

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: **October 23, 2003**
TIME: **7:30 P.M.**
PLACE: **Urbana City Building**
 400 South Vine Street
 Urbana, IL 61801

MEMBERS PRESENT: Lew Hopkins, Randy Kangas, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, Don White

MEMBERS EXCUSED: Christopher Alix, Alan Douglas, Laurie Goscha

STAFF PRESENT: Elizabeth Tyler, Director of Community Development Services Department; Rob Kowalski, Planning Manager; Teri Andel, Secretary

OTHERS PRESENT: Todd Bendor, Jason Brody, Rich Cahill, Liz Cardman, Rebecca Haughtalry, Linda Lorenz, Tim Macholl, Esther Patt, Steve Ross, Matt Saivie, Matt Taylor, Barry Weiner, Matt Wenger, Marisa Zapata

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

The meeting was called to order at 7:31 p.m., the roll call was taken, and a quorum was declared.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

Mr. White moved to approve the minutes from the October 9, 2003 meeting as amended. Ms. Stake seconded the motion. The minutes were then approved as amended by unanimous voice vote.

4. COMMUNICATIONS

Regarding the M.O.R., Mixed-Office Residential Zoning District:

- Email from Betsey and John Cronan

- Email from John and Helene Dickel
- Email from Ivan Jeanne Weiler
- Email from Kate Hunter

5. CONTINUED PUBLIC HEARINGS

Plan Case 1865-T-03: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance with respect to the Mixed Office Residential (MOR) District

Elizabeth Tyler, Director of Community Development Services Department, mentioned that she was going to summarize the proposed amendments or revisions that staff had incorporated since the last meeting of the Plan Commission. The major changes proposed by staff include the following:

1. ***Purpose Statement*** – Staff put some of the wording back into the purpose statement regarding the intent to protect the character of the district.
2. ***Development Review Board Membership and Procedures*** – After the discussion at the last Plan Commission meeting, staff modified it to propose that there be a seven-member board, thus adding two more members to represent the developers and the local business owners.
3. ***Development Review Board Procedures*** – This revision includes rules for quorum, voting, and abstention.
4. ***Development Review Board Review of Conditional Uses, Special Uses, and Major Variances*** – Staff pulled back from their original proposal that the Development Review Board be allowed to review conditional uses, special uses, and/or major variances to do with their cases. The Plan Commission at the previous meeting expressed concern that the City would be setting the MOR Zoning District apart from the other zoning districts more than necessary.
5. ***Appeal of Development Review Board Decisions*** – The intent of the current MOR Zoning District was to have the same appeal procedure that the City has for Zoning Administrator decisions. It is a good function for the Zoning Board of Appeals. Not only do they grant minor variances and conditional use permits, but they are an appeal body. In cases where a board makes a final decision, it was a good way to have an appeals process.
6. ***Administrative Review of Adaptive Reuse Projects*** – At the last meeting, there were several questions and discussion about what the City could do to encourage preservation of the older buildings in the MOR Zoning District. The Plan Commission had come up with the idea of allowing administrative review only for any adaptive reuse of the buildings with staff using the same criteria and design guidelines as the Development Review Board would use.
7. ***Other Changes*** – Staff had modified the submittal requirements list and the review criteria.

Ms. Tyler reviewed the summary of staff findings.

Rob Kowalski, Planning Manager, expanded on the concept of adaptive reuse projects not going through the Development Review Board. In the existing regulations, there was a section that allowed some minor adjustments that could be made to the codes if it was an adaptive reuse project. The Development Review Board was allowed to make those minor adjustments. Staff moved that along with the concept that an adaptive reuse project being reviewed by City staff. The Zoning Administrator, as proposed in this draft, would be permitted to make minor adjustments to the codes for parking facilities and loading regulations.

Barry Weiner, of Weiner Companies at 211 East Green Street, believed that there were more investment property owners than private owners in the MOR Zoning District. He talked about the MOR zone, what he had seen happen so far, and about some of his concerns.

Mr. Weiner noted that the MOR Zoning District was created in 1990, and it was a down zoning of the areas between campus and Downtown Urbana. He believed that the MOR Zoning District had noble intentions. He also believed that it was a terrible failure. The kinds of things that everyone hoped would happen along Green Street have not happened. Its limitations have made it almost impossible to develop or redevelop anything of quality within the zone.

He did not believe that this was a historic district, and it should not be treated as such. Architectural issues should be consistent with good design. He thought that the recurring furor with regards to the MOR Zoning District was ludicrous when considering that less than 10% of the properties in the zone were owner-occupied based upon the population of the zone. Everyone wants to micromanage the little created zone to suit his/her purpose.

The City of Urbana has a need to recognize reality in the market when they consider zoning and not only what they wish things to be. There are quite a number of properties in the zone that are economically and physically obsolete. The City needs to see those properties redeveloped. The balance of lovely older homes and well-kept properties would not be threatened by reasonable redevelopment. He felt it was important to remember that it was not the City's job to only serve those who can afford their own homes. We have to worry about the well being of all the citizens of the City of Urbana.

Mr. Weiner thought that in regards to some of the proposals being made, many of the lots in the MOR Zone were too narrow to allow major entrances towards the street in the event of redevelopment. Even though it was allowed under the Zoning Ordinance, changes are proposed. If one of those sites burns, then would the City allow the owner to use his/her land?

He believed that in an urban development that pedestrian traffic should be encouraged. However, the MOR Zoning District requires substantial amounts of parking. He also thought that the FAR requirements, parking, and front and side-yard setbacks did not allow for redevelopment of quality condominiums or row houses within the zone. He felt that condominiums and row houses would be appropriate uses of this corridor between Downtown Urbana and campus.

He noted that it was particularly because of the one lot requirement as to why quality developments could not be created. The limitations on square footage are a major problem to be

able to do that type of development. It also precludes adaptive uses such as coffee shops and cafes, because the sites do not work. He did not believe it was possible for anyone to take any one of the sites as it actually sits, follow the requirements that have been and are being proposed, put in the required parking and be able to construct a building that would be economically viable. Mr. Weiner stated that the City and its residents were still talking about what they would like to see along there, and it would still not occur.

There is also the problem of the dilapidated homes in the zone. They are not going to get any better with the ways things are. In the minutes from the previous Plan Commission meeting, he read a comment Ms. Stake had said about the City providing incentives for redevelopment in the MOR Zoning District. He felt this was a valid issue, because when looking at what it would cost to adapt some of these properties to try to make them available for commercial usage, the buildings are not economically feasible.

The other thing he talked about was the multiple assemblages regarding the proposed higher FAR that would be available. He believed that the City should allow assemblages up to about 30,000 square feet with higher FARs. This would allow some quality condominium projects and row house projects. On a 10,000 square foot assemblage, a developer cannot build anything that would be economically viable. These types of development are not going to happen unless the City allows it to happen. The proposed amendment is not going to make it work.

Mr. Weiner was opposed to the rezoning of the eastern edge of the district. He believed staff was proposing this because the City fails to make the MOR Zoning District usable. The answer to the issue is within the zone. Allow assemblages within reason and do not change the rules for only a few districts.

As a realtor, from the corner of Wright and Green Streets, if you look seven blocks to the west towards the City of Champaign, land is worth \$38.00 per square foot. If you look east towards Downtown Urbana, land is worth about \$13.00 per square foot. Those issues affect our tax base as a city. He certainly does not advocate building the mid-rise buildings as seen on the Champaign side of Green Street, not by any means. However, he would like to see a beautifully, economically viable corridor existing between campus and Downtown Urbana. He said that if we are going to retain the MOR Zoning District, then let us make it something that we all can be proud of.

Ms. Stake inquired if Mr. Weiner owned any of the dilapidated old homes in the MOR Zoning District? Mr. Weiner replied no. However, he has a couple of properties that he believes are becoming economically not feasible. It costs so much to maintain them, that it does not make sense for anything. As a realtor, he has walked into some of the older homes in the City that are dilapidated on the inside, but look nice on the outside still. There are some places that truly will not make it. There are others that are lovely and people will want to rehab them and live in them.

He believed that with what was going on in the real estate market and in the community that all of West Urbana will become more owner-occupied again in the next decade. There will be fewer students there. The large high-risers that are being built in Champaign are what the

students are looking for at this time. The market was changing very quickly, and we are starting to have equilibrium. There is vacancy in this community for the first time in many years. There is enough housing proposed to go up in the next couple of years to house about 1500 students. He believed that the City of Urbana was going to go through a tremendous transformation.

Mr. Weiner commented that he did not like the big boxy look of the apartment buildings either, but it was the only type of building that would work on these lots with the way that the MOR Zoning District was setup. The other kinds of development that the City would like to see happen, cannot happen, because they cannot be economically viable.

Mr. White saw an advantage to developers being able to use multiple lots. He wondered if it would be feasible if the MOR Zoning District allowed for multiple lots to be used as long as those multiple lots were accompanied by underground parking? Would that be an incentive to build parking off the street? Mr. Weiner answered by saying that it would depend on what kind of FAR was involved and whether the numbers would work to justify the underground construction. If there were a little more height, then a developer could build a three story with an underground parking. There is an awful lot of good design out there. Would it be economically feasible here? Do we have a market here for that kind of property? He believed that the City of Urbana did have a market; however, we do not know yet because much of it has not been built.

Mr. Pollock asked how Mr. Weiner would encourage adaptive reuse in the MOR Zoning District? He noted that even in the proposed revision to the MOR Zoning District, adaptive reuse remains as a primary objective. Mr. Weiner responded by saying that the problem was that most of the properties probably could not be adaptively reused within the economic guidelines that would work. He mentioned that he has a property that he wanted to turn into a coffee shop. After running the figures to find how much it would cost, he found that it was not economically viable. He approached staff to inquire about any programs available to assist financially, and he was told that there were not any programs available.

Mr. Pollock questioned if there were programs, like the ones that the City has offered elsewhere, to encourage development by providing low interest financing and helping making up the difference, then would that make a difference? Mr. Weiner remarked that it might help some people. In his case, he can already borrow at very low interest rates. Mainly, he would like to know that the value was there when he was done rehabbing the existing structure.

Mr. Pollock inquired about what other kinds of incentives that were offered elsewhere that might encourage reuse in the MOR Zoning District? Mr. Weiner talked about Colorado Springs. He noted that he had a second office there for 22 years. He stated that in truth, economic factors made most of the development happen. There were not a lot of incentives. The market was ready for nice things to happen. In addition, he mentioned that it was very hard to deal with the Health Department and to meet the requirements for adapting something that was older.

Rich Cahill, of 307 South Orchard, showed pictures of the apartment building being built at 611 West Green Street. He did not see how underground parking could work on the lots in the MOR Zoning District. He also got to thinking about whether or not the previous cases regarding 605,

611, and 701 West Green Street would have been approved by the Development Review Board had the proposed revisions been in place. He did not know the answer.

As he walks down Elm Street, he still has a hard time envisioning some of the properties being redeveloped. Many of them are in poor condition. The residential neighborhood character of the 500 Block of Green Street on to the south has been replaced with parking lots. He had heard rumors that the Presbyterian Church was talking about major development on the 600 Block.

Steve Ross, of 609 West Green Street, did not agree with Mr. Weiner that bigger lots would make for more flexible development. Rather, he believed it would lead to bigger square boxes. 712 West Green Street is an example of what could be done with the same limitations that were currently in place. Therefore, development could be done meeting the current requirements.

As to buildings that need redevelopment, the point had been made during a Historic Preservation Commission meeting that any building needs maintenance, even the newest of buildings. If regular maintenance is not done, then buildings will degenerate. If a building is to the point of falling down, then the City needs to ask the owner why they allowed the building to come to that condition.

Mr. Ross believed that there was still value in the neighborhood that was worth preserving. He read an advertisement from the News-Gazette regarding the future 611 West Green Street apartments being for rent in a quiet, historic residential Urbana neighborhood. The irony was almost too much to see this ad advertising a location in a historic neighborhood where the previous older, historic home was demolished to make way for the apartment building. In any rate, people do recognize that it is a historic neighborhood and worth preserving.

He noted that he was a member of the First Presbyterian Church. The Presbyterian Church owns the property at 608 West Green Street, which is used by the Korean Church of Champaign-Urbana as an office. The Presbyterian Church was interested in demolishing the house and redeveloping the land.

Mr. Pollock inquired if Mr. Ross had taken a look at the revised draft of the proposed amendment? Is there value in what the City was trying to do in this neighborhood? Mr. Ross replied that unfortunately he had not had a chance to really look at it. Certainly, adding citizen participation to the Development Review Board was a step in the right direction. The other big part was Review Design Guidelines. Therefore, it was hard to make a decision on it.

Matt Taylor, of 612 West Green Street (also known as the Ricker House), was in support of the amendments as he had seen them thus far. He felt that they were a step in the right direction. He agrees with equal representation on the Development Review Board. In addition, he supported the incentives that the City was trying to incorporate for adaptive reuse as well.

Mr. Taylor expressed his concern with underground parking. He believed that they would create safety issues. The entrances to underground parking garages were usually right up next to the sidewalks. People existing the underground parking facilities drive fairly fast to make it up the incline and could endanger pedestrians walking on the sidewalks. The dwelling at 709 West

Green Street has an underground facility and he has seen a few accident involving vehicles and pedestrians.

Mr. White asked how Mr. Taylor felt about the use of multiple lots if the architecture would fit? Mr. Taylor replied that it all depended on what was being proposed. He did not want to see dilapidated houses become hazards. If the multiple lots would help improve flexibility and economical viability of the lots, depending upon the proposal, then he might be for it. On the other hand, it could allow for larger apartment buildings like the one in the 500 Block. It is a massive structure on about four lots. Mr. White did not believe that the Development Review Board or the proposed text amendments would allow that to happen in the future, even on multiple lots. Mr. Taylor hoped it would not.

Mr. Pollock inquired about the underground parking that would be allowed? Did staff specify where entrances might be for that? Was it required that entrances not be on the street? Did the only requirements insist that it be properly screened based on design review? Was it previously not allowed? Ms. Tyler stated that currently underground parking was not allowed in the MOR Zoning District. Staff thought in the first memorandum that with design review that properly designed parking below the structure, if screened and away from the street, could actually be a positive. It might be a way to provide a little more space and allow more design flexibility if a property owner had a lot that he/she could pull in away from the street and perhaps, have tenants park under the back part of the building, but it would have to be hidden, screened and landscaped. It was a concept that would require the design review to enforce and review on a case-by-case basis. It would be at grade, but it would not need to be completely submerged. However, it would need to be partially submerged and screened to avoid the building on stilts effect.

Mr. Pollock questioned what staff meant by “away from the street”? Ms. Tyler replied that the drive would need to be along the side of a proposed building with the parking behind the building. Mr. Pollock clarified that the entrance from the underground facility would not be facing the street or on the street. Ms. Tyler stated that was correct.

Regarding screening, Mr. Pollock inquired if that was a design criterion that would be further defined when staff comes up with the standards? Ms. Tyler said yes. Mr. Pollock asked if screening would be up to the Development Review Board to consider? Ms. Tyler replied yes.

Mr. Pollock questioned if the proposed amendments were passed, then a development similar to the Campus Oaks could happen again? Mr. Kowalski stated that the FAR of that type of development would work in the MOR Zoning District. Campus Oaks was zoned R-5, Medium High Density Multiple Family Residential and built before the MOR Zoning District was created. Mr. Pollock remembered that the Campus Oaks development was one of the reasons why the MOR Zoning District was considered.

Mr. Pollock thought along the lines of providing flexibility with multiple lots, but there was a risk involved in terms of the scale of building and the types of things that could be built in the district. The Development Review Board would have to approve whatever would go in on multiple lots. He inquired how staff felt about the assemblage of lots? Ms. Tyler responded by

saying that staff shied away from a recommendation allowing assemblage of lots in the first amendment due to diversity of opinion. However, staff did present some information on “what if” and whether there would be some gains and improved projects if there were flexibility. One option that the Plan Commission could consider would be going to a modest increase in the FAR to .75. The application would go from 8,500 square feet to 12,000, which would be the equivalent of two lots rather than one and a half lots. Plan Commission could recommend this as an incentive.

Mr. Pollock asked if this could be allowed as a Special Use Permit, then would the City Council be allowed to look at the design of the project? Ms. Tyler noted that this would not remove the responsibility of the Development Review Board. She added that there were so many ideas laid out in both of staff’s memorandums to the Plan Commission. If the commissioners saw something that seemed like it might work with the proper precautions, then staff would try to incorporate it into the text amendment.

Ms. Stake understood that the handicap apartments would be located on the same level as the underground parking. Ms. Tyler responded by saying that had been a catch that had happen in some cases. That would be a design level that the Development Review Board would need to look at. There must be a way to design accessible units and have some parking that would be hidden behind the building.

Ms. Stake inquired if when talking about multiple lots, then they were talking about tearing down more buildings rather than reusing them? Ms. Tyler stated that the probability of more existing buildings being demolished would potentially be higher.

Mr. Pollock asked if it was possible for a provision to be included that there could be no apartments below grade? Ms. Tyler said yes. We would not want the Zoning Ordinance to be creating a violation of some state code.

Ms. Stake did not understand how a developer/property owner would screen a partially underground parking facility. Ms. Tyler commented that the ones that she had seen had open concrete blocks and landscaping. Mr. Kowalski added that a building could be designed in a way that the partially submerged parking would not be noticed.

Ms. Stake inquired whether staff had checked out other cities where they have reused older buildings and had success with using some of them for business purposes? Ms. Tyler stated that as Mr. Weiner said earlier, “It was really market driven.”

Ms. Stake felt that a lot of the reasons why businesses have not wanted to locate in the MOR Zoning District have been due to the problems at Lincoln Square. She believed that the City needed to solve all these problems together, because they are really all one problem. Ms. Tyler agreed that the City does have some very needful commercial areas, where there are incentive programs setup through the Tax Increment Finance (TIF) Districts and other programs. In terms of priority of what areas the City wants to invest those commercial incentive dollars, she said that Lincoln Square and Sunnycrest would be right up there. This area would be potentially down the list in terms of commercial area incentive building. Ms. Stake wondered if there were

some ways to get funding for historic areas? Ms. Tyler responded by saying that if a property is designated as a historic landmark, then the property owner would get tax credits for remodeling and other efforts.

Ms. Upah-Bant questioned why staff took away the quorum provision in the revised text amendment dated October 17, 2003? Mr. Kowalski answered by saying that the provision had been moved to Section XI-12.F.3 – Development Review Board Decisions. Mr. Hopkins commented that it does not actually say what a quorum would be to hold a meeting. Mr. Kowalski mentioned that staff could add the wording back in for the quorum.

Mr. Hopkins mentioned that the lot assemblage issue was not really in the text amendment dated October 17, 2003. Mr. Kowalski noted that in the Zoning Ordinance under Article VI. Development Regulations – Section VI-3. Lot Area and Width, it specifies that a developer/property owner could only use 8,500 square feet of a lot to determine the FAR in the MOR Zoning District. It also states that if a property owner has multiple lots put together and is in excess of 17,000 square feet, then the property owner could build multiple structures using still only the 8,500 square-foot rule. Essentially, even though a property owner has four lots, he/she would only be able to use two 8,500 square-foot sections to build two structures instead of one large structure. He added that the point of this was to keep the scale of buildings smaller rather than allowing a large building on multiple lots.

Mr. Hopkins asked if that would still allow a row house complex or a common driveway, shared rear parking configuration? Mr. Kowalski stated that Kevin Hunsinger had taken advantage of this when he developed 604 and 606 West Elm Street.

Mr. Hopkins would like to have the lot assemblage language on the table as well as the proposed text amendment. Ms. Tyler mentioned that it was within the notice that staff provided. It stated that any portion of the Zoning Ordinance that dealt with the MOR Zoning District. Mr. Pollock stated that if a commissioner thought there were changes that were advisable to part of the Zoning Ordinance that deals with the MOR Zoning District and was not in the text amendment already, then he/she could make the recommendation to the City Council as part of this.

Mr. Hopkins questioned if a developer/property owner could construct a building on one lot and put parking on the other lot? Mr. Kowalski replied yes. Mr. Pollock added that parking for structures like this would be considered accessory parking and would not require a Special Use Permit. Mr. Hopkins noted that he was concerned about small lots making desirable kinds of development possible. The effect of which is that the City gets a lot of sideways-turned apartment buildings that nobody likes, but the City was requiring the developers and/or property owners to build.

Mr. White walked down Green Street and noticed that many of the properties in the 700 Block, 300 Block and the 400 Block that were really too narrow to drive beside a structure of any size and park in the rear. He thought it would be more desirable to developers and property owners for the City to come up with language that would allow usage of two and three lots with a single structure on the combined lots. It would still have to go before the Development Review Board, but it might encourage some small businesses to locate in the MOR Zoning District. Mr. Pollock

remarked that the question becomes how to protect from the massive structures that could be put on two or three lots that people really have a great concern about, which was what brought the text amendments to the MOR Zoning District about. Mr. White did not believe that a large structure necessarily needed to appear massive or be so overwhelming. He believed that row houses would fit in there.

Ms. Stake talked about the design guidelines and how it would be helpful to have them. Ms. Tyler noted that in the packet for the Plan Commission meeting that was held on October 9, 2003, the last page lists several key elements that were suggested by the Historic Preservation Commission. Most of the key elements will be illustrated in the design guidelines.

Ms. Stake inquired if the specifications for off-street parking would also be developed? Mr. Kowalski stated that staff envisioned those specifications to be part of the design guidelines. Ms. Tyler added that a lot of the parking standards were in place in Article VII of the Zoning Ordinance, which includes geometrics and how to build parking areas. Screening and placement of parking have yet to be developed, but will be included in the pattern design guideline book, which will come before the Plan Commission and the City Council for approval.

Mr. Kangas commented that the MOR Zoning District was created about 10 to 11 years ago. It has sat inactive until this last year. He suggested that staff put it on the calendar in the next 3 to 5 years to be reviewed again to see if the MOR Zoning District was meeting the City's goals and objectives. Ms. Tyler felt that would be a good idea, because it was a unique zone where the City was trying to be creative.

Mr. Hopkins moved adoption of the October 17, 2003 draft as a recommendation to the City Council. Mr. Kangas seconded the motion.

Ms. Stake moved to make an amendment to the motion to change the density by reducing the FAR from .70 to .50. Many of the people who have spoken at the meetings regarding the MOR Zoning District want to save Green Street. They do not want it torn down. She believed that part of the problem was that the City allows too much density in this area. Ms. Upham-Bant seconded the motion.

Ms. Stake felt it was one way to solve some of the problems that have come up, such as the ugliness of the buildings that have been built in this area and parking issues. If the City reduces the FAR from .70 to .50, then there would be about 4,250 square feet available for a building.

Mr. Hopkins noted that he would vote against this amendment, because the .70, with the current restriction to a base of 8,500 square feet, restricts a building to approximately 6,000 square feet on three floors. He felt this was a reasonable size for the location of the lots in this area. In terms of density, whether they various kinds of apartments or zero-lot line kinds of buildings, he thought that the City needed that size of structures. If the City were to calculate some of the FAR of some of the existing houses on Elm Street, we would find that they do not comply.

Mr. Pollock agreed with Mr. Hopkins. He did not think that the problems the City was having in trying to adjust a district to allow some development that fits with the nature of that district was

necessarily dependent on or a function of that type of density. The example at 712 West Green Street clearly shows that a structure could be built that fits in with this neighborhood that looks pretty good within the requirements. If the density was reduced to .50, it may, in fact, make those lots unusable. The neighborhood would end up with all the houses there that they want to adapt, and the houses that are not adaptable because of their age or condition, would make those properties virtually unusable. That would not help preserve the neighborhood and help that neighborhood develop in a way that was compatible.

The motion failed by a voice vote of 1 aye and 5 nays.

Ms. Stake moved to make an amendment to the motion to change the parking space requirement to two spaces for every three bedrooms. This was based on the Urbana City Survey that showed that there were two cars for every three bedrooms in the MOR Zoning District. Mr. Pollock seconded the motion.

Mr. Pollock inquired as to what the current requirement was? Ms. Tyler replied that it was at least one per unit, and it was .5 per bedroom if the bedroom size was less than 120 square feet. Mr. Pollock clarified that this motion would require more parking per bedroom than the City requires. Ms. Tyler added that people would be outside the notice if it applied other than in the MOR Zoning District.

Ms. Stake reasoned that this was to help preserve the MOR Zoning District. When there are too many cars, they would not only ruin the district, but also the areas on both sides of it.

Ms. Upah-Bant replied that she could not vote for it, because the whole idea of living in this area was that it was so close to everything that people should not need to drive. Mr. Hopkins concurred. In this district, if anything he felt that the City should be changing the parking requirement going downward, not upward.

The motion failed by a voice vote of 1 aye and 5 nays.

Ms. Stake moved to make an amendment to the motion to ask the City Council to create disincentives to tearing down the historical homes on Green Street, such as by raising the fee for a demolition permit to \$15,000 and more depending upon the size of the building. The motion failed due to lack of a second.

Ms. Stake moved to make an amendment to the motion to keep the existing Purpose statement in the Ordinance rather than the proposed Purpose statement. She thought the original Purpose statement was better. Ms. Upah-Bant seconded the motion.

Ms. Stake felt it spoke more to the historical preservation of the area than the proposed language. The original Purpose statement was the best of the three. Ms. Upah-Bant agreed.

The motion failed by a voice vote of 2 ayes and 4 nays.

Ms. Stake stated that she wanted to make a motion to require that all accessory parking lots and off-site parking go to the City Council for approval; however, she did not know what was going to be done about all of the parking. She asked what was going to happen with that? Ms. Tyler stated that a principal use parking lot would go to City Council as a Special Use Permit. Staff was not proposing any changes to that. Accessory parking was virtually with every project that has parking that was accessory. So that would be a big change in terms of a case going before the Development Review Board. If there were a variance, it would go before the Zoning Board of Appeals, and to City Council just for the parking portion. If the parking lot would be adjacent, for all intense purposes, it would be the same project under the Zoning Ordinance, because it would be a zoning lot. There could be parking within 600 feet permitted under the Zoning Ordinance, which might look like a principal use parking lot, but in fact, was accessory to something that was nearby. Those are the different ways that parking happens and the different reviews that it undergoes. Currently, it was written that any parking lot should have Development Review Board review, which would include design standards appropriate to parking lots. This was clarified in the October 17th draft as well.

Ms. Stake moved to make an amendment to the motion to have the Development Review Board recommend to the City Council. She felt this was an important issue for historical and neighborhood business. Elected officials should review any proposed use in the MOR Zoning District. She believed that if this had been part of the original text amendment, then there would not be as many problems as there are in the MOR Zoning District. The citizens deserve a decision made by the City Council. The motion failed due to lack of a second.

Ms. Stake moved to make an amendment to suggest to the City Council that pedestrian ways and bicycle paths be established on Green Street along with trees and flowers to enhance the ambience of Green Street's historical area. She also suggested that the calming of traffic on Green Street be a part of the effort to keep Green Street green and beautiful. Mr. Pollock seconded the motion.

Ms. Upah-Bant questioned what would the City Council do? Pass an ordinance? Ms. Stake answered by saying that she went to a meeting on calming traffic and making cities more walkable. Do not see many people walking up and down Green Street. There are ways to make it more pleasant for people to walk on Green Street. The City may need to get a consultant to help, but it could be done.

Ms. Upah-Bant asked if it would be separate from the Zoning Ordinance regarding the MOR Zoning District? Ms. Stake replied no, because it would be very much part of the district, because Green Street was in the MOR Zoning District.

Mr. Pollock remarked that if the City Council wanted to take action on something like this it would most likely be done outside the Zoning Ordinance. Since the Plan Commission was talking about the Ordinance, then the Commission has the ability to make those kinds of recommendations for that area. He agreed strongly that pedestrian friendliness and bicycle paths are crucial to this type of neighborhood. However, he disagreed strongly that it should be considered on Green Street. Green Street is a thoroughfare or entryway into Downtown Urbana. He felt it would do incredible damage to the development of the City of Urbana and to

Downtown Urbana by virtually closing off Green Street. He could not support the motion. He noted that he sees a lot of pedestrians on Green Street. People riding bicycles tend to stay off of Green Street because of the traffic, which might be a good idea. If the City put a bicycle path in the middle of that and have traffic calming at intersection, then it would create a terrible mess.

Mr. Hopkins stated that there was an original motion on the floor, but he did not consider this an amendment to that motion. He raised a point of order.

Ms. Stake withdrew her motion for an amendment. Mr. Pollock agreed to the withdrawal.

Ms. Stake moved to make an amendment to the motion to recommend to the City Council that they hire a professional person to market the MOR Zoning District and Lincoln Square Mall. Ms. Upah-Bant seconded the motion.

Mr. Hopkins raised a point of order. It was not an amendment to the original motion on the floor. Ms. Stake withdrew the motion. Ms. Upah-Bant agreed.

Mr. White commented that he liked the October 17th draft. It was a lot better than the October 9th draft, and it makes sense. He would not mind seeing something that dealt more specifically with multiple lots and more square footage. He thought that the only way that development would probably happen in the MOR Zoning District would be to allow lot assemblage.

Mr. Hopkins questioned if when the design guidelines pattern book was finished, would the Plan Commission be making a formal recommendation to the City Council to adopt it into the Zoning Ordinance text amendment? Ms. Tyler replied yes. Plan Commission would be in a better position to look at how development might look on different types of patterns.

Mr. Hopkins stated that he was struggling with the same concept as Mr. White. If the Plan Commission would have the option, then his inclination was to work on the question of lot assemblage at the time when they consider the pattern book. Mr. Pollock believed that would be the proper time to take that issue up. He mentioned that the Plan Commission could revisit the text amendment again and incorporate any amendments regarding lot assemblage when they review the design guidelines. Mr. White felt that it would be wonderful if staff could come up with language that the Plan Commission could discuss regarding this issue at that time.

Ms. Stake talked about preserving trees in the district. Ironically, the property owner at 502 West Green tore down many of the trees on the property to build an apartment building, and then turned around and called it "Campus Oaks". She felt that the City needed an ordinance where people have to ask for permission to cut down trees.

In addition, there were many people who have sent emails with ideas and suggestions on how to improve the MOR Zoning District, and the Plan Commission was not paying attention to them.

Mr. Hopkins moved to make an amendment to the motion to delete Section XI-12.A.3.d – Development Review Board Creation and Purpose, which reads as such: *Determine if proposed development plans meet the requirements of the Urbana Zoning Ordinance.* He did not feel that

this was or should be a duty of the Development Review Board. Mr. White seconded the motion.

Mr. Hopkins felt that this was not consistent with the way determinations are made of compliance with the Zoning Ordinance anywhere else in the City. It was a staff determination for everywhere else in the City.

Mr. Pollock inquired what would be imperative if this was removed? Mr. Kowalski replied that it was held over from the old process, which when the Development Review Board members were made up of City staff, it was one of their functions to determine if development plans met the requirements of the Zoning Ordinance. He stated that staff did not have a problem with Mr. Hopkins amendment.

The motion was passed by a voice vote of 6 ayes and 0 nays.

Mr. Hopkins moved to make an amendment to the motion to delete Section XI-12.I.3 – Development Review Board Development Plan Review Criteria Impact to Public Facilities, which reads as follows: *The Development Review Board shall consider if the proposal will overburden the capacities of existing streets, utilities, sewers and other public facilities. The Board shall also consider the impacts of drainage and if the proposed site plan demonstrates compliance with the requirements of the Urbana Development Regulations for drainage.* Mr. Hopkins felt it was or should not be a duty of the Development Review Board for the same reasons as the previous amendment. Mr. White seconded the motion.

The motion was passed by a voice vote of 6 ayes and 0 nays.

Ms. Stake moved to make an amendment to the motion to add one additional member from both the Plan Commission and the Historic Preservation Commission to make it a total of two members from each of those commissions to serve on the Development Review Board. The motion failed due to lack of a second.

Roll call was taken on the main motion, which was as follows:

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

The motion was passed by a 5-1 vote, and that recommendation will go as amended to the City Council.

Ms. Upah-Bant moved that a standard quorum of the Development Review Board be set at a majority of the members. Mr. Hopkins seconded the motion.

Ms. Stake mentioned again that she felt there would be problems by not having the Development Review Board send recommendations on future proposals to the City Council. The citizens deserve to have their elected officials to make the decisions for the City. Mr. Pollock remarked

that to send everyone of the Development Review Board cases to the City Council would be a huge mistake. The Development Review Board was for a specific reason and was constituted in a specific way to deal with issues in the MOR Zoning District. The City was trying to encourage adaptive reuse and make certain types of development in this area easier. Sending every case to the City Council for a decision would certainly not be the way to do it.

The motion was passed by a voice vote of 6-0.

Ms. Stake moved to ask City Council to hire a professional to market the MOR Zoning District and Lincoln Square. Ms. Upah-Bant seconded the motion.

Ms. Tyler noted that in the last year, City Council did create a new position in the Community Development Department for a Redevelopment Specialist. The position was funded by Tax Increment Finance (TIF) dollars. One of the responsibilities of this individual was to assist with marketing commercial properties, which would include the MOR Zoning District and Lincoln Square. The City was still searching for a replacement for the Economic Development Manager. The Redevelopment Specialist, Ryan Brault, would report to the Economic Development Manager (when hired).

Mr. Pollock commented that he would not support the motion, because staff has someone who was responsible for doing that type of work. However, if the Plan Commission wanted to recommend to the City Council or staff that additional hours and effort be put into marketing this area, then that would be appropriate. Ms. Stake stated that she would accept that as a friendly amendment.

Mr. Pollock moved to make a friendly amendment to the motion that the Plan Commission recommend to the City Council and to staff that additional efforts be made to promote and market the MOR Zoning District.

Mr. Hopkins spoke against this, because it took the attitude that the City's responsibility was to focus on this particular area, and that the City was making the judgment that this area was more important place to allocate staff hours than other areas in the community. He thought it was inappropriate to make such a recommendation. Mr. White agreed.

Mr. Pollock felt that he could trust staff to establish the balance. He did not mean to imply that one area of the City of Urbana was more important than another. However, for one of the major purposes for this area, which was adaptive reuse and balance in this area, he did not see anything wrong with using City marketing on the edge of a downtown area that the City was trying to develop as a commercial area to some degree and encourage staff and the City Council to put some effort into doing that.

The motion failed due to a voice vote of 3 Ayes to 3 Nays.

Ms. Upah-Bant requested a final copy before it went to the City Council.

6. NEW PUBLIC HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Kowalski reported on the following:

- **MOR Zoning Case** – This case will go before City Council on November 3, 2003.
- **Comprehensive Plan Update** – He mentioned that staff was in the middle of the Neighborhood Open Houses. The third meeting of six was held on October 22, 2003. The fourth meeting coming up was for the Victory Park or Historic East Urbana Neighborhood Area. It will be held on Wednesday, October 29, 2003 at 7:00 p.m. at the Civic Center. The fifth meeting will be held on November 5, 2003 at 7:00 p.m. at the Phillips Recreation Center. This meeting will be for the West Urbana Neighborhood. The final meeting will be held on Wednesday, November 12, 2003 at 7:00 p.m. at Yankee Ridge School. It will be for the South Urbana area. Ms. Tyler added that all the maps and surveys are available on the City's website for people who are not able to attend any of the open house meetings,

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

Chair Pollock adjourned the meeting at 9:23 p.m.

Respectfully submitted,

Rob Kowalski, Secretary
Urbana Plan Commission