therefore, he is supportive of the proposed text amendment.

One of the most sensitive parts is the transition along Urbana Street and how it evolves. He wondered if it would be appropriate to include aspects concerning fencing around apartment buildings and landscaping around parking lots that might be built on an R-5 lot that was once a single-family residence.

Ms. Bird replied that fencing and screening of parking is addressed in the Urbana Zoning Ordinance in Article VIII – Parking and Access. It discusses the screening of parking, in particular, with the higher density zoning district adjoining a lower density zoning district. The Plan Commission could include more language about landscaping though in the proposed design review guidelines.

With no further input from the audience, Chair Pollock closed the public input portion of the case. He, then, opened it up for Plan Commission discussion and/or motion(s).

Mr. Hopkins stated that he his concern is that the definition of the district itself is not explicit. It indicates that the boundaries are as defined in the 2005 Comprehensive Plan, which he feels should be deleted as a definition of the property. The reasons being are that when he looks at his copy of the 2005 Comprehensive Plan, the boundaries are different because they have been amended. The second reason is because the boundaries could be amended again in the future. Therefore, he feels that this chunk of the draft ordinance ought to explicitly define the boundaries perhaps by explicit reference to the Zoning Map. In other words, he believes the definition needs to explicitly define independent of other actions what the boundaries of the overlay district are and the definition should be entirely within the Zoning Ordinance.

Chair Pollock recommended that if there are many sections that the Plan Commission wants City staff to make changes to, then the Commission should mention those changes and have City staff make changes and bring the case back to the Commission at a later date rather than trying to work on tuning the language during this meeting.

Mr. Fell stated that he does not feel it is possible to legislate good and bad design. In trying to do this they are limiting creative solutions to design problems. For example, the Erlanger House would never have been possible to be built under any of the proposed design guidelines. The Erlanger House is a gem in the community. The intent of the proposed design guidelines is admirable and noble, but he cannot stand behind trying to legislate good design.

Mr. Otto responded that he was offended by the Erlanger House until he figured out it was a University of Illinois property. It is a unique building, but there would be a problem with a neighborhood full of buildings like this. The proposed design guidelines do not address single-

family homes anyway. Without design guidelines, there will be developments nibbling away at the neighborhood. Someone could argue that the photos of blank walls represent a particular time and place and ought to be preserved even though the neighbors living near these types of places find them very offensive. So he feels that they need to have the minimal guidelines as proposed in the text amendment.

Mr. Hopkins went on record to say that he would adamantly oppose such guidelines in his own neighborhood. His house would not meet the proposed guidelines. He values the Erlanger House. He mentioned that there are at least three other houses in Urbana south of Pennsylvania that also would not meet the criteria in the proposed design guidelines. The reason he is willing to support the proposed text amendment is because it is a very small area. It is pretty easy to add three small windows and put the door on a blank wall.

Mr. Fitch stated that he looked at the section on Parking Areas and it does address screening. He recommended adding "landscaping" to the list of acceptable materials to use to screen a parking lot to help soften this section. Regarding signage, he suggested that they add language possibly in the Landscaping section to say that it would be appropriate to provide landscaping elements to signage. On Page 12, he suggested that City staff add language regarding dumpsters and other less desirable items, such as garbage cans, being inappropriate to be located in the façade zone.

Mr. Fell believed the location of dumpsters is already addressed in the Urbana Zoning Ordinance. Mr. Myers noted that some of this appears to fall under code enforcement, so if anyone has a particular property in mind, City staff can determine if they are conforming to the current standards.

Mr. Fitch moved that the Plan Commission forward Plan Case 2126-T-10 to the Urbana City Council with regards to the Design Review Overlay District for approval with the following modifications: 1) eliminate the notch along the north side of Elm Street so that the boundary line goes straight across the north side of the properties on the 400 Block of Elm Street and 2) fold in language expressing the concerns about specific references to actual boundaries of the district. Mr. Hopkins seconded the motion for purposes of discussion.

Mr. Fitch explained the reason he believes the two properties in the 500 block of East Elm Street should be included in the Design Review Overlay District is because there are currently apartments on these two properties. If they exclude these two properties, then they basically have an erosion of the buffer between the commercial properties on Main Street and the residential properties into the neighborhood. The notch is a wedge into the rest of this contiguous area. By including these two properties, it would make continuity to the area as a whole and would provide an important buffer to Main Street.

Ms. Bird pointed out that the properties on the north side of Elm Street that are included in the proposed district were identified in the 2005 Comprehensive Plan as being part of the Central Business District. If they had not been rezoned last year, the boundary line would be straight across with no properties on the north side of Elm Street included in the district. Since staff wants to be consistent with the Comprehensive Plan, the three properties recently rezoned were included. It is not that they want to exclude the two properties in the middle.

Mr. Fitch replied that if they include the two properties in the middle in the overlay district it does not mean that they cannot be part of the commercial designation on the Future Land Use Map. The proposed design guidelines overlay district is not specifying what the properties can be used for. There is a greater chance if these two properties are not part of the overlay district that something could be built that is out of character and be detrimental to the whole area and to the concept of the area.

Chair Pollock agrees that if you leave some properties out it is clear that you are asking for someone to come in and develop something that would not be keeping with the rest of the block.

Mr. Hopkins felt this might be tricky. He wondered if the owners of these two properties had commented on the proposed text amendment. Ms. Bird answered that City staff has not spoken with these two owners. Mr. Hopkins expressed concern in that these two property owners were sent notices about the proposed text amendment and probably saw that their properties were not included in the overlay district so they did not voice any concerns. Therefore, he feels that the Plan Commission should forward this case to the next meeting to allow City staff time to contact the two owners and inform them that their properties might be included and to get feedback from them.

Mr. Hopkins also felt it is important to know what the two properties are being used as. If they are both multi-family apartment buildings then they will be a long-term non-conforming use. If they are not multi-family apartment buildings then the proposed design guidelines could have immediate effect on the two properties.

Another thing to keep in mind is the way a plan backs zoning changes, which is accumulation of historic record. So, this little blip cannot be fixed simply by straightening it. The history is already there. He would oppose this change without an additional public hearing with the two property owners notified about the change.

Roll call on the motion was as follows:

Mr. Fell	-	No	Mr. Fitch	-	Yes
Mr. Hopkins	-	No	Mr. Otto	-	No
Mr. Pollock	-	No			

The motion failed by a vote of 1 aye to 4 nays.

Mr. Hopkins felt that the Plan Commission should give City staff some direction on the motion that was just defeated before they move on to discussing the Design Review Guidelines. City staff needs to create language to define the boundaries of the overlay district.

Chair Pollock added that the second part is to have staff look at what steps are necessary to make the change to include the two properties on the north side of Elm Street. At the next meeting, the Plan Commission can discuss whether they want to hold another public hearing and bring the whole case back or whether they should drop that particularly proposal, take the change in language that they asked for to define the boundaries and approve it at the next meeting. This is almost a great proposal, and he does not want to mess it up with small details.

Mr. Myers reviewed the Commission's options for tonight's meeting.

Mr. Otto stated that since the Plan Commission's request is requiring certain considerations in design, should they also add the south half of Elm Street to Urbana Avenue and the west half of Urbana Avenue so that even the block that the City wants to redevelop would require design review? He suggested that City staff add language saying that the redevelopment that should be done along there has to face the residential side because it serves as the transition between the residential and the business district. It should be reviewed for building design and landscape design so that it preserves the residential character of the street.

Mr. Fitch commented that he might be amendable to this suggestion. However, the problem with including the west side of Urbana Avenue is that many of the properties on the west side of Urbana Street may front onto Vine Street.

Chair Pollock stated that while he is willing to consider including the notch in the boundary of the district, he takes the recommendation of City staff seriously. He does not want to just keep going down the block and keep including more properties. He does not feel comfortable with that.

Mr. Myers mentioned that the properties on the west side of Urbana Avenue are considered part of the Central Business Zoning District in the Comprehensive Plan. Different standards will be held for these properties. They consider this as the transitional zone between the business district and the residential neighborhood.

Design guidelines are created for specific areas in a neighborhood rather than for an entire neighborhood. Many of the properties in the proposed overlay district are zoned for multi-family and used as single-family so they have potential for redevelopment. Over the last five years, City staff has been working on livability for neighborhoods in Urbana. Part of this is the rezoning of over 100 properties last year from multi-family to single-family residential to protect the single-family character of the neighborhood. The proposed overlay district is different because it has a lot of higher zoning so it can transform. Yet it is different from the Central Business District to the west and to the northwest, so they did not include any properties that are in the Central Business District.

Mr. Otto wondered what control the City has over the Central Business District to avoid future problems. Mr. Myers explained that there is not an overall design review for properties in the Central Business District. The block discussed tonight (west of Urbana Avenue and north of the City Building) the City has options to purchase these properties. As the property owner, the City would have control on what could be built. The City would enter into an agreement with a developer and whatever would be built would have to meet the public's expectations.

Mr. Fitch pointed out that most of the lots in the Central Business District are not big enough to permit a "big box" development. Mr. Otto replied that there could be a strip mall with a 20 foot high wall. Chair Pollock commented that the western part of this is zoned B-4, and the idea of the B-4 Zoning District is to build to the street and allow a higher height density. If a developer is going to do that in town then this is the place to do it. The zoning is different on the eastern

portion of this block. Chances are that future development would be a planned unit development, which would require review by the Plan Commission and approval by the Urbana City Council.

Chair Pollock inquired about re-noticing the meeting. Mr. Myers explained that if the Plan Commission decides to continue discussion on the proposed text amendment, then City staff will not need to re-notice the meeting. However, if the Plan Commission wants to change the boundary, then City staff will need to re-notice the text amendment.

Chair Pollock continued the discussion of this case to the next scheduled meeting on May 20, 2010. Mr. Fitch thanked City staff for doing a fantastic job in the East Urbana neighborhood. In his opinion, this is a great plan with just a few details to work out.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

Scott Dossett believes that the north side of Elm Street should have never been included in the Downtown Business Plan. It is discreetly different in its character. There are four houses facing one apartment building. Just because the 2005 Comprehensive Plan is in error, it does not mean it has to continue to be in error if there is a better plan.

Chris Stohr commented that the reason for the proposed design review guidelines and overlay district is because the neighborhood has been fighting some very ugly apartment designs. If someone wants to build an Erlanger design house, then he would stand up and cheer. Chair Pollock remarked that under this plan regardless of what form it is in, if someone wants to come into this neighborhood and build it, then they can because there are not any design guidelines for single-family homes. Mr. Hopkins noted that it would not be permitted under these design guidelines if it were not a single-family home.

Mr. Myers responded that this is one of the trade-offs that people have to review when adopting design guidelines. Design guidelines are really about having a predictable range of design. The good part is the predictability of the outcome, and the bad part is that some building design may not conform. Again, the issue in the Historic East Urbana has not been that Frank Lloyd Wright-caliber homes are being built in the neighborhood. It is minimum design standards to protect the character of the neighborhood.

Dennis Roberts stated that in the discussion of the preservation of the nature of the neighborhood, HEUNA identified that the most endangered street is the 500 block of East Elm Street, the very block where the notch occurs. It was a mental decision by City staff to exclude the two properties. He felt it was a mistake for the preservation of the nature of the transitional area for the neighborhood. The owners of the three properties along the north side of Elm Street that were included in the rezoning showed that the people who live on the block consider this to be the line where crucial thinking needs to take place. So he encouraged the Plan Commission to consider Mr. Fitch's recommendation to include those two properties in the overlay district.

Ms. Bird addressed a comment about the design guidelines stifling creativity. She stated that very few of the design guidelines are required. Something more modernistic with high quality design can still be built.

10. STAFF REPORT

Mr. Myers reported on the following:

- ✚ Wisley Inn Subdivision Waiver for Sidewalks was approved by the City Council with the sidewalk connections to neighboring properties as recommended by the Plan Commission.
- ✚ University Avenue Corridor Plan has been accepted by the Urbana City Council as recommended by the Plan Commission.
- ✚ Bike to Work Day was successful with 700 to 750 people participants community wide.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Robert Myers, AICP, Secretary
Urbana Plan Commission