

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 4, 2002
TIME: 7:30 P.M.
PLACE: Urbana City Building
400 South Vine Street
Urbana, IL 61801

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

MEMBERS EXCUSED: Christopher Alix

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

OTHERS PRESENT: Bill Champion, Pat Cardenas, Joanne Chester, Elizabeth Cronan, Laurelyn Crokek, Larry W. Dallas, John & Helene Dickel, Kenny Eathington, Jesse Edlefson, Nate Edlefson, Jeff Egan, Edward Field, Daniel & Laurie Goscha, Joe Harlan, Matt Herpstreith, Kate Hunter, Sharon Irish, Jason Jaeger, Linda Lorenz, Tim Macholl, Georgia Morgan, William Myers, Steve Nightingale, Gabe Omo-Osagie, Esther Patt, Blake Patterson, Curtis Pettyjohn, Michael & Elizabeth Plewa, Jan Predmore, Ron Rothschild, Bryan Schallenberg, Muriel Scheinman, Samuel H. Serven, Ellen Siffin, Katheryne Stoll, Rod Stoll, Joel Super, Susan Taylor, Lisa Treul

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

The Plan Commission could not approve the minutes from the March 21, 2002 meeting due to the fact that they were incomplete. However, those minutes will be ready for approval at the next Plan Commission meeting.

4. COMMUNICATIONS

- ✓ Email from James Barkley
- ✓ Email from Helene Dickel
- ✓ Email from Laurie Goscha
- ✓ Letter from Zachary & Mary Graham
- ✓ Email from William Huff
- ✓ Email from Janice Juraska
- ✓ Email from Linda Lorenz
- ✓ Email from Diane Marlin
- ✓ Email from Georgia Morgan
- ✓ Email from Michael Plewa
- ✓ Email from Timothy Brook Smith
- ✓ Email Petition of Protest
- ✓ Letter from Drs. Helene and John Dickel
- ✓ Petition of Protest signed by residents of the West Urbana Neighborhood

5. NEW PUBLIC HEARINGS

Plan Case # 1816-T-02: Request by the Zoning Administrator to amend Table V-1; Table of Uses of the Zoning Ordinance as it pertains to the R-7, University Residential zoning district.

Rob Kowalski, Planning Manager, presented the staff report. He gave a brief introduction by stating that this request was for an amendment to Table V-1; Table of Uses of the Urbana Zoning Ordinance to no longer allow dwelling, multi-family to be permitted in the R-7 Zoning District with a Special Use Permit. He provided background regarding this case by explaining that the intent of the R-7 zoning district in part was “*to protect adjacent residential districts from incompatible developments*”. He discussed the history of the R-7 Zoning District. He described the primary changes that were made to the R-7 Zoning District in 1990 as a result of the adoption of the Downtown to Campus Plan. He reviewed the breakdown of the currently zoned R-7 properties. Mr. Kowalski summarized the staff findings and read the options of the Urbana Plan Commission. The staff recommendation was as follows: *Based on the evidence presented in the staff report, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommended that the Commission recommend APPROVAL of the proposed text amendment to the Zoning Ordinance, as presented herein.*

Lisa Treul, of 1002 South Busey Avenue, supported the R-7 zoning text changes. She believed that it was in keeping with the spirit of the Downtown to Campus Plan. By accepting the text change in the R-7 zoning district to not allow more apartment buildings to be built with a Special Use Permit, it will parlay the way for a “win-win solution” to this complex and thorny issue

regarding the Nabor House Fraternity wanting to rezone their lot to R-7 in order to use the lot as a parking lot.

Laurelyn Cropek, of 715 West Washington Street, spoke in favor of the changing of the text defining the R-7 zoning district in Urbana. She has lived in the West Urbana neighborhood area for the last ten years and has seen the neighborhood change significantly since moving in. She has seen new apartment buildings built close to her property and experienced problems related to the traffic.

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

Mr. Hopkins	-	Yes	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.

6. CONTINUED 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.

Mr. Kowalski presented an update of the staff report. He responded to the questions that had been raised at the last public hearing on March 21, 2002 regarding taxes, parking lot design (including setbacks and screening of the parking area), apartments in the R-7 zone, and an explanation of the staff recommendation, which was mostly based on the La Salle National Bank Criteria. After a number of staff discussions and meeting with the West Urbana Neighborhood Association (WUNA) and members of the Nabor House Fraternity Board, staff felt that by changing the text in the Zoning Ordinance regarding the R-7 Zoning District to not allow apartment buildings in an R-7 zoning district with a Special Use Permit, then maybe some of the WUNA members and other residential property owners might accept the rezoning of the Nabor House Fraternity. However, that was not the case.

Ms. Stake asked if the protest needed to be notarized in order for the 40% in opposition to force a supermajority vote? Mr. Kowalski replied that he would check on that.

Joe Harlan, of 713 West Stratford Drive in Peoria, Illinois and President of the Nabor House Fraternity Board, mentioned that he lived in the Nabor House in the late 1970s. For years, the Nabor House Fraternity has had a good relationship with Miss Ann Perry, the previous owner of the property in question. It was her wish that Nabor House would have the opportunity to purchase the property, which the Nabor House accomplished in the Summer of 2000.

Mr. Harlan mentioned that over the last month, the Nabor House Fraternity has enjoyed visiting and cultivating relationships with their neighbors during the rezoning process. During March 7, 2002, a small group from the Nabor House attended a meeting of the neighborhood and

attempted to understand and bridge differences of opinion regarding the property development plans. Although there were concerns about the parking lot and green space itself, the Nabor House understood the primary concern to be that any rezoning could open the door for a Special Use Permit for an apartment building. After the meeting, the Nabor House Fraternity received email from a couple of neighbors. One was from the neighbor residing at 1003 South Busey, in which the neighbor stated that a parking lot was okay and would be better than an apartment building overlooking his yard. In another follow-up email to the meeting, the sentiment was expressed that all could find a win-win solution. Everyone agreed that the spirit of working together to preserve the neighborhood was also expressed at the meeting. This eventually led to the meeting that was held on March 12, 2002. The main focus was to find a way around the possibility that the property once rezoned could eventually be used for apartment development. Again, the cooperation seemed strong. The Nabor House Fraternity had expressed that their intent was only to expand the grounds of the fraternity and provide parking for their residents.

Mr. Harlan continued by pointing out that the Nabor House Fraternity has been a resident of Urbana since 1939, and at the location at 1002 South Lincoln since 1965. They have a very strong history and alumni base and expect to be there to stay. Nevertheless, the Nabor House Fraternity understood the concern of the neighbors. The neighbors did not want to take the chance of eventual other development like an apartment complex being built through the existing Special Use provision. Through the cooperation of WUNA's representatives, Nabor House and the Plan Commission, this Special Use Condition has been voted out in the R-7 Zoning District. Cooperation is a large part of the ideals and philosophy of the Nabor House Fraternity. It is reflected in their motto: *Educate, Cooperate and Recreate to make farm life the best life of all.*

The Nabor House brought the same spirit to this project as well by talking directly with those who opposed the project in hopes of working out compromises, hustled to provide preliminary sketches of the potential parking lot layouts, and now have undertaken additional expense to develop preliminary attractive landscaping plans. Also, the Nabor House Fraternity has invited input from members of the neighborhood on their parking and landscaping designs. They intend to create an attractive recreational green space and parking area. They have tried and will continue to try to take the neighbors into consideration. The Nabor House wants to be a strong pillar for the entrance to the neighborhood.

Mr. Harlan mentioned that after it became apparent that opposition to the Nabor House rezoning request was growing in spite of progress on the elimination of the Special Use Permit, the Nabor House felt that they must try to uncover some supportive signatures and statements. They undertook a quick survey of the immediate neighborhood by going door-to-door asking for signatures. During their trip through the neighborhood, they enjoyed talking with some very nice people. Through talking with different people, the Nabor House representatives began to realize that the neighborhoods' concerns stem from the gradual change in the area over the years. Several of the properties down Iowa Street are now populated by students, and parking is a constant issue along the street.

Mr. Harlan ended his testimony by saying that with being an agricultural fraternity, they have experienced a somewhat similar change. Small family farms are steadily declining in favor of larger corporations. Many of their graduates after returning to the farm have been recently forced into other careers. It is becoming more difficult to fill the Nabor House Fraternity with

agriculture majors. But Nabor House will adapt and diversify to some extent. Although there are currently a few non-agriculture majors in the house, their cooperative ideals remain intact. They believe that they are being viewed unfairly as part of a transformation that has taken place over the years as a function of being so close to the University of Illinois. However, the Nabor House Fraternity is not a new expansion, and it is a solid resident of the community and has been for years. In their proposal, the Nabor House Fraternity are providing a solid anchor for the area, reducing the potential population density, and getting a number of cars off the street, which could only serve to help the congested parking.

Bill Campion, of 1188 County Road, 00 East in Wyoming, Illinois and Secretary of the Board for the Nabor House Fraternity, submitted the petition in support of their request. He read what the petition stated. He noted that the petition had been signed by nineteen neighbors in the few square blocks surrounding the property at 805 West Iowa Street. Mr. Campion then read from a letter written by Russell W. Snyder and Priscilla D. Snyder to the Nabor House Fraternity.

Mr. Douglas asked if there was any reason or evidence to believe that the construction of this parking lot would reduce the number of vehicles being parked on the street? Mr. Harlan replied that the Nabor House does not have any confirmed evidence. There are currently eleven residents of the Nabor House who park on the street. There are three residents who park in the drive at 805 West Iowa Street. There are about seven residents who unusually do not have cars this semester. Therefore, the proposed parking lot would remove twenty cars from being parked on the street.

Mr. Douglas asked how many parking spaces would the Nabor House have in the parking lot? Mr. Harlan responded that there would be approximately twenty-five spaces.

Ms. Tyler noted that there was a section in the Zoning Ordinance that deals specifically with protest procedures, which is for City Council. To force a 2/3 vote of the City Council, a petition must have signatures of at least 40% of the property owners within 250 feet of the property. She added the protest that was submitted appeared to be a broader protest. However, before this case goes before City Council, whoever was passing the petition should look at the protest procedures and seek to do it accordingly.

Lisa Treul, of 1002 South Busey and Co-Coordinator for WUNA, noted that WUNA did not facilitate the petition of protest. She restated that she supported the R-7 zoning text change, because the neighborhood was looking for a "win-win solution". She felt that a parking lot, although it is not ideal or something that she wants, would be a lesser of evils. Instead the Nabor House could sell the property at 805 West Iowa Street, and the new owner could subdivide the lot, because it is actually two lots. Then, the new owner could develop two duplexes on each lot. As a result, sixteen new residents would be allowed in the neighborhood with sixteen more cars parking on the street. Or the owner could develop a parking lot in the backyards of the duplexes. The neighborhood would end up with a parking lot and sixteen more residents. Therefore, she supported the Nabor House Fraternity being able to construct a parking lot on the property. She urged the Nabor House to sit down with the neighborhood and get input regarding the screening. Ms. Treul invited the public to attend the next WUNA meeting on Thursday, April 11, 2002 at 7:00 p.m. in the Lincoln Square Mall. The neighborhood needs to be pragmatic about the situation. She summarized by stating that she would only support the upzoning of 805 West

Iowa Street to R-7, University Residential if the City Council approves the text change regarding the R-7 zoning district.

Gabe Omo-Osagie, of 2409 North High Cross Road, stated that he supported the Nabor House being able to build the parking lot. No one in their right mind would want to move a family there. What else could the property be used for other than a parking lot? The house is not habitable.

Laurelyn Crokek, of 715 West Washington, felt torn about what to support. She is against the upzoning of any property in the West Urbana neighborhood; however, she is looking for a practical solution. The Nabor House Fraternity has been a responsible neighbor and has been responsible in this process by working with long-term members of the neighborhood. There is a parking problem, and this project might help solve some of that problem. She does not want a parking lot “catty-corner” to where she lives; however, if a choice has to be made between a parking lot and higher-density housing, then she would choose the parking lot. She felt forced to support the rezoning of the property to R-7 pending the language change.

Ms. Stake pointed out that if the property is rezoned to R-7, University Residential, then it does not mean that a parking lot would be built. Once rezoned to R-7, the Nabor House Fraternity or any future owner of the property could build anything that would be allowed to be built in a R-7 zoning district.

Katheryne Stoll, of 1106 South Lincoln Avenue and Little Sister to the Nabor House Fraternity, has been inside the house that would be torn down to build the parking lot. She added that it is not a very stable structure. She mentioned that she has become very familiar with parking in the Urbana area. After paying several hundred dollars in parking tickets, she felt it would great to have a reliable parking lot to park in when needed. The City should consider the students as well as the residents in Urbana.

Michael Plewa, of 708 West Iowa Street, commented that he has been a resident of Urbana since 1974. One of the items that attracted him to the University of Illinois was the West Urbana area. He could walk to his laboratory from home, have students over to his home, and practice some of the environmental precepts that he teaches to his classes.

Mr. Plewa stated that there is a problem with parking in this neighborhood. The problem is that all the students have cars. He does not understand the connection between being a student and having a car. This is a residential neighborhood.

Mr. Plewa continued to say that if there was a guarantee that a parking lot would be built, then he might be persuaded and might be more comfortable with the rezoning. Nevertheless, as Ms. Stake pointed out that there are no guarantees for that.

Mr. Plewa pointed out that the West Urbana neighborhood could not stand much more density in it. Since 1978, he has invested more money into his home for upkeep than he spent purchasing the home itself. He delights in being a member of this diverse and wonderful neighborhood. He never sees downzoning. With more loud music coming from the fraternity houses, more garbage and cars on the street, and more rapid driving down the street, the residential neighborhood is

slipping through their fingers. It has nothing to do with being anti-student or anti-fraternity. What it is saying is that the neighborhood is essentially being confronted by significantly increasing the R-7 distance of the Nabor House Fraternity.

Mr. Plewa commented that when the City decides to upzone a property, then they need to have a really good reason to do so. He does not see this project as being a good reason. He stated that Mr. Omo-Osagie was correct when he said that no one in their right mind would want to live at 805 West Iowa. There are apartment buildings on two sides of that property and a fraternity on the other side. The zoning districts are supposed to supply diversity in the neighborhood. By causing upzoning, it would essentially make the entire 800 block a high-density, multi-family and student area. That is not what the Downtown to Campus Plan argued for. He is forced to be in opposition to this upzoning, because it does not guarantee a stable contribution to the neighborhood.

Daniel Goscha, of 612 West Iowa Street, heard repeated several times at this meeting that parking was the only concern and that by allowing the rezoning to take place and thus the parking lot to be built that it would be a "win-win situation". He pointed out that the parking is not the only concern. There is also the concern of aesthetics. The Nabor House representatives mentioned that their only intention was to build the parking lot. Mr. Goscha argued that the residents of the Nabor House Fraternity are transient. What happens ten years from now when the Nabor House's membership increases and they decided that they need more space? There is no guarantee.

Mr. Goscha talked about how the house that the Nabor House Fraternity purchased from Miss Perry could not be saved and was creepy inside. There have not been any qualified contractors testify that this was true. A creepy house can be renovated. The house that his family purchased and is living in was at first creepy inside. His family is in the process of renovating their house.

Mr. Goscha discussed the parking issue. The Nabor House had commented that by building this parking lot, they would be able to remove fifteen cars from the street. It will not take long for another fifteen cars to take those on-street parking spaces. This will only increase the traffic flow.

Mr. Goscha noted that the property owners of the residential homes stand to lose their property values. The homeowners also stand to lose the potential to sell their homes.

Mr. Goscha finished his testimony by saying that Lincoln Avenue draws the line between the university area and the residential area. Therefore, the City needs to make decisions that are consistent with preserving the residential quality of the area. A parking lot is not consistent with that.

Mr. Goscha brought up when Ms. Stake raised a question at the last meeting about the safety concern of a parking lot being built. He found one joint study between San Diego State University, NASA, and a law enforcement group that showed evidence that multi-resident apartments in proximity to parking lots are crime attracters. So, in fact, there is a safety issue and crime issue involved.

Laura Goscha, of 612 West Iowa Street, stated that she was in opposition to upzoning the property in question. The City of Urbana has had a very clear focus on maintaining and revitalizing the Historic Downtown, and she felt that philosophy should be extended throughout the entire community. Tearing down a single-family home to create parking for transient boarders is not consistent with the desire for the Historic Preservation of Urbana. Her family bought their home with the belief that the neighborhood was turning around for the better, and that their investment would help to play a part in that rehabilitation. They love Urbana's downtown, schools, and neighborhoods. However, they are dismayed by the decline in transition to increased rental properties over the last decade. Had they known that a parking lot was being considered at the property in question, the Goschas would have not purchased their home.

Ms. Goscha mentioned that there are often complaints that the University of Illinois is buying up the tax base of Urbana. She believed that allowing temporary University of Illinois boarders to destroy another single-family home is an extension of this takeover.

Ms. Goscha agreed with Mr. Goscha that Lincoln Avenue is the symbolic gateway to Urbana and the division with the University of Illinois. This is a line that must be maintained for the health of Urbana's neighborhoods.

Emily Laugesen, of 1103 South Orchard Street, recognized that, by living in West Urbana and working for the University of Illinois, everyone needs to cooperate and make a solution to these problems. She was sympathetic to the needs of the transient population. She was a transient up till about two months ago when she bought her house, and some of her best friends are transients. The West Urbana neighborhood is the only primarily owner-occupied neighborhood that is adjacent to the University of Illinois. It is the only place where someone can buy a home and be within walking distance of the University of Illinois and of the amenities of Downtown Urbana. Before the City of Urbana considers upzoning a property that would materially lessen the residential quality in the neighborhood, the City should consider the aspects of the neighborhood.

Muriel Scheinman, of 907 South Busey, mentioned that she walks down Iowa Street every day to catch a bus. The neighbors are very good. The enemies are not the students. However, she is passionately against having a parking lot built there. The parking lot would not alleviate any parking problems. She is also distressed by the fact that this property was being considered to be upzoned. She was pleased with the Downtown Plan and felt that it would retain the neighborhood's character. The balance of students and long-term residents is good for the neighborhood. She felt that the rezoning would damage the neighborhood and create issues of safety and aesthetics. She was concerned that the upzoning of this property would set a precedent for other property owners as well. She believes that the City of Urbana has given up on the West Urbana neighborhood. She reminded everyone that once the property is rezoned, then the owner is not obligated to build a parking lot. The property owner could build a rooming house instead. Mr. Scheinman encouraged the Plan Commission members to take a walk down the street and envision cars pulling out of the proposed parking lot and driving down the street.

Joel Super, of 703 West Pennsylvania and Chair of WUNA's Parking Action Committee, believed that the Nabor Fraternity House had good intentions. He commented that this upzoning would be a dangerous precedent for this neighborhood. He added that one of the great values of the Nabor House location is its walking distance within the University of Illinois. Furthermore,

the University of Illinois does provide an option for all the students on campus who need cars to get back and forth to work and their homes with remote parking. Finally, he noted that twenty-five cars being an advance would be ridiculous. He had not seen any reduction in on-street parking in the fifteen years that he had lived in this neighborhood, and he probably will not in the future either. He stated that he was not in favor of this upzoning for these reasons.

Ellen Siffin, of 711 Iowa Street, stated that according to Exhibit C of the staff report dated March 28, 2002, there are only four blocks that a person would have to walk from the Nabor House to a University of Illinois parking lot. She mentioned that she was on the Parking Task Force along with Mr. Super. They worked for many months to create a parking plan for WUNA. Unfortunately, they were not allowed to continue to finalize the plan. Ms. Siffin felt that a simple solution might be to give a limited number of parking permits per block. Those permits would be passed out through a lottery.

Sharon Irish, of 608 West Iowa Street, was opposed to the proposed parking lot. She stated that parking lots provide parking spaces for cars and do not allow for rainwater to seep into the ground. In the larger scheme of things then, there would be an increase in the use of oil to fuel cars and problems of water run-off and pollution. She felt that other transportation methods should be explored.

Kate Hunter, of 510 West Oregon, has lived at this residence for thirty years. A parking lot is the least desirable of all land uses for everywhere, particularly in a residential district. The reasons being: 1) aesthetics, 2) environmental concerns, and 3) nuisance concerns, including noise, light, exhaust fumes, and traffic. Other neighbors had stated during their testimonies that the problem with late night noise and parties coming from the Nabor House had increased. She felt that a parking lot would cause the problem to increase even more.

Ms. Hunter noted that the assessment on this property had been reduced about two years ago due to the fact that it was vacant and by the request of the then owner. The current equalized value of the house at 805 West Iowa was well under its historic and future value. Although it was stated that a parking lot would not reduce the tax value, she stated that there are other possibilities that might increase the tax to what it once was.

Ms. Hunter commented on the parking situation. She stated that after 10:30 a.m. it is pretty hard to find a space anywhere between the 800 and 500 blocks of Iowa.

Ms. Hunter remarked that the spirit of cooperation with the Nabor House had been a nice thing. She hoped that if the decision went against the Nabor House's wishes, then the Nabor House Fraternity would work with the neighborhood to find a new use for the property.

John Dickel, of 1005 South Busey, stated that with a secure present zoning, he would purchase his home all over again. However, if the proposed property would be rezoned to R-7, University Residential, then he would not purchase his home. He would be too insecure about maintaining their house. His wife and he are close to retirement and will probably be moving out within the next ten years. He does not see how his house would be sellable to an owner-occupied family.

Linda Lorenz, of 409 West High Street, noted that she bought her house in this neighborhood so that she could ride her bicycle to work. Properties being rezoned to R-7 are increasing and needs to stop. The neighborhood does not want this. Property owners will lose their property values and the character of the neighborhood.

Curtis Pettyjohn, of 405 West Illinois, spoke in opposition. He mentioned that he talked about noise pollution in his email. People can pick up trash off of the streets; however, you cannot stop the noise. The house at 805 West Iowa acts as a sound barrier to the inner neighborhood and blocks a lot of the noise that comes from the intersection of Lincoln Avenue and Iowa Street.

Mr. Pettyjohn stated that he would have purchased 805 West Iowa if the property had been on the market. The property has a lovely large house on it. He does not understand why this property is being considered not a viable piece of property as a single-family home.

Mr. Pettyjohn added that there is a rich history of students in the neighborhood. The students are not the problem; however, the automobiles that seem to come with the students are an issue. He noted that if the house at 805 West Iowa would be rehabilitated and sold, then the taxes would not be the same as a parking lot.

Jan Predmore, of 605 West Ohio Street, talked about one of her experiences on a trip to Beijing, China. She commented that it was quieter in Beijing with more people in the street than it is any given morning on Ohio Street in Urbana.

Kenny Eathington, from Peoria, Illinois, stated that he was a resident of Urbana from 1979 to 1983 at 1002 South Lincoln Avenue (the Nabor House Fraternity). He has served on the Nabor House Alumni Board. He summarized the Nabor House's petition request by saying that the Alumni Board owns the property, pays the taxes, maintenance and upkeep. The house at 1002 South Lincoln Avenue is subject to regular inspections and meets code.

Mr. Eathington commented that there are no disagreements between the Nabor House and the neighbors regarding the preservation of the neighborhood. The Nabor House purchased the property at 805 West Iowa for the reason that they did not want an apartment building in their backyard. By purchasing the property, the Nabor House felt that this would enhance the value of 1002 South Lincoln Avenue and enhance the overall value of that property to the neighborhood. The Nabor House has been up front with the neighborhood. They want to expand the parking lot, which is already tight. They also want to improve the green space. He added that the Urbana Code is very comprehensive in its requirements for a parking lot. The screening and buffering requirements are included in the Urbana Code to address the transition of the properties from a higher density use to a lower density use. He stated that the Nabor House was just asking to be allowed to use the property for what they need it for.

Mr. Eathington commented that the fraternity house at 1002 South Lincoln is a pretty big house and serves as a sound barrier as well from the traffic on Lincoln Avenue. He noted that Miss Perry supported the Nabor House Fraternity, and this was clearly conveyed by her giving the Nabor House Fraternity first option of buying the property at 805 West Iowa.

Mr. Eathington stated that the issue is not with the parking lot. The issue is one of rezoning and whether it is proper under the Urbana Zoning Code. He stated that the rezoning is proper. He mentioned that the staff report was outstanding. In preparing the report, staff took into account the Zoning Code, the Downtown to Campus Plan, the current Illinois laws and the Illinois Case Laws. Although he agreed that the testimony of the neighborhood was important, he felt that it was important to look at the recommendation of the staff and the analysis that went into the staff report.

Mr. Eathington addressed the public comments about the City of Urbana setting themselves up for a dangerous precedent that once this property is rezoned, then requests for upzoning will come flooding in. He commented that every case is decided upon its facts. The LaSalle Criteria is fact intensive. The Plan Commission should look at the property's location and the relationship to other zoning classes in the area. This property is surrounded by R-7, University Residential for the most part. The rezoning of this property to R-7 is consistent with this neighborhood. It is also consistent with the Downtown to Campus Plan, because it addresses the need to balance the needs of different housing in the West Urbana area. He mentioned that one of the concerns that was spelled out in the long-term actions of the Downtown to Campus Plan was a way to address the parking issue. He was not saying that a parking lot for the Nabor House Fraternity would solve Urbana's parking problems. The Downtown to Campus Plan suggests that Urbana needs to study alternatives. One of the suggestions mentioned in the Plan was additional parking supplies such as constructing scattered lots. Again, the protection to the neighborhood and values of properties in the neighborhood is the Zoning Ordinance, which contains very strict criteria on how those parking lots are to be constructed.

Mr. Eathington in summary expressed that it was important to look at the location of the property. This case has to stand on its own facts and merits. It does not set a dangerous precedent for future upzoning cases. It is important to remember that the Nabor House has been at this location since 1965. It has been a good neighbor of Urbana, and wants to continue to be a good neighbor. The Nabor House solicited the input of the neighborhood. The sound reasoning of City staff and their analysis under the various laws support the approval of this request. He encouraged the Plan Commission to adopt the staff's report on the rezoning request and follow the staff's recommendation to approve this property for rezoning to R-7.

Mr. Douglas asked if the Nabor House was planning in the future to build a new Nabor House facility? Mr. Eathington answered that he did not believe that the Nabor House's cash flow would allow them to build a new fraternity house.

Steve Nightingale, of 1002 South Lincoln Avenue, felt offended by what the neighborhood had commented on during testimonies given. He felt that the Nabor House was unwelcomed in the neighborhood. He never felt this way before in working around the neighborhood. The Nabor House Fraternity residents try to be good people and neighbors to the other residents in the neighborhood. Transient students pay taxes as well. Mr. Nightingale also commented that times are changing, and more students are driving cars to school. Residents of the Nabor House need vehicles handy to be able to drive home and help out on the farms. The house at 805 West Iowa could have been saved twenty years ago, but not now.

Mr. Nightingale stated that he was proud to part of the Nabor House Fraternity. There have been about 400 good men come through the fraternity. It has a family atmosphere and is the same type of atmosphere that everyone wants in the neighborhood.

Ms. Upah-Bant asked how many parking spaces there currently were for the residents of the Nabor House? Mr. Nightingale replied that there are fourteen cars at 1002 South Lincoln, and there are three vehicles that are parked in Miss Perry's driveway. Ms. Upah-Bant inquired as to how many residents live at the Nabor House? Mr. Nightingale answered that there are currently thirty-three residents.

Ms. Hunter reapproached the Plan Commission. She commented that one of the requirements of screening for parking lots is three feet high, which would not protect any neighboring property from light, noise, car exhaust or trash. Parking lots were never an intended use for R-3, Single and Two-Family Residential Zoning District. When the Nabor House purchased this property, they knew that the property was zoned R-3, and that they would have to go through this process. Ms. Hunter mentioned that at one of the WUNA meetings there was reference made to a fundraising plan to get funds to renovate and possibly expand the current house.

Michael Kinate, of 107 Sterling Court in Savoy, Illinois, mentioned that he was a former resident of the Nabor House Fraternity. He had the opportunity to meet Miss Ann Perry a few years back. It was her intention that Nabor House have the opportunity to obtain this property and use the property for their purposes. Although it is a strong emotional issue, the Plan Commission should only look at the facts of the case.

Rod Stoll, of 406 West Tomaras in Savoy, Illinois and Advisor to the Nabor House Active Chapter, addressed the comment made about expanding/building a new fraternity house. He stated that a seed was planted with the 500 alumni base of the Nabor House Fraternity that it was desired to come up with the funds by 2014 to either remodel the existing structure at 1002 South Lincoln or to erect a new structure (if funding is available). In regards to the transient students comments, he reminded everyone that those transient members are the reason why many people have jobs in the Champaign-Urbana area. He would not want to plant the seed with the students that live on Lincoln Avenue and in fraternities, sororities, and other University zoned properties that they are just transient commuters that the residents of Urbana has to deal with. Finally, regarding the parking, Mr. Stoll commented that the Nabor House wants a green backyard as well. More than 20% of the property at 805 West Iowa will be green grass.

Ms. Stake asked if the Nabor House currently had any green space? Mr. Stoll responded that the Nabor House has the buffer zone around 1002 South Lincoln Avenue, and that there was a little green space in the front yard. The backyard is parking space only with no green space.

Helene Dickell, of 1005 South Busey, noted that a good fraction of the proposed parking lot was currently trees, which will be removed to build the parking lot.

Elizabeth Plewa, of 708 West Iowa Street, was opposed to the upzoning of the property at 805 West Iowa Street. If the property is zoned to R-7, University Residential, then at any time in the future, the property can be used for any purpose allowed in the R-7 zoning district.

Ms. Tyler remarked on the condition of the house at 805 West Iowa. She noted that City Building Inspectors had inspected the property, and that the property was in poor condition. It is much worse on the inside than on the exterior. According to the Housing Inspector, it would cost more to renovate than the property could be worth.

Ms. Stake opened the Plan Commission discussion by saying that she worked very hard to get the downzoning for the West Urbana neighborhood. It was to preserve the residential area. The Plan Commission should keep in mind that it is for students and long-time residents. If we start to build parking lots, then that is not preserving the residential area. Property values will go down if there are parking lots every few blocks. No one is against the Nabor House Fraternity. No one was saying that the Nabor House residents are bad neighbors. The issue is whether or not to rezone the 805 West Iowa property to R-7, University Residential. It will make a big difference as to what happens to that property. The City of Urbana and the neighborhood wanted a mix of housing in the West Urbana area, not one whole block of University housing. It is a fragile neighborhood as well as a historical neighborhood.

Ms. Stake continued by saying that accommodating vehicles will ruin residential neighborhoods. There are alternatives to transportation. We need to start thinking about more public transportation. We need more walkways, more bike paths, and better Mass Transit.

Ms. Stake commented that the City of Champaign did not save their neighborhood next to the University of Illinois. Champaign allowed the developers to come in. The developers are eager to rent or sell property. The northeast corner of Lincoln Avenue and Iowa Street is a disgrace to the whole City of Urbana.

Ms. Stake emphasized that when the R-7 zoning district was being considered, City Council was thinking about some student housing among the single-family residents. In this case, the environment should be the first concern of the Plan Commission members. She was glad to see that someone had researched on the safety concerns of a parking lot being built. She stated that she was going to vote against this proposal.

Mr. Douglas commended the Nabor House Fraternity and the residents of the neighborhood to get together and discuss conflicts ahead of time. He urged the two groups to continue to work together in the future. The Nabor House Fraternity has been there since 1965, and it has been there as long or longer than some of the other residents in the neighborhood. The Nabor House appears to be good neighbors. They have a right to the zoning application. The request is proper. Mr. Douglas did not feel that the parking lot would be detrimental to the neighborhood. Therefore, he would vote in favor of this request.

Mr. Rank felt that the real challenge to WUNA was the cost of maintaining 70, 80 and 90 year old homes. The economics of this challenge make converting them to rentals desirable and economical. Upon looking at the current zoning map, under present R-2 zoning, virtually every single-family home between Green Street and Michigan Avenue and between Lincoln Avenue and Race Street can be converted to a rental unit with up to four unrelated adults, add an external stairway up to the second floor, or be turned into a duplex. He felt that this was a bigger long-term problem that needed to be addressed. This upzoning will have a minimal impact on the West Urbana neighborhood.

Mr. Kangas had mixed emotions. If a developer were building multi person housing, then the City of Urbana would require off-street parking. Why does the City not allow parking for an existing facility? The adding of a parking lot would not remedy the parking issues. It does signal some message to continuing higher density development in West Urbana. He commented that the fraternity could sell the house, and the new property owner could change the parking lot into a high-density housing unit.

Mr. Kangas went on to say that he had conflicts with some of the staff's interpretation of the LaSalle Criteria. The fourth criteria states as follows: *The relative gain to the public as compared to the hardship imposed on the individual property owner.* He argued, that in this case, the gain to the public would be negative; however, it would help the individual property owner. The second criteria states as follows: *The extent to which property values are diminished by the restrictions of the ordinance.* He believed that this would put doubt into what is going on in the West Urbana neighborhood. As a result, he stated that he would vote against this proposal.

Ms. Upah-Bant agreed that the Plan Commission should be looking at the LaSalle Criteria. The fifth criteria states the following: *The suitability of the subject property for the zoned purposes.* She commented that there have been ten to twenty people who stated that no one would build a single-family home on the north corner of Iowa and Lincoln Avenue due to the value of the property. Now there is a choice of whether to build a parking lot or a green space. She believed it would be unfair to request or expect the property owner to put it as green space.

Ms. Upah-Bant mentioned that she lives at 801 West Pennsylvania Avenue. She bought her house knowing that she would be living next to the University of Illinois. When people buy homes next to the University of Illinois, it sends a signal that those people welcome students and want to live with students as neighbors.

Ms. Upah-Bant stated that she would vote in favor of this request. This was not a simple decision to make, but as she looked over the LaSalle Criteria, she found no other choice.

Mr. Hopkins was inclined to vote against the proposed upzoning. His major concern was the pattern that would be created by this rezoning (both spacial and precedent). In order to sustain the idea of the land use pattern at this edge, it would be better to have a mix of zoning classifications on each block. By doing so as an intentional pattern, the City can sustain the mix. This parcel in particular would create a very large section of R-7, University Residential, that is then vulnerable to consolidation and development in a drastically different way.

Mr. Hopkins noted that his expectation of an outcome would be that the property at 805 West Iowa either be subdivided with one duplex built on one lot and the other lot be held vacant or the property be subdivided with a duplex built on each lot. This may increase the number of people living there and may generate more money for the Nabor House than a parking lot. This outcome would be more consistent with the intent of the West Urbana neighborhood design. Because of the expectation of these possibilities, he did not find the LaSalle Criteria problematic in this case.

Mr. Pollock clarified that the portrayal of students as transient tenants that do not contribute as much to this community as people who lived in Urbana longer is false. The presence of students in Urbana and any other community pose some problems; however, they provide diversity and bring a vibrant type of neighborhood to life.

Mr. Pollock stated that it was not so much the issue of parking that he was concerned about. The size of an R-7 development that could be put into place with all these lots on this block combined does appear to be a threat to the residential nature of the neighborhood. As a result, he will vote against the rezoning of the proposed property.

Mr. Kangas noted that he hoped everyone would still be neighborly after this case was over. Mr. Pollock added that there are no bad guys on this issue. Everyone on all sides of this is interested in what is best for this neighborhood, and he hoped that would continue to be true and that people would continue to work with each other.

Ms. Stake moved to deny the request for this case and forward this recommendation to the City Council. Mr. Kangas seconded the motion. The roll call was as follows:

Mr. Kangas	-	Yes	Mr. Pollock	-	Yes
Mr. Rank	-	No	Ms. Stake	-	Yes
Ms. Upah-Bant	-	No	Mr. Douglas	-	No
Mr. Hopkins	-	Yes			

The motion passed by a 4-3 vote.

Ms. Tyler noted that the City Attorney recommended that the text amendment come before the rezoning request to the City Council to allow the text amendment to take effect during the publication of the rezoning request.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

Esther Patt, of 706 South Coler, thanked the Plan Commission for all their hard work in the past, present and future.

10. STAFF REPORT

Mr. Kowalski gave a staff report on the following:

- The annual review of the Zoning Map was approved by City Council.

April 4, 2002

- CCZBA Case #326-AT-00 was defeated at City Council, which meant that the City of Urbana would not protest the resolution of zoning violations at the Champaign County.
- There was no business as of yet for the next meeting; therefore, it will be cancelled.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission