

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** March 21, 2002  
**TIME:** 7:30 P.M.  
**PLACE:** Urbana City Building  
400 South Vine Street  
Urbana, IL 61801

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

**MEMBERS EXCUSED:** Christopher Alix, Lew Hopkins

**STAFF PRESENT:** Rob Kowalski, Planning Manager; Tim Ross,  
Senior Planner; Libby Tyler, CD Director; Teri  
Hayn, Secretary

**OTHERS PRESENT:** Larry Dallas, John & Helene Dickel, Curt Harrison,  
Kate Hunter, Linda Lorenz, Georgia Morgan, Sonia  
Newmark, Esther Patt, Curtis Pettyjohn, Ron  
Rothschild, Anne Silvis, Joel Super, Susan Taylor,  
Lisa Treul

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

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

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Ms. Stake moved to approve the minutes from the January 24, 2002 meeting. Ms. Upah-Bant seconded the motion. The minutes were approved by unanimous vote.

**4. COMMUNICATIONS**

- ✓ Email from Vic Christensen
- ✓ Email from Mickey Scheinman

- ✓ Email from Gary Gladding
- ✓ Email from Sharon Irish
- ✓ Nabor House Fraternity Parking Lot Site Plan A
- ✓ Revised Annexation Table

**5. CONTINUED PUBLIC HEARINGS**

There were none.

**6. OLD BUSINESS**

There was none.

**7. NEW PUBLIC HEARINGS**

**Plan Case #1814-M-02: Request by the Nabor House Fraternity to rezone 805 West Iowa Street from R-3, Single and Two-Family Residential to R-7, University Residential.**

Rob Kowalski, Planning Manager, gave the staff presentation regarding this case. He presented a brief introduction explaining the purpose of the request and stating the current address. He gave background on the Nabor Fraternity House by describing the adjacent land uses and zoning designations of the surrounding properties. Mr. Kowalski discussed how the Nabor Fraternity House had been affected by the Downtown to Campus Plan. It was downzoned from R-4, Medium Density Multiple Family Residential and R-5, Medium High Density Multiple Family Residential to R-3, Single and Two-Family Residential to fit the land uses a little better. Mr. Kowalski talked about the R-7, University Residential Zoning District. He noted that the Zoning Administrator would be requesting a text amendment to eliminate multi-family dwellings being allowed in the R-7, University Residential Zoning District at the next meeting of the Plan Commission. He reviewed the La Salle National Bank Criteria as it pertained to the proposed rezoning. He summarized the staff findings and read the options of the Plan Commission. Mr. Kowalski stated that based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented at this meeting, staff recommended that the Plan Commission forward this rezoning case to the Urbana City Council with a recommendation for approval but to continue the case to the April 4, 2002 Plan Commission hearing in order to allow an opportunity for all interested parties to offer input on the case following spring break.

Ms. Stake asked if this property was up for sale or rent? Mr. Kowalski replied that the Nabor Fraternity House has owned the property for at least a couple of years. They had a relationship with the lady who previously owned the house and the lot.

Mr. Pollock questioned what density allowances, floor area ratio (FAR), and setbacks under the R-7 Zoning District were similar to other zoning districts? Are they unique for the R-7 Zoning District? Mr. Kowalski answered that regarding density, the R-7 Zoning District is consistent with the R-4 Zoning District. It requires a maximum FAR of .5 and a minimum open-space ratio

of .35. It has a required front yard setback of fifteen feet, a required side yard setback of five feet, and a required rear yard setback of ten feet.

Ms. Stake questioned if there was a requirement for parking? Mr. Kowalski replied that it depended upon the use. Parking is required for a fraternity house, and it depends on the size of the fraternity.

Ms. Upah-Bant asked if the Nabor House was currently in violation of its parking requirements? Mr. Kowalski responded that the Nabor House was not currently in violation of the parking requirements; however, the fraternity has a demand that exceeds their supply.

Mr. Douglas asked if the Nabor Fraternity House was planning to use both the open lot and the lot where the abandoned house sits for the parking lot? Mr. Kowalski answered that the fraternity's intent was to leave some open space and focus the parking on the east side.

Larry Dallas, Business Agent for the Nabor Fraternity House, pointed out that they have owned the property for a year and a half. The house that is on the one lot is not in shape to be remodeled. The roof leaked for an extended period of time. It had been vacant for about ten years prior to their purchase of the home. Although a new roof had been put on the house, damage had already been done.

Mr. Dallas felt that staff made a good argument for the rezoning of the properties.

Ms. Stake inquired as to how many cars the residents have and how many parking spaces were available on the property? Mr. Dallas replied that there is an average of thirty-seven residents at all times. Most of the residents are from rural areas and bring their cars to school with them. There presently are twelve parking spaces on the property, which are shoehorned in the parking area. By building the proposed parking lot, they would like to remove one or two cars from the current parking area to make it work a little better and get the rest of the cars off the street.

Mr. Douglas asked if the Nabor House planned to use both properties for the parking lot? Mr. Dallas replied that he had just received a plan, and it proposed to have the parking on the east lot in a L-shape and leave 1/2 to 2/3 of the west lot as open space. Mr. Douglas asked if that would be for future use? Mr. Dallas stated that it was not in their plans to put more parking in the west lot. At some point in time, the Nabor Fraternity House might consider remodeling their house, which might take away some of the current parking area. However, the proposed parking lot would allow for that. Ms. Stake questioned that when the fraternity would remodel, would they plan on expanding to house more than thirty-seven residents? Mr. Dallas stated that was not in their plans. The Nabor Fraternity is a coop with about 550 members. Generating the capital to buy this lot was a considerable effort. Generating the capital to remodel the house will also be a considerable effort. The Nabor Fraternity has been in the house since 1965, and most of the members of the coop have at some time lived in the house. They feel that thirty-seven is a good number of residents to have. The male enrollment of the Agricultural School is trending down. That is where the Nabor House gets most of their members.

Mr. Kangas asked if the open area in the west lot would be green space? Mr. Dallas replied that was the plan. He added that he had a preliminary plan that he had just received. The Nabor House Board had not approved the preliminary plan as of yet.

Ms. Stake inquired as to where the other twenty-five residents park their cars? Mr. Dallas responded that a few of the residents keep their cars in the storage lots on Florida Avenue, but most of them park on the street.

Rob Stoll serves as an Active Chapter Advisor for the Nabor Fraternity House and is also alumni of the Nabor House. He pointed out the history with Miss Ann Perry, the previous owner of the proposed properties. The fraternity took care of the snow removal from her sidewalks, yard work and mowing for most of the time since the fraternity moved there in 1965. The coop raised \$200,000 to purchase the property and to hopefully be able to develop it into a value added piece of property to the Nabor House Fraternity. After meeting with a small group of neighbors, it was expressed that the neighbors are concerned with the R-7 rezoning more than they are with the parking lot expansion. The Nabor House wants to be good stewards of the property and of the neighborhood. Their vision is to have green space in the middle of the parking lot as well as having nicely landscaped areas on the outside. They want to be aware of what this will look like to the neighborhood.

John Dickel, of 1005 South Busey, stated that he has an adjacent boundary with the proposed lot. His family has lived there since 1965 and enjoyed Miss Perry and her mother as neighbors as well. Since his family moved in, there seem to be more apartment buildings being built in the neighborhood, which means more people, more cars, more noise, more litter, and more light pollution. The purpose of the Zoning Ordinance in the first place was to maintain the balance the neighborhood had.

Mr. Dickel felt that if the fraternity needed a parking lot, then they should be asking for a change in the rules to allow a parking lot to be built, rather than changing the zoning so that there is a possibility of multi-family housing being built there in the future.

Mr. Dickel pointed out that the parking lot would be next to his backyard. There is already a fair amount of litter coming into his backyard. He is tired of picking it up. The parking lot would be next to his property instead of being built next to the fraternity. If the fraternity would build the parking lot on the west lot, then it would save the trees, which are currently between his property and the fraternity. Although the trees are on the Nabor House property, they are valuable to his family. The trees help to protect his family from the noise and litter.

Mr. Dickel had another concern about the value of his property being reduced as a result of the rezoning. In about ten years, when his wife and he plan to sell their home and live in a retirement center, will they be able to get enough from the sale to pay the retirement center and live comfortably?

Mr. Kowalski replied that the Zoning Ordinance would require screening of the parking lot for any adjacent residential properties.

Lisa Treul, of 1002 South Busey, asked permission to speak as both a private citizen and as a representative of the West Urbana Neighborhood Association (WUNA). She mentioned that she lives about 250 feet from 805 West Iowa. When they purchase their home last summer, there were three assurances that made them say that they would be the front home for the rest of the R-2 single-family homes on Iowa Street. Those three assurances were as follows:

1. Her family took much comfort in the fact that there was a diverse zoning pattern and in the fact that the lots at 805 West Iowa were zoned R-3, Single and Two-Family Residential. They knew that an apartment building would never be built on a lot zoned R-3.
2. Her family that since the City had adopted the Downtown to Campus Plan, that the City had a real stake in the neighborhood.
3. The Nabor Fraternity House residents are descent neighbors for the most part. Gabe's Place has been a very responsive property owner as well.

Her family purchased their home and began renovations. They are concerned about their property values and want them protected.

As the Co-Coordinator, Ms. Treul stated that most of the neighbors are against the rezoning. If the rezoning is approved and the Nabor Fraternity House decided to sell the property, then an apartment building could be built with a Special Use Permit. Things happen that you cannot plan. If the City does not amend the text for the existing R-7 lots without any grandfathering to not allow an apartment building to be built in the future, then neighborhood cannot support this upzoning. If the City Council and the Plan Commission approve the R-7 text amendment, then perhaps some of the neighbors would be willing to compromise.

Ms. Treul researched and found that currently the Nabor Fraternity House has only purchased ten parking permits to allow them to park on the street. The rest of the residents might be parking in remote lots. If the residents of the fraternity do not park on the streets, then someone else will.

Ms. Treul commented that most of the neighbors are concerned with parking lots being built around them and with the loss of more green space and lovely trees. More importantly the neighbors fear the loss of their lovely tree line.

Ms. Treul then read written comments from two concerned neighbors and members of WUNA.

Mr. Kangas questioned whether Ms. Treul was more concerned with the idea of a parking lot being built or with the rezoning of the lots? Ms. Treul answered that for her family it was the rezoning. They were hoping that the fraternity would renovate Miss Perry's old house. Zoning is about protecting people. Her family would be okay with the parking lot being built if the text amendment for the R-7 Zoning District is approved.

Sonia Newmark, of 706 West Iowa Street, mentioned that her family just recently purchased their home. They did so knowing that the neighborhood was zoned as residential. It is a unique neighborhood where they can walk to work and walk their children to school. If a parking lot must be built, then the zoning needs to accommodate that project without leaving room to build high-density housing at a future date.

Ann Silvis, of 710 West Pennsylvania Avenue, stated that she previously lived on the 600 block of West Iowa Street. She stated that the Nabor House boys and Miss Perry were very good neighbors. She voiced three points of interest, which were as follows:

1. There is a lot of neighborhood interest in keeping the neighborhood pleasant to walk in.
2. There is some social good that this neighborhood provides for the entire community.
3. In terms of parking, there is an insatiable need for parking. Removing the twelve Nabor House cars from the street will not resolve parking issue, because there will be twelve more cars from the neighborhood.

In summary, Ms. Silvis stated that the issues being discussed are much larger than the rezoning of one block. Everyone needs to be talking about the preservation of the entire neighborhood, land values: the ability of families to purchase these homes and retain their value, parking in general, and about the role of mixed use neighborhood.

Ms. Stake inquired if Ms. Silvis felt it was less safe to have large parking lots in the middle of a neighborhood? Ms. Silvis replied that although it might be creepy walking past a large parking lot, she did not feel that safety was an issue. She felt that the issue was whether there would be single-family homes or big apartment buildings with parking lots.

Kate Hunter, of 510 West Oregon, felt that she has been fighting this battle since 1983 when the neighborhood was rezoned. She stated that it was clear that the West Urbana neighborhood area was already at capacity. Any level of upzoning, which might ultimately result in high-density housing, would break the neighborhood. The City needs to take a look at the wording in the Zoning Ordinance to prevent this. There are already parking and traffic problems as a result from both the high-density housing and the fact that the neighborhood has become an off-campus commuter parking lot for the University of Illinois. Also, there are problems with noise, late night parties, and with vandalism.

Ms. Hunter noted that many property owners have just recently purchased or upgraded their properties with the understanding that the low-density residential nature of the neighborhood was stable. There is a large membership in the West Urbana Neighborhood Association (WUNA), which shows that the members care enough to be active in helping to determine the future of the area.

Ms. Hunter commented that arguments that upzoning the proposed property to R-7 in order to allow the construction of a parking lot to alleviate on-street parking congestion

are false. More cars of both residents and commuters would simply fill those on-street spots vacated by the residents of the Nabor House.

Ms. Hunter would support postponing any decision about 805 Iowa until City staff and City Council have had time to study the long-term effects of this and any other similar requests for upzoning.

Georgia Morgan, of 804 West Nevada, stated that she has lived there since 1971. She agreed with all of the comments about the dangers of upzoning property in way that would allow higher density housing to be built. The goal of the R-7 zoning is to preserve the low-density residential character of the neighborhood and to preserve property values. A parking lot does not preserve low-density residential character, and it would not pay the property taxes that a residential dwelling would pay.

Ms. Morgan added that while the current leadership of Nabor House Fraternity may have the best of visions and the best of intentions now, the next generation might have different visions and needs. The need for capital might tempt a later generation to sell the proposed property to someone who has totally different values and needs. The residents of Nabor House are agriculture majors, thus they know what happens when large areas are paved over. Wildlife habitat is eliminated and the availability of water for adjacent vegetation is altered in a way that is not beneficial to the vegetation.

Curtis Pettyjohn, of 405 West Illinois, mentioned that he just recently purchased his property and is in the process of renovating his property. He moved to this area because he can walk to work, walk to the University of Illinois, and to the library. There are many, many wonderful things about the West Urbana neighborhood area. Mr. Pettyjohn stated that he found the number of houses being torn down in the neighborhood appalling. He added that he does not understand how a neighborhood could be held together when it is allowed to be pulled down piece by piece. The residents of Nabor House are good people. There is a problem with automobiles. It is not a good idea to move people out by tearing down homes to move automobiles in by building more parking lots. It is not a good idea for strengthening a neighborhood. He asked for clarification on what the difference would be in taxes between a home and a parking lot. Mr. Kowalski replied that the taxes would depend on the improvement of the lot. Mr. Pettyjohn noted that it really bothers him that with every house that is tore down, the tax base is being eroded. He wondered if the Nabor House residents looked after Miss Perry and her property, then why did the residents not maintain the roof of Miss Perry's house as well?

Ms. Stake asked if Mr. Pettyjohn had seen many parking lots being built in place of torn down residential homes in the West Urbana neighborhood? Mr. Pettyjohn replied that the Presbyterian Church on Green Street recently tore down two residential homes to build a parking lot. The funeral home on Green Street was torn down, and the owners are trying to tear down another residential home on Elm Street behind the previous funeral home. More houses on both Oregon and on California are coming down for Leal School. Although they are being torn down for good reasons, once again empty lots and no

houses bring no taxes being paid to the City. The City needs to take a close look at the number of houses being torn down and protect against it.

Mr. Dallas reproached the Plan Commission to clarify that the Board of Directors of the Nabor House Fraternity were extremely disappointed when they found that Miss Perry's house was irreparable. The Board was hoping to be able to rent the house out and make some money while they were developing their plans for their property. Also, it was never their plan to let the house deteriorate to where it should be torn down. As far as screening and lighting for the parking lot, the Nabor House will follow the rules in the Zoning Ordinance.

Ms. Stake asked if the Nabor House Board of Directors got an estimate on how much it would cost to renovate Miss Perry's old house? Mr. Dallas replied no. He stated that the house could be renovated if the Board of Directors was willing to put a lot of money into it and do all the work themselves.

Helene Dickel, of 1005 South Busey, pointed out that she did not get notification of this public hearing and wondered if she could get a copy of the packet. Mr. Kowalski replied that staff would get her a copy. He added that everyone within a 250-foot radius of the proposed area would be notified that this hearing would be continued on April 4, 2002.

Chair Pollock adjourned this case and stated that the Plan Commission would reconvene this case till their next meeting.

**CCZBA Case #326-AT-02: Amend Section 13.1 to prohibit granting Variances or Special Use Permits or issuing Zoning Use Permits or Zoning Compliance Certificates on lots where outstanding ordinance violations are located.**

Mr. Kowalski presented the staff report regarding this case. After a brief introduction and background, he reviewed the limited exceptions. He summarized the staff findings and read the option of the Plan Commission. Mr. Kowalski noted that staff recommended that the Plan Commission forward this case to the Urbana City Council with a recommendation to defeat a resolution of protest for the proposed text amendment based upon the findings summarized in the written staff report.

Ms. Upah-Bant questioned why the City of Urbana did not need this amendment? Mr. Kowalski answered that the City of Urbana handles code enforcement in a different fashion than Champaign County does. Champaign County has traditionally beefed up their enforcements for zoning violators. Ms. Upah-Bant asked if it would not make sense to utilize this amendment? Mr. Kowalski replied that he felt it was a tool that the City could look into if wanted. Ms. Upah-Bant inquired as to why the County Ordinance needed this and the City did not? Mr. Kowalski responded that staff was only recommending that the City of Urbana not change the City Zoning Ordinance to include this amendment at this time. However, this amendment is not a bad idea. Ms. Tyler added that the County might have violators that are making this amendment necessary or desirable. The City of Urbana does not really have that situation where people with co-violations are coming back for more permission.



Ms. Stake moved that the Plan Commission forward CCZBA Case # 326-AT-02 to the Urbana City Council with the recommendation to defeat a resolution of protest for the proposed text amendment based upon the findings summarized in the written staff report. Mr. Kangas seconded the motion. The roll call was as follows:

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

The motion was passed by unanimous vote.

**Plan Case #1817-M-02: Zoning Ordinance Map Review.**

Tim Ross, Senior Planner, gave the staff presentation for this case. He stated that each year the City must officially approve the zoning map, which reflects the previous year's annexations, subdivisions, final plats, and other zoning changes. The proposed map would reflect everything that has happened between March 20, 2001 and March 20, 2002. Mr. Ross handed out a "Revised Annexation Table". He reviewed the annexations, rezonings, and subdivisions. He pointed out the amendment to the Medical Institutional Campus Special District. He read the options of the Plan Commission regarding this case. Mr. Ross stated that staff recommended that the Plan Commission forward this case to the Urbana City Council with a recommendation for APPROVAL of the revised and updated Official Zoning Map.

Ms. Stake moved to send this case to City Council with the recommendation for approval. Mr. Rank seconded the motion. The roll call was as follows:

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

The motion was passed by unanimous vote.

**8. NEW BUSINESS**

There was none.

**9. AUDIENCE PARTICIPATION**

There was none.

**10. STAFF REPORT**

Mr. Kowalski gave a staff report on the following:

- CCZBA-273-AT-00: This case passed through City Council with the Plan Commission's recommendation to defeat the protest.
- Text Amendment to the Zoning Ordinance regarding Electronic Message Board: The City Council adopted this as a text amendment. Included were certain requirements for distance from residential uses and from similar electronic message signs.
- Downtown Strategic Plan: The City Council adopted this plan with the Plan Commission's recommended changes.
- Comprehensive Plan Steering Committee continues to meet monthly. Staff has a final report of the Neighborhood Workshops. Students from the University of Illinois conducted a door-to-door survey. The Steering Committee is at the stage of putting together a Vision Statement and is starting to put some goals together as well.

**11. STUDY SESSION**

There was none.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

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Rob Kowalski, Secretary  
Urbana Plan Commission