DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES



Planning Division

memorandum

TO: Laurel Lunt Prussing, Mayor
FROM: Elizabeth H. Tyler, FAICP, Director
DATE: January 15, 2009
SUBJECT: Plan Case 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Introduction

This item is a request by the Zoning Administrator to:

- 1. Adopt design guidelines for the Lincoln-Busey Corridor (LBC); and
- 2. Amend the Zoning Ordinance to enable design review to take place in specified areas by creating a Design Review Board and to establish the LBC Design Overlay District.

The LBC is bounded by Lincoln Avenue to the west, Illinois Street to the north, Busey Avenue to the east, and Pennsylvania Avenue to the south. The corridor is a unique area, located between the eastern edge of the University of Illinois and the western edge of the single-family West Urbana Neighborhood. In terms of land uses and development, it serves as the transition between the University and the West Urbana neighborhood, which is reflected by the variety of zoning districts present. Design review is intended to help ensure that future development is appropriate and to aid in the transition.

A growing concern that the area between the University and downtown Urbana was losing its traditional character as homes were converted to apartments resulted in the 1990 Downtown to Campus (DTC) Plan. Some of the replacement apartment buildings did not respect the traditional character of the neighborhood. The City received comments from the neighborhood about the need to prevent certain building types: in particular, "buildings on stilts" with parking on the ground floor, "buildings facing sideways" with blank walls facing the street, and buildings with parking in the front yard. (See photos below.)



Example of a building facing sideways with a blank wall facing the street.

Example of a building on stilts.

The DTC Plan provided the basis for a broad rezoning of the West Urbana Neighborhood from multi-family to single-family. The 2005 Comprehensive Plan incorporated the Downtown to Campus Plan and superseded it as a planning document.

The 2005 Comprehensive Plan recognizes conflicts between single- and multi-family land uses in the West Urbana Neighborhood and includes goals and objectives to address these concerns. Future Land Use Maps 8 and 9 define the Lincoln-Busey Corridor and note, "Preserve these uses as they now exist while precluding further encroachment of higher density buildings into this unique residential area."

On October 23, 2006, in an effort aimed at neighborhood conservation, the Urbana City Council requested that City staff work on extending design review requirements to the LBC, similar to those pertaining to the Mixed-Office Residential (MOR) District, which is located along Green and Elm Streets between downtown and the University of Illinois campus.

Currently, the City's Development Review Board administers site plan review in the MOR, Mixed-Office Residential zoning district. Review of proposals in the MOR and in the LBC would be fundamentally different. The MOR is a hybrid zoning district which includes both use/development regulations and design review. The proposed LBC, on the other hand, would be an overlay district for design review purposes only and would not affect the underlying zoning in the area. Due to this difference, it is necessary to create a new board for the purpose of administering design review. The text amendment (Exhibit C) proposes to create a <u>Design</u> Review Board to administer design review in the LBC and in certain other future-designated areas in the City, which could include other sensitive areas with unique needs, such as the area between downtown and the Historic East Urbana Neighborhood. The proposed text amendment would not alter the MOR <u>Development</u> Review Board. Under the proposed amendment, any new design review districts and their associated design guidelines would be adopted under separate ordinances.

To implement the proposed design guidelines, the Urbana Zoning Administrator is requesting a

text amendment that would add Section XI-15, Design Review Board, to the Urbana Zoning Ordinance. This section would create a Design Review Board to enable and administer design review in specified areas. The text amendment would also establish the Lincoln-Busey Corridor Design Review Overlay District. This overlay district would not affect the underlying zoning of any parcels in the corridor, but would be indicated on the City's official zoning map. As stated earlier, the boundaries of the Lincoln-Busey Corridor are established by the Comprehensive Plan.

Public input has been an important element in the development of the Lincoln-Busey Corridor Design Guidelines. City staff presented the proposed design guidelines to the West Urbana Neighborhood Association's (WUNA) general meeting on May 15, 2008 and held an open house on July 23, 2008. (See Exhibits F and G.) Thirty people attended the open house and the feedback was overwhelmingly positive. There were some concerns about how the design review process would work, but the general consensus was supportive of the proposed design guidelines. The feedback at the WUNA meeting was also supportive of the proposed guidelines.

On May 29, 2008, City staff gave a presentation on the proposed LBC Design Guidelines to the Urbana Development Review Board and submitted copies of the draft design guidelines for review and comment. The Board was supportive, although there were some concerns with specific guidelines. (See Exhibit E.) Comments and suggestions from the Board were incorporated to the greatest extent possible into the proposed design guidelines.

The Urbana Plan Commission reviewed the proposed design guidelines and text amendment at five meetings between October of 2008 and January of 2009. (See Exhibit D.) The issues raised by the Plan Commission are included in the Issues and Discussion section below. On January 8, 2008, the Plan Commission voted to forward Plan Case 2074-T-08 to City Council with a recommendation to deny, with three votes supporting denial and two votes against denial.

Background

Policy Basis for Lincoln-Busey Design Guidelines

The 2005 Comprehensive Plan provides the following goals, objectives, and implementation strategies relevant to this case.

Comprehensive Plan Goals and Objectives

Goal 1.0 Preserve and enhance the character of Urbana's established residential neighborhoods.

Objective

- 1.1 Promote the organization of neighborhood groups to help advocate for neighborhood preservation and enhancement.
- 1.2 Encourage investment in older properties to help maintain their appearance and

long-term potential.

- 1.3 Promote the improvement of existing structures through the enforcement of property maintenance codes.
- 1.4 Promote established neighborhoods close to campus and the downtown as attractive places for people to live.
- 1.5 Ensure appropriate zoning in established neighborhoods to help foster the overall goals for each unique area.

Goal 2.0 New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Objective

- 2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.
- 2.4 Promote development that residents and visitors recognize as being of high quality and aesthetically pleasing.

Goal 3.0 New Development should be consistent with Urbana's unique character. *Objective*

- 3.1 Encourage an urban design for new development that will complement and enhance its surroundings.
- 3.2 Promote new developments that are unique and capture a "sense of place."

Goal 12.0 Preserve the characteristics that make Urbana unique.

Objective

- 12.1 Identify and protect neighborhoods and areas that contain significant historical and cultural resources.
- 12.2 Pursue the establishment of historic landmark and/or historic district status for sites that have contributed to the history of Urbana.
- 12.3 Encourage public/private partnerships to preserve and restore historic structures/sites.
- 12.4 Promote and educate the public about the benefits of historic preservation.
- 12.5 Preserve and maintain brick sidewalks and streets which are unique to Urbana's older neighborhoods consistent with the city's Brick Sidewalk Plan.

Goal 13.0 Capitalize on Urbana's unique heritage as a community with a mix of urban and small-town features.

Objective

13.4 Promote the beautification of Urbana through both public and private developments.

Comprehensive Plan Implementation Strategies

Develop a common forum for neighborhood associations to discuss and consider issues facing their neighborhoods. Determine methods for neighborhood associations to have effective input in the decision-making process (page 87).

Amend the Urbana Zoning Ordinance to include site design standards for multi-family residential development in established neighborhoods to ensure that new development maintains the urban fabric and pattern of established neighborhoods (page 88).

Develop corridor design guidelines for Lincoln Avenue, University Avenue, Cunningham Avenue, and Philo Road to reflect their status as entryways into the City (page 103).

Comprehensive Plan Future Land Use Map Annotations

In addition to objectives and implementation strategies pertinent City-wide, the following Future Land Use Map annotations are pertinent development policies for specific areas:

"West Urbana, Strategies for Neighborhood Stability: 1. Explore "Neighborhood Conservation District" Strategies, 2. Promote Single-Family Residential Uses in areas zoned for single-family, 3. Preserve existing zoning protections, 4. New development to respect traditional physical development patterns." (Maps 8 & 9)

"Lincoln/Busey Corridor. Preserve these uses as they now exist while precluding further encroachment of higher density buildings into this unique residential area." (Maps 8 & 9)

Urbana City Council Goals

The Urbana City Council's Common Goals, adopted September 19, 2005, provide the following goals and implementation strategies relevant to this case.

4. Preserve Neighborhoods and Promote Rental Safety:

A. Develop conservation Districts for historic and sensitive areas of the city. Conservation districts should include review of demolitions, approval of new construction. And design guidelines applied by MOR style Design review Board or as fixed requirements required by zoning ordinance.

5. Implement the 2005 Comprehensive Plan:

- A. Rewrite our Zoning Ordinance. We propose hiring an outside consultant in order to accomplish this over the next year and to focus on billboards and sign issues now with current staff.
- B. Include use of design guidelines, form-based code concepts, modern sign and

lighting standards, Traditional Neighborhood Development standards, commercial big box store standards, neighborhood business zones, preserving historic neighborhoods, farmland, natural areas and minimizing sprawl as guiding principles (see Comprehensive Plan implementation section for complete action items and goals).

City staff believes that there is clearly an adequate policy basis for submitting the attached design guidelines for the LBC and the associated text amendment enabling design review.

Issues and Discussion

Design Guidelines Overview

The purpose of the Lincoln-Busey Corridor Design Guidelines is to carry out the above-listed policies by:

- Ensuring that future development in the Lincoln-Busey Corridor is compatible with the existing built environment in the corridor; and
- Improving the transition between larger-scale University and University-related buildings fronting Lincoln Avenue and single-family homes to the east.

The proposed design guidelines (see attached January 9, 2009 draft) contain five chapters. The *Introduction* (pages 5-8) contains a problem statement, the purpose and intent of the design guidelines, a history of the area, an explanation of the difference between the guidelines and the ordinance, a section outlining where and when the guidelines apply, a section on the applicability of other regulations, and definitions.

Part II, Existing Conditions (pages 9-15) provides the context of existing conditions. This context includes current City regulations and policies (existing zoning and future land use), ownership and existing land use patterns, existing building types, and the character of corridor. This chapter defines the existing character for comparison and analysis of new projects. Based on these factors, the design guidelines distinguish between two zones:

Zone 1: Lincoln Avenue & Higher Intensity Areas Zone 2: Busey Avenue & Lower Intensity Areas

Part III, The Design Review Process (page 16) describes the creation of the Design Review Board, referencing Section XI-15 of the Urbana Zoning Ordinance. This section explains that the intent of the guidelines is to 1) help ensure that future development in the Lincoln-Busey Corridor is compatible with the existing built environment in the corridor, and 2) improve the transition between the larger-scale University buildings to the west and the single-family homes to the east.

Additionally, there is a description of the types of projects that will require review by the Design Review Board and which types may undergo administrative review.

Part IV, Design Guidelines (pages 17-29) contains the design standards. The Design Review Board will use this section to evaluate applications. Applications must comply with the guidelines as a whole, but are not required to comply with each individual guideline. Each design element has recommendations, identified as *Encouraged* and *Discouraged*. The following are the design aspects the Board will consider in evaluating applications:

- *Façade Zone*. The façade zone is the building wall and visible roof facing a public street. The greatest emphasis for design review should be on the façade zone. Facades with street frontage should contain window openings, a focal point such as the front door, and use quality materials and interesting details. Mechanical equipment is undesirable in the façade zone.
- *Massing & Scale*. Massing is the height, width, and depth of a building. Scale is the proportion of a building relative to its surroundings. This design aspect generally is concerned with compatibility, with recommendations such as the height-to-width ratio and scale of proposals being similar to those currently found on the block. Inappropriate changes in scale, height and/or roof line are discouraged.
- *Building Orientation*. Building orientation refers to the building's location on the site, and its relationship to the street and other buildings on the block. Having the front entrance to the building face the street is a key design principle, along with using a porch or stoop to clearly define the entrance. Buildings that face sideways are discouraged.
- *Patterns & Rhythms*. Patterns include lot size, setbacks, and building orientation. Rhythms include the relationship of buildings to open space and the proportion of solid walls to windows and doors. New construction is encouraged to incorporate existing patterns and rhythms, as well as to use architectural detailing and landscaping to help make the design of new construction appropriate for the block. Setbacks that are too deep or shallow are discouraged.
- *Roof Lines*. The roof is an important part of every building's design and look. Using a common roof form can aid in compatibility. The most common roof type found in the Lincoln-Busey Corridor is the gable roof. The pitch of a roof should rise at least six inches vertically for every 12 inches horizontally. A combination of roof lines helps soften large roof areas. A single roof line on a large building is discouraged.
- *Windows & Doors*. Windows and doors are another important design aspect in a building. Their arrangement, materials, and detailing are important to the style of a building. The proportion of window and door openings to solid surfaces in the façade zone should be compatible with those found on the block. Large wall expanses without openings are strongly discouraged.

- *Outdoor Living Space*. Traditionally, buildings in the corridor included porches. The use of porches on new buildings can help new structures be compatible. Courtyards in the façade zone of apartment buildings can be substituted for a front porch. Private patios for a single unit in an apartment building should not be located in the façade zone.
- *Materials*. The choice of exterior materials should be based on durability and aesthetics as well as cost. A great diversity of high quality durable building materials can be found in the corridor: brick, wood clapboards, wood shingles, stone, and tile. New construction should recognize the diversity of materials used in the corridor and the importance of material quality. Materials that are not durable, such as vinyl siding, are not encouraged.
- *Landscaping*. Good landscaping can help soften the mass of a large building and help new construction "blend" with the existing neighborhood. Mature trees should be retained whenever possible. Invasive and dangerous species should be avoided.
- *Parking*. The Lincoln-Busey Corridor follows a traditional neighborhood layout in terms of parking location. Generally, parking is located behind the principal structure, often in a detached garage. Parking for new construction should be located behind the main structure or below ground. Buildings elevated to allow visible parking at grade are strongly discouraged.

These guidelines also include a section on sustainability which is provided as guidance on "best practices." The City recently established a Sustainability Commission that will be preparing a community-wide sustainability plan.

Text Amendment Overview

The proposed text amendment would add Section XI-15, Design Review Board, to Article XI of the Urbana Zoning Ordinance (see Exhibit C). This section would create a new board to administer design review in specified areas.

The MOR Development Review Board was used as a model in creating the new Design Review Board although there are significant differences. The MOR is a zoning district, and the MOR Development Review Board, therefore, reviews zoning and design for new projects. Additionally, the MOR zoning district encourages the adaptive reuse of existing buildings and has certain incentives to that end which are not applicable here.

Four members of the MOR Development Review Board would also serve on the newly created Design Review Board. These include a member of the Urbana Plan Commission, a member of the Urbana Historic Preservation Commission, an architect, and a local developer. Three additional members would be appointed to the Design Review Board. The Design Review Board would hold meetings as needed but would hold at least one meeting per year. Approval of applications would require a majority vote.

The Board would review all applications in design review districts for the following:

- (1) Construction of a new principal structure; or
- (2) Increasing the building footprint of an existing principal structure by greater than 15%; or
- (3) Increasing the floor area ratio of an existing principal structure by more than 15%; or
- (4) Installing or enlarging a parking lot; or
- (5) Substantially changing the appearance and/or scale of an existing building, as determined by the Zoning Administrator in consultation with the Design Review Board chair.

When a project would not result in a substantial change to the appearance of an existing building, it would undergo administrative review rather than review by the full Board, as decided by the Zoning Administrator together with the Chair of the Board.

Once an application has been determined to require Board review, the Secretary would schedule a public hearing to consider the request. Following the public hearing, the Design Review Board would review the application according to the criteria listed in Section XI-15.I of the Urbana Zoning Ordinance, apply the adopted design guidelines to the area, and consider any testimony given at the public hearing. The Board may then approve the application, approve with conditions, invite the applicant to resubmit the application, or deny the application.

Plan Commission Review

The Plan Commission held a public hearing regarding this case at their October 9, 2008 meeting. The hearing was continued to the October 23, November 20, December 4, 2008 and January 8, 2009 meetings. Although the Plan Commission did not express concern over the LBC design guidelines, several Commissioners were concerned about the concept of design review in general as well as the burden of adding another layer of bureaucracy for property owners. Specifically, several Commissioners were concerned about the restrictions on property owner rights inherent in design review. The Commission also had several concerns about the composition of the proposed Design Review Board and about the triggers between administrative review and review by the full Board.

At the October 9th meeting, the Plan Commission recommended reviewing the membership of the proposed Design Review Board. The composition of the Board, as originally suggested by staff, included five members of the MOR Development Review Board (a member of the Plan Commission, a member of the Historic Preservation Commission, an architect, a local developer, and the owner of a small business) and two additional members (representing any two of: a design professional, a development representative, a community representative and a residential representative). The Plan Commission considered a variety of different Board compositions. One of the main issues considered was the appropriate number of Board members who owned or resided in each of the design review districts. The Plan Commission decided there should be one representative of each district on the Board as well as one additional resident of Urbana.

Another item discussed by the Plan Commission was the type of review each project would be subject to: review by the full Board, administrative review, and exempt projects. Staff originally suggested that if a project would result in a substantial change to the overall appearance and/or scale of an existing building, then the project would be subject to review by the full Board, whereas if the project did not result in a substantial change, it would be reviewed by the Zoning Administrator. The Plan Commission suggested more clearly defining this division and decided that projects as defined in the previous section would require review by the full Board, projects not requiring a building permit or including no exterior changes would be exempt from review, and that all other projects would undergo administrative review. The Commission also recommended that some level of notice be required when projects undergo administrative review. Section XI-15.G.4.b now states that the Zoning Administrator should report the outcome of any administratively-reviewed applications by listing them on the agenda of the next Board meeting.

Both the proposed text amendment and LBC Design Guidelines have been revised to reflect the changes suggested by the Plan Commission.

Summary of Findings

- 1. The Urbana City Council on April 11, 2005 adopted Ordinance No. 2005-03-050, the Urbana Comprehensive Plan, which identifies the Lincoln-Busey Corridor as a sensitive area needing development protections;
- 2. The Urbana City Council's Common Goals, adopted September 19, 2005, include a goal to study design review for the Lincoln-Busey Corridor;
- 3. The Urbana City Council on October 23, 2006 directed City staff by motion to draft design review standards for the Lincoln/Busey corridor for their consideration;
- 4. The Urbana Zoning Administrator submitted a petition to adopt design guidelines for the Lincoln-Busey Corridor, and to amend the Urbana Zoning Ordinance to enable design review to take place in certain areas and establish the Lincoln-Busey Corridor design review overlay district.
- 5. City staff on May 15, 2008 presented the proposed design guidelines to attendees of the West Urbana Neighborhood Association general meeting and held an open house on July 23, 2008.
- 6. On May 29, 2008, City staff gave a presentation on the proposed LBC Design Guidelines to the Urbana Development Review Board and submitted copies of the draft design guidelines for review and comment.
- 7. This petition was presented to the Urbana Plan Commission as Plan Case 2074-T-08.
- 8. After due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statues (65 ILCS 5/11-13-14), the Urbana

Plan Commission held a public hearing and reviewed the petition on October 9 and 23, November 20, and December 4, 2008 and January 8, 2009.

- 9. The Urbana Plan Commission voted 3 ayes and 2 nays on January 8, 2009 to forward Plan Case 2074-T-08 to the Urbana City council with a recommendation for denial.
- 10. The proposed Zoning Ordinance text amendment conforms to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan.

Options

In Plan Case 2074-T-08, City Council has the following options. Staff recommends that each be voted on separately.

Design Guidelines

Concerning the proposed Lincoln-Busey Corridor Design Guidelines, the City Council may:

- a) Approve the Design Guidelines, as presented,
- b) Approve the Design Guidelines, with specific recommended changes, or
- c) Deny the proposed Design Guidelines.

Zoning Ordinance Text Amendment

Concerning the proposed Zoning Ordinance text amendment to add Section XI-15, Design Review Board, the City Council may:

- a) Approve the text amendment, as presented,
- b) Approve the text amendment, with specific recommended changes, or
- c) Deny the proposed text amendment.

Recommendations

By a vote of three ayes and two nays, the Plan Commission voted on January 8, 2009 to forward Plan Case No. 2074-T-08 to the Urbana City Council with a recommendation for **DENIAL** due to concerns over the concept of design review.

City staff continue to recommend that the City Council **APPROVE** the design guidelines and the revised text amendment as attached due to conformance with the goals, objectives, and policies of the Comprehensive Plan and the Urbana City Council Goals.

Prepared by:

Rebecca Bird, Planner I

Attachments:

- Exhibit A: Draft of the Ordinance Adopting the LBC Design Guidelines
- Exhibit B: Draft of the Lincoln-Busey Design Guidelines with Photo Inventory
- Exhibit C: Draft of the Text Amendment to Enable Design Review
- Exhibit D: Plan Commission Meeting Minutes: 10/9/08, 10/23/08, 11/20/08, 12/04/08, 1/08/09
- Exhibit E: MOR DRB Meeting Minutes: 5/29/08
- Exhibit F: Open House Attendance Sheet
- Exhibit G: WUNA General Meeting Agenda

cc:

West Urbana Neighborhood Association c/o Esther Patt 706 South Coler Ave, #3 Urbana, Illinois 61801

ORDINANCE NO. 2009-01-004

AN ORDINANCE APPROVING DESIGN GUIDELINES

(The Lincoln-Busey Corridor Design Guidelines - Plan Case No. 2074-T-08)

WHEREAS, the Urbana City Council on April 11, 2005 adopted Ordinance No. 2005-03-050, the Urbana Comprehensive Plan, which plan identifies the Lincoln-Busey Corridor (LBC) as a sensitive area needing development protections; and

WHEREAS, the Urbana City Council on October 23, 2006 directed City staff by motion to draft design review standards for the Lincoln/Busey corridor for their consideration; and

WHEREAS, the Urbana City Council's Common Goals, adopted September 19, 2005, and as amended, includes a goal to study design review for the Lincoln-Busey Corridor; and

WHEREAS, City staff on May 15, 2008 presented the proposed design guidelines to the West Urbana Neighborhood Association general meeting and held an open house on July 23, 2008; and

WHEREAS, on May 29, 2008, City staff gave a presentation on the proposed LBC Design Guidelines to the Urbana Development Review Board and submitted copies of the draft design guidelines for review and comment; and

WHEREAS, the Urbana Zoning Administrator submitted a petition to adopt design guidelines for the Lincoln-Busey Corridor, and to amend the Urbana Zoning Ordinance to enable design review to take place in certain areas and establish the Lincoln-Busey Corridor design review overlay district; and

WHEREAS, this petition was presented to the Urbana Plan Commission as Plan Case 2074-T-08; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statues (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing and reviewed the petition on October 9 and 23, November 20, and December 4, 2008 and January 8, 2009; and

WHEREAS, the Urbana Plan Commission voted 3 ayes and 2 nays on January 8, 2009 to forward Plan Case 2074-T-08 to the Urbana City council with a recommendation for denial; and

WHEREAS, on ______, 2009, the Urbana City Council passed Ordinance No. 2009-XX-XXX to amend the zoning ordinance of the City of Urbana to enable design review and to establish the Lincoln-Busey Corridor Design Overlay District; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to adopt the "Lincoln-Busey Corridor Design Guidelines" as attached as Exhibit A; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

- 1. The attached Exhibit A: "Lincoln-Busey Corridor Design Guidelines" is hereby approved and adopted.
- 2. This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2009.

PASSED by the City Council this ____ day of _____, 2009.

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,2009.

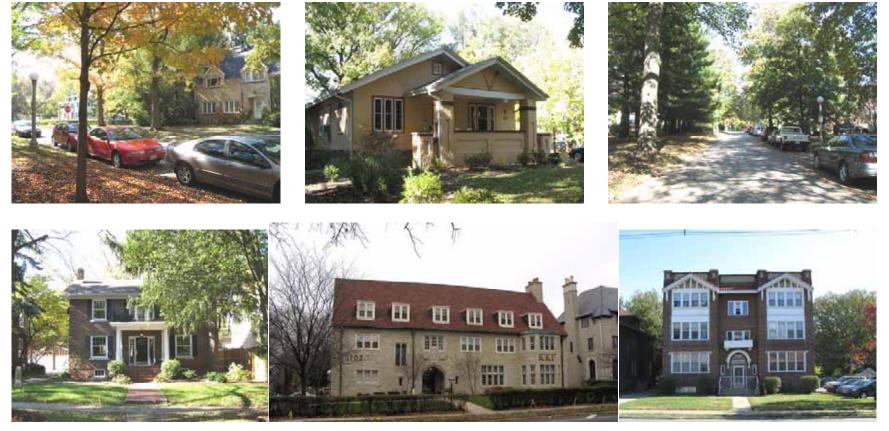
Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of ______, 2009, the corporate authorities of the City of Urbana passed and approved "AN ORDINANCE APPROVING DESIGN GUIDELINES (The Lincoln-Busey Corridor Design Guidelines - Plan Case No. 2074-T-08)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. ______ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ______ day of _______, 2009, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2009.

Lincoln-Busey Corridor Design Guidelines





City of Urbana, Illinois Community Development Services

> **DRAFT** January 9, 2009

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I. Introduction

Problem Statement

Due to the desirability of its proximity to the University of Illinois, the Lincoln-Busey Corridor (LBC) is in a unique situation. It has a wide variety of built forms, from largescale institutional buildings to single-family homes, which can create incompatibilities. New development in the corridor can be built to a scale permitted by the Urbana Zoning Ordinance, yet should be executed in such a way as to be compatible with its surroundings and aid in the transition from the University to the West Urbana Neighborhood.

Purpose & Intent

The purpose of this document is to provide a basis for understand and assessing the design of new construction and renovation projects in the corridor. The intent is to:

- ensure that future growth in the Lincoln-Busey Corridor is compatible with the existing built environment in the corridor, and
- aid in the visual transition from the larger scale buildings of the University and related institutional uses fronting Lincoln Avenue to the single-family homes of the West Urbana Neighborhood to the east.

These design guidelines provide guidance on how to achieve compatibility between new, existing, and historic development without restricting architectural style or creativity.

Both the Urbana Zoning Ordinance and the Urbana Subdivision and Land Development Code contain provisions intended to enhance compatibility between lower and higher density developments. However, much of the incompatibility in the LBC predates the Zoning Ordinance and the Subdivision Code and the potential for continuing incompatibilities necessitate the need for these design guidelines.

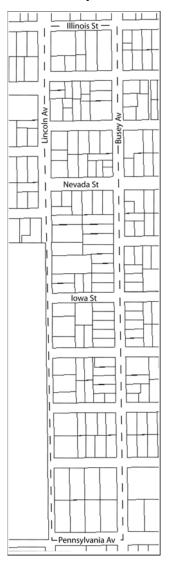






Map 1.

Lincoln-Busey Corridor



History

A growing concern that the neighborhood between Downtown Urbana and the University of Illinois was losing many older houses along with its historic character and unique appearance prompted the 1990 Downtown to Campus (DTC) Plan. The DTC Plan sought to maintain the balance between low-density residential with fraternities/sororities and other University group housing in the Lincoln-Busey Corridor and to prevent further encroachment of higher density buildings into the area (1990 Downtown to Campus Plan, p 75). The DTC Plan provided parcel-by-parcel zoning recommendations in the Lincoln-Busey Corridor and resulted in an overall down-zoning from multi-family to lower residential classifications in the area. The resulting zoning pattern is reflected in the 2005 Comprehensive Plan land use designations which are consistent with those shown in the DTC Plan.

The City of Urbana's 2005 Comprehensive Plan identifies the corridor as an area experiencing development pressure due to its proximity to the University. The Comprehensive Plan reiterates the need to "Preserve these uses as they now exist while precluding further encroachment of higher density buildings into this unique residential area," (p 79). The Comprehensive Plan also calls for the development of design guidelines for key corridors in Urbana, including Lincoln Avenue (2005 Comprehensive Plan, p 103).

Guidelines Vs. Ordinance

Per Ordinance No. _____, this document is the official framework for development in the Lincoln-Busey Corridor Design Overlay District. This document is a design guidelines manual for the Lincoln-Busey Corridor. While what is presented here are *guidelines* rather than regulations, meeting the *intent* of the guidelines, as previously stated, is necessary for project approval.

The Urbana Zoning Ordinance includes two design criteria that are mandatory

and required, as specified in Section XI-15.K.2. These requirements state:

- that the project proposal shall be in conformance with the intent of the design guidelines as contained herein; and
- that the project proposal should achieve overall compatibility with the character of the neighborhood.

Where & When Design Guidelines Apply

The Lincoln-Busey Corridor is bounded by Illinois Street on the north, Pennsylvania Avenue on the south, Lincoln Avenue on the west, and Busey Avenue on the east (see Map 1). These guidelines are to be used to review development plans for the following projects in the Lincoln-Busey Corridor:

- Construction of a new principal structure; or
- Increasing the building footprint of an existing principal structure greater than 15%; or
- Increasing the floor area ration of an existing principal structure by more than 15%; or
- Installing or enlarging a parking lot; or
- Substantially changing the appearance and/or scale of an existing building, as determined by the Zoning Administrator in consultation with the Design Review Board chair.

Building Safety Code and Zoning Ordinance

Projects must comply with the development regulations of the Urbana Building Safety Code, the Zoning Ordinance, and Subdivision and Development Regulations in addition to the intent of the LBC Design Guidelines. For more information please contact:

City of Urbana Community Development Services Department 400 S. Vine Street Urbana, IL 61801

Tel: 217-384-2440 Web: www.city.urbana.il.us

The complete Urbana Zoning Ordinance and the Subdivision and Development Regulations are available on our website.

Locally Designated Historic Landmarks and Districts

Existing and proposed local Historic Landmarks and properties within local Historic Districts not subject to these guidelines. Such properties will continue to comply with the Historic Preservation Ordinance of the Urbana Zoning Ordinance (Article XII of the Urbana Zoning Ordinance).

Definitions

- *Balcony* A platform projecting from the wall of an upper story, enclosed by a railing or balustrade, with an entrance from the building and supported by brackets, columns, or cantilevered out.
- *Compatibility* Design which utilizes accepted site planning (e.g. building placement, orientation, and siting) and the elements of architectural composition within the context of the surrounding area. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.
- *Courtyard* An open area that is partially or fully enclosed by one or more buildings, walls, and/or fences that is intended for use by more than one dwelling unit.
- *Divided Light* Glass in a window or glazed door that is divided into smaller panes by secondary framing members (muntins).
- *Façade Zone* The façade is the front or principal face of a building and any side of a building that faces a street or other open space. The façade zone includes the façade and any other elements of the site that are located in front of the façade and are visible from the public street. A corner lot will have two façade zones.
- *Massing* The three-dimensional bulk of a structure: height, width, and depth.
- *New Construction* New principal structures and additions and/or remodels visible from a public street, that would result in a substantial change to the appearance and/or scale of an existing building.

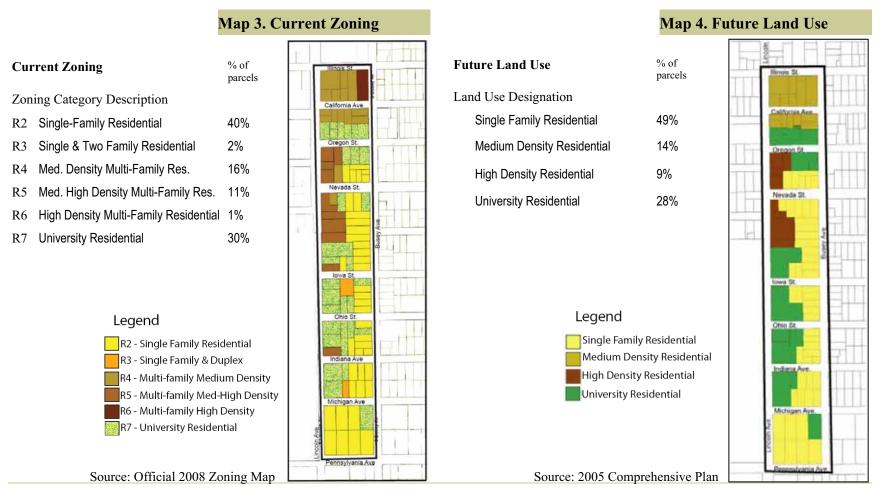
- *Orientation* The placement of a structure on its lot with regard to other structures on the block face.
- **Patio** A level surfaced area directly adjacent to a principal building at or within two feet of the finished grade, intended for the use of one dwelling unit, and not covered by a permanent roof.
- *Porch* A roofed, open area, which may be screened, attached to or part of a building, and with direct access to or from it.
- **Roof Pitch** The degree of slope or inclination of a roof. A medium, or average, pitched roof slopes at an angle of between 30 and 40 degrees. These angles roughly translate into rise-over-run ratios of between 6:12 and 12:12.
- *Wall to roof ratio* The ratio of the front wall surface to the perceived height of the roof. This ratio can be measured from a photograph taken of a building, by measuring the front wall from grade to the roof and from the lowest part of the roof to the highest.
- *Scale* The relationship of the perceived size, height, bulk, and intensity of a building to that of neighboring buildings as it appears to the pedestrian.

Setback The distance between the building and any lot line.

Solid to Void The recurrent alternation of structure to open space. Can also refer to the proportion of solid walls to openings, such as windows and doors.

II. Existing Conditions – Zoning & Future Land Use

Zoning is regulatory while future land use is policy. More specifically, zoning refers to the division of the City into districts, or zones, within which specific uses are allowed or prohibited. Future land use, on the other hand, comes from the 2005 Comprehensive Plan and is the policy for how land uses in the City will be organized. The current zoning of the Lincoln-Busey Corridor ranges from single-family residential to high density multi-family residential. Additionally, much of the corridor is zoned University Residential, which allows dormitories and rooming houses for students (see Map 3).



City of Urbana 2005 Comprehensive Plan

The City of Urbana 2005 Comprehensive Plan states the following about the Lincoln-Busey Corridor: "Preserve these uses as they now exist while precluding further encroachment of higher density buildings into this unique residential area." To the right are the Future Land Use Maps that include the LBC. Future land use matches that of the Downtown To Campus Plan.

Legend

Single-Family Residential

High Density Residential

University Residential



"Lincoln/Busey Corridor" Inset

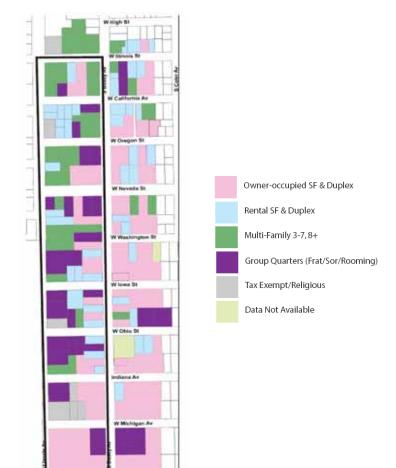
Future Land Use maps Map #8 & Map #9



10

Map 5.

LBC Ownership / Existing Land Use Patterns



Although houses are the predominant building type, only 30% of properties in the corridor consist of owner-occupied single family homes and duplexes.

According to the Cunningham Township Assessor's Office, ownership patterns / existing land use in the LBC reveal the following (see map at right):

•	Owner-occupied single family & duplex	30% 29%
	Single family	29%
	Duplex	1%
•	Group housing	23%
		220/
•	Rental single family & duplex	22%
	Single family	15%
	Duplex	7%

- Multi-family 19%

 3-7 units
 6%
 8+ units
 13%
- Religious 6%

Source: Cunningham Township Assessor's Office Created January 23, 2008

Pannaylumia Av

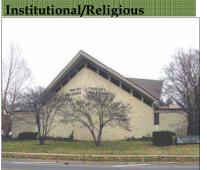
Existing Building Types

On the 100 parcels that comprise the Lincoln-Busey Corridor, there are a variety of building types and uses including single– and multi-family residential; sorority/ fraternity, rooming, and boarding houses; and religious institutions. Within each of these uses, a multitude of built forms exists, representing different eras of development. Looking only at the built form and not considering the use or the zoning, the most common building type in the corridor is, by far, the house. The LBC consists of the following building types:

- Houses & Duplexes 72%
- Large Apartment Buildings 12%
- University & Greek Housing 7%
- Small Apartment Buildings 4%
- Institutional/Religious Buildings 3%
- Empty/Parking Lots









3%

Lincoln-Busey Corridor Character

Much of the existing built environment in the corridor (72 percent) is in the form of a house, while less than half of the parcels (42 percent) are currently zoned for single– and two-family homes. Because much of the corridor is zoned for a higher urban intensity than single-family residential, these design guidelines outline how a higher-intensity development can remain compatible in character with the single-family residential character of the neighborhood. To achieve compatibility, these guidelines address the façade zone, massing and scale, building orientation, patterns and rhythms, roof lines, window and door openings, outdoor living space, materials, landscaping, and parking.

The Lincoln-Busey Corridor naturally sub-divides into two zones with Lincoln Avenue and the higher intensity northern part of the corridor differing from the remainder of the corridor:

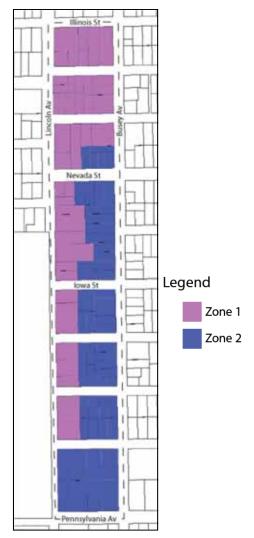
Zone 1: Lincoln Avenue & Higher Intensity Areas Zone 2: Busey Avenue & Lower Intensity Areas

Differences Between Zone 1 & Zone 2

The zoning along Lincoln Avenue is generally higher. There is almost no owner-occupied housing, and the building masses are generally larger. Additionally, Lincoln Avenue is a main entryway to the City and to the University. Illinois, California, and Oregon Streets have been included in Zone 1 as they are zoned higher and are generally a higher intensity.

Due to the higher intensity nature of Zone 1 and the need for new development to be compatible, projects proposed in Zone 1 may be of a larger scale than those proposed in Zone 2.

Lincoln-Busey Corridor Zones



Zone 1: Lincoln Avenue & Higher Intensity Areas

The existing building types on Lincoln Avenue consist of about 50% houses and 50% multi-family residential, including apartment buildings, fraternity/sorority houses, and other rooming/boarding houses. This mix is quite different from the rest of the LBC. The structures are generally larger and more distinctive with smaller setbacks. The character on Lincoln Avenue is more urban than in the rest of the corridor.

Additionally, Lincoln Avenue is one of the major entryway corridors into the City. One of the implementation strategies listed in the 2005 Comprehensive Plan is that corridor design guidelines be developed for Lincoln Avenue to reflect its status as an entryway into the City (2005 Comprehensive Plan, p 103).

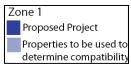
When a project proposal is located on the east side of Lincoln Avenue, between Illinois Street and Pennsylvania Avenue, it will be reviewed in the context of the other properties located in Zone 1. Specifically, when the guidelines call for compatibility with other structures on the block face, along a block, or on the block, proposals located in Zone 1 will be reviewed with reference to all structures on the east side of Lincoln for the block the parcel is in and for one block to the north and one block to the south. If the proposed project is located in Zone 1, but not fronting Lincoln Avenue, the area to be used in reviewing compatibility will include all parcels in the block where the project is located and all parcels fronting Lincoln Avenue on the blocks directly north and south, as shown in the map to the right.

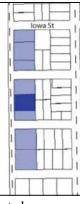


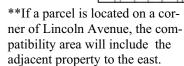


*If parcel is located on a corner of Busey Avenue, the compatibility area will include both sides of the East-West street and both sides of the block of Busey Avenue where the parcel is located.

Example 2: Parcel on Lincoln Avenue**









Zone 2: Busey Avenue & Lower Intensity Areas

The existing building types on Busey Avenue and the East-West Streets of the corridor are significantly different from those on Lincoln Avenue and abutting Lincoln Avenue. Over 85% appear to be single-family homes, with only 7% being multi-family residential buildings, such as apartment buildings, fraternity/sorority houses and other rooming/boarding houses. The character on Busey Avenue and on most of the East-West Streets is much more residential and of a smaller scale than that on Lincoln Avenue. The exception to this is on Illinois, California, and Oregon streets, as they are of a higher intensity compared to the other east-west streets and zoned for multi-family and University Residential. These streets, therefore, have been included in Zone 1. The projects on Illinois, California, and Oregon can be on a larger scale, yet are still intended to provide a transition from the monumental buildings of the University to the single-family neighborhood of West Urbana to the east.

When a project proposal is located in Zone 2, it will be reviewed in the context of other properties in Zone 2 of the Lincoln-Busey Corridor. Specifically, when the guidelines call for compatibility with other structures on the block face, along a block, or on the block, proposals located in Zone 2 will be reviewed with reference to all structures on both sides of the block. If a project is located in Zone 2, but is not on Busey Avenue, it will be reviewed with reference to all structures on both sides of the block, but will wrap the corner onto Busey Avenue by one parcel on both sides of the street, as shown in the map on the right. If a project is located on a corner, it will be reviewed with reference to all structures on both sides of both the east-west and the north-south blocks in which it is situated.

Example 1: Parcel on Busey Avenue



Example 2: Parcel not on Busey Avenue





III. The Design Review Process

The Design Review Board

The Design Review Board is a Mayor-appointed board created for the purpose of reviewing plans for new principal structures, renovations that would alter the exterior of any existing principal structure and installing or enlarging a parking lot in specified areas with adopted design guidelines. The Design Review Board will review plans for such projects located in the Lincoln-Busey Corridor.

Section XI-15 of the Urbana Zoning Ordinance outlines the membership requirements for the Board, review procedures, and application review criteria. Although no individual guideline in this document is mandatory, meeting the *intent* of this document is. The Design Review Board is different from the MOR Development Review Board in that the Design Review Board reviews proposals in a design review overlay district whereas the MOR Development Review Board reviews proposals only in the Mixed-Office Residential zoning district.

The overall intent of these guidelines is to:

- Help ensure that future growth in the Lincoln-Busey Corridor is compatible with the existing built environment in the corridor, and
- Aid in the visual transition from the larger scale buildings of the University and related institutional uses fronting Lincoln Avenue to the single-family homes of the West Urbana Neighborhood to the east.

Administrative Review

Proposals for renovations that will not result in a substantial change to the appearance and/or scale of the existing

building as defined in Section XI-15.G.4.will not require review by the Development Review Board, but may be reviewed and approved by the Zoning Administrator. The Zoning Administrator together with the Chair of the Development Review Board shall make the determination as to whether the proposal will result in such a change. Applications for new construction, renovations which will substantially change the appearance and/or scale of the existing building, and other significant site changes (e.g. parking lot construction) shall go to the Development Review Board for review.

Application Review Criteria

Design guidelines are a flexible tool to be used as a supplement to prescriptive zoning requirements in order to allow new development to respond better to the distinctive character of the surrounding environment. Development plans must also conform to the land use and development standards of the Urbana Zoning Ordinance.

Proposals shall demonstrate consistency with the intent of the Lincoln-Busey Corridor as outlined herein. In reviewing proposals, the Design Review Board shall consider the effects of the proposal on the other properties on the block face (i.e., is the proposal compatible with the other structures on the block?).

To determine compatibility, the Development Review Board shall consider the following elements:

Façade Zone	Massing & Scale	Building Orientation
Patterns & Rhythms	Roof Lines	Windows & Doors
Outdoor Living Space	Materials	Landscaping
Parking		
Parking		

IV. Design Guidelines

The LBC Design Guidelines do not regulate architectural style and are not intended to restrict creativity. The intent of this document is to ensure that future growth is compatible with the existing built environment and aids in the visual transition from the large scale buildings of the University to the single-family homes of the West Urbana Neighborhood.

While no single guideline in the LBC Design Guidelines is mandatory, project proposals must meet the overall intent of the guidelines as stated herein.

Encouraged & Discouraged

The design guidelines are recommendations which will help preserve the traditional architectural heritage of the Lincoln-Busey Corridor, but no single guideline is mandatory. For each of the design guidelines on the following pages, recommendations are grouped together under *Encouraged and Discouraged*. For each project proposal in the LBC, meeting the design guidelines will involve a unique set of the guidelines. For a project in a more intensively developed area, a higher intensity building will be allowed. For a project in a less intensive area, lower intensity buildings will be more appropriate.



The Façade Zone

The façade zone is important to the character of a site. The greatest emphasis for design review should be on the façade zone. Other elevations are secondary.

A façade is the exterior wall or face of a building that is visible from the public street. The façade zone includes the vertical wall of the building with its architectural qualities and any other elements of the site that are located in front of the wall face and are visible from the public street. These elements can include windows, doors, signage, garden sheds and various other site details. It is important that site details in the façade zone are compatible with other buildings on the block face.

The corridor is part of a larger grid system of streets creating two types of lots: corner lots and interior lots. Corner lots are located at the intersection of streets and have two façade zones. The majority of lots are interior lots that have one façade zone.

Encouraged

- Facades with street frontage should contain window openings and should not be blank walls.
- Facades with a focal point, interesting details and quality materials are encouraged.
- Planes in a building should be visually broken up into smaller areas. This can be done using bands and bays, as well as by incorporating recesses and projections and other architectural details.

Discouraged

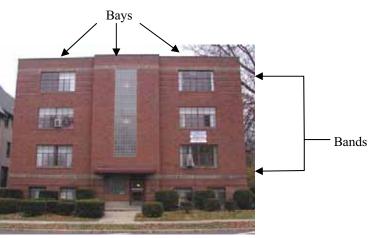
- The location of mechanical equipment (such as air compressors, mechanical pumps, and utility meters) in the façade zone.
- Parking should be located behind the principal structure, not in the façade zone.
- Blank facades are not appropriate when visible from a public right-of-way.
- Confused, incoherent facades are discouraged.



The Façade Zone is the part of the building facing a public street. Interior lots typically have one façade zone.



A corner lot typically has two façade zones, one for each public street.



The stone bands running across the front façade of this building as well as the projecting center bay visually break up the large plane of the front façade of this building.

Massing & Scale

Massing is the three dimensional bulk of a structure, including height, width, and depth. **Scale** is the perceived relative height and bulk of a building relative to that of neighboring buildings. Proper massing, scaling, and detailing are essential when blending any building into the corridor. The building mass should be broken up, using changes in wall planes, building height and rooflines, and by stepping back sections when new construction or a building addition is larger in height or volume than surrounding structures. The architectural design of a project should encourage compatibility and not cause a visual disruption along a block.

Encouraged

- The "height-to-width ratio" of a structure should be compatible with other structures on the block face. For example, if existing structures have a ratio of 2:1, then a ratio of 1:3 for a new development may not be appropriate.
- The scale of a structure should be compatible with other structures on the block face. If existing structures are smaller than the proposed new development, the use of changes in wall plane, building height, and roof line should be used to help the new structure fit in.
- Height and roof lines on new construction should be compatible with other buildings on the block.
- Use of various decorative details and exterior materials to add interest, scale, and dimension to a building.

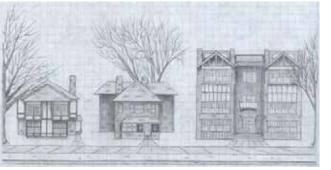
Discouraged

- Buildings with blank wall faces that are not broken up using changes in wall plane, building height, etc.
- Monotony of materials on large expanses.
- Inappropriate changes in scale.
- Extreme or jarring changes in height and/or roofline.

Combination of roof lines with varying roof heights and roof pitches add interest and break up mass. Changes in the wall plane break up the mass of the building.



This new apartment building, outside of the corridor, makes use of changes in the wall plane, building height, and roofline



This sketch shows a stepping up of intensity, with the larger building using architectural details to achieve compatibility.

Sketch by Tony Weck

Building Orientation

Building orientation refers to the manner in which a building relates to the street, to other structures on the site and to adjacent properties. The entrance to the building plays a large role in the orientation of a building. The Lincoln-Busey Corridor follows a traditional neighborhood layout. The streets are on a grid, and the buildings are oriented towards the street. New construction should respect this traditional layout.

Encouraged

- Orient the primary entrance to the building toward the street. The primary entrance on a corner lot may be oriented towards either street.
- Buildings should have a clearly defined primary entrance. The primary entrance should be emphasized, using such architectural details as a door surround, door hood, pediment, front stoop or porch, or transom or fanlights.
- Entrances on the rear or sides of buildings should clearly be secondary to those on the front, except when the building is on a corner lot.
- Buildings on corner lots are encouraged to have entrances on both facades and to use such features as porches and stoops to create focal points on both facades.

Discouraged

- Buildings that are not oriented towards the street.
- Buildings that create "blank walls" on the front façade.
- Buildings without a defined primary entrance.
- A faux entry on the front façade is not encouraged, but may be appropriate in certain circumstances.



Encouraged: The primary entrance of this apartment building is oriented toward the street. The door hood and small side lights on either side of the door focus attention on the entrance.

Encouraged: This single-family house has its primary entrance on the front façade. The door is recessed and opens onto a small covered porch which emphasizes the entry.





Discouraged: The building on the left has a blank wall facing the street. The building façade on the right, while not presenting a blank wall, is not oriented toward the street.

Patterns & Rhythms

Each block in the corridor displays predominant patterns. These patterns may include lot size, setback, building orientation, and the solid-to-void relationship. Projects within the corridor should be compatible with the patterns found on the block face. Observation of a block through both aerial and streetscape views is important when identifying patterns such as those listed above. The placement of a building should not drastically change or cause a visual disruption to the block.



Encouraged

- Building placement and general orientation on a site should be compatible with other structures on the block.
- New buildings should be set back from the street the average distance of building setbacks on the block.*
- The placement of new buildings should reflect the rhythm of the spacing between buildings on the block.
- New construction projects, including additions, that incorporate common patterns (e.g. rhythm of solids to voids) and architectural characteristics found along a block (e.g. massing, openings, roof type, etc.)
- Use of architectural detailing and landscaping to help new construction "blend in" with the block.

Discouraged

- Setbacks that are too deep or too shallow visually disrupt the rhythm of the block and are discouraged.
- Locating a structure in such a way that it disrupts the rhythm of solids to voids, creating either gaps or a lack of gaps, is discouraged.
- Additions that are out of character with the surroundings are discouraged.

* The Urbana Zoning Ordinance requires that the required front yard setback shall be the average on the block face or fifteen feet, whichever is greater.



Solid Void Void Void Void Solid Solid Solid Solid Solid Solid The rhythm of solids to voids is the recurrent alternation of structure to open space.



This is a streetscape view of the block seen above in aerial view.

Roof Lines

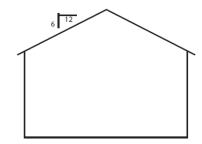
Roof forms for new construction should reflect other roof forms on the block face. Gable roofs are the most common form found in the Lincoln-Busey Corridor. Generally, the roof should not dominate the structure with the ratio of front wall surface to visible roof surface greater than $1\frac{1}{2}$:1. Flat roofs are generally discouraged, unless consistent with the architectural style of the building. The use of wall or roof dormers can help prevent the roof from dominating and can add interest to the roof form.

Encouraged

- Roof forms on new construction should be similar to those traditionally found on the block.
- Roof pitch should be 6:12 or greater.
- A combination of roof lines helps soften larger roofs, thereby making a larger structure seem more compatible.

Discouraged

- Flat roofs are discouraged, unless the architectural style of the building calls for a flat roof and the architectural details, such as a parapet, on the façade aid in compatibility.
- A single roof line on a large building with no variation.
- Roof pitch less than 6:12 is discouraged.
- Front wall surface to visible roof surface less than 3:2.



Example of a 6:12 roof pitch. The roof rises 6 inches vertically for every 12 inches horizontally.

Encouraged



This is a side-facing gable roof with architecturally appropriate dormers.



This is a front-facing gable roof with a smaller gable over the front porch.



The wall to roof ratio here is less than the desired $1\frac{1}{2}$ to 1, but the use of the front gable helps with compatibility.



Example of a flat roof that is not desirable.



Example of a flat roof that is acceptable.

Window & Door Openings

Openings refer to the windows and doors on a structure. Openings and their arrangement are important to a structure's visual aesthetic. Materials, construction, and detailing of the openings are also important to the style of a building. Proposals within the corridor should be cognizant of the rhythm and patterns of openings on the façade. Height to width ratios for windows should encourage compatibility with the architectural style of the building as well as with the other styles found throughout the corridor.

Encouraged

- The proportion of window and door openings to solid surfaces in the façade zone should be compatible with that of the existing architecture on the block.
- Large wall expanses in the façade zone should be visually interrupted by windows in a balanced rhythmic pattern, unless the architectural style calls for an irregular pattern.
- Openings should reflect the building's architectural style.
- Openings that are in proportion to others in the façade and are similar in size and scale.
- A consistent rhythm of openings on the façade.
- True divided-light windows.
- Vertically oriented windows, unless the architectural style is compatible with horizontally oriented windows, such as in the brick apartment building to the upper right.

Discouraged

- Large wall expanses without openings.
- Sliding patio doors in the façade zone.
- Irregular patterns of windows and doors.
- Openings that are too small in proportion to the wall expanse.
- Proportion of openings to solid surfaces in the façade zone that are incompatible with the those found on the block.
- Windows and doors that are out of character with the architectural style of the building and/or are out of proportion to others in the façade zone.
- False divided-light windows.
- Horizontally oriented windows.

Encouraged



The ratio of openings to solids here is visually appealing, as is the consistent rhythm of openings. The architectural details and vertical orientation of the windows reflect the building's architectural style.

Discouraged



The ratio of openings (i.e., windows and doors) to solids in these buildings is discouraged.

Outdoor Living Space

Porches are outdoor spaces that are elevated or located above grade and usually are partially or fully covered by a roof. Front porches help provide a transition between the public street and the private use of a building. Balconies are outdoor spaces located above the first floor of a structure. Patios and courtyards are outdoor spaces located at grade that may or may not have a roof. Patios are generally private spaces while courtyards are often a shared or semi-public space. Traditionally, structures in the corridor included porches. The use of porches on new buildings can help the new structure fit in.

Encouraged

- Porches on new residential construction. Flat porch roofs that serve as balconies for the second floor.
- Outdoor living spaces that use a variety of styles and materials in order to complement the overall composition of the building.
- Buildings on corner lots with porches and/or stoops located in both facades.
- Courtyards in the façade zone of multi-family buildings.

Discouraged

- Patios that are private spaces for a single unit in an apartment building should not be located in the façade zone.
- Balconies should not directly abut single-family residences to protect privacy.
- Stairways facing single-family residences.
- Sliding glass doors on the ground floor.
- New principal structures with no outdoor living space.
- Balconies that dominate the façade.



Both of these houses have front porches covered with flat roofs that serve as balconies for the second floor.





The use of patios in the façade zone is discouraged. This apartment building is an example of balconies that dominate the façade.

Materials

Many types of exterior materials have been used in the corridor. The result is a diversity of architectural styles and building materials. Over time various exterior materials have stood the test of time, while others that may have been used as less expensive substitutes have proven less durable. In some cases, synthetic siding installed incorrectly over original siding has accelerated the deterioration of the original structure. Ultimately, the choice of exterior material should be based on durability and aesthetics, as well as cost.

Encouraged

- Long-lasting and durable exterior materials, such as brick and wood clapboard.
- Exterior treatment or siding that protects the integrity of the structure and provides an enhanced visual aesthetic to the block.
- Recognition of the diversity of materials used throughout the district and the importance of material quality.
- Roof materials that are compatible with those found within the district. In the case of new additions, roof materials that complement those found on the main structure.
- Fences that are made of wood and wrought iron. Using low stone or brick walls as an alternative to fencing.
- Use of multiple materials for architectural details to create a distinctive style.

Discouraged

- Materials that will not age well such as vinyl siding. Wood or fiber cement siding is encouraged as an alternative to vinyl siding.
- Monotony or over-use of a single material on large buildings, unless architectural style calls for a single material and the material is both long-lasting and durable.
- Fences that are visible from the public right-of-way made of chainlink or vinyl.

Encouraged Quality Materials

Exterior Materials



Roofing Materials



Landscaping

Landscaping is an important design element when blending any building or parking area into the neighborhood. Landscaping can soften the mass of a building as well as accentuate its features. Preservation of mature trees, adding visual interest to individual properties, and providing effective methods of landscaping are important. The City Arborist should be used as a resource to analyze existing trees and to determine the appropriate size and species of future tree plantings.

Encouraged

- Mature trees within the parkway and other public rights-of-way should be retained.
- Retention of mature trees on private property is strongly encouraged.
- New tree plantings on private and public property to replenish the urban canopy.
- Protection of mature trees from root damage during construction, both on the site and on adjacent properties.
- Use of evergreens, dense deciduous shrubs, masonry walls, and/or berms for screening of mechanical equipment such as utility meters, air conditioners, etc.
- Design landscaping to ensure safe pedestrian and automobile traffic circulation on and off private property.
- Diversity of tree species.
- Mix of annuals and perennials encourages all season landscape color accents.

Discouraged

- Invasive and dangerous species.
- Astro turf.
- Use of paving materials instead of landscaping.
- Monotonous expanse of turf without accent plantings.
- Loss of or damage to mature trees.
- Unscreened mechanicals.





Parking Areas

The corridor retains the scale and patterns of a traditional neighborhood in terms of the grid street layout. Vehicular access onto properties must meet engineering and safety standards and be appropriately incorporated into the site design. While parking areas are integral to many uses, softening their visual impact to adjacent properties and from the public street is essential.

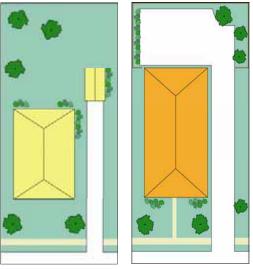
Encouraged

- To the extent possible, parking should be located behind the main structure or below ground.
- Parking at grade should be screened.
- Single-family garages should be located behind or recessed from the main structure.
- Screening to reduce visual impact from adjacent properties.
- Use of hedges, wood fences or masonry walls to screen parking areas from adjacent properties. Fences and walls should be architecturally compatible with the principal building in terms of material quality and detail.
- Use of permeable pavements.

Discouraged

- Buildings elevated to allow visible parking at grade.
- Parking located in the façade zone.
- Extensive parking areas.
- Excessive paved areas.

Recommended Parking Configurations



Single-Family w/ Mul rear loading garage an

Multi-Family on an interior lot



Parking on ground floor should be screened and not in the façade zone



Parking is on ground floor, but is screened and not visible in the façade zone

Non-Residential Development

Although largely residential, a small number of institutional properties exist within the Lincoln-Busey Corridor. The strict application of these guidelines can be difficult for such buildings. Overall, the intent of the guidelines is to ensure that new development and building additions are compatible with the neighborhood. When reviewing non-residential development, these guidelines should be applied to the best extent possible, with the recognition that not all criteria may be applicable.





Sustainability

The City of Urbana is committed to reducing Urbana's environmental footprint and including a sustainability component in the LBC Design Guidelines works towards that goal. As this document is concerned with design and not building techniques, this section should be considered direction for 'best practices' rather than being considered integral to the evaluation of the design of a project.



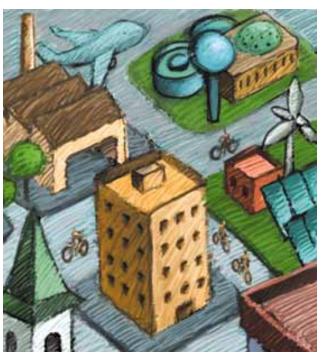
Sustainable Urbana A Place to Work, Live and Grow

Encouraged

- The use of best practices in green building techniques, including but not limited to:
 - Re-use of buildings and building materials
 - Permeable surfaces for drainage
 - Cisterns for irrigation
 - Solar cells
 - Low-level and full cut-off lighting
 - LEED standards
 - Green roofs
 - Geothermal, passive solar, or straw bale construction
 - Landscaping to lower heating/cooling costs
 - Provide bike parking

Discouraged

- Wastefulness in building practices
- Excessive paved areas
- Intensive or wasteful lighting
- No provision for alternative transit



Source: Sustainable Cities, Environmentally Sustainable Urban Development.

Lincoln-Busey Corridor Photo Inventory

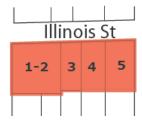




City of Urbana, Illinois Community Development Services

October 1, 2008

LINCOLN-BUSEY CORRIDOR: ILLINOIS STREET PHOTO INVENTORY as of October 2007



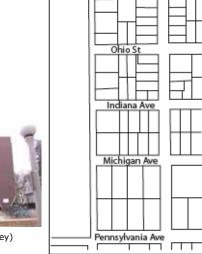












Illinois St

California St

Oregon St

Nevada St

lowa St

Linco

111



809 W. Illinois

805 W. Illinois

803 W. Illinois

(side of 505 S Busey)

LINCOLN-BUSEY CORRIDOR: CALIFORNIA STREET PHOTO INVENTORY as of October 2007











11

11

Illinois S

California St

Oregon St

Nevada St

Iowa S

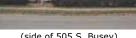
Ohio St

Indiana Ave

Michigan Ave

Pennsylvania Ave

8



(side of 402 S. Lincoln)

(side of 602 S. Lincoln)

808 W. California

806 W. California

(back of 803 W. Illinois)

(side of 505 S. Busey)





(side of 601 S. Busey)

809 W. California

807 W. California

805 W. California

LINCOLN-BUSEY CORRIDOR: OREGON STREET PHOTO INVENTORY as of October 2007











11

Illinois St ____

California St

Oregon St

Nevada St

lowa St

Ohio St

Michigan Ave

Pennsylvania Ave

Indiana Ave

inco.

(603 S. Busey)

810 W. Oregon

808 W. Oregon

806 W. Oregon

804 W. Oregon





811 W. Oregon



807 W. Oregon









801 W. Oregon

3

805 W. Oregon

803 W. Oregon

LINCOLN-BUSEY CORRIDOR: NEVADA STREET PHOTO INVENTORY as of October 2007













812 W. Nevada

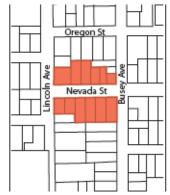
808 W. Nevada

806 W. Nevada

804 W. Nevada

802 W. Nevada

(705 S. Busey)

















(side of 802 S. Lincoln)

809 W. Nevada

807 W. Nevada

805 W. Nevada

803 W. Nevada

801 W. Nevada

LINCOLN-BUSEY CORRIDOR: IOWA STREET PHOTO INVENTORY as of October 2007



810 W. Iowa







806 W. Iowa



802 W. Iowa





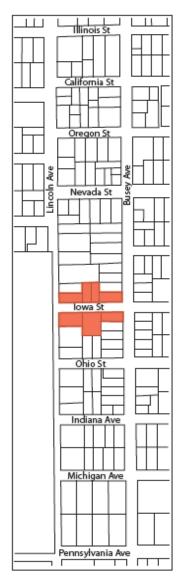
(side of 1002 S. Lincoln)



805 W. Iowa



801 W. Iowa



LINCOLN-BUSEY CORRIDOR: OHIO STREET PHOTO INVENTORY as of October 2007



(side of 1008 S. Lincoln)



808 W. Ohio



806 W. Ohio



802 W. Ohio





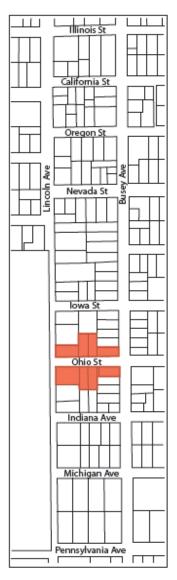
(side of 1102 S. Lincoln)



805-803 W. Ohio



801 W. Ohio



LINCOLN-BUSEY CORRIDOR: INDIANA AVENUE PHOTO INVENTORY as of October 2007











802 W. Indiana

(side of 1108 S. Lincoln)

808 W. Indiana

806 W. Indiana

804 W. Indiana







(side of 1204 S. Lincoln)

807 W. Indiana

805 W. Indiana

803 W. Indiana

801 W. Indiana

Pennsylvania Ave

Illinois St

California St

Oregon St

Nevada St

lowa S

Ohio S

Indiana Ave

Michigan Ave

111

₹ Lincoln

LINCOLN-BUSEY CORRIDOR: MICHIGAN AVENUE PHOTO INVENTORY as of October 2007



810 W. Michigan



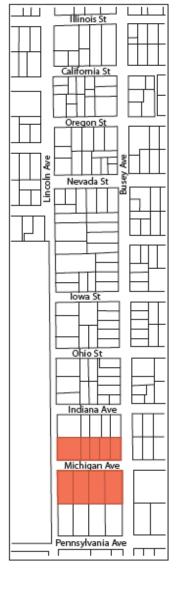
808-806 W. Michigan

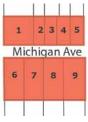


804 W. Michigan



(side of 1207 S. Busey)







811 W. Michigan



805 W. Michigan



803 W. Michigan



(side of 1301 S. Busey)

LINCOLN-BUSEY CORRIDOR: PENNSYLVANIA AVENUE PHOTO INVENTORY as of October 2007





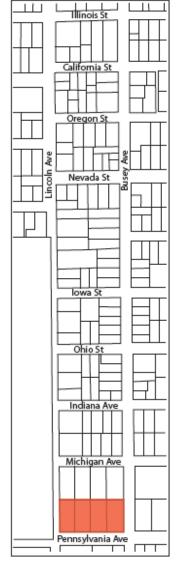




804 W. Pennsylvania



802 W. Pennsylvania





LINCOLN-BUSEY CORRIDOR: LINCOLN AVENUE PHOTO INVENTORY as of October 2007 California

California to Nevada



602 S. Lincoln

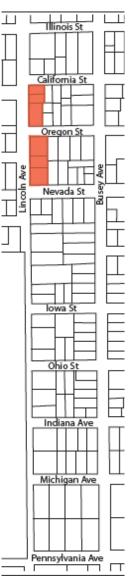


604 S. Lincoln



(side of 810 W. Oregon)







(side of 811 W. Oregon)



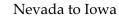
704 S. Lincoln



(side of 812 W. Nevada)

LINCOLN-BUSEY CORRIDOR: LINCOLN AVENUE PHOTO INVENTORY as of October 2007

Lincoln Ave



L

 \square





804 S. Lincoln



806 S. Lincoln



808 S. Lincoln



902 S. Lincoln





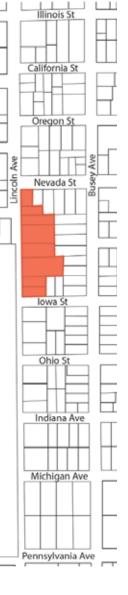






(side of 810 W. Iowa)





LINCOLN-BUSEY CORRIDOR: LINCOLN AVENUE PHOTO INVENTORY as of October 2007 Iowa to Michigan



1002 S. Lincoln





1008 S. Lincoln



1102 S. Lincoln



1106 S. Lincoln



1108 S. Lincoln



1204 S. Lincoln



(side of 810 W. Michigan)



lowa St

Ohio St

Indiana Ave

Michigan Ave

3

4

7 8

Lincoln Ave

LINCOLN-BUSEY CORRIDOR: BUSEY AVENUE PHOTO INVENTORY as of October 2007 Illinois to Nevada

t

505 S. Busey



601 S. Busey





603 S. Busey





701 S. Busey

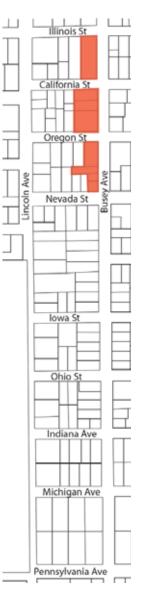


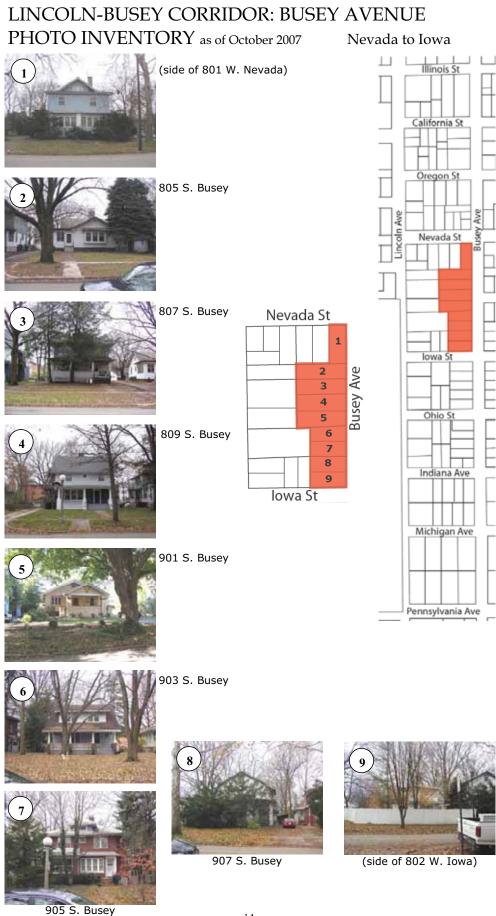
703 S. Busey



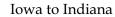
705 S. Busey







LINCOLN-BUSEY CORRIDOR: BUSEY AVENUE PHOTO INVENTORY as of October 2007





(side of 801 W. Iowa)



1003 S. Busey



1005 S. Busey



1007 S. Busey



(side of 802 W. Ohio)



(side of 801 W. Ohio)





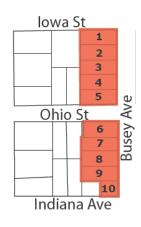
1105 S. Busey

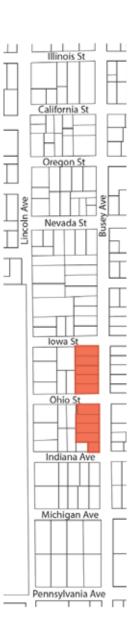


1107 S. Busey



(side of 802 W. Indiana)





AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS

(Adding Section XI-15, "Design Review Board", to the Urbana Zoning Ordinance - Plan Case No. 2074-T-08)

WHEREAS, the Urbana City Council on April 11, 2005 adopted Ordinance No. 2005-03-050, the Urbana Comprehensive Plan, which plan identifies the Lincoln-Busey Corridor as a sensitive area needing development protections; and

WHEREAS, the Urbana City Council on October 23, 2006 directed City staff by motion to draft design review standards for the Lincoln/Busey corridor for their consideration; and

WHEREAS, the Urbana City Council's Common Goals, adopted September 19, 2005, include a goal to study design review for the Lincoln-Busey Corridor; and

WHEREAS, the Urbana Zoning Administrator submitted a petition to amend the Urbana Zoning Ordinance to enable design review to take place in certain areas and to establish the Lincoln-Busey Corridor design review overlay district; and

WHEREAS, this petition was presented to the Urbana Plan Commission as Plan Case 2074-T-08; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 65, Section 11-13-14 of the Illinois Compiled Statues (65 ILCS 5/11-13-14), the Urbana Plan Commission held a public hearing and reviewed the petition on October 9 and 23, November 20, and December 4, 2008 and January 8, 2009; and

WHEREAS, the Urbana Plan Commission voted 3 ayes and 2 nays on January 8, 2009 to forward Plan Case 2074-T-08 to the Urbana City council with a recommendation for denial; and

WHEREAS, the proposed Zoning Ordinance text amendment conforms to the goals, objectives and policies of the 2005 Urbana Comprehensive Plan; and

WHEREAS, after due and proper consideration, the Urbana City Council has deemed it to be in the best interests of the City of Urbana to adopt the "Lincoln-Busey Corridor Design Guidelines" by Ordinance No. 2009-XX-XXX, adopted on ______, 2009; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. A new Section XI-15, Design Review Board, is hereby added as follows:

Section XI-15. Design Review Board

A. Creation and Purpose

- Upon the effective date of this amendment, there is hereby created a Design Review Board to administer design review in designated areas subject to design review in conformance with the requirements of this Section.
- The Design Review Board is created for the purpose of reviewing and approving or disapproving applications, in accordance with this section.
- 3. The Design Review Board has the following objectives for reviewing applications in areas subject to design review:
 - a. Review the design of new construction to ensure compatibility with the neighborhood's visual and aesthetic character through the use of the adopted design guidelines; and

- b. Determine if applications meet the intent of the district as stated in the adopted design guidelines.
- B. Powers and Duties. The Design Review Board shall have the following powers:
 - The Design Review Board may adopt its own rules, regulations, and procedures consistent with the provisions of this Section and the laws of the State of Illinois.
 - 2. To hold public hearings and to review applications within areas subject to design review. The Design Review Board may require applicants to submit plans, drawings, specifications and other information as may be necessary to make decisions in addition to the application requirements specified in Section XI-15.G.
 - To undertake any other action or activity necessary or appropriate to implement its powers and duties and to implement the purpose of this section.
 - 4. Although the Design Review Board is not authorized to grant variances, special use permits, or conditional use permits, an application for design review can be processed simultaneously with applications for any of the above.
 - 5. In a decision on an application, the Design Review Board is not authorized to prohibit or deny a land use that is permitted by right in the applicable zoning district. However, the Board may deny an application based on design considerations even if the effect of doing so would be to deny development of a use permitted by right.

C. Membership

 The Design Review Board shall be comprised of seven members. Four members shall constitute a quorum. The members of the Board shall be appointed by the Mayor with approval of City Council.

The persons filling the following positions on the MOR Development Review Board per Section XI-12.C.1 are automatically appointed to the Design Review Board:

a. A member of the Urbana Plan Commission;

b. A member of the Urbana Historic Preservation Commission;

c. An architect; and

d. A local developer.

These four members of the Design Review Board shall continue to also serve as members of the MOR Development Review Board. The three additional members of the Design Review Board shall consist of:

- e. A real estate professional; and
- f. Two residents of Urbana. The residents shall include a representative from each design review district who owns or occupies a residence in the district. If there is only one design review district, the second resident should own or occupy a residence elsewhere in the City.
- 2. Design Review Board members shall serve without compensation and shall serve terms of three years. Members of the MOR Development Review Board shall be automatically reappointed to the Design Review Board if reappointed to the MOR Development Review Board. The additional three members may be reappointed at the conclusion of their respective terms.
- 3. The Mayor shall declare vacant the seat of any Design Review Board member who fails to attend three consecutive meetings without notification to the Secretary, or who fails to attend one-half of all meetings held during any one-year period. In such cases, as well as for resignations, incapacity, death, or any other vacancy, the Mayor shall appoint a successor with approval of the City Council.

D. Officers.

- There shall be a Chair elected by the Design Review Board, who shall serve a term of one year and shall be eligible for re-election. Elections shall be held annually.
- 2. The Chair shall preside over meetings. In the absence of the Chair, those members present shall elect a temporary Chair.
- 3. Secretary. The Secretary of the Design Review Board shall be a representative of the Community Development Services Department of the City of Urbana. The Secretary shall:
- a. Take minutes of each Design Review Board meeting, an original of which shall be kept in the office of the Community Development Services Department;
- Provide administrative and technical assistance to the Design Review
 Board to assist in making decisions and findings as provided herein;
- Publish and distribute copies of the minutes, reports and decisions of the Design Review Board;
- Give notice as provided herein or by law for all public hearings conducted by the Design Review Board;
- e. Advise the Mayor of vacancies on the Design Review Board and expiring terms of Design Review Board members;
- f. Prepare and submit to the Zoning Board of Appeals and the City Council a record of the proceedings before the Design Review Board on any other matters requiring Zoning Board of Appeals consideration; and
- g. Have no vote.
- E. Meetings.

- The Design Review Board shall hold at least one meeting per year. Meetings shall be called as needed.
- 2. All meetings shall conform to the requirements of the Illinois Open Meetings Act. All meetings of the Design Review Board shall be held in a public place designated by the Chair, and shall be open to the public, except as allowed by law. At any meeting of the Design Review Board, any interested person may appear and be heard either in person or by an authorized agent or attorney.

F. Decisions.

- Every Board member present must vote "aye" or "nay" unless that Board member abstains due to an announced conflict of interest.
- Abstaining shall not change the count of Board members present to determine the existence of a quorum.
- 3. Approval of an application shall require a majority vote of those members present ¬and not abstaining, but in no case shall action be taken by fewer than 4 votes in total.
- G. Applications.
 - 1. With the exception of exempt projects as defined in this Section, any person, firm or corporation applying for a building permit for a property within a design review overlay district, shall submit a Design Review Board application to the Urbana Zoning Administrator if the project would:
 - a. Construct a new principal structure; or
 - b. Alter the exterior of any existing principal structure; or
 - c. Install or enlarge a parking lot.
 - Application forms, provided by the City, shall be accompanied by the required plans, and filed with the Secretary of the Board. Each request shall be submitted with the required fee as provided in Section XI-8.

- 3. Submittal Requirements. The Design Review Board Secretary shall have five working days to determine whether an application is complete. If the Secretary finds the application incomplete, he/she shall notify the applicant, who shall have five working days from the date notified to submit the missing information. An application shall be considered complete if accompanied by, at a minimum, the following information:
 - a. A scaled drawing showing:
 - 1) Size and dimensions of the subject parcel drawn to scale;
 - Location and widths of adjacent rights-of-ways, sidewalks and street pavement;
 - Identification of neighboring property owners listed on the application;
 - 4) Location of all existing structures on the parcel;
 - 5) Location of adjacent parcels and structures;
 - 6) Location and size of proposed structures or additions to be built on the parcel including proposed setbacks from the property lines;
 - 7) Floor plans;
 - Location and layout of any proposed access drives, parking area and walkways;
 - Location of existing trees and shrubs and proposed landscaping;
 - 10) Relevant site details including lighting, dumpster locations, signage, and other features;
 - Elevation renderings of the proposed structures or additions indicating the proposed materials to be used in construction;
 - Detail view drawings as necessary to show key design elements; and
 - d. Site data, including lot area, building square footage, floor area ratio, open space ratio, height, number of parking spaces and number of apartment units (if multi-family).

Plans shall be submitted at a graphic scale of no less than one inch per ten feet.

The Design Review Board may require additional information as necessary.

- 4. Upon receipt of a complete Design Review Board application, and in conformance with the following guidelines, the Zoning Administrator shall determine whether applications require review by the Design Review Board, administrative review, or are exempt projects.
 - Design Review Board Review. The Design Review Board shall review applications required by Section XI-15.G.1 for building permit applications involving:
 - (1) Construction of a new principal structure; or
 - (2) Increasing the building footprint of an existing principal structure greater than 15%; or
 - (3) Increasing the floor area ratio of an existing principal structure by more than 15%; or
 - (4) Installing or enlarging a parking lot; or
 - (5) Substantially changing the appearance and/or scale of an existing building, as determined by the Zoning Administrator in consultation with the Design Review Board chair.

Determinations that the application is to be reviewed administratively should be made in writing and signed by both the Zoning Administrator and the Chair.

b. Administrative Review. The Zoning Administrator or designee may conduct administrative design review of applications not to be reviewed by the Design Review Board per Section XI-15.G.4.a. The Zoning Administrator may approve, approve conditionally, or deny an application. Applicable design guidelines shall be the basis for administrative design review. Administrative approval or denial shall be in writing and should be accompanied by findings of fact. The Zoning Administrator should report the outcome of any administratively-reviewed applications by listing on subsequent Design Review Board agendas.

- c. Exempt Projects. Within design review overlay districts, construction or alteration:
 - (1) Requiring no building permit; or
 - (2) Including no exterior construction or alteration;

shall be exempt from design review.

- H. Design Review Board Review Procedures
 - Once a complete application has been submitted, the Secretary shall schedule a meeting to consider and act on the application request. The meeting, which shall include a public hearing, shall be scheduled within 45 working days after the completed application has been received. Notification shall be given per Section XI-10.
 - 2. At the Design Review Board meeting during which an application is to be considered, City staff will give a presentation evaluating the application. Following the presentation, the Design Review Board will hold a public hearing. After the public hearing, the Design Review Board will review the application 1) according to the criteria in Section XI-15.I; 2) using the adopted design guidelines; and 3) considering testimony given at the public hearing. The Design Review Board shall then vote on whether to approve the proposed application, according to the voting requirements as outlined in Section XII-15.F.3.

The Board may:

a. Approve the application. If the proposed application conforms to the requirements of this Ordinance and the intent of the adopted design guidelines, the Design Review Board shall make the appropriate findings and approve the application.

- b. Approve the application with conditions. In approving an application, the Board may prescribe appropriate conditions and safeguards in conformity with the adopted design guidelines and this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the application is approved, shall be deemed a violation of this Ordinance and punishable under the provisions of the Urbana Zoning Ordinance.
- c. Invite the applicant to resubmit. If the application does not conform to the requirements of this Ordinance or to the adopted design guidelines, the Design Review Board may invite the applicant to resubmit the application, giving recommendations to the applicant on ways to improve the design of the proposal and achieve conformity with this Ordinance and the intent of the adopted design guidelines.
- d. Deny the application. The Board may disapprove the proposed application, making findings stating the inadequacies of the proposal. The Board shall state its reasons for denial in writing and should make recommendations to the applicant on to how to bring the proposal into compliance with the design guidelines.

Within five working days of the Board's decision, the Secretary shall send written notice to the applicant of the Board's decision. The notification shall address the relevant and applicable reasons for the decision as well as any recommendations given by the Board.

If the application is denied, the applicant shall have the opportunity to amend the application to conform to the recommendations. The applicant shall be heard at a meeting of the Design Review Board within 30 days of receipt of the amended application at which time a vote will be taken to according to the voting requirements as outlined in Section XII-15.F.3.

 Application approval is required prior to the issuance of a related building permit or Certificate of Occupancy.

- 4. Any order, requirement, decision or condition of approval made by the Zoning Administrator or Design Review Board is appealable by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures of Section XI-3.C. Upon the filing of an appeal, the complete record of the Design Review Board's minutes, findings and decision shall be submitted to the Board of Zoning Appeals for action on the requested appeal. The Zoning Board of Appeals shall have the final authority to approve or disapprove an application.
- 5. The Secretary of the Board shall keep minutes of its proceedings, showing the vote of each member and shall also keep records of its findings and official decisions.
- 6. The procedure for amending an application already approved by the Design Review Board, or for a request to change conditions attached to the approval of an application, shall be the same procedure as a new application request.
- 7. Approval of an application pursuant to Section XI-15 shall become null and void unless a related building permit or Certificate of Occupancy is issued within one year after the date on which the Board approves the application. A one-year extension may be granted by the Zoning Administrator when a written request with substantial basis is submitted prior to the expiration of the one-year term.
- 8. Any building permit or Certificate of Occupancy issued pursuant to an approved application may be revoked by the City for failure to comply with the conditions of approval.
- I. Application Review Criteria.
 - 1. Applications must demonstrate conformance with the land use and development standards of the Urbana Zoning Ordinance.
 - Applications shall be reviewed and considered by the Design Review
 Board according to the criteria listed in the design guidelines enacted

by the Urbana City Council for the specific geographic area in which the subject parcel is located. In reviewing development proposals, the Design Review Board shall determine conformance with the intent of the design guidelines as contained in the adopted design guidelines manual, as well as the overall compatibility of the proposal with the character of the neighborhood.

- J. Design Review Overlay Districts and Adopted Design Guidelines
 - Design review overlay districts with their associated design guidelines shall be adopted under separate ordinances. The City of Urbana's Community Development Services Department shall make design guidelines available for public review and distribution. A design review overlay district shall be created by adopting a design guidelines manual for a specific geographic area.

"Adopted design guidelines" as referred to herein are the design guidelines associated with a design review overlay district, as adopted by ordinance.

The following, adopted under separate ordinances, are the design overlay districts in the City of Urbana and have adopted design guidelines manuals:

Lincoln-Busey Corridor Overlay District. Bounded by Illinois Street to the north, Busey Avenue to the east, Pennsylvania Avenue to the south, and Lincoln Avenue to the west. The Lincoln-Busey Corridor Design Overlay District was created under Ordinance No. _____, on ______. The Lincoln-Busey Corridor Design Guidelines were adopted, on ______, under Ordinance No. ______.

2. Any new design guidelines, as well as proposed amendments to adopted design guidelines, shall be considered by the Urbana Plan Commission in the form of a public hearing. The Plan Commission shall forward a recommendation on any proposed amendments to the Urbana City Council for final action.

K. Compliance with Regulations.

Except in compliance with the provisions of this Section, it shall be unlawful for any person, firm, or corporation to construct upon or alter the exterior any real property subject to this Section prior to obtaining a valid design review permit, in writing, from the Zoning Administrator, and making payment of any fees required by this Section. Any violation of this Section is subject to penalties and fines as provided in Article XI of the Urbana Zoning Ordinance.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2009.

PASSED by the City Council this ____ day of ____, 2009.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,2009.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the _____ day of ______, 2009, the corporate authorities of the City of Urbana passed and approved "AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (Adding Section XI-15, "Design Review Board", to the Urbana Zoning Ordinance - Plan Case No. 2074-T-08)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. ______ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ______ day of ______, 2009, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 2009.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

TIME: 7:30 P.M.

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

MEMBERS PRESENT:	Jane Burris, Tyler Fitch, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White
MEMBERS EXCUSED:	Ben Grosser
STAFF PRESENT:	Robert Myers, Planning Manage; Jeff Engstrom, Planner I; Rebecca Bird, Associate Planner/Historic Preservation Planner; Connie Eldridge, Grants Management Division Secretary
OTHERS PRESENT:	Brian Adams, Dick Brazee, Cathy Eastman, Tony and Mary Graham, Medford Johnson, Georgia Morgan, Kent Ono, Beverly Rauchfuss, Marc Rogers, John and Candice Sloan, Shirley Stillinger, Susan Taylor

NEW PUBLIC HEARINGS

Plan Case No. 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Rebecca Bird, Associate Planner, presented this case to the Plan Commission. She began by explaining that there are three reasons for the text amendment, which are as follows: 1) Adopt design guidelines for the Lincoln-Busey Corridor, 2) Amend the Zoning Ordinance to enable design review to take place in specified areas by creating a Design Review Board, and 3) Establish the Lincoln-Busey Design Overlay District.

Ms. Bird described the boundary lines of the proposed Lincoln-Busey Corridor. She reviewed the proposed Design Guidelines pointing out that there are five chapters -1) Introduction, 2) Existing Conditions, 3) The Design Review Process, 4) Design Guidelines and 5) Photo Inventory.

She stated that the text amendment will add Section XI-15, Design Review Board, to the Urbana Zoning Ordinance. This will create a Design Review Board to enable and administer design review for projects in multiple areas and will establish the Lincoln-Busey Corridor Design Review Overlay District. She referred to the revised Section XI-15 handout, which she passed out prior to the start of the meeting.

She read the options of the Plan Commission and noted that although the three components of the proposed text amendment can be discussed together, they should be voted on separately. She presented staff's recommendation, which is as follows:

Staff recommends that the Plan Commission forward Plan Case No. 2074-T-08 to the Urbana City Council with a recommendation to approve the Lincoln-Busey Corridor Design Guidelines, approve the Zoning Ordinance text amendment creating the Design Review Board, and approve the Lincoln-Busey Corridor Design Review Overlay District.

Chair Pollock commented that this is all within one plan case number. Will the City Council vote on the elements separately in different votes? Ms. Bird said yes.

Mr. Fitch wondered about the process for where the guidelines come from. Were the Lincoln-Busey Design Guidelines basically staff-driven with public input? Ms. Bird replied that is correct. Mr. Fitch asked if this is the process that she would anticipate for future guidelines for other areas. Ms. Bird explained that design guidelines could be appropriate for fragile areas. City staff would work with the residents in the neighborhood or business owners on the design guidelines.

Mr. Fitch stated that he was talking more about procedural protections, such as notice provisions, required public meetings and time tables, etc. He asked how the proposed design guidelines differ from neighborhood conservation districts (NCD). Ms. Bird replied that neighborhood conservation districts are where the property owners come together and decide to apply for a NCD. The proposed design guidelines are really driven by the Urbana City Council.

Mr. Fitch wondered if the proposed Design Review Board would be the arbitrator of any future NCD with design review or would there be a separate review board for NCDs. Ms. Bird said that this is a good question and not something that City staff has discussed.

Chair Pollock asked if a NCD could employ the same type of design guidelines as being proposed in the text amendment. Mr. Myers said yes. The City wrote the NCD Ordinance flexible enough to customize the requirements for the particular needs of an area. Some areas feel that design guidelines are useful while other areas do not. Each area has different needs. Which body would carry out design guidelines would need to be specified for each district.

Chair Pollock questioned if there would be a new design review board for each district. Ms. Bird said no. As proposed, this text amendment would create one Design Review Board that would review design in all areas that have adopted design guidelines. All of the members of the Mixed Office Residential (MOR) Development Review Board except for two (who are specifically appointed to the MOR Development Review Board because they live in or near the MOR Zoning District) would also serve as members of the Design Review Board. There is no requirement

that any of the members of the Design Review Board be associated with the neighborhood in which design guidelines have been created for.

Mr. Fitch inquired if one could arrive at the same result using the NCD process or the design review process. Mr. Myers answered yes. However, the Design Review Board deals with one sliver of the planning spectrum. It deals with design for new developments. The NCD is a broader planning tool that could be used potentially for a variety of things.

Ms. Stake wondered if one would change the zoning by adding an overlay district to a property or area. Ms. Bird responded by saying no. This is purely design review to help buildings be compatible with what is located on either side of it. It does not change the underlying zoning. Any project proposals in an overlay district still have to meet the zoning for that particular parcel.

Ms. Stake asked if any of this will come before the Plan Commission or City Council after it has been decided. Ms. Bird stated no.

Ms. Stake commented that it does not help much that the design guidelines "encourage" certain types of development. It should say it either is required or say it is not allowed. Ms. Bird explained that the idea with design guidelines is that each project is going to be unique. If the City writes a set of requirements, then there could be a project that meets all those requirements, but is still a bad project and won't look good in the corridor. If there are guidelines that give the Design Review Board the ability to interpret them and decide whether a project meets the intent, then there will be better chance for projects be appropriate. The intent is for new construction to be compatible with the existing environment.

Ms. Upah-Bant inquired as to how anyone would go about changing the design criteria once it has been approved. Ms. Bird answered that they would need to file a Zoning Ordinance text amendment and staff would bring it before the Plan Commission and the City Council for approval.

Mr. Hopkins talked about the membership of the Design Review Board. He recalled that an owner of a local small business with fewer than 40 employees made sense for the MOR Zoning District for a particular reason. The reason is to get mixed use small businesses by implication to use existing buildings with small footprints. So the City wanted input and understanding from the type of people we wanted to get involved in using those buildings. It's unclear to him why it would make sense to include this requirement on the Design Review Board.

His second question is "what is the definition of a "community or residential representative". Ms. Bird said that staff may need to include that in the section of the Zoning Ordinance that gives definitions of various words used throughout. Mr. Myers added that a community representative could be from community group. A residential representative may be a resident who lives in a particular block of the City or someone who knows what it is like to live in a specific area. Mr. Hopkins pointed out that the Design Review Board is to serve as a city-wide board, so that could mean anyone then. Thus he does not know what they are trying to accomplish with a "community or residential representative.

Ms. Stake stated that it seems in trying to make the Design Review Board serve the entire City, it has become difficult. The Lincoln-Busey Corridor is very different from much of the other areas in the City. It is very important that we keep the existing residential and most of the buildings. It is important to have design guidelines for developers who demolish some of the buildings and construct new buildings. However, this is not what the rest of the City is like, so she feels that the proposed text amendment is trying to do too many things at once. Ms. Bird asked if she was suggesting that there be a separate Design Review Board for the Lincoln-Busey Corridor. Ms. Stake replied yes.

Mr. Myers commented that there are a couple of different elements in trying to specify the composition of the Board. The first is values and the second is technical expertise. If there is someone representing the neighborhood, then they would know what it is like to live in that area, about quality of life issues, etc. The technical side could be covered by members such as an architect or a realtor. A developer/business owner has both technical expertise and knows what values are important to the development community. City staff can better define the difference between a local developer and a developer representative.

Ms. Upah-Bant asked for clarification in that for every neighborhood there would be a set of design guidelines. Ms. Bird replied no. City staff tried to create a Design Review Board that would be able to accommodate reviewing projects in other areas of the City that required, developed and adopted design guidelines. City staff is not suggesting that we develop design guidelines for every neighborhood. The Lincoln-Busey Corridor is unique in that it is under certain pressures because of its location between the University of Illinois and the single-family neighborhood. So, it is a fragile area that design guidelines would help.

Chair Pollock asked about remodeling and alterations to existing structures. So if someone wanted to add a sunroom onto their existing house, they would come in and fill out an application for a building permit. City staff would decide whether or not the sunroom might infringe upon the appearance of the neighborhood or the integrity of the corridor. If they decided that the proposed sunroom affects the neighborhood, then the Design Review Board would meet to discuss that individual request or application. Ms. Bird said that this is correct. However, it would not be City staff that made the preliminary determination of whether a project would affect the neighborhood or not. It would be the Zoning Administrator and the Chair of the Design Review Board. If they jointly decided that the project did not require the review of the full Design Review Board, then it would be reviewed administratively. If one or both of them decided that it should go to the Design Review Board for review, then it would go before the entire Board.

Chair Pollock asked if the Chair of the Design Review Board would be appointed by the Mayor or designated as such by the Design Review Board. Mr. Hopkins said that the text amendment states that the position of Chair would be elected by the Design Review Board.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing up for public input.

Georgia Morgan, of 804 West Nevada Street, stated that she also questioned the make-up of the Design Review Board. What is the importance of having a small business owner on the board? What is a community representative? What is a residential representative? She gathered from

listening to comments that part of the impetus behind the design is the anticipation that there will be more overlay districts with their own design guidelines in the future. However, there will only be one board reviewing the cases. Is it possible for the membership of the Design Review Board to have an ad hoc member who would be from whatever district that was being considered in place of the small business owner? This would ensure local representation on the board. She inquired about false divided light windows. What are they and why are they so terrible? Ms. Bird responded by saying that false divided light windows have the snap in muntins or muntins between a single pane of glass. In the design community, they are thought to give a false sense. They also do not provide the same depth that the individual divided light windows do. Ms. Bird explained that this is an example of why they would be design guidelines and not requirements.

Ms. Stake inquired as to whether Ms. Morgan had been notified of the public hearing. Ms. Morgan said yes. Ms. Bird remarked that City staff sent notices to all property owners and tenants in the actual Lincoln-Busey corridor as well as to all property owners within 250 feet.

Kent Oto, of 803 West Michigan Avenue, suggested that the Historic Preservation Commission be the review board for this particular design area (Lincoln-Busey Corridor), because in part of the fragile nature of the area and because of the many historic buildings in the neighborhood. He agreed with Ms. Morgan in that it would be easy enough to bring in two people living in a district to review cases for that overlay district as well as a resident of the adjacent living area. He feels that a resident living outside of a district would also have some interest in protecting their homes from encroachment or from the design possibilities that might occur. Having people with design abilities and aesthetic skills and interest on the Design Review Board could be a very positive thing. He did not think that developers, small business owners or architects would be the best type of people to provide that kind of input. Mr. Oto believes from what he has seen that the proposed text amendment would be a very positive thing. The intent is to protect the residents who live in the area from having an institutional design elements introduced into the work done on homes in the corridor.

Ms. Stake agreed. The historic part of the City of Urbana is right along Lincoln Avenue, so it would be good to have the Historic Preservation Commission review any future cases for this district.

Shirley Stillinger, of 1003 South Busey Avenue, mentioned that as a resident in the corridor, she feels very reassured of the direction that the text amendment is going. There are differences on the details, but the overall intent is very reassuring. It is important to keep the street and the area a good place to live. She expressed her appreciation for the work that City staff has done on the proposed text amendment.

Brian Adams, of 412 West Elm Street, stated that he lives in the MOR Zoning District and they have design guidelines in place for his neighborhood. There is the Development Review Board to monitor and comment on new developments. He feels it is a good thing. He wishes the City would have had the design guidelines in places years ago, because there have been some pretty unsightly buildings constructed in the area that have destroyed the historical and aesthetic character of the neighborhood. Given the design guidelines currently in place for the MOR Zoning District, it would not be possible to build anymore undesirable buildings in the neighborhood.

Ms. Stake wondered how much area the MOR Design Guidelines cover. Mr. Adams replied by saying that it covers Elm Street, part of Green Street and part of Springfield Avenue. He does not know the exact boundaries of the top of his head.

Ms. Stake asked who is on the Development Review Board for the MOR Zoning District. Mr. Adams answered that he is on the board because he lives in the neighborhood. There is a developer, an architect, nearby neighbor, small business owner, member of the Plan Commission and a member of the Historic Preservation Commission.

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

Mr. Myers noted that there is another element to this proposal. The design guidelines are not only a helpful tool, but having a review process where neighbors can give input can be beneficial as well.

Chair Pollock wondered if the proposed text amendment is flexible enough to allow someone from the neighborhood to serve on the Board. Mr. Myers replied that the text amendment as written calls for a residential representative to serve on the Board, but it does not specify that the representative be from this specific area. However, there will be an opportunity for residents to attend the Board meetings and voice their concerns and opinions.

Ms. Stake asked what the process is for an application. Ms. Bird reviewed the process. When an application comes in, the Zoning Administrator looks at the application and decides whether the application is for a major redevelopment/development, which she would then forward on to the Design Review Board. If the Zoning Administrator has a question of whether or not the application should go before the Board, then she consults with the Chair of the Design Review Board. If they both decided that the proposed project does not require review of the Board, then they would review it and make an administrative decision.

If the application goes to the Board, then City staff would schedule a public hearing, which would involve noticing neighbors and putting up a sign on the property. So, the neighborhood would have a chance to give their input on a project. One example of what could be reviewed administratively would be the addition of a small sunroom on the back of a house. This would be something that would not be viewed from the public street if it was built in scale with the existing house.

Mr. Myers pointed out that the City has a similar process with the Historic Preservation Commission. Minor projects are reviewed administratively, and major projects are reviewed by the Historic Preservation Commission. The Zoning Ordinance specifies what is considered a major project and minor project. The intent of this is to keep very minor changes from going to the Board or Commission. We do not stop the process to discourage maintenance, changes or modifications. Minor changes such as constructing a fence in the backyard shouldn't be a long and difficult process. This also helps City staff manage its workload and devote its manpower to highest priority projects.

Ms. Upah-Bant feels uncomfortable with the appeal process. If an application is denied, it sounds like the only applicant's only choice is to resubmit an application. Ms. Bird stated that there is an appeal process.

Ms. Stake questioned if a person would have to submit an application for work needing to be done if the property is within an overlay district. Ms. Bird said yes. Exterior building projects would need to be reviewed and approved either by the Zoning Administrator or by the Design Review Board depending on the level of the project.

Ms. Stake inquired if there could be someone from the district serve on the Board. Ms. Bird answered that in speaking with the City's Legal Department, the City Attorney did not feel it would be possible to write in the Zoning Ordinance that there would be members switching out. However, it might be possible to write in the text amendment that one of the members is defined in the design guidelines for a district. So, the design guidelines for the Lincoln-Busey Corridor would specify who the person is.

Mr. Hopkins commented that the architect, the developer, the Historic Preservation Commission member and the Plan Commission member makes sense to include on the Design Review Board. This means we would have three empty slots. He doubted that the City would have three districts within five years. So, the additional three slots could be filled by a member from each district. If there are more than three districts, then the City would need to work it out at that point. The text amendment could read, "Citizen representatives must be one from each designated overlay district.

Mr. Fitch expressed concern about the lack of specified process. In other City ordinances, it lists the types of projects that trigger different levels of review. We could borrow some of their ideas. He feels that some sort of procedural depth needs to be added in the formation of the guidelines.

Mr. Hopkins commented that the design guidelines are good. He does not believe that they need to be changed.

With no further comments from the Plan Commission members, Chair Pollock recommended continuing this case to a future Plan Commission meeting. He mentioned that there will not be a public notice for when it comes back to the Plan Commission. Mr. Myers stated that this item will remain on the agenda for the October 23, 2008 Plan Commission meeting.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: October 23, 2008

TIME: 7:30 P.M.

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

MEMBERS PRESENT:	Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah- Bant, Don White
MEMBERS EXCUSED:	Jane Burris, Tyler Fitch, Ben Grosser
STAFF PRESENT:	Lisa Karcher, Planner II, Jeff Engstrom, Planner I; Rebecca Bird, Associate Planner/Historic Preservation Planner; Teri Andel, Planning Secretary
OTHERS PRESENT:	Dick Brazee, Paul Debevec, Ann Reisner, Shirley Stillinger, Gail Taylor

COMMUNICATIONS

✤ Photos taken of the property at 601 West Green Street for Plan Case No. 2074-T-08

CONTINUED PUBLIC HEARINGS

Plan Case No. 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Rebecca Bird, Associate Planner, gave the staff presentation for this case to the Plan Commission. She presented a brief recap of the discussions held at the previous Plan Commission meeting and reviewed the revisions made to the text amendment.

The revisions include changes to the language under Membership, Administrative Review, Process Clarification and other minor word changes to clarify the. Other issues that arose included wanting more detail regarding the process of creating a new design overlay district and adopting new design guidelines. City staff envisions this process as being initiated by the City Council and not by members of a neighborhood.

She talked about City staff currently being involved in creating design guidelines for part of the Historic East Urbana Neighborhood. In creating design guidelines for this district, City staff will follow the same process in which the Lincoln Busey Corridor went through with meetings be held in the beginning to gather public input and notifications being sent out to residents inside the district as well as to those within 250 feet of the district for those meetings.

There was one suggestion that the Historic Preservation Commission be the body to administer design review in the Lincoln-Busey Corridor because it is a relatively historic neighborhood. This would present a couple of difficulties in that historic preservation is very well defined legally. The members of the Historic Preservation Commission can only review projects to do with properties that are legally designated as historic landmarks and districts. This would also create a difficulty with having future design review overlay districts. City staff would prefer to create one board than having different boards for each district because administratively it would make things very difficult.

Ms. Stake stated that she did not understand why it would be difficult to have different boards for each district. Ms. Bird clarified that the City already has quite a few boards and commissions to administer. It is a great deal of work to keep the boards and commissions organized. Also, it is quite difficult to get people who are qualified to want to serve on the boards and commissions. Lastly, there is currently not enough City staff to handle five more boards/commissions.

Ms. Stake said that she believes that there are too many members from the development field. There should be more people on the board from the neighborhood. She also would not want someone from east Urbana to decide what would be best for west Urbana.

Ms. Stake wondered what the fee would be to apply for a design review application. Lisa Karcher, Planner II, stated that the fee amount would be set by the City Council when the proposed district would be approved. Chair Pollock wondered how much the Site Plan application for the MOR, Mixed Office-Residential Zoning District is. Ms. Karcher replied that there is a \$150 fee.

Ms. Upah-Bant stated that she is confused about the proposed makeup of the board for the proposed Lincoln-Busey Corridor. Ms. Bird pointed out that City staff is not proposing a design review board specific to the Lincoln-Busey Corridor. It is a City design review board. She explained the reason that City staff left it with two residents (one from each future overlay district) is because the City does not foresee having more than two design review overlay districts. Chair Pollock asked if there were additional overlay districts, then there could be a possibility of a change of two of the seven members. Ms. Bird said yes.

Ms. Stake commented that City staff is recommending that four members would constitute a quorum. However, if one of the four has a conflict of interest, then that would only leave three voting members. She feels that three is not enough. Chair Pollock stated that this means that two of the three voting members could theoretically be making the decision.

With no further questions from the Plan Commission for City staff, Chair Pollock opened the hearing for public input from the audience.

Gail Taylor, of 307 South Orchard Street, stated that the proposed text amendment to add Section XI-15. Design Review Board to the Urbana Zoning Ordinance was lifted from the MOR Ordinance. Living in the MOR Zoning District, she has discovered that property owners have no rights, including the right to have a petition to be heard fairly in a public hearing.

The proposed Design Review Board is setup similarly to the Development Review Board for the MOR Zoning District. The chair of the Design Review Board, depending on their relationship with City staff, could do things to circumvent fair hearings, property owners' rights, and the right to public notice. City staff is only proposing one resident from the proposed district to serve on the Design Review Board. Already it seems like the Board would be stacked.

Ms. Taylor pointed out that even though board and commission members volunteer their time, they still represent different interests in the community. When does a member remove themselves from voting on a case due to conflict of interest?

She talked about the conflict she has with the adaptive reuse of 601 West Green Street and more importantly with the process to get approval for the adaptive reuse. She noted that the Zoning Administrator reviewed and approved the redevelopment plans as a minor work. What is being proposed for the Design Review Board for future overlay districts such as the Lincoln-Busey Corridor mirrors the ordinance for the MOR Zoning District and the Development Review Board.

Ms. Stake wondered if Ms. Taylor had received any notification of what was going to be happening at 601 West Green Street. Ms. Taylor said no. She wants to ensure that the residents and property owners in the Lincoln-Busey Corridor have adequate representation and that there is public notification even if the Zoning Administrator reviews and makes the determination of whether or not to approve a design review application. Chair Pollock pointed out that if there is a basic disagreement with the notification laws on who gets to find out what publicly on any level, then that is within the purview of the City Council. They make those rules and can amend them, and City staff abides by those rules. There is no public notice that is required that does not go out. There is no ignoring of these requirements.

Paul Debevoc, of 708 West California Avenue, commented that the proposed plan is impressive in its detail and in its organization. We should be in favor of the principle of the design guidelines. Fortunately it is a proactive document. There is no controversy or crisis at the moment, so there is no urgency that the proposed plan be adopted immediately. As the previous speaker pointed out, there are parallels between the MOR and the Lincoln-Busey Corridor. He read excerpts from the MOR Ordinance and noted that similar language is in the Design Review Board Ordinance before the Plan Commission. He stated that the difficulty here is in the ambiguity of the language in the two ordinances. He is positive that none of the City staff wakes up in the morning and comes to work with the goal of infuriating the citizens of Urbana. Quite the contrary, he is sure that City staff comes to work with the goal of doing good for the City of Urbana.

He then showed pictures of 601 West Green Street from each of the four directions – north, south, east and west. He commented that the difficulty any one would have looking at the changes being made and wonder how ever could the redevelopment plans not go to the

Development Review Board. So he suggested that City staff reword the Ordinance to tell how a project is going to be triggered for review. City staff could choose some parameters. It could be the incremental cost to the building, the amount of the structure that is being dealt with and then choose some level. Quantitative requirements are all over the Zoning Ordinance, such as how tall something can be and what the setback requirements are. So it is not unreasonable to ask City staff to write a statement setting a level for when a project will be forwarded to City Council.

Ms. Stake asked if Mr. Debevoc felt that any redevelopment project should go before the Design Review Board. Mr. Debevoc responded that he did not have enough experience in how onerous that may be. From his own experience, there are many minor work projects (1% effects) that he would not worry about at all. Mr. Debevoc stated that the language in the MOR Ordinance and the language in the Lincoln-Busey Corridor Ordinance are so similar that they do not want to have another divisive, debilitating incident that just recently occurred.

Ann Reisner, of 905 South Busey Avenue, agreed with Mr. Debevoc's comments. There is language in the proposed ordinance that says that joint determinations by the Zoning Administrator and the Chair of the Design Review Board cannot be appealed to the Zoning Board of Appeals. She finds this problematic, because there would be no mechanism to appeal a decision. Ms. Bird explained that this type of determination would be able to be appealed to the Circuit Court, but not to the Zoning Board of Appeals. Ms. Reisner withdrew her complaint about this issue then. She just wanted some mechanism for appeal.

She believes that having an additional resident from the district serve on the board would be a nice balance. She asked City staff to explain their reasoning for taking out the additional resident. Ms. Bird stated that the board was originally envisioned as having a balance between professionals with expertise and residents. The Historic Preservation Commission and Plan Commission members are still citizens even though they serve on a City board. Ms. Reisner stated that she sees a licensed realtor, a developer and an architect might all have interest in growth; whereas the residents would have interest in stability. So, she feels that City staff is balancing off the interest of the neighborhood. So she urged City staff to include one more resident on the board.

With no further comments or questions from the audience members, Chair Pollock closed the public input portion of the hearing. He then asked City staff if they had any additional comments.

Ms. Bird clarified that the MOR design guidelines and text amendment were the starting points used by City staff in creating the proposed ordinance and text amendment. There are some significant differences though. One is that the MOR is a zoning district, and the proposed Lincoln-Busey Corridor would not affect zoning at all. It is purely design, which is significantly different. Another difference is that the Design Review Board would not have the same kind of power that the MOR Development Review Board would have because the MOR Zoning District deals with zoning as well as design.

She pointed out that in trying to address some of the issues that have come up recently with the administrative review, City staff included the language about a decision being made jointly by the Chair of the Design Review Board and the Zoning Administrator. The way that the current

MOR Ordinance is written the Zoning Administrator has the authority to grant variances because it is a zoning district. However, no variances would be granted by either the Zoning Administrator or the Design Review Board in the Lincoln-Busey Corridor because it is not about zoning. Therefore any variances a developer/property owner might want would need to go before the Zoning Board of Appeals.

Ms. Bird clarified that the Historic Preservation Commission member, the Plan Commission member, the developer, and the architect that serve on the MOR Development Review Board will also serve on the Design Review Board. The other three members will consist of a realtor and two residents (one from the Lincoln-Busey Corridor Overlay District and one from another neighborhood).

The suggestion that every project go before the Design Review Board would be quite problematic on a number of different levels. One is that for property owners who want to maintain or make minor improvements to their homes, they would first spend a lot of time and effort going before the Design Review Board to get approval. This could create a disincentive for property owners to maintain or improving their properties.

It is also quite a bit of work to prepare the noticing, write memos and give staff presentations to the Board. If this is required so a property owner could repair a step going up to the porch, then it will take a lot of staff time.

Ms. Upah-Bant inquired as to whether "conflict of interest" is legally defined anywhere. What would be an acceptable conflict of interest? Ms. Bird states that the Zoning Ordinance states that a conflict of interest generally has to do with a financial matter. Ms. Upah-Bant stated that if City staff cannot describe what constitutes a "conflict of interest", then how are we to expect board/commission members to know? Would a member have to benefit financially in order for it to be considered a conflict of interest? She would like to see this defined. Ms. Karcher stated that staff can provide clarification.

Ms. Upah-Bant wondered if City staff had any problem with making the Design Review Board bigger by having more members to allow for an additional resident from within the district to serve on the Board. Ms. Bird explained that the reasons City staff left the number of members at seven was to keep the balance of residents to professionals.

Ms. Upah-Bant stated that she likes Mr. Debevoc's suggestion that they use a percentage or somehow quantify how much change is required before the Design Review Board becomes involved. Ms. Bird replied that in all of the other city design overlay district ordinances that she has researched, she has found the language to be very vague. She pointed out that the more you pin down what it is that you want, a project could meet all those requirements and still end up being bad. So the language is written with some flexibility so the Board has the ability to make a good decision.

Ms. Upah-Bant stated that she was surprised to hear that a property owner could possibly be required to come before the Design Review Board every time they wanted to make a repair to their home. They should come up with a list of maintenance and repairs that would be allowed without having to come before the Design Review Board.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing up for Plan Commission discussion and/or motion(s).

Ms. Stake feels the Design Review Board should have more members than seven. There really needs to be at least two people from the district serving on the Board. She really likes Mr. Hopkins' idea that he mentioned at the previous meeting about having four members – one from each district. Only she wants two from each proposed new district. So, the Design Review Board would keep growing in membership as overlay districts are approved.

She is really concerned about what would be considered a minor project and a major project. Her idea of each is different from other people's ideas. She drove by 601 West Green Street earlier in the day, and she would consider it to be major work. Ms Stake also does not like the Zoning Administrator being allowed to grant variances. Ms. Bird pointed out that the Zoning Administrator does not have this ability in the proposed Lincoln-Busey Corridor Overlay District. The Zoning Administrator only has the power to grant variances in the MOR Zoning District.

Ms. Stake questioned whether notification would be required in the proposed Ordinance when the Zoning Administrator and the Chair of the Design Review Board review and consider approval of future projects. Chair Pollock answered that if the Zoning Administrator and the Chair of the Design Review Board decides that a proposed remodeling or project does not rise to the level of needing to go before the Design Review Board, then they can make that decision and construction can take place without design review.

Ms. Bird stated that in the Historic Preservation Ordinance there is a chart listing the level of review for specific types of projects. This chart is a guideline for the Zoning Administrator and Chair of the Historic Preservation Commission when a project comes in to determine the level of review that is needed.

Mr. Hopkins asked where in the Zoning Ordinance is the MOR Ordinance located. Jeff Engstrom, Planner I, stated that the Ordinance pertaining to the Development Review Board is located in Article XI of the Zoning Ordinance, which begins on page 140. Ms. Karcher added that the use regulations for the MOR Zoning District are located in Section V-8, which begins on Page 38. Ms. Bird stated that the MOR Design Guidelines are in a separate document.

Mr. Hopkins commented that part of what is framing the discussion for the proposed case is the case that has happened in the MOR Zoning District. It would be useful to him to clarify a little about what happened in that case. People are talking about variances. Were there actually variances granted? Was development review administratively processed? Ms. Bird explained that the case was administratively processed, and in the process, when the Site Plan was first approved two variances were granted by the Zoning Administrator. Later the developer realized that he needed two additional variances, which the Zoning Administrator granted administratively as well. Two of the variances were for the parking lot, one variance had to do with the exterior staircase on the west side of the building, and the fourth variance was for a handicap accessible ramp on the east side of the building.

Mr. Hopkins stated that a variance is a judgment call on a specific requirement, and is often quantitative. The rest of the development review activity and the kind of design review we are talking about for the Lincoln-Busey Corridor are not about variances. Any variance that arises in the Lincoln-Busey Corridor would then need to go before the Zoning Board of Appeals. It is the MOR Ordinance, itself, that gives the Zoning Administrator the right to grant variances. Outside of the MOR Zoning District, the Zoning Administrator does not have the right to grant variances.

He felt that the Plan Commission should work on the wording of the proposed text amendment some more before making a decision. In his opinion, it would be more effective to work on this than at the Committee of the Whole level. Chair Pollock commented that if there are significant changes that the Plan Commission thinks should be made to in the wording or in other elements of the proposal. He does not feel that the Plan Commission should do this on the floor. Therefore, he suggested that the Plan Commission give some indication or direction to the City staff on what they would like to see addressed, allow City staff time to make changes and then bring it back to the Plan Commission at a later date.

Mr. Hopkins pointed that he heard two major concerns, which are an issue with the process and one with the criteria. Regarding the process, notification of building permits is when they are approved. Ms. Bird noted that they are published in the *News-Gazette* but not by the City. The *News-Gazette* chooses to publish them. However, the City does post them on the City of Urbana website. Mr. Hopkins stated that his point is that the content of a building permit is public knowledge once a building permit is approved.

He commented that it is not clear in the proposed Ordinance how it is determined whether a property owner/developer needs to submit an application. His understanding is that when a person submits a building permit application, City staff looks it over and determines whether that person needs to file a design review application as well. So for example, if someone from the Lincoln-Busey Corridor submits a permit application for plumbing repairs, will the application reach the Zoning Administrator? Ms. Bird explained that the application would reach the Zoning Administrator but because of other reasons, not because of being in the Lincoln-Busey Corridor.

Given all this, Mr. Hopkins stated that if the Zoning Administrator and the Chair of the Design Review Board make a determination that what they have before them in the form of a building permit application and an application for design review, then a notice gets published. However, the ordinance does not require notification be published that a design review determination was made by the Zoning Administrator and the Chair of the Design Review Board. The City could require City staff to do this. Then we will have set up a process where (if the notification actually works and is done in a way that people will actually see it) we will have a more reasonable basis for an appeal process. Chair Pollock asked if the publication should be a blurb in the newspaper or some type of notice mailed out to people within a certain area. Mr. Hopkins stated that he hasn't figured this part out yet. What the notification is, it needs to work. Chair Pollock commented that if there is a little notice in the back of the *News-Gazette*, none of the neighbors of the proposed review and construction will see it.

Mr. Hopkins stated that there is another possible step in this in that if an executive decision is made, then the executive has to report that decision to the Design Review Board. Any member of the Board could challenge that executive decision. This will also allow for public notification to be made.

He pointed out a discrepancy in the language of the proposed ordinance. In H.1. Zoning Administrator Review Procedures on Page 150, it states as follows, "Joint determinations as to whether the application is to be reviewed administratively or by the Board cannot be appealed to the Zoning Board of Appeals." Staff pointed out that an appeal could be filed with the Circuit Court. However, in J.4. Design Review Board Review Procedures, the first sentence states as such, "Any order, requirement, decision or condition of approval made by the Zoning Administrator or Design Review Board is appealable by any person aggrieved thereby to the Zoning Board of Appeals in accordance with the procedures of Section XI-3.C." He suggested that they note in one of these that an apparent exception exists.

Regarding issues with the criteria, Mr. Hopkins remarked that in design review, it is incredibly difficult to make quantitative thresholds work. We could use a dollar amount. However, one could rewire the entire house without going to the Design Review Board. Rewiring of the house might cost more than a project that would be considered a major work. We could use the criteria of change in square footage. However, we then might miss anything that transforms the face or the design of the building. So he is having a hard time thinking of a way to do this quantitatively.

He believes that the City can still express in some policy fashion the kinds of things we are looking for. One way to do this is by examples. We would want examples of what would and what would not be considered administratively reviewed. They should be focused on trying to hit the margins of where people would have a tough time of deciding. Another thing that these examples could help make clearer is what is in the Zoning Ordinance by right? And what is in the design review? The design review is not about variances and it is not about whether or not one meets the zoning criteria.

Ms. Stake reiterated that the Design Review Board should have more members, so that there can be two people from the neighborhood serving on the Board. Ms. Upah-Bant agreed. She would think that there would be plenty of people from the neighborhood willing to serve on the Board. Chair Pollock believes that if five of the Board members are to be consistent from one district to another, adding an additional resident should not be a major hurdle, because they are not talking about adding additional professionals.

Mr. White mentioned that the City is currently only talking about two districts. So, we could have two additional residents from each proposed new district serve on the Board. They could add some language to the Design Review Board Ordinance to only allow up to six residents to serve on the Board. He mentioned that having residents from the Historic East Urbana neighborhood working on the Board for the West Urbana area could be very valuable on their input.

Mr. Hopkins talked about the quorum issue. Part of the issue is that conflicts are sometimes announced in the meeting because a Board member discovers a conflict once deliberations begin. He assumed the reason that City staff included language stating as follows, "Abstaining shall not change the count of Board members present to determine the existence of a quorum", to prevent holding meetings over and having to restart them if one of the members of a quorum discovered a conflict interest. He is not sure how the City should handle this issue at this time. He did feel

it is important to find out how other Boards and Commissions deal with this issue. One solution might be to raise the requirement of a quorum.

Mr. Hopkins does not believe that the proposed Design Review Board will meet that many times. It is very likely that they may only have one agenda item in the three year term. He expressed concern that there might be an agenda item, in which the Board meets on to make a determination without first being trained on what they are doing. He is also concerned about the notion that we could make up multiple committees, because we would get a very different kind of deliberation. Although he is not necessarily in favor of adding more residents, he would much rather add more residents and have a larger committee than have committees that shift in and out for different cases.

His last concern is about residents serving on the Board. We have to be careful about the notion of residents in the area for two reasons. One is the Lincoln-Busey Corridor is an incredibly small area. He imagines that people think the residents must be single-family home-owners in the district. In fact, the proposed current language would allow a condominium owner. In affect, what we are doing, especially if we add two or more residents of that corridor, is giving a kind of localized control of neighbors to a very specific set of people with a very specific set of attributes to tell the rest of their neighbors what they can do. Chair Pollock added that some of them will also have very specific agendas in some instances.

Mr. Hopkins stated that one way to balance this is by the way we design the makeup of the Board. This is one of the reasons why we do not stack it. Therefore, he is reasonably comfortable with the current makeup of the proposed Design Review Board the way it is designed.

Ms. Stake asked if Mr. Hopkins wanted the developers being the ones with the power. Mr. Hopkins replied that there is only one developer being proposed to be on the Board, so they would not have the power. Ms. Stake feels that the developer goes along with the architect, etc. Chair Pollock commented that no matter what commission you are developing and no matter how you do it, it is by Council approval of a Mayor appointment. We need to assume that we have people working on City commissions and boards that work in the best interest of the public.

Mr. Hopkins argued that another way to think about the proposed Board is that it should have one rental property owner, one tenant, one single-family owner, one across the street owner, one future student trying to do finances and trying to find a place to live without high transportation costs, etc., because when talking about whose interests are being dealt with in this district, it is not just the single-family home owners living in the district. Ms. Stake replied that this is correct, but you can see that this has not been the high priority in the community.

Ms. Upah-Bant mentioned that she would like the conflict of interest defined because it is such a small area. Chair Pollock felt it would be very difficult to define this. In general, for one of the Plan Commission members to declare a conflict of interest, it is up to the individual member to make this determination, to declare a conflict of interest and to act accordingly. Mr. Hopkins believes that defining "*conflict of interest*" because the Lincoln-Busey Corridor is a small area and because of the way the board is being defined.

Ms. Karcher summarized the Plan Commission's concerns to be the following:

- 1) Board composition, how a quorum is defined, and how conflict of interest is defined and handled.
- 2) Notification requirements, and
- 3) Parameters or criteria for administrative decisions.

With no further comments by the Plan Commission, Chair Pollock continued the proposed text amendment case to a future meeting date.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION APPROVED				
DATE:	November 20, 2008			
TIME:	7:30 P.M.			
PLACE:	Urbana City Building 400 South Vine Street Urbana, IL 61801			
MEMBERS I	PRESENT:	Jane Burris, Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant		
MEMBERS I	EXCUSED:	Don White		
STAFF PRES	SENT:	Robert Myers, Planning Manager; Jeff Engstrom, Planner I; Rebecca Bird, Associate Planner; Teri Andel, Planning Secretary		
OTHERS PR	ESENT:	Dick Brazee, Rich Cahill, Paul Cheng, Paul Debevoc, Brad Gregorica, Hyun Kyang Lee, Shirley Stillinger, Susan Taylor, Crystal Whiters		

COMMUNICATIONS

4 Email from Georgia Morgan regarding Plan Case No. 2074-T-08

CONTINUED PUBLIC HEARINGS

Plan Case No. 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Robert Myers, Planning Manager, presented an updated staff report for the proposed text amendment to the Plan Commission. First, City staff would be willing to add one more resident to the list of members of the Design Review Board. He advised the Plan Commission to think about this. This might increase the chances of the Plan Commission not being able to get a majority vote. An option would be to eliminate one of the professional board members such as the developer or the realtor. Second, staff noted that the language about the prohibition of an appeal of a joint decision of the Zoning Administrator and the Chair of the Board has been eliminated. Third, under administrative review, he recommended striking #3 (*Changing the floor* *area ratio of an existing principal structure by more than 5%*) from the list of criteria that should be met. Upon reflection, this criteria isn't necessarily related to exterior changes. For instance, attic space converted to a dwelling unit that would change the floor area ratio but would not change the exterior of the property. Most changes to the exterior would trigger a change to the footprint of the existing structure, and this would be covered under Criteria #2 (*Changing the building footprint of an existing principal structure greater than 15%*).

Mr. Grosser questioned what would happen if the Zoning Administrator and the Chair of the Board did not agree. Mr. Myers replied that the Zoning Administrator is designated with making the determinations on the Zoning Ordinance. Consultation with the chair of the Board is necessary, but ultimately the decision would be up to the Zoning Administrator. Like any decision in the Zoning Ordinance, the Zoning Administrator's decision can be appealed. He felt that especially given recent events, the Zoning Administrator will have a heightened sensitivity about whether or not a project is considered a major or minor work and when a project would go before the Board.

Ms. Stake commented that there is not any language in the proposed text amendment that tells them what a minor visible change is. Do other cities have administrative review or do development projects go directly to the Board? Mr. Myers replied that on Page 150 of the Zoning Ordinance, it states that if a project requires a building permit and can be seen from a public right-of-way or alley, if it is construction of a new principal structure, changing of building footprint of an existing principal structure greater than 15% and substantially changing the appearance and/or scale of an existing building, as determined by the Zoning Administrator in consultation with the Design Review Board Chair, then it will be considered a major work and go before the Design Review Board.

Many cities have administrative review. Some do not and every project goes to the Board. This is not something that City staff or the Board would want however, because there are many projects that are minor works and do not need full review by the Board. It would take longer and is simply unnecessary. If the approval process is a burden to perform simple projects, then people will stop doing exterior maintenance and repairs on their homes.

With no further questions for City staff from the Plan Commission, Chair Pollock opened the hearing for public input.

Shirley Stillinger, of 1003 South Busey Avenue, mentioned that she lives in the middle of the Lincoln-Busey Corridor. She cannot come to grips with the makeup of the proposed Design Review Board. She does not see the rationale in having a developer serve on the Board. What role would they play? They could remove the developer and realtor and add two more residents and still have a seven member board.

Rich Cahill, of 307 South Orchard Street, stated that he sees many parallels between the proposed ordinance and the MOR ordinance. He finds it good with what City staff has clarified what would be considered for administrative review, but he also feels that there should be criteria regarding parking and another for the removal of trees. The problem with the notification process is that it is impossible to notify everyone when a project is being administratively reviewed. He

did not see Urbana connected with the other municipalities mentioned in the chart on Page 2 of the written staff report. None of them, except maybe College Station, Texas, relate to Champaign-Urbana. He does not have an issue with the makeup of the proposed Design Review Board. He understands the purpose for having a developer and a realtor serve on the Board. He asked staff and Plan Commission to consider tightening up the Administrative Review section. He mentioned that he would like to see some of the changes in the proposed Ordinance be proposed to help fix some of the problems with the MOR Ordinance at a future time.

Paul Debevoc, of 708 West California Avenue, expressed his concern about the administrative review section. He talked about the four criteria that City staff is proposing to be met to determine whether a project could be administratively reviewed or whether it requires full review of the Design Review Board. He projected photos of different properties along West Green Street, including 601 West Green Street which is the property that has created much controversy in the MOR Zoning District. He questioned whether the proposed Ordinance for the Lincoln-Busey Corridor is more stringent than the existing MOR Ordinance. Chair Pollock asked if the redevelopment of the existing structure at 601 West Green Street would have required Board review under the proposed ordinance. Mr. Myers replied yes, he believes it would have.

Chair Pollock questioned if the parking behind 601 West Green Street would require Board review. Mr. Myers said that a parking increase would probably fall under the criteria of substantial change, but if the Plan Commission felt it would be helpful to clarify, then they could add another criteria regarding parking triggering Board review.

Ms. Stake inquired if a developer/property owner could change every side of a house without having the Board review the project. Mr. Myers said it would be possible, yes. For instance, they could install siding without going before the Board. They could also change out all of the windows without triggering Board review. However, if they bumped out all four sides of a structure, then it might trigger Board review if it affects the footprint of the structure by more than 15%.

The Plan Commission discussed why the sides of 601 W Green were boarded up. Although it appeared as if there were not going to be any windows on the first floor, window openings were boarded just during construction. They also talked about the removal of trees. Chair Pollock asked if removal of trees would trigger Board review in the proposed text amendment. Mr. Myers said no because the City does not have a tree preservation ordinance.

Dick Brazee, of 905 South Busey Avenue, stated that he lives in the middle of the Lincoln-Busey Corridor. His property shares a corner of a property that started the issues with parking about four years ago. The issue at the time was the green space and the paving over that upset the residents in the area. He encouraged the Plan Commission and City staff to continue discussing loss of green space, installing parking lots, and removal of trees as triggering design review.

With no further comments from the public audience, Chair Pollock closed the public input portion of the hearing. He then opened it up for Plan Commission discussion.

Ms. Burris stated that she applauds the work that has been done and understands why, but she is not convinced that the proposed ordinance is the right thing to do. This is not a direction in which she wants to go in, so she cannot support the proposed text amendment.

Mr. Hopkins felt that there is still more work to do on the proposed ordinance. He would not want this for his neighborhood for reasons that Ms. Burris is talking about. Many of the things that he has done to his house and to his yard would not have been approved by a Design Review Board. Regarding the membership section of the proposed Ordinance, he finds it intriguing that in order to have a voice and serve on the proposed Design Review Board one must own a property in the district and live in it. This country long ago did away with property ownership requirements for participating in government. Also, he understands that the developer and realtor are positions to counter the notion that only single-family owner-occupants in the district should have a voice. However, there are other ways to represent the rest of the community other than having a developer and a realtor serve on the board. Why isn't there a renter in the district serving on the board? We need to be really careful about the makeup of the membership. He recommended deleting the requirement of it being an owner-occupant who serves on the board.

Chair Pollock suggested changing the language on page 148 of the proposed Ordinance to read, "*Two residents of Urbana. The residents should include one representative from each design review district who owns and or occupies...*". Mr. Hopkins stated that this raises a very interesting possibility because it suggests that it could be an owner of a rental property or it could be a renter in the rental property. However, making this change will completely change the politics of what people are trying to accomplish with the proposed Ordinance.

Ms. Stake believes that the problem started with the MOR Zoning District. The idea was to keep the history of the structures by leaving them as they were and not by demolishing them and rebuilding structures. That lowers adjacent property values because of the increase in the noise pollution, the increase in the number of vehicles and the decrease of open green space. She is concerned about the 28% of properties in the district which are single-family, owner-occupied home owners.

Ms. Burris thought the assumption that renters do not care for their homes is absurd. It is the individuals who live in the structures that make the community, not the people who own them. Ms. Stake replied that she is talking about developers coming in and tearing down the existing structures to build something else. Chair Pollock pointed out that the proposed Ordinance does not change the zoning, so it does not ensure that a structure will not be torn down and something else built in its place if the zoning is appropriate.

Chair Pollock stated that from the discussions they have held so far regarding the proposed text amendment, he wonders what the goal of the proposed text amendment is. Why has it come before the Plan Commission? What is the ultimate goal that they are trying to achieve by passing this kind of legislation? It appears that the Plan Commission members, City staff and the public are not in concert on the answer to these questions. Mr. Myers replied that in the fall of 2006, City Council directed City staff to pursue six strategies to improve the quality of life in West Urbana and other neighborhoods. One of the six strategies was design review in the Lincoln-Busey Corridor. Although the vast majority of the West Urbana Neighborhood was down zoned in the early 1990s – meaning that not much more could be built within the neighborhood -- the Lincoln-Busey Corridor was not rezoned. The zoning is still mixed in the Lincoln-Busey Corridor and there are still some higher zoned properties with less intensive uses. Chair Pollock noted that there were in fact a few properties in the Lincoln-Busey Corridor that were down zoned. If the intention is to prevent large scale development in the mixed area, then they need to ask themselves if the proposed text amendment will accomplish this goal. Mr. Myers pointed out the proposed design guidelines are not intended to prevent large scale development, but that if it happens it should respect its neighbors.

Mr. Hopkins stated that the reason the Lincoln-Busey Corridor is of focus is because it is a transition point. It is the border where things change from one thing to something else. It is also a transition in that it is changing. Therefore, he sees the proposed design guidelines and text amendment as a guide to ensure that the changes would be more acceptable to everyone, but it is not designed to stop change.

Mr. Fitch agreed with Mr. Hopkins. He stated that although he could not speak to the Lincoln-Busey area, but he could speak about the next area to possibly use the design guidelines, which is in the Historic East Urbana Neighborhood. Zoning is the key. Design guidelines just guide the development of new structures to fit in more.

He likes the makeup of the proposed Design Review Board. He would accept changing the wording from "property owner" to "resident" in the language of the proposed ordinance that talks about the makeup of the board.

Mr. Grosser agreed with the discussions of the Plan Commission. He addressed Ms. Stillinger's question about why a developer would serve on the proposed board. A developer can help answer questions about what the possibilities could be other than what is being proposed on a site plan. A developer offers the logistics of what it means to develop a piece of property. Having said that, he did not see the purpose for having a real estate professional serve on the Board. He agrees with Mr. Hopkins about not restricting the resident board members to only property owners. A characteristic of this area is that many people who live in the area do not own property. So it would make sense to change "and" to "or." He also would not want this in his neighborhood. However, he feels that it is important that the characteristics of this particular small passage of the City are pretty unique. The people who live in the Lincoln-Busey Corridor want the proposed text amendment as well.

Mr. Fitch suggested the following. Rather than striking #3 in G.4 Applications, they could add to the end "*that substantially change the appearance*." Second, add language to #4 in G.4, so that it reads as such, "*Substantially changing the appearance and/or scale of an existing building including the building, grounds and parking, as determined by the Zoning Administrator*...". Third, include language that requires the Zoning Administrator to report any administrative review to the Design Review Board, and provides a mechanism for the Design Review Board to override the Zoning Administrator's decision forcing the application process and the Board's consideration.

Mr. Grosser wondered how this would be different from having every project go before the Design Review Board. Mr. Myers responded that Mr. Fitch's third suggestion would cause the building permit application to delay acting on the permit until the next Board meeting, just to insure that administrative approval wasn't overridden. This could mean a delay of a month or so for the Board to meet.

In terms of Mr. Fitch's second recommendation, Mr. Myers said that a building permit application is the trigger for review. A developer and/or property owner would be required to obtain a building permit for everything we've discussed except the removal of trees, because the City does not have a tree preservation ordinance. Parking lots have not always required building permits, but this changed about a year ago and are now required.

Ms. Stake inquired about administrative review. Would the developer/property owner still need to show what they are planning to do? Mr. Myers said yes. They would need to submit an application and the application would have to meet the design guidelines. It would also need to include a site plan of what the project would look like when finished.

Ms. Stake commented that maybe the Design Review Board could meet more than once a month. Mr. Myers replied that we do not want to discourage maintenance and repair. If someone is performing a minor repair such as reroofing a house with exactly the same kind of asphalt shingles, do we really want to take up the Board's time to review it? There is a lot of work that goes on behind the scene. City staff prepares and sends out 60 copies of the packets, notices are published in the *News-Gazette*, hours of preparation of minutes, etc. He suggested that based on comments tonight that parking be added as triggering board review. He feels that along with the other proposed criteria it would catch any major or even medium development project and require it to go before the Board.

Chair Pollock asked if there was any objection to striking #3 criteria (floor area ratio) from the list as recommended by Mr. Myers during his staff presentation. Mr. Hopkins stated that if they strike #3 from the list, then a case like 601 West Green Street does not necessarily trigger Board review, because the building footprint could be interpreted to include all of the porches. So, if you take all of the porches, it could double the footprint of the building. If you do not have any indicator based on floor area ratio, then there is nothing to trigger with respect to that. So he would be inclined to include such a trigger. But he also feels that 5% may be too small as a change in floor area ratio.

Chair Pollock asked the members of the Plan Commission if they want to send this back to the City staff to make changes, then what do they want to change?

Mr. Hopkins discussed the following issues:

1) G-1 – He feels that this implies that a developer/property owner has to apply for a design review application anywhere in the City. In actuality, it only applies in a design review district. It also begs for a cross reference, where any general rules about applying for a building permit ought to indicate that if a person is applying for a building permit in a design review district, then they are required to apply for design review. They need to either assume or specify that this only

applies to projects that require a building permit, and that this is an additional component of a building permit in particular districts. We also need to get the right set of labels associated with triggering this because a building permit does not include plumbing or electrical.

2) G-4a – He suggested changing the language to read as such, "Design Review Board Review. Applications for the following projects, and where if visible from public rights-of-way other than alleys, shall be subject to review by the Design Review Board." On the other hand, he did not believe that this phrase should be included because it begs a whole lot of additional complications that they do not want to deal with. How do they decide if something is visible?

3) Zoning Administrator's Decisions – There are two types of decisions that the Zoning Administrator can make. The first one is whether a project needs to go before the Board or not. The second is the actual design review decision. He believes that the Zoning Administrator should report a project to the Design Review Board immediately if she decides that it only requires administrative review. Then the Board members could decide to override her decision and require review by the Board. This process would be different than informing the Board of an administrative decision by the Zoning Administrator and the Chair after a building permit has been issued. He pointed out that you cannot make a building permit retractable a month later when the Board finally meets. This would also help clarify what decision of the Zoning Administrator is appealable. The administrative decision of approval of a project does need to be reported, because it is appealable to the Zoning Board of Appeals. Therefore, he feels that the procedural steps need to be clarified.

Mr. Myers stated that the Zoning Administrator makes literally thousands of administrative decisions a year – day in and day out. Permits are issued. Every single day there are dozens of issues that administrative decisions are made on whether or not they meet the Zoning Ordinance or not. He advised against having to notify everyone of all administrative decision made in the district but said that it shouldn't be a problem just to report to the Board joint determinations of Zoning Administrator and the Chair on design review applications.

Mr. Grosser believed that there should not be any recourse by the Board. So many of the decisions are going to be things that the Board does not want to see or know about. This is the reason why City staff is suggesting that they be administrative review. The answer is to make the administrative review criteria strong, so we are confident that nothing controversial will slip through. We could certainly have the Zoning Administrator report to the Board, the same way City staff reports to the Plan Commission at the end of the meeting. Chair Pollock agreed that by giving the Board the ability to override the joint decision of the Zoning Administrator and the Chair of the Board, they would be compromising the Zoning Administrator's ability to make administrative decisions.

Chair Pollock took a poll to see how many of the Plan Commission members felt the floor area ratio percentage should be higher than 5%. The majority of the Plan Commission agreed.

Chair Pollock took a poll to see how many of the Plan Commission members felt that there should be an additional criteria triggering Board review of parking lots. All of the Plan Commissioners agreed.

Mr. Fitch thought J.2 Application Review Criteria should specify that new guidelines should be reviewed by the Plan Commission as well as amendments to the old guidelines. Mr. Myers stated that he would add that.

Mr. Grosser asked if the design guidelines are part of the ordinance or will it get passed separately. Mr. Myers explained that the design guidelines would be passed at the same time as the Ordinance, except it would be assigned a separate ordinance number.

Ms. Stake inquired about the makeup of the Board again. Mr. Grosser suggested removing the realtor from the list of members. Ms. Upah-Bant believed it might be appropriate to have a real estate agent on the Board, because it would affect their colleagues' income. Mr. Fitch added that a real estate agent could be beneficial in that they could give input as to how a development project would affect the value of the properties around the project site. There was a split in the Plan Commission about whether or not the real estate agent should be removed from the list.

Regarding changing "and" to "or" in C.d.b on Page 148, Mr. Myers pointed out that the current proposed language states that it "should" be single-family owner-occupied residents in the district, but that does not require the two residents to be single-family owner-occupied residents in the district. If they make the requirements too specific, then it makes it more difficult to find people willing to serve on the Board. The majority of the Plan Commission agreed with the language change from "and" to "resident, owner or tenant".

Mr. Fitch asked City staff for a count of the number of building permits that were issued in the Lincoln-Busey Corridor over the last year. Mr. Myers said that they could supply that information for the Board.

Mr. Hopkins raised an issue about the word "should" versus "shall." He did not feel that most of the people would recognize what "*should*" really means in terms of an ordinance. Chair Pollock pointed out that it does not say "*must*" and it leaves some leeway for the Mayor to make sure the Board has enough people to function if there are not residents willing to serve.

With no further discussion, Chair Pollock continued this case to the next scheduled meeting.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION APPROVED				
DATE:	December 4, 2008			
TIME:	7:30 P.M.			
PLACE:	Urbana City Building 400 South Vine Street Urbana, IL 61801			
MEMBERS F	PRESENT:	Jane Burris, Tyler Fitch, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White		
MEMBERS H	EXCUSED:	none		
STAFF PRES	SENT:	Robert Myers, Planning Manager; Jeff Engstrom, Planner I; Rebecca Bird, Associate Planner; Teri Andel, Planning Secretary		
OTHERS PR	ESENT:	Dick Brazee, Merl and Phyllis Mennenga, Susan Taylor, Jane Tigan		

COMMUNICATIONS

Revised Section XI-15, Design Review Board (Plan Case No. 2074-T-08)

CONTINUED PUBLIC HEARINGS

Plan Case No. 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Rebecca Bird, Associate Planner/Historic Preservation Planner, presented a brief update to the staff report. She reported on the changes made since the last meeting. Those changes include:

- Adding one additional resident to the Design Review Board membership
- Expanding the language to include the installation or enlarging of a parking lot as one of the types of projects that would require review
- Adding language to further clarify what types of projects are subject to what level of review
- Adding language requiring new and amended guidelines to be reviewed by the Plan Commission.

She noted staff's recommendation, which is that the Plan Commission forward Plan Case No. 2074-T-08 to the Urbana City Council with a recommendation for approval of the Lincoln-Busey Design Guidelines, approval of the Zoning Ordinance text amendment as written in the handout listed under Communications of these minutes, and approval of the Lincoln-Busey Corridor Design Review Overlay District.

Regarding Section XI-15.F.3, Chair Pollock requested that staff clarify the meaning of the additional language, "...*but in no case shall action be taken by less than 4 votes*" as suggested in the handout. Does this mean that there must be four votes in favor of an action to pass? Or does this simply require four members to vote and a 3-1 vote would pass a motion?

Mr. Grosser pointed out a typographical error on Page 148 under Section XI-15.C.d.b. "*Three*" should be "*Four*" with the revised language adding an additional member. Mr. Hopkins also pointed out that the language in Section XI-15.H.2 and F.3 should be consistent. He pointed out that it is also unclear about whether an abstaining member of the Design Review Board is included in the vote. To be consistent with the MOR Development Review Board, and what was just approved in the previous text amendment, he agreed that an abstaining member should not be included in the vote. He suggested that it read, "Approval of an application shall require a majority vote of those members present and not abstaining, but in no case shall action be taken by fewer than 4 votes in total."

Mr. Hopkins agreed.

Ms. Stake moved that they should change the language in Section XI-15.C.1.d.b to read, "... The residents should shall include a representative from each design review district who owns $\frac{\partial r}{\partial r}$ and occupies a residence in the district. If there is only one design review district, other residents should shall own or occupy a residence elsewhere in the City district." Ms. Upah-Bant seconded the motion.

Ms. Stake feels it is only fair to have at least one person who owns a home in the district to serve on the board. She believes that a person who lives in the district will be more concerned about what happens in the district than say a real estate agent or a local developer.

Chair Pollock commented that a motion was premature since the Plan Commission had not yet held public discussion on this case yet. The motion and second were withdrawn.

Chair Pollock then asked if there were any more questions from the Plan Commission members for City staff.

Ms. Stake wondered why City staff changed the percentage of an increase in the floor area ratio (FAR) of a building used to determine further review of submitted redevelopment plans by the Design Review Board from 5% to 15%. Robert Myers replied that staff was following through with a request by the Plan Commission to increase the percentage. The Plan Commission has the could change the percentage.

Ms. Stake inquired as to the difference between the FAR (floor area ratio) and the footprint of a building. Mr. Myers explained that the footprint is the outline of the building on a lot. Typically, the footprint includes any portion of the building that touches the ground or extends below the ground. The FAR is the ratio between the total square footage of the building and the lot area. The FAR comes into play because it essentially defines how tall the building can be in the relationship to the lot.

With no further questions for City staff, Chair Pollock opened the hearing up for public input. There was none. Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

Mr. Grosser would not like to have eight members for the Design Review Board. It gives more power to deny a case. On a seven-member board, it takes four votes to approve or deny a motion. However, on an eight-member board, it takes four votes to deny and give votes to approve.

Chair Pollock pointed out that the eighth person came from the Plan Commission's desire to have more residential representation on the board. Mr. Grosser responded that he understood this, and he mentioned that he did not feel strongly about what a real estate agent could bring to the board.

MAIN MOTION

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2074-T-08 to the Urbana City Council with a recommendation for approval. Mr. Hopkins seconded the motion.

AMENDMENT #1

Mr. Grosser moved to amend the motion by removing the real estate agent from the list of Design Review Board members and keeping it a seven member board in Section XI-15.C.1.d.a (Page 148). Ms. Stake seconded the motion.

Mr. White commented that a real estate professional would be very objective. Ms. Stake pointed out that several citizens have testified at previous meetings expressing their desire to get rid of the real estate agent. She did not feel that a real estate agent was needed either. There is a developer and that is enough.

Roll call on the amendment was as follows:

Ms. Burris	-	Yes	Mr. Fitch	-	No
Mr. Grosser	-	Yes	Mr. Hopkins	-	No
Mr. Pollock	-	No	Ms. Stake	-	Yes
Ms. Upah-Bant	-	Yes	Mr. White	-	No

The motion to amend failed by a vote of 4 - 4.

AMENDMENT #2

Ms. Stake moved to amend the main motion by changing the FAR requirement mentioned in Section XI-15.G.4.a.3 (Page 150) from 15% to 10%. With no second, the motion to amend died.

AMENDMENT #3

Ms. Stake moved to amend the main motion by changing the language in Section XI-15.C.1.d.b (Page 148) to say "*and*" instead of "*or*" and change "*city*" to "*district*". Ms. Burris seconded the motion to amend.

Ms. Burris recalled having a lengthy discussion during a previous Plan Commission meeting about making the change that is currently in the proposed text amendment. The proposed wording is used because the Plan Commission wanted to allow residents who both rent and own/and live in the area a place on the Design Review Board. Renters should have just as much of a voice as people who own their homes. She feels that the language should remain as it is currently written without any changes. Also, she does not like the idea of changing "city" to "district" because it is a City board. Some of the members should remain City-wide.

Mr. Fitch agreed with Ms. Burris' explanation of why the proposed wording is being suggested by staff.

Ms. Stake disagreed with Ms. Burris' in that the board should not be city-wide. People who care about the Lincoln-Busey Corridor should serve as members on the board. Residents from south Urbana do not care about the Lincoln-Busey Corridor.

Mr. Grosser expressed his concern about the proposed amendment. As currently written, the proposed text amendment would include residents from the Lincoln-Busey district. With the amendment that Ms. Stake is suggesting, if there should ever be three districts, then there would be no option for a renter to serve on the Design Review Board. There would only be owners who occupy their homes serving on the Board. The Mayor will make nominations and the City Council will approve the nominations of the members who serve on the Design Review Board. It is reasonable to presume that the Mayor and the City Council will not approve of a board that has zero owner-occupied residents on it from the district.

Mr. Hopkins understood Section XI-15.C.1.d.b to only apply to the Lincoln-Busey Corridor Design Review Board. If there is another district, then there would be another constitution of a board to serve that district. If this is the case, then the wording proposed in the text amendment does not say this. He mentioned that he does care about what happens in the Lincoln-Busey Corridor, but for different reasons than the residents living there. He cares in that the proposed text amendment is a City ordinance and not a neighborhood self-protection deed restriction. What the City staff is going to enforce and enable to happen in the City affects lots of other things about the City. This includes the City's tax base and who gets to live where, how far students have to commute to campus, and many other things. To say what the City makes happen in one little neighborhood can be decided just by the people who live that neighborhood, it misrepresents what City action is all about.

Ms. Stake feels that the majority of the people in the City care about the City in some sense or another, but as for every other neighborhood, they do not care as much as the person who lives next door to something that is being built. This is only design review. It does not include all of the other rules for the Lincoln-Busey Corridor. There is going to be change in the Lincoln-Busey Corridor. Some people may like the changes, but some of the people might be disturbed by it. One of the things that the City can do is to have more residents serve on the board so redevelopment plans can be discussed more so there are fewer controversies about what happens when new issues arise.

Mr. Grosser asked City staff for clarification on Mr. Hopkins' previous comment. Ms. Bird explained that the proposed text amendment creates a Design Review Board. It does not create a Lincoln-Busey Design Review Board. The Design Review Board would review design in any district that has adopted design guidelines.

Mr. Grosser asked if the membership would potentially shift if a second district would be created. Ms. Bird said no, not with the way the proposed text amendment is written. Chair Pollock noted that if the motion to amend was approved, then it would change the makeup of the Board. Mr. Grosser then asked if the motion to amend is approved and three districts are created, is it correct that there could not be a renter on the Board. Chair Pollock said that is correct. The only way a renter would be allowed to serve on the Board would be to increase the number of members.

Ms. Stake stated that this was not her intention. She only wants at least one owner-occupant to serve on the Board. Mr. Hopkins pointed out that if they just make the word changes that Ms. Stake proposed, then it does not accomplish what she describes as her intention. Her intention is that there be three residents on a Busey Corridor Board, not a city wide Design Review Board. One of the three residents must be an owner-occupant. The other two members could be owners or occupants (renters) that live in the district. Ms. Stake withdrew her motion to amend.

AMENDMENT #4

Ms. Stake moved to amend the main motion by changing the language in Section XI-15.C.1.d.b (Page 148) to say that three members must be residents who live in the district and at least one of the three should be an owner-occupant. If there are other districts, then the members will be the same except for the three residents. Ms. Upah-Bant seconded the motion.

Mr. Fitch felt this goes back to the very first meeting. This was discussed and the consensus was that this might not be workable to have three people rotating on and off of a board. Mr. Grosser understood the motion to amend to apply only to the Lincoln-Busey Corridor. Ms. Stake commented that she did not understand why this could not be for the whole City if only three people change when a new district is added. Chair Pollock explained that the proposed ordinance is written for a city-wide Design Review Board. Her motion recommends that they change that to be specific to the Lincoln-Busey Corridor. Ms. Stake stated that she did not want that. She wants a city-wide Design Review Board, where the three residential members change from one district to the next, but the other members remain the same. Chair Pollock stated that is not what the language says in the motion to amend.

Ms. Burris did not feel that a rotating Board would do well in making city-wide decisions. It would not be stable enough in making consistent decisions.

Ms. Upah-Bant wondered when they changed it from a Lincoln-Busey Design Review Board to a city-wide Design Review Board. Ms. Bird explained that when City Council first asked City staff to look at this, it was specific to the Lincoln-Busey Corridor. This was several years ago, and since then, there have been discussions about design guidelines and a design review district in the Historic East Urbana Neighborhood (HEUNA) area as well. City staff realized that creating a different board each time a district is proposed would not be the right way to go about it. A city-wide Design Review Board is being proposed.

Mr. Grosser pointed out that the MOR (Mixed Office Residential) Development Review Board currently exists. The proposed text amendment would allow for the Lincoln-Busey Corridor Design Review Board, and eventually there will probably be a HEUNA Design Review Board. He understands Ms. Stake's intentions to be that with each new district a Design Review Board is created with some members in common with the other Design Review Boards and the resident members change from district to district. He does not like that someone from one district could not serve on the Board for another district as part of the residential membership. He also feels that if the City ends up with three or four Design Review Boards, it might become difficult to find people who are interested in serving on them.

Chair Pollock called for a hand vote on the motion to amend. The motion to amend failed by a vote of 1-7.

Mr. Hopkins recalled that part of Ms. Stake's motion to amend was to change "*should*" to "*shall*". He remembered the Plan Commission discussing this at a previous meeting, and it is not accidental that the permissive "*should*" is used. Mr. Fitch said that is correct. The rationale is that in case the Mayor and City Council could not find anyone who is willing to serve in a given district that they could fill the board with a resident from elsewhere in the City.

AMENDMENT #5

Mr. Hopkins moved to amend the main motion to delete the second 2 in Section XI-15.G.4.c (Page 150), which states "*Visible from no public right-of-way other than an alley*". Ms. Stake seconded the motion. Chair Pollock asked for a hand vote and the motion to amend passed by unanimous vote.

AMENDMENT #6

Mr. Fitch moved to amend the main motion by changing the language in Section XI-15.C.1.d.b to read, "A number of residents of Urbana equal to the sum of one resident of each design review district plus one resident from a part of the City not in the design review district." This would allow one board that would expand only as new design review districts were created. Ms. Upah-Bant seconded the motion.

Mr. Fitch stated that there would be no distinction between owner occupancy. A person from each design review district would have to serve on the Board. All of the resident members would have to live in the City. At least one resident member would have to live outside of any design review district. With this language, the Design Review Board would start with seven members. Only when and if a second district is created that the board would increase to eight members.

Chair Pollock commented that if the Plan Commission approves this motion, then City staff would have to take a look at it, refine any language legally and look at the question of going to seven members to see if it is mentioned anywhere else in the proposed ordinance. Ms. Bird added that City staff would need to look at how they would word the language under Quorum, etc.

Mr. Hopkins stated that this motion seems to solve a problem or two. It gets away from having an eight person board, which the Plan Commission just demonstrated that four people could object and a motion could fail because of it. It completely simplifies the notion of resident in a way that may actually advantageous because it eliminates the non-resident owner as an option. Therefore, he likes it.

Chair Pollock called for a hand vote on the motion. The motion to amend passed by a vote of 5-3.

AMENDMENT #7

Mr. White moved to amend the motion by deleting #5 in Section XI-15.B (Page 147). Mr. Grosser seconded the motion. Ms. Bird stated that this clause simply outlines the difference between the Development Review Board and the Design Review Board. The Design Review Board would only be allowed to review the design of a development project and not the land use.

Mr. Hopkins felt that the reason to include this clause is in the first part of the sentence. Mr. White stated that the first part of the sentence makes sense and understands why it is included. However, they cannot deny a land use that is permitted by right.

Chair Pollock asked if it was the consensus of the Plan Commission to hand this over to the City staff to make sure this is clarified. The Plan Commission members agreed.

Ms. Stake expressed her concern about the administrative review section on Page 150 in Section XI-15.G.4.b. She feels the language is vague. Chair Pollock recalled the Plan Commission having already discussed this at a previous meeting. It is the consensus of the Plan Commission members that this Section has the correct amount of flexibility and the correct amount of definition on this issue.

SUMMARY

Mr. Fitch summarized what the Plan Commission would like to see changed in the proposed text amendment. The changes are as follows: 1) Fix typographical errors in Section XI-15.C.1.b by changing *"three"* to *"four"*; 2) Clarify that an abstention is not counted toward a vote in Section XI-15.F.3; 3) Strike the second 2 in Section XI-15.G.4.c; 4) Replace language in Section XI-15.C.1.d.b; 5) Clarify that Section XI-15.B.5 is not a limitation on permitted land use possibly by eliminating the clause after the comma; and 6) Clarify meaning of additional language in Section XI-15.F.3.

Ms. Bird mentioned that one of the members had inquired at the previous meeting about the number of building permits that have been applied for in the Lincoln-Busey Corridor in the past year. She stated that there have been zero building permits applied for in this area. Mr. Fitch recalled that this had to do with a discussion about whether the Zoning Administrator's decisions should be appealable to the Design Review Board.

Following discussion, Chair Pollock continued this case to the next Plan Commission meeting. Plan Commissioners agreed that the next regularly-scheduled meeting on December 18, 2008 could be cancelled unless an important issue came up. This case is therefore continued to the January 8, 2009 Plan Commission meeting.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION DRAFT				
DATE:	January 8, 2009			
TIME:	7:30 P.M.			
PLACE:	Urbana City Building 400 South Vine Street Urbana, IL 61801			
MEMBERS I	PRESENT:	Tyler Fitch, Michael Pollock, Bernadine Stake, Marilyn Upah- Bant, Don White		
MEMBERS I	EXCUSED:	Jane Burris, Ben Grosser, Lew Hopkins		
STAFF PRES	SENT:	Robert Myers, Planning Manager; Rebecca Bird, Planner I; Teri Andel, Planning Secretary		
OTHERS PR	ESENT:	Shirley Stillinger, Susan Taylor		

CONTINUED PUBLIC HEARINGS

Plan Case No. 2074-T-08: A request by the Zoning Administrator to adopt design guidelines for the Lincoln-Busey Corridor, amend the Urbana Zoning Ordinance to enable design review in certain areas, and establish the Lincoln-Busey Corridor design overlay district.

Chair Pollock reopened this case. He summarized the amendments that were made to the staff recommendation at the previous meeting. Since all except one of the amendments approved by the majority of the Plan Commission during the previous meeting have already been incorporated into the proposed ordinance, they would not reopen the case with motions and amendments on the floor.

Rebecca Bird, Planner I, talked about one of the amendments in particular regarding the changes made to the membership. City Legal staff feels that trying to write the changes would be very complex and trying to interpret it in the future would be very difficult. With each new design overlay district that the City adopts, City staff will have to amend the Zoning Ordinance anyway. So, staff might as well amend the membership numbers at that point. Legal staff felt that the wording should be left as originally structured for the one design overlay district. Therefore, the only recommended change made to the language regarding membership is to change the number of board members to seven rather than having eight.

Ms. Bird reviewed the other changes made to reflect changes recommended at the last Plan Commission meeting. She recommended that the Plan Commission vote on each of the three parts of the case separately or if they wish to vote on it as one case, then to mention the three parts in the motion.

Robert Myers, Planning Manager, clarified the intent of Section XI-15.B.5. He stated that the design review would be an overlay district, and so the Board would deal with design. However, there is still the underlying zoning district, which deals with particular uses. Although the proposed Design Review Board would not be approving uses, the intent is to clarify that the Design Review Board could deny a project design even if it meant that a permitted use would not be approved.

Ms. Upah-Bant asked for an example of this. Mr. Myers presented the following example: There is a property zoned for multi-family residential, but there is a single-family home currently on the property. An application is submitted to replace the single-family house with an apartment building. The apartment building may meet all of the requirements of the underlying zoning district, but if the Design Review Board finds the design of the apartment building to be incompatible with the design guidelines then the project could be denied.

Ms. Stake inquired as to where City staff thought there may be additional design overlay districts in the future. Mr. Myers replied that there has been talk about having design review for the East Urbana neighborhood close to City Hall.

Ms. Stake questioned why City staff feels that adding members to the Design Review Board as design overlay districts are created would be complicated. Mr. Myers stated that this could only be done having a board for each district as they are created, or having one board and switching out members depending on which neighborhood the application came from. Either scenario is complicated for a number of reasons.

The question becomes whether one board could deal with multiple districts. The Historic Preservation Commission deals with multiple districts and landmarks in different neighborhoods. They do not switch out members from one district to the next based on what application comes before them. The Plan Commission reviews cases city-wide, and the City does not need to switch members based on what neighborhood an application comes from.

Ms. Bird noted that the proposed ordinance was written to serve city-wide. There's no reason to create yet another board for such a very small area. City staff researched the Lincoln-Busey area and found, had these rules been in place over the past year, no projects that would have come before the proposed board. If you have a board that meets only once every three years, the board members do not really know what their role is, and it is hard for City staff to give training if the board never meets.

Ms. Stake commented that as the ordinance is currently written, there would not be fair representation of the residents who live in the neighborhood. They would not be letting the people who live in the district have any say in the design of a project. Neighborhood residents

know how to solve design problems better than anyone, including City staff. Chair Pollock pointed out that there is a requirement in the proposed ordinance that one of the members on the Design Review Board be a resident of the design review area.

Ms. Upah-Bant asked if a design review district would be created in the Historic East Urbana Neighborhood, then would staff suggest increasing the number of members on the board? Ms. Bird stated that the City would modify the membership of the Design Review Board at that time. It would be easier to deal with this particular issue when another design review overlay district is adopted.

Ms. Stake asked how do we know that City staff will follow through on this? She would rather see it in writing. Chair Pollock replied that any future design overlay districts will have to come before the Plan Commission and the City Council for review. The issue of representation will have to come back before them.

Ms. Upah-Bant expressed her concern about there being no appeal process. Ms. Bird pointed out that the appeal process is listed on Page 152. An appeal would go before the Zoning Board of Appeals. Ms. Stake commented that she would prefer to have two boards review an appeal – the Zoning Board of Appeals and then the City Council. Mr. Myers reviewed the appeal process in the Zoning Ordinance for the Plan Commission members.

Ms. Stake wondered what types of projects do not require a building permit. Ms. Bird said that projects that are not structural in anyway, for example – changing out a window, would not require a building permit.

With no further questions, Chair Pollock opened the hearing up for public comment or questions. There were none. So, Chair Pollock closed the public input portion of the hearing and opened it up for Plan Commission discussion or motions.

Mr. White moved that the Plan Commission send Plan Case 2074-T-08 to the City Council with a recommendation for denial of all three parts of the case. Ms. Upah-Bant seconded the motion.

Ms. Stake moved to amend the motion to increase the number of members of the proposed Design Review Board to nine, including the members recommended by City staff in addition to a second resident living in the district and a resident who lives within 250 feet of the district. Chair Pollock called for a second to the motion. The motion to amend failed due to lack of a second.

Mr. Fitch moved to amend Section XI-15.C.1.f to change the permissive "should" to "shall" in two places in this same paragraph. Mr. White seconded the motion. Chair Pollock called for a hand vote on the motion to amend. The motion to amend passed by a vote of 5 to 0.

Chair Pollock commented that there is a reason the proposed case has been back to the Plan Commission five times. He recognized and applauded City staff for the work that has gone into the proposed case. He feels that City staff has done as much with the proposed ordinance as can be done. As he looks at the proposed case he thought about neighborhood conservation districts. In many ways, it is bulky, bureaucratic, onerous, possibly unwieldy, and for the most part unnecessary. From his understanding, the proposed ordinance does not accomplish what most people would like to do, which is to protect single-family residences. He feels the best way to do this is through zoning and not through design review. Therefore, he supports the motion to deny.

Mr. White recalled a comment he had made at the time the neighborhood conservation district ordinance was being reviewed for approval. Sometimes when you are in graduate school, there is a graduate student with a thesis that is a mess. There are times when it really is the advisor's fault for assigning that topic.

Ms. Stake stated that she supports the proposed ordinance. She feels it is important to have design guidelines to make sure that there are not any outrageous projects developed in our neighborhoods.

Roll call on the main motion along with the amendment was as follows:

Mr. Fitch	-	No	Mr. Pollock	-	Yes
Ms. Stake	-	No	Ms. Upah-Bant	-	Yes
Mr. White	-	Yes	-		

The motion passed by a vote of 3 to 2.

Ms. Bird pointed out that this case would go before the City Council on January 20, 2009.

MEETING MINUTES

URBANA DEVELOPMENT REVIEW BOARD

DATE:	May 29, 2008 DRAFT				
TIME:	7:30 p.m.				
PLACE:	Urbana City Building – City Council Chambers 400 S. Vine Street Urbana, IL 61801				
MEMBERS 1	PRESENT:	Brian Adams, Betsey Cronan, Jennifer Gentry, Ben Grosser, Chris Hartman, Art Zangerl			
MEMBERS A	ABSENT:	Michael McCulley			
STAFF PRES	SENT:	Robert Myers, Planning Manager; Rebecca Bird, Associate Planner/Historic Preservation Planner; Connie Eldridge, Grants Management Secretary			
OTHERS PR	ESENT:	There were none.			

STAFF REPORT

Discussion of Possible Design Review in a Proposed Area Between Lincoln Avenue and Busey Avenue

Robert Myers, Planning Manager, introduced Rebecca Bird, Associate Planner, to the Development Review Board. He stated that Ms. Bird had formulated draft guidelines for the Lincoln-Busey corridor. The 2005 Comprehensive Plan identifies this corridor as an area where design review is desirable. At this point, they are looking for input on what staff has come up with. There is also a question of what board or commission would implement the design guidelines once they are adopted in some form.

Ms. Bird gave the staff presentation for this agenda item. She discussed the following:

- Introduction of the Lincoln-Busey Draft Design Guidelines
 - History: There is a growing concern that the neighborhood between Downtown Urbana and the University of Illinois is losing many older houses along with its historic character and unique appearance.
 - Purpose: The intent of the guidelines is to ensure that future growth in the Lincoln-Busey Corridor is compatible with the existing built environment in the corridor, and to aid in the visual transition form the larger scale buildings of the University and related

institutional uses fronting Lincoln Avenue to the single-family homes of the West Urbana Neighborhood to the east.

- Boundaries of Corridor
- Who should implement the design guidelines? Plan Commission, Historic Preservation Commission or Development Review Board?
- Existing Conditions
 - Current Zoning versus Future Land Use Designation
 - Comparison of the Ownership Patterns in the Lincoln-Busey Corridor
 - Existing Building Types
 - Character of the Lincoln-Busey Corridor
 - Division of the Lincoln-Busey Corridor
 - Zone 1: Lincoln Avenue & Higher Intensity Areas
 - Zone 2: Busey Avenue & Lower Intensity Areas
 - Differences Between Zone 1 and Zone 2
- The Development Review Process
 - The Development Review Board
 - Administrative Review
 - Site Plan Criteria
- Design Guidelines
 - The Façade Zone
 - Massing & Scale
 - Building Orientation
 - Patterns & Rhythms
 - Roof Lines
 - Window & Door Openings
 - Outdoor Living Space
 - Materials
 - ♦ Landscaping
 - Sustainability
 - Parking Areas
 - Non-Residential Development

Mr. Grosser stated that he appreciates the document and thinks it looks really good. He likes that it has more things which are encouraged rather just listing what is discouraged. This is a better way of trying to get people do what you want. Clearly the types of design that are discouraged are ones no one would be happy with, such as building on stilts and paving front yards. He made the following suggestions to the design guidelines:

- 1. On page 11, when talking about how the compatibility of a proposed development in relation to other properties on the same block, it does not address properties on corner lots. Which street would be the guiding street to compare the properties with regards to setbacks, etc?
- 2. On page 21, he feels that there should be an exception to the discouraged designs. When an architectural style calls for it, irregular window and door patterns should be allowed. There are some modern contemporary house designs that call for irregular patterns of windows.

- 3. On page 23, he thought they might want to include fiber cement siding, which is considered to be a green material, in the list of exterior materials to be encouraged. Fiber cement siding can reproduce stucco, and woodlap shingle sidings. It fits the intent of building with sturdy, long-lasting materials and looks quite nice.
- 4. On page 4, the document quotes the 2005 Comprehensive Plan as, "Preserve these uses as they now exist while precluding further encroachment...". Yet the zoning of all of the properties in the proposed corridor area are typically higher than the use. On page 10, it states, "As much of the corridor is zoned for a higher urban intensity than single-family residential, these design guidelines must outline how to develop a higher intensity yet remain compatible in character with the single-family residential character of the neighborhood." To him the comprehensive plan is saying do not change the use; whereas the proposed design guidelines acknowledges that the use will probably change over time, but that the City wants to manage it. To him the second idea makes more sense. Maybe it should state very clearly that the proposed design guidelines are being created to try to manage the compatibility of new development as it fits within the zoning that exists.

Other than these four recommended changes, Mr. Grosser thinks it is a nice document.

Ms. Cronan agreed with Mr. Grosser on many of these issues. She added another contradiction she found in the document, which is that on page 10, it states that "*There is almost no owner-occupied housing*" along Lincoln Avenue, but then on page 11, it says that the existing building types on Lincoln Avenue includes about 50% houses and 50% multi-family residential. Ms. Bird explained that the 50% that are houses are rental and not owner-occupied. Ms. Cronan suggested that staff clarify this by specifying rental houses in the document.

Ms. Cronan stated that another thing she would like to see in principle is a clear definition of a buffer zone in the middle of the block, because there are many single-family, owner-occupied properties on Busey Avenue. There needs to be a clear line between the two uses. It has already been an issue with some of the parking lots with lights and noise. So if there were to be a well-defined buffer area, she believes it would be better received. One other thing she commented on is the façade zone. If we are also talking about fitting new development in next to existing houses, then the side of the building matters as well. Lastly, Ms. Cronan talked about an issue she has with the Development Review Board regarding cases that are appealed to the Zoning Board of Appeals. It makes the member of the Development Review Board feel futile in their decision making efforts.

Mr. Hartman noticed that there is a blanket discouragement of vinyl siding. He noted that there have been quite a few new products that have come out in the market over the last five years that are really quite attractive. He would even argue that in some cases, these products would last longer than some of the wood siding if it is not maintained. Wood siding needs ongoing maintenance. So, he would discourage any blanket discouragement of a material when there is advancement of technology of that material.

Chair Zangerl expressed his concern about how the City would evaluate the design of a proposed project. The design guidelines uses the word "average", which is a mathematical thing such as

with the average yard setback. He is not sure if we could "average" architecture. He suggested using a different word than "average". He noticed that when Ms. Bird gave the staff presentation, she mentioned that these are guidelines. So there are things that the City would encourage and discourage. The implication was that if a future project met most of the design guidelines, then the Board reviewing that project in the Lincoln-Busey Corridor area should approve the project. However, it seems that some of the criteria are more crucial than others. Therefore, we should be able to weight some criteria and let the developer's know this.

Ms. Bird responded that it might be difficult to come up with a formula and then a project came forth that did not meet the formula but did meet the intent, then the Board would be trapped into not supporting the project. The idea is that these are guidelines. It is about a project meeting the intent without necessarily having to meet each individual guideline.

Mr. Myers pointed out that the Zoning Ordinance itself also has a few design review requirements. It has three things that are mandatory. There may be a way to clarify by underlining or italicizing those guidelines that are mandatory. Chair Zangerl suggested adding a new category specifying "Required" in addition to "Encouraged" and "Discouraged".

Mr. Myers noted that some "guidelines" are really just best practices, such as regular maintenance cycles. It should be noted, for instance, that the Sustainability section is educational rather than a design guideline or criteria. Maybe it would be best to label these types of guidelines as such as well.

Mr. Hartman commented that the LEED standards for residential development are in their infancy. The bulk of the LEED standards and sustainability standards that are in practice are mostly office environment and commercial. Holding residential developers to a residential LEED standard would be very difficult. Right now, it is extremely expensive, and it would certainly discourage the scale of development that many of these parcels might invite. So, he cautioned about using LEED until LEED has been through a few cycles of updating their residential standards.

Chair Zangerl talked about outdoor living spaces. He would not discourage balconies on the front façade, but he would also not go out of his way to encourage them either. Often times balconies are not designed very well, and they ultimately end up detracting from the building. Mr. Hartman responded that as a property manager, he has found that with many student housing units, balconies become places to store stuff such as furniture that they do not want, grills, etc.

Chair Zangerl asked whether patios in front should be discouraged. One place where front patios work really nicely is the Royer House. Mr. Myers replied that maybe the wording could be tweaked.

Chair Zangerl did not agree with discouraging the monotony of over-use of a single material on large buildings. He pointed out that many of the buildings are all brick and are quite attractive. Mr. Grosser commented that this is a matter of aesthetic judgment. An all-brick building might be pretty or ugly depending on how it is done. If he recalled correctly, the last case they reviewed was denied in part because the developer wanted to use too many types of materials.

Chair Zangerl stated that these are all his comments regarding the design guidelines. He asked about the vote requirement to approve future development plans. Would future development plans require a two-thirds majority vote in the Lincoln-Busey area? He asked this because it is difficult to achieve if there is not a sizable membership attending the meetings. Mr. Myers understands exactly what Mr. Zangerl is saying. The two-thirds majority voting requirement is difficult. The only other time a two-thirds majority vote is required is when there is a protest submitted. It then forces the board or commission to have a two-thirds majority vote to approve a case. He will review this.

Mr. Grosser expressed concern about the appeals process. He wondered why the Zoning Board of Appeals is the logical appeals body for a decision made by the Development Review Board instead of the City Council. Mr. Myers explained that most of the appeals are not handled by the City Council. There is only one appeal that he is aware of that goes to the City Council, which is for a decision made by the Historic Preservation Commission on a Certificate of Economic Hardship. The Zoning Board of Appeals is set up to hear appeals from administrative decisions made by the Zoning Administrator. City Councils, made up of elected officials, typically make legislative decision, which is fundamentally a political decision. He thought that it would be hard to ask elected officials to switch roles and make decisions as a quasi-judicial body.

Mr. Hartman questioned if there were other boards and commissions similar to the Development Review Board in that they make a ruling, and when it goes to the next body, such as the Zoning Board of Appeals, then they take the Development Review Board's ruling under advisement. Mr. Myers said that would be one option. Development Review Boards are generally designed to make final decisions, unless the decision has been appealed. Any decision that the City makes whether it is a staff decision, board decision or City Council decision can be appealed to another body.

Mr. Myers said that he thought the automatic appeal of denied Development Review Board cases is an unusual requirement. Mr. Hartman commented that he does not have a problem with their decision being questioned. Given that they actually do have some power and that people could be put through an appeals process, he feels it is absolutely necessary to understand why they have a higher bar than other boards and commissions. Mr. Myers replied that if the Development Review Board feels that there should be changes made to the MOR ordinance or procedures, then they could make a recommendation to do so.

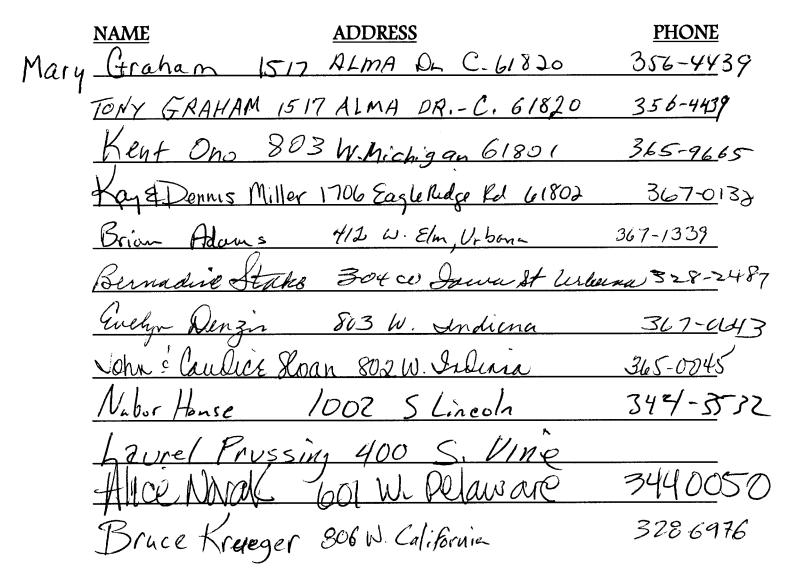
With no further questions or comments regarding the Lincoln-Busey Corridor Design Guidelines, this item was closed by Chair Zangerl.

Lincoln-Busey Corridor Design Guidelines Open House

Wednesday, July 23, 2008

City of Urbana Council Chambers 400 South Vine Street

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	Vest Urbana Neighborhood Association
Home	2008 Annual WUNA-at-Large meeting
Organization	Date: Thursday, May 15, 2008
Calendar	Place: Liberty Hall 606 W. Ohio St. Time: Gather at 6:30 p.m. Meeting starts at 7:00 p.m.
Projects	Agenda
Map Marketplace Success Stories Rehabitat City Services To Join Literature For authors	<list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item><list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item></list-item>