



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

M E M O R A N D U M

TO: The Urbana Plan Commission

FROM: Elizabeth H. Tyler, AICP, Director/City Planner

DATE: October 17, 2003

SUBJECT: Plan Case No. 1865-T-03: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance with respect to the Mixed Office Residential (MOR) District.

Introduction

Proposed amendments to the Mixed Office Residential (MOR) District were presented to the Plan Commission at their October 9, 2003 meeting. At this meeting, there were several comments and suggestions made regarding the proposed amendments.

Additional amendments and revisions are presented in this memorandum. A revised text amendment is attached and dated October 17, 2003 – DRAFT. The original text amendment reviewed by the Plan Commission on October 9, 2003 is also attached and the major revisions are noted.

Please refer to the Case Memorandum dated October 6, 2003 for detailed background and discussion regarding this case.

Update

Major changes proposed by the Plan Commission are summarized as follows:

1. Purpose Statement

This has been further modified to better show intent to protect the character of the district.

2. Development Review Board Membership and Procedures

Plan Commissioners questioned the functionality of a five-member board and whether it would be truly balanced to reflect the interests of adaptive reuse. Upon specific suggestions of the Commission, we proposed to add two additional members to the Development Review Board – a developer and an owner of a local business. This would result in a seven-member board.

3. Development Review Board Procedures

We reviewed the rules for quorum, voting, and abstention with legal staff and are recommending revisions and clarification in this area as well. In summary, every member of the Development Review Board present at a meeting must vote either “aye” or “nay” unless they abstain, which shall only be for reasons for an asserted conflict of interest. Abstentions shall not change the count of board members present for the purpose of determining a quorum. The majority shall be calculated on the basis of those members present and voting (not abstaining), but in no case shall be fewer than three.

4. Development Review Board Review of Conditional Uses, Special Uses, and Major Variances

Plan Commissioners were concerned with the special distinction that Development Review Board review or approval of conditional uses, special uses, and major variances would signal for the area. To address this concern, we have eliminated these provisions from the text. It should be noted that there are only four uses in the Table of Uses that are allowed only with a conditional use permit (lodge or private club, residential athletic training facility, restaurant, and bakery of less than 2,500 square feet) and only three uses that are allowed only with a special use (principal use parking garage or lot, home for adjustment, and meat and fish market). One alternative could be to revise the Table of Uses to allow some or all of these uses by right. This would avoid the need to undergo multiple public meetings and review processes for these specific uses.

5. Appeal of Development Review Board Decisions

Plan Commissioners questioned the procedure for appealing Development Review Board decisions to the Zoning Board of Appeals. Planning staff reviewed these procedures with legal staff. The intent of this section is to allow the Zoning Board of Appeals to hear cases from individuals who are aggrieved by Development Review Board decisions, in the same manner in which they may hear cases from individuals who are aggrieved by decisions made by the Zoning Administrator. We feel that this appeals process is important for upholding the democratic process in the absence of City Council actions.

6. Administrative Review of Adaptive Reuse Projects

The Plan Commission discussed ways in which the primary original intent of the MOR District to encourage adaptive reuse of existing structures could be further encouraged. Commissioners were also concerned that by reconstituting the Development Review Board membership to a public board (as opposed to staff-constituted) and by introducing design guidelines, it may make it even more difficult to achieve adaptive reuse in the area. To address these concerns, we propose to allow administrative review and approval of

all adaptive reuse projects in the MOR district. Projects would still need to meet the relatively strict development regulations pertaining to the area (FAR of 0.70, etc.) and would also need to show compliance with the stated intent and design guidelines. Allowing for administrative review of these proposals is likely one of the most effective ways to encourage reuse, in that it can save an applicant time and money and removes the risk and perceptual barrier of having to attend public meetings to defend one's proposal. By including this provision, we feel that the amendments will be more balanced in helping to promote adaptive reuse in the area.

7. Other Changes

Specific wording changes to the submittal requirements and review criteria have been incorporated as suggested by Plan Commissioners.

Summary of Staff Findings

1. The proposed amendment would assist in the administration and enforcement of the Zoning Ordinance.
2. The proposed amendment is consistent with goals and objectives of the Comprehensive Plan and Downtown to Campus Plan by encouraging the adaptive reuse of structures in the MOR zone and by requiring new development to be compatible with the district as a whole.
3. The proposed amendment will allow for more citizen and stakeholder participation in the Development Review Board process.
4. The proposed amendment will help to encourage appropriate and compatible design in the MOR zone through the use of design guidelines and appropriate review criteria.
5. The proposed amendment will improve the review procedures of the Development Review Board.
6. The proposed amendment will help to streamline review of adaptive reuse projects by allowing for administrative approval.

Options

The Plan Commission has the following options for recommendations to the City Council. In Plan Case 1865-T-03, the Plan Commission may:

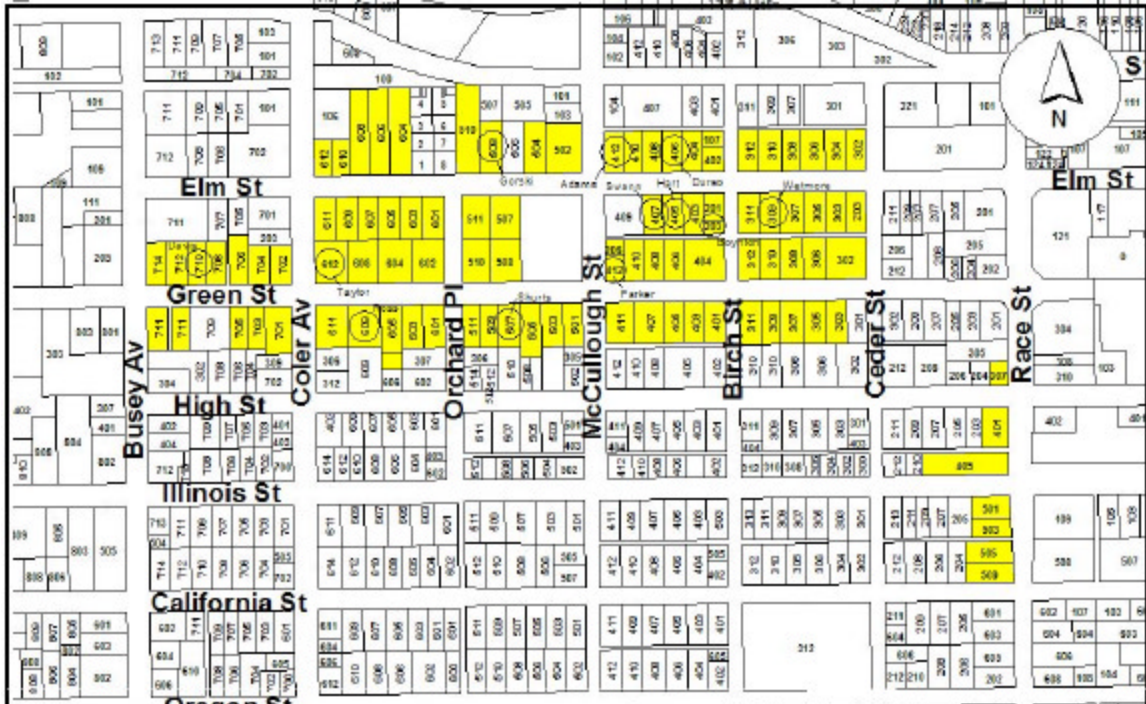
- a. forward this case to City Council with a recommendation for approval of the proposed text amendment to the Zoning Ordinance, as presented herein.

- b. forward this case to City Council with a recommendation for approval of the proposed text amendment to the Zoning Ordinance, as modified by specific suggested changes.
- c. forward this case to City Council with a recommendation for denial of the proposed text amendment to the Zoning Ordinance.

Staff Recommendation

Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, **staff recommends that the Commission recommend approval of the proposed text amendment to the Zoning Ordinance, as presented herein.**

Attachments: Map of Existing MOR District
 Existing MOR Regulations
 Proposed MOR Regulations (Dated October 17, 2003 - DRAFT)
 Originally Proposed MOR Regulations (Dated October 9, 2003 - DRAFT)



Properties in the
M.O.R., Mixed-Office Residential
Zoning District

- Properties Zoned MOR
- Owner Occupied

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Section IV-2.I Purpose of Districts

The *MOR, Mixed-Office Residential District* is intended to encourage a mixture of residential, office and small-scale business land uses that are limited in scale and intensity and designed and constructed to be compatible with existing structures in the district. The district is intended to encourage the adaptive re-use of existing older structures through incentives that will extend the useful life of such structures. New construction shall be designed and constructed in a manner that is consistent with the character of the district. The land uses permitted and the development regulations required in the MOR District are intended to protect nearby residential uses by limiting the scale and intensity of the uses and buildings that may locate in this district. The MOR District is appropriate for mixed uses on small sites which need a careful evaluation of use-to-use compatibility so that the stability and value of surrounding properties are best protected.

Section V-8. Additional Use Regulations in the MOR District

- A. Wherever this ordinance imposes greater restrictions on properties in the MOR, Mixed-Office Residential Zoning District than in other zoning districts, the greater restrictions shall govern.
- B. As an incentive to encourage the adaptive re-use of existing principal structures in the MOR District, any proposal for a change of use, a building addition, and/or exterior remodeling of an existing structure(s) shall not require review by the Development Review Board. Adaptive re-use proposals shall comply with the requirements of the Urbana Zoning Ordinance although the Zoning Administrator may authorize adjustments to existing codes and regulations as specified in Section V-8.D. Adaptive re-use proposals shall demonstrate consistency with the established MOR design guidelines specified in Section XI-12.I.
- C. New construction not incorporating the adaptive re-use of an existing principal structure in the MOR District must receive site plan approval from the Development Review Board in accordance with the provisions of the Board as specified in Section XI-12.
- F. *Adjustments to Existing Codes and Regulations for Adaptive Re-use Projects*
 - 1. As an incentive to encourage the adaptive re-use of existing principal structures in accordance with the purpose and objectives of the MOR District, the Zoning Administrator may authorize adjustments or modifications to the requirements of the Urbana Zoning Ordinance and Urbana City Code. The Zoning Administrator may authorize adjustments only when changes are proposed to the use of existing structures and/or when additions or exterior remodeling of existing principal structures is proposed. The purpose of this provision is to provide an incentive to re-use the existing structures in the District, to provide flexibility in meeting the City's requirements in using existing structures, and to preserve the overall character of the MOR District. This incentive shall not apply to new construction that does not incorporate the adaptive re-use of an existing structure. The Zoning Administrator is hereby authorized to make minimum adjustments or modifications to the following requirements of the Urbana Zoning Ordinance and Urbana City Code in the MOR District for adaptive re-use projects:
 - a. Section VIII-2, Design and Specifications of Off-Street Parking;

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- b. Section VIII-3, Location of Parking Facilities;
- c. Section VIII-4, Amount of Parking Required; except that no reduction in excess of 25% of the full parking requirements may be approved by the Zoning Administrator and no reduction of the parking requirements shall be approved for residential uses; residential use in the MOR District shall conform to the full parking requirements of Section VIII-4;
- d. Section VIII-5, Off-Street Loading Regulations;
- e. Article VI, Development Regulations; except that the Zoning Administrator is authorized to approve only the site plan adjustments listed in Section XI-3-C(2)(c) (i.e., for minor variations) and no others; and
- f. Chapter 7 of the City Code, Fences.

Commentary: The intent of Section V-8.F is to allow some flexibility in existing codes and requirements for adaptive re-use projects. In some instances, the strict application of the development regulations can make an adaptive re-use project infeasible due to uncontrollable circumstances such as existing building placement on the lot, lot size, shape or location. The goal of this provision is to permit the Zoning Administrator to allow slight modifications when necessary to achieve the overall goal of adaptive re-use of existing structures.

Section VIII-3. Location of Parking Facilities

- J. Parking located below a principal structure shall be allowed in the MOR District in accordance with the provisions of Article VIII of this Ordinance and the provisions of the MOR Design Guidelines as provided for in Section XI-12-I.

Section XI-12. Development Review Board

A. *Creation and Purpose*

- 1. Upon the effective date of this amendment, there is hereby created a Development Review Board to administer the site plan review procedures in the MOR, Mixed-Office Residential Zoning District in conformance with the requirements of this Section XI-12.F.
- 2. The Development Review Board is created for the purpose of reviewing and approving or disapproving all site plans for new structures and land uses in the MOR District that do not incorporate the adaptive re-use of an existing structure as specified in Section V-8.B.
- 3. The Development Review Board has the following objectives for reviewing site plan proposals in the MOR, Mixed-Office Residential Zoning District:

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- a. Encourage compatibility by minimizing impacts between proposed land uses and the surrounding area;
- b. Encourage the design of new construction to be compatible with the neighborhood's visual and aesthetic character through the use of design guidelines;
- c. Determine if proposed development plans meet the intent of the district as stated in Article IV.2.1;
- d. Determine if proposed development plans meet the requirements of the Urbana Zoning Ordinance.

B. *Powers and Duties.* The Development Review Board shall have the following powers:

1. The Development Review Board may adopt its own rules, regulations, and procedures consistent with the provisions of this Ordinance and the laws of the State of Illinois.
2. To hold public hearings and to review applications for development within the MOR, Mixed-Office Residential Zoning District as specified in XI-12.A.2. The Development Review Board may require applicants to submit plans, drawings, specifications and other information as may be necessary to make decisions in addition to the application requirements specified in XI-12.C.
3. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this ordinance.

C. *Membership*

1. The Development Review Board shall consist of seven members. The members of the Board shall be appointed by the Mayor and approved by City Council. The membership to the Board shall consist of multiple interests in order to offer a diverse perspective and expertise in reviewing proposals. These interests shall include:
 - a. A member of the Urbana Plan Commission;
 - b. A member of the Urbana Historic Preservation Commission;
 - c. A licensed architect;
 - d. An owner of property in the MOR, Mixed-Office Residential Zoning District;
 - e. A citizen residing inside or within 250 feet of the MOR, Mixed-Office Residential Zoning District
 - f. A local developer;
 - g. An owner of a local business.

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2. Development Review Board members shall serve without compensation and shall serve terms of three years. Members may be reappointed at the conclusion of their term.
3. The Mayor shall declare vacant the seat of any Development Review Board member who fails to attend three (3) consecutive meetings without notification to the Secretary, or who fails to attend one-half of all meetings held during any one-year period. In such cases as well as for resignations, incapacity, death, or any other vacancy, the Mayor shall appoint a successor with approval of the City Council.

D. Officers.

1. There shall be a Chair and a Vice-Chair elected by the Development Review Board, who shall each serve a term of one (1) year and shall be eligible for re-election. Elections shall be held annually.
2. The Chair shall preside over meetings. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. If both the Chair and Vice Chair are absent, those members present shall elect a temporary Chair.
3. Secretary. The Secretary of the Development Review Board shall be a representative of the Community Development Services Department of the City of Urbana. The Secretary shall:
 - a. Take minutes of each Development Review Board meeting, an original of which shall be kept in the office of the Community Development Services Department;
 - b. Provide administrative and technical assistance to the Development Review Board to assist it in making the decisions and findings as provided herein;
 - c. Publish and distribute to the Development Review Board copies of the minutes, reports and decisions of the Development Review Board;
 - d. Give notice as provided herein or by law for all public hearings conducted by the Development Review Board;
 - e. Advise the Mayor of vacancies on the Development Review Board and expiring terms of Development Review Board members;
 - f. Prepare and submit to the Urbana Zoning Board of Appeals and City Council a complete record of the proceedings before the Development Review Board on all appeals from decisions of the Development Review Board and on any other matters requiring Zoning Board of Appeals or City Council consideration; and
 - g. Have no vote.

E. Meetings.

1. Meetings shall be held at regularly scheduled times in the evening to be established by resolution of the Development Review Board at the beginning of each calendar year. Meetings may also be held at any time upon the call of the Chair.

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2. All meetings shall conform to the requirements of the Open Meetings Act. All meetings of the Development Review Board shall be held in a public place designated by the Chair, and shall be open to the public, except as allowed by law. At any meeting of the Development Review Board, any interested person may appear and be heard either in person or by an authorized agent or attorney.

F. Decisions.

1. Every Board member present must vote “aye” or “nay” unless that Board member abstains due to an announced conflict of interest.
2. Abstaining shall not change the count of Board members present to determine the existence of a quorum.
3. The majority shall be calculated on the basis of those voting members present and not abstaining, however, in no instance shall fewer than three “aye” votes constitute a majority.

G. Application and Site Plan Submittal Requirements

1. A request for site plan approval by the Development Review Board shall be made by the applicant in writing on forms provided by the City, shall be accompanied by the required plans, and shall be filed with the Secretary of the Board. Each request shall be submitted with the required fee as provided in Section XI-8.
2. Site Plans must contain the following information:
 - a. Size and dimensions of the parcel to be developed drawn to scale;
 - b. Location and widths of adjacent rights-of-ways, sidewalks and street pavement;
 - c. Identification of neighboring property owners listed on the site plan;
 - d. Location of all existing structures on the parcel;
 - e. Location of adjacent parcels and structures;
 - f. Location and size of proposed structures or additions to be built on the parcel including proposed setbacks from the property lines;
 - g. Location and layout of any proposed access drives, parking area and walkways;
 - h. Elevation renderings of the proposed structure or addition indicating the proposed materials to be used in construction;
 - i. Elevations or perspectives of adjacent existing structures;
 - j. Floor plans indicating the interior layout of the proposed structure or addition;
 - k. Location of existing trees and shrubs and proposed landscaping;
 - l. Detail view drawings as necessary to show key design elements;
 - m. Relevant site details including lighting, dumpster locations, signage, and other features;
 - n. Site data, including lot area, building square footage, floor area ratio, open space ratio, height, number of parking spaces and number of apartment units (if multi-family).
3. Site Plans shall be submitted at a graphic scale of no less than one inch per ten feet.

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4. The Development Review Board may require additional information necessary to consider applications.

H. Development Review Board Review Procedures

1. Within 45 working days but no earlier than 15 working days after a completed application, site plan, fee, and supporting documentation have been received, the Development Review Board shall convene a meeting to consider and act on the requested site plan. The last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 250 feet of the subject property, excluding public right-of-way, shall be notified of said meeting not less than ten days prior to said meeting.
2. After reviewing the proposed site plan according to the criteria in Section XI-12-H, the Development Review Board shall vote on whether to approve the proposed site plan. If the proposed site plan conforms to the requirements of this Ordinance, the Development Review Board shall make the appropriate findings and approve the proposed development plan. If the proposed site plan does not conform to the requirements of this Ordinance, the Development Review Board shall disapprove the proposed development plan and make findings stating the inadequacies of the proposal. The applicant shall be notified in writing of the Board's decision within five working days, which notification shall address the relevant and applicable reasons for the decision as well as any conditions imposed by the Board. Any site plan that is not approved by the Board shall cause the Secretary of the Board to appeal the request to the Board of Zoning Appeals in accord with Section XI-3.
3. Site plan approval is required prior to the issuance of a related building permit or Certificate of Occupancy in the MOR District.
4. When a proposed use is permitted in the MOR District as a Conditional or Special Use according to Table V-1, site plan approval by the Development Review Board is required in addition to the review procedures for conditional or special use permit requests as specified in Section VII-1. The Development Review Board shall make a recommendation to the appropriate reviewing body. The physical development and continued use of the property shall be in strict conformance with the approved site plan.
5. Any order, requirement, decision or condition of approval made by the Development Review Board is appealable by any person aggrieved thereby to the Board of Zoning Appeals in accordance with the procedures of Section XI-3-C. Upon the filing of an appeal, the complete record of the Development Review Board's minutes, findings and decision shall be submitted to the Board of Zoning Appeals for action on the requested appeal. The Board of Zoning Appeals shall have the final authority to approve or disapprove a proposed site plan.
6. The Secretary of the Board shall keep minutes of its proceedings, showing the vote of each member and shall also keep records of its findings and official decisions.
7. The procedure for amending a site plan already approved by the Development Review Board or for a request to change conditions attached to the approval of a site plan shall be the same procedure as a new site plan request.

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8. Approval of a site plan pursuant to Section XI-12 shall become null and void unless an application is made for a building permit or Certificate of Occupancy within one year after the date on which the Board approves the site plan. A one-year extension may be granted by the Zoning Administrator when a written request is submitted prior to the expiration of the one-year term.
9. Any building permit or Certificate of Occupancy issued pursuant to an approved site plan may be revoked by the City for failure to comply with the conditions of approval.

I. Development Plan Review Criteria.

Site plans for new construction not incorporating the adaptive re-use of existing structures must demonstrate conformance with the land use and development standards of the Urbana Zoning Ordinance. In addition, site plans (including, elevations, and floor plans) shall be reviewed and considered by the Development Review Board according to the criteria listed below.

1. Compatibility with Surrounding Neighborhood

Proposals shall demonstrate consistency with the intent of the MOR, Mixed-Office Residential Zoning District as stated in Section IV-2-H. In reviewing proposals the Development Review Board shall consider the effects of the proposed structure(s) and uses on adjacent properties and the surrounding neighborhood. The Board shall consider building location, orientation, setbacks, scale, bulk, massing, and architectural design.

2. Parking and Access

Proposals shall demonstrate that required parking areas are provided in accordance with Article VIII of the Urbana Subdivision Ordinance and that parking areas and access drives are designed to move traffic conveniently and safely in a manner that minimizes traffic conflicts, noise and visual impacts, while minimizing the area of asphalt or concrete. Proposals shall demonstrate the safe and convenient movement of handicapped persons and that the location and design of handicapped parking is in conformance with the requirements of the State of Illinois. Parking areas shall be screened from adjacent residential uses.

3. Impact to Public Facilities

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.

4. Screening and Landscaping

Proposals shall demonstrate the preservation of existing natural features where practical. The Development Review Board shall consider the effects that the proposal may have on the vegetative characteristics of the area and may require landscaping measures to mitigate any potential loss of character. Proposals shall also demonstrate compliance with all landscape and screening requirements identified in the Urbana Zoning Ordinance. The Development Review Board shall consider landscape and screening plans and their ability to effectively screen

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adjacent properties from possible negative influences that may be created by the proposed use. Retention of street trees along the Green and Elm Street corridors shall be encouraged.

5. Site Details

Proposals shall address the provisions for site details including exterior trash dumpsters, storage areas, loading areas, exterior lighting and signs. The Development Review Board shall determine if the site details are in conformance with the requirements of the Urbana Zoning Ordinance and if they are proposed in a manner that will not negatively impact adjacent properties and the character of the neighborhood.

6. Design Guidelines

The Development Review Board shall consider the architectural appearance, massing, color, building materials, or architectural details of the structure in reviewing a proposed development plan. Proposals shall demonstrate general conformance with adopted Design Guidelines for the MOR, Mixed-Office Residential Zoning District as specified in XI-12.J.

J. *Design Guidelines Review*

RESERVED

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Section IV-2.I Purpose of Districts

The *MOR, Mixed-Office Residential District* is intended to encourage a mixture of residential, office and small-scale business land uses that are limited in scale and intensity and designed and constructed to be compatible with existing structures in the district. The adaptive re-use of existing, older structures is encouraged in order to promote their economic viability and to preserve and extend the useful life of such structures. New construction shall be designed and constructed in a manner that best preserves the character of the district.

LANGUAGE FROM THE ORIGINAL INTENT STATEMENT WAS ADDED TO THIS SECTION TO BETTER CONVEY THE INTENT OF THE DISTRICT

Section V-8. Additional Use Regulations in the MOR District

- A. Wherever this ordinance imposes greater restrictions on properties in the MOR, Mixed-Office Residential Zoning District than in other zoning districts, the greater restrictions shall govern.
- B. No changes in existing land uses or proposed new land uses and/or structures may be implemented except after review and approval by the Development Review Board in accordance with the provisions of the Board as specified in Section XI-12.

THIS SECTION WAS EXPANDED TO CLEARLY STATE THAT ADAPTIVE REUSE PROJECTS DO NOT REQUIRE DEVELOPMENT REVIEW BOARD APPROVAL AND THAT NEW CONSTRUCTION NOT INCORPORATING ADAPTIVE REUSE MUST BE APPROVED BY THE BOARD. THE SECTION ALLOWING MINOR ADJUSTMENTS TO DEVELOPMENT CODES WAS MOVED TO THIS SECTION. THESE MODIFICATIONS ARE ONLY ALLOWED FOR ADAPTIVE REUSE PROJECTS.

Section VIII-3. Location of Parking Facilities

- J. Parking located below a principal structure shall be allowed in the MOR District in accordance with the provisions of Article VIII of this Ordinance and the provisions of the MOR Design Guidelines as provided for in Section XI-12-J.

Section XI-12. Development Review Board

- A. *Creation and Purpose*
 - 1. Upon the effective date of this amendment, there is hereby created a Development Review Board to administer the development plan review procedures in the MOR, Mixed-Office Residential Zoning District in conformance with the requirements of this Section XI-12.F.
 - 2. The Development Review Board is created for the purpose of reviewing and approving or disapproving all development plans for changes to uses in existing structures, for additions for exterior remodeling of existing structures, and for construction of new structures and parking areas in the MOR District.

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3. The Development Review Board has the following objectives for reviewing development plan proposals in the MOR, Mixed-Office Residential Zoning District:
 - a. Encourage the rehabilitation and economic use of older structures in a manner that is compatible with the neighborhood;
 - b. Encourage compatibility by minimizing impacts between proposed land uses and the surrounding area;
 - c. Encourage the design of new construction to be compatible with the neighborhood's visual and aesthetic character through the use of design guidelines;
 - d. Determine if proposed development plans meet the intent of the district as stated in Article IV.2.I;
 - e. Determine if proposed development plans meet the requirements of the Urbana Zoning Ordinance.
4. The Development Review Board shall be responsible for reviewing and issuing conditional use permits in the MOR District in place of the Zoning Board of Appeals subject to the provisions and review criteria set forth in Section VII-1, VII-2, and VII-3; and for reviewing and issuing minor variances in place of the Zoning Board of Appeals subject to the provisions and review criteria set forth in Section XI-3.
5. The Development Review Board shall be responsible for reviewing and issuing recommendations on special use permits in the MOR District in place of the Plan Commission subject to the provisions and review criteria set forth in Section VII-1, VII-6, VII-7; and for reviewing and issuing recommendations on major variances in place of the Zoning Board of Appeals subject to the provisions and review criteria set forth in Section XI-3.

THIS SECTION WAS AMENDED TO STATE WHAT PROJECTS THE DEVELOPMENT REVIEW BOARD WILL REVIEW (NEW CONSTRUCTION NOT INCORPORATING ADAPTIVE REUSE). IT WAS ALSO AMENDED TO NO LONGER ALLOW THE DRB TO REVIEW CONDITIONAL AND SPECIAL USE PERMITS AND MAJOR VARIANCES. THOSE CASES WILL GO TO THE ZONING BOARD OF APPEALS AS USUAL.

- B. *Powers and Duties.* The Development Review Board shall have the following powers:
1. The Development Review Board may adopt its own rules, regulations, and procedures consistent with the provisions of this Ordinance and the laws of the State of Illinois.
 2. To hold public hearings and to review applications for development within the MOR, Mixed-Office Residential Zoning District as specified in XI-12.A.2. The Development Review Board may require applicants to submit plans, drawings, specifications and other information as may be necessary to make decisions in addition to the application requirements specified in XI-12.C.

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3. To recommend prospective Development Review Board members to the Mayor in order to fill vacancies on the Board.
4. To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or to the implementation of the purpose of this ordinance.

C. Membership

1. The Development Review Board shall consist of the following five members:
 - a. A representative of the Urbana Plan Commission;
 - b. A representative of the Urbana Historic Preservation Commission;
 - c. A licensed architect;
 - d. An owner of property in the MOR, Mixed-Office Residential Zoning District
 - e. A citizen residing inside or within 250 feet of the MOR, Mixed-Office Residential Zoning District

MEMBERSHIP WAS EXPANDED TO INCLUDE AN OWNER OF A LOCAL BUSINESS AND A DEVELOPER. BOARD EXPANDS FROM FIVE TO SEVEN.

2. The Development Review Board shall be appointed by the Mayor of Urbana and approved by the City Council. Development Review Board members shall serve without compensation and shall serve terms of three years. Members may be reappointed at the conclusion of their term.
3. The Mayor shall declare vacant the seat of any Development Review Board member who fails to attend three (3) consecutive meetings without notification to the Secretary, or who fails to attend one-half of all meetings held during any one-year period. In such cases as well as for resignations, incapacity, death, or any other vacancy, the Mayor shall appoint a successor with approval of the City Council.

D. Officers.

1. There shall be a Chair and a Vice-Chair elected by the Development Review Board, who shall each serve a term of one (1) year and shall be eligible for re-election. Elections shall be held annually.
2. The Chair shall preside over meetings. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. If both the Chair and Vice Chair are absent, those members present shall elect a temporary Chair.
3. Secretary. The Secretary of the Development Review Board shall be a representative of the Community Development Services Department of the City of Urbana. The Secretary shall:

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- a. Take minutes of each Development Review Board meeting, an original of which shall be kept in the office of the Community Development Services Department;
 - b. Provide administrative and technical assistance to the Development Review Board to assist it in making the decisions and findings as provided herein;
 - c. Publish and distribute to the Development Review Board copies of the minutes, reports and decisions of the Development Review Board;
 - d. Give notice as provided herein or by law for all public hearings conducted by the Development Review Board;
 - e. Advise the Mayor of vacancies on the Development Review Board and expiring terms of Development Review Board members;
 - f. Prepare and submit to the Urbana Zoning Board of Appeals and City Council a complete record of the proceedings before the Development Review Board on all appeals from decisions of the Development Review Board and on any other matters requiring Zoning Board of Appeals or City Council consideration; and
 - g. Have no vote.
- E. *Meetings.* A quorum shall consist of a majority of the members of the Development Review Board then holding office, but not less than three (3).
- 1. Decisions to approve proposed development plans as herein provided shall require a majority vote of all Board members.
 - 2. Meetings shall be held at regularly scheduled times in the evening to be established by resolution of the Development Review Board at the beginning of each calendar year. Meetings may also be held at any time upon the call of the Chair.
 - 3. In the event of a Development Review Board member's abstention, which shall only be for purposes of an asserted conflict of interest, then such vote shall be recorded as an abstention, but the Chair of the Development Review Board shall rule that such vote goes with the majority of those votes actually cast.
 - 4. All meetings shall conform to the requirements of the Open Meetings Act. All meetings of the Development Review Board shall be held in a public place designated by the Chair, and shall be open to the public, except as allowed by law. At any meeting of the Development Review Board, any interested person may appear and be heard either in person or by an authorized agent or attorney.

REVISIONS WERE MADE TO THE SECTION SPECIFYING VOTING PROCEDURES. A NEW SECTION CALLED "DECISIONS" WAS SEPARATED OUT FROM "MEETINGS"

- F. *Application and Development Plan Submittal Requirements*

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1. A request for development plan approval by the Development Review Board shall be made by the applicant in writing on forms provided by the City, shall be accompanied by the required plans, and shall be filed with the Secretary of the Board. Each request shall be submitted with the required fee as provided in Section XI-8.
2. Development Plans must contain the following information:
 - a. Size and dimensions of the parcel to be developed drawn to scale;
 - b. Location and widths of adjacent rights-of-ways, sidewalks and street pavement;
 - c. Identification of neighboring property owners listed on the site plan;
 - d. Location of all existing structures on the parcel;
 - e. Location of adjacent parcels and structures;
 - f. Location and size of proposed structures or additions to be built on the parcel including proposed setbacks from the property lines;
 - g. Location and layout of any proposed access drives, parking area and walkways;
 - h. Elevation renderings of the proposed structure or addition indicating the proposed materials to be used in construction;
 - i. Elevations or perspectives of adjacent existing structures;
 - j. Floor plans indicating the interior layout of the proposed structure or addition;
 - k. Location of existing vegetation and proposed landscaping;
 - l. Detail view drawings as necessary to show key design elements;
 - m. Relevant site details including lighting, dumpster locations, signage, and other features;
 - n. Site data, including lot area, building square footage, floor area ratio, open space ratio, height, number of parking spaces and number of apartment units (if multi-family).
3. Site Plans shall be submitted at a graphic scale of no less than one inch per one-hundred feet.
4. The Development Review Board may require additional information necessary to consider applications.

G. Development Review Board Review Procedures

1. Within 45 working days but no earlier than 15 working days after a completed application, development plan, fee, and supporting documentation have been received, the Development Review Board shall convene a meeting to consider and act on the requested development plan. The last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 250 feet of the subject property, excluding public right-of-way, shall be notified of said meeting not less than ten days prior to said meeting.
2. After reviewing the proposed development plan according to the criteria in Section XI-12-H, the Development Review Board shall vote on whether to approve the proposed development plan. All decisions of the Development Review Board shall require a majority vote of the membership. If a quorum of the Development Review Board is not present at the meeting, the request shall be tabled until a quorum of the members is achieved, provided, however, that all proposed site plans shall be voted on within 45 days of the initial application. A less than majority decision by the Board shall cause the Secretary of the Board to appeal the request to the Board of Zoning Appeals in accord with Section XI-3.

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3. If the proposed development plan conforms to the general standards and specific requirements of this Ordinance, the Development Review Board shall make the appropriate findings and approve the proposed development plan. If the proposed development plan does not conform to the general standards and specific requirements of this Ordinance, the Development Review Board shall so find and disapprove the proposed development plan. The applicant shall be notified in writing of the Board's decision within five working days, which notification shall address the relevant and applicable reasons for the decision as well as any conditions imposed by the Board.
4. Development plan approval is required prior to the approval of any request for a related building permit or Certificate of Occupancy in the MOR District.
5. Development plan approval is also required for all requests for conditional uses and special uses in the MOR District. Review of conditional uses and special uses by the Development Review Board shall be coordinated to allow for simultaneous review with the development plan, if so desired by the applicant. The approved development plan becomes the official plan for the property and is the final site plan submitted with a request for a building permit in the MOR District. The physical development and continued use of the property shall be in strict conformance with the approved development plan.

THIS PROVISION WAS ELIMINATED

6. Any order, requirement, decision or condition of approval made by the Development Review Board is appealable by any person aggrieved thereby to the Board of Zoning Appeals in accordance with the procedures of Section XI-3-C. Upon the filing of an appeal, the complete record of the Development Review Board's minutes, findings and decision shall be submitted to the Board of Zoning Appeals for action on the requested appeal. The Board of Zoning Appeals shall have the final authority to approve or disapprove a proposed development plan.
7. The Secretary of the Board shall keep minutes of its proceedings, showing the vote of each member and shall also keep records of its findings and official decisions.
8. The procedure for amending a development plan already approved by the Development Review Board or for a request to change conditions attached to the approval of a development plan shall be the same procedure as a new development plan request.
9. Approval of a development plan pursuant to Section XI-12 shall become null and void unless an application is made for a building permit or Certificate of Occupancy within one year after the date on which the Board approves the development plan. A one-year extension may be granted by the Zoning Administrator when a written request is submitted prior to the expiration of the one-year term.
10. Any building permit or Certificate of Occupancy issued pursuant to an approved development plan may be revoked by the City for failure to comply with the conditions of approval.

H. Development Plan Review Criteria.

All development plans (including site plans, elevations, and floor plans) shall be reviewed and considered by the Development Review Board according to the criteria listed below.

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1. Land Use and Development Regulations

Proposed development plans shall demonstrate compliance with the land use and development requirements of the Urbana Zoning Ordinance.

THIS REVIEW CRITERIA WAS ELIMINATED AND IT HAS BEEN STATED ELSEWHERE THAT SITE PLANS MUST BE COMPLIANT WITH THE URBANA ZONING ORDINANCE EXCEPT WHERE VARIED BY PROVISIONS OF THE ORDINANCE.

2. Compatibility with Surrounding Neighborhood

Proposals shall demonstrate consistency with the intent of the MOR, Mixed-Office Residential Zoning District as stated in Section IV-2-H. In reviewing proposals the Development Review Board shall consider the effects of the proposed structure(s) and uses on adjacent properties and the surrounding neighborhood. The Board shall consider building location, orientation, setbacks, scale, bulk, massing, and architectural design.

3. Parking and Access

Proposals shall demonstrate that required parking areas are provided in accordance with Article VIII of the Urbana Subdivision Ordinance and that parking areas and access drives are designed to move traffic conveniently and safely in a manner that minimizes traffic conflicts, noise and visual impacts, while minimizing the area of asphalt or concrete. Proposals shall demonstrate the safe and convenient movement of handicapped persons and that the location and design of handicapped parking is in conformance with the requirements of the State of Illinois. Parking areas shall be screened from adjacent residential uses.

4. Engineering and Drainage

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.

THIS REVIEW CRITERIA WAS RENAMED "IMPACT TO PUBLIC FACILITIES"

5. Screening and Landscaping

Proposals shall demonstrate the preservation of existing natural features such as mature trees and other healthy vegetation where practical. The Development Review Board shall consider the effects that the proposal may have on the vegetative characteristics of the area and may require landscaping measures to mitigate any potential loss of character. Proposals shall also demonstrate compliance with all landscape and screening requirements identified in the Urbana Zoning Ordinance. The Development Review Board shall consider landscape and screening plans and their ability to effectively screen adjacent properties from possible negative influences

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that may be created by the proposed use. Retention of street trees along the Green and Elm Street corridors shall be considered.

6. Site Details

Proposals shall address the provisions for site details including exterior trash dumpsters, storage areas, loading areas, exterior lighting and signs. The Development Review Board shall determine if the site details are in conformance with the requirements of the Urbana Zoning Ordinance and if they are proposed in a manner that will not negatively impact adjacent properties and the character of the neighborhood.

7. Design Guidelines

The Development Review Board shall consider the architectural style, appearance, massing, color, building materials, or architectural details of the structure in reviewing a proposed development plan. Proposals shall demonstrate general conformance with adopted Design Guidelines for the MOR, Mixed-Office Residential Zoning District as specified in XI-12.J.

I. Adjustments to Existing Codes and Regulations

1. In order to encourage the compatible re-use of existing structures in accordance with the purpose and objectives of the MOR District, the Development Review Board is hereby authorized to approve adjustments or modifications to the requirements of the Urbana Zoning Ordinance and Urbana City Code in accordance with the provisions of Section XI-12. The Development Review Board may authorize adjustments only when changes are proposed to the use of existing structures and/or when additions or exterior remodeling of existing structures is proposed. The purpose of this provision is to provide an incentive to re-use the existing structures, to provide flexibility in meeting the City's requirements in using existing structures, and to preserve the overall character of the MOR District. Construction of new buildings shall conform to all requirements of the Urbana Zoning Ordinance and Urbana City Code unless a variance is granted by the Development Review Board or Urbana City Council in accordance with Section XI-3-C.
2. In accordance with the purposes of the Zoning Ordinance, the Development Review Board is hereby authorized to make minimum adjustments or modifications to the following requirements of the Urbana Zoning Ordinance and Urbana City Code in the MOR District that are consistent with the purposes of the MOR District:
 - a. Section VIII-2, Design and Specifications of Off-Street Parking;
 - b. Section VIII-3, Location of Parking Facilities;
 - c. Section VIII-4, Amount of Parking Required; except that no adjustment in excess of 25% of the full parking requirements may be approved by the Development Review Board and no adjustment of the parking requirements shall be approved for residential uses; residential use in the MOR District shall conform to the full parking requirements of Section VIII-4;
 - d. Section VIII-5, Off-Street Loading Regulations;

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- e. Article VI, Development Regulations; except that the Development Review Board is authorized to approve only the development plan adjustments listed in Section XI-3-C(2)(c) (i.e., for minor variations) and no others; and
- f. Chapter 7 of the City Code, Fences.

THIS SECTION WAS MOVED TO THE SECTION THAT DEALS WITH THE REVIEW PROCESS FOR ADAPTIVE REUSE PROJECTS. SINCE THIS PROVISION WAS ONLY ALLOWED FOR ADAPTIVE REUSE PROJECTS AND THOSE PROJECTS WILL NO LONGER BE REVIEWED BY THE DRB, IT WAS MOVED OUT OF THIS SECTION.

- 3. The Development Review Board may also make recommendations regarding major variations from the Zoning Ordinance in place of the Zoning Board of Appeals, in conformance with the procedures and criteria set forth in Section XI-3.

THIS PROVISION WAS ELIMINATED

- J. *Design Guidelines Review*

RESERVED

Existing Urbana Zoning Ordinance Text

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Section IV-2.I Additional Use Regulations in the MOR District

The *MOR, Mixed Office Residential District* is intended to provide areas for a limited variety of business, office, and residential land uses in proximity to low density residential dwellings in order to promote the economic viability and preservation of older residential structures while protecting the aesthetic and residential character of the area. The development regulations and permitted uses make this district suitable for properties which may no longer be viable as strictly residential uses but are located in a residential setting. This district is intended to encourage the adaptive re-use of these older residential structures as an incentive to preserve and extend the useful life of such structures while also allowing compatible new development. The MOR District is also intended to promote the conservation of buildings and neighborhoods, which in combination or individually, are of unique community and neighborhood significance.

The land uses permitted and the development regulations required in the MOR District are intended to protect nearby residential uses by limiting the scale and intensity of the uses and buildings that may locate in this district. The MOR District is appropriate for mixed uses on small sites which need a careful evaluation of use-to-use compatibility so that the stability and value of surrounding properties are best protected. (Ord. No. 8384-25, § 3, 10-17-83; Ord. No. 9091-59, § 2, 11-19-90; Ord. No. 9091-60, § 2, 11-19-90; Ord. No. 9091-61, § 2, 11-19-90; Ord. No. 9091-62, § 2, 11-19-90; Ord. No. 9293-72, § 1, 02-01-93)

Section V-8. Additional Use Regulations in the MOR District

- A. The purpose and intent of the MOR Mixed Office Residential District as stated in Section IV-2-H indicate that this District is unlike any other zoning district in this Ordinance. By reason of the unique purpose of this district, wherever this Ordinance imposes greater restrictions on properties in the MOR District than in other zoning districts, the greater restrictions shall govern.
- B. No land uses or structures shall be permitted in the MOR District without the approval of the Development Review Board in accordance with the site plan review procedures required in Section XI-12. (Ord. No. 9091-59. § 7, 11-19-90)

Section VIII-3. Location of Parking Facilities

- J. Parking located at ground level below any portion of a principal structure shall be prohibited in the MOR District. Parking located underground below a principal structure shall be allowed in the MOR District in accordance with the provisions of Article VIII of this Ordinance.

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Section XI-12. Development Review Board

B. *Creation and Membership*

1. Upon the effective date of this amendment, there is hereby created a Development Review Board to administer the site plan review procedure in the MOR District in conformance with the requirements of this Section XI-12.
2. The Development Review Board shall consist of the following five members who shall be employees of the City of Urbana:
 - a) The Zoning Administrator or representative
 - b) The City Planner or representative
 - c) The City Engineer or representative
 - d) The City Arborist or representative
 - e) The Building Safety Division Manager or representative
3. The Zoning Administrator or representative shall serve as chairman of the Development Review Board.

C. *Purpose and Objectives*

1. The purpose of the Development Review Board is to review and approve or disapprove all site plans for changes to uses in existing structures, for additions for exterior remodeling of existing structures, and for construction of new structures and parking areas in the MOR District.
2. The objectives of the Development Review Board in administering the site plan review required in the MOR District are to:
 - a) Encourage compatible new construction or rehabilitation and alteration of existing structures;
 - b) Encourage compatibility and minimize impacts between the proposed land use and the surrounding area;
 - c) Encourage the maintenance, preservation, and enhancement of both individual structures and the neighborhood's visual and aesthetic character;
 - d) Encourage the economic use of older structures in a manner compatible with the neighborhood;
 - e) Encourage flexibility and creativity in meeting the requirements of the Zoning Ordinance and the Urbana City Code;
 - f) Provide for the resolution of request for site plan approvals in conformance with the purpose of the MOR District and the requirements of the Zoning Ordinance.

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D. Site Plan Review Procedures

1. A request for site plan approval shall be made by the applicant in writing on forms provided by the City, shall be accompanied by the site plan, and shall be filed with the City Planner. Each request shall be submitted with the required fee as provided in Section XI-8.
2. The Development Review Board may adopt its own rules, regulations, and procedures consistent with the provisions of this Ordinance and the laws of the State of Illinois. All site plans submitted for review shall contain the information required by the Development Review Board.
3. Within 15 working days after the completed application, site plan, fee, and supporting documentation have been received, the City Planner shall convene a meeting of the Development Review Board to consider and act on the requested site plan. The last known taxpayers of record, as reflected in the Champaign County records, of all property adjacent to or within 100 feet of the subject property, excluding public right-of-way, shall be notified of said meeting not less than seven days prior to said meeting.
4. All meetings of the Board shall be held in a public place designated by the Chairman, and shall be open to the public, except as allowed by law. At any meeting of the Board, any interested person may appear and be heard either in person or by an authorized agent or attorney.
5. After reviewing the proposed site plan according to the criteria and standards in Section XI-12-D, the Development Review Board shall vote to approve or disapprove the proposed site plan. All decisions of the Development Review Board shall require a unanimous vote. If less than all five members of the Development Review Board are present at the meeting, the request shall be tabled until all members are present, provided, however, that all proposed site plans shall be voted on within 30 days of the initial application. A less than unanimous decision by the Board shall cause the City Planner to appeal the request to the Board of Zoning Appeals in accord with Section XI-3. The Development Review Board may impose conditions or requirements that it deems appropriate or necessary in order to accomplish the purposes of this Ordinance only when site plan adjustments for an existing structure are only approved as an incentive to re-use the existing structure in accordance with Section XI-12-E.
6. If the proposed site plan conforms to the general standards and specific requirements of this Ordinance, the Development Review Board shall make the appropriate findings and approve the proposed site plan. If the proposed site plan does not conform to the general standards and specific requirements of this Ordinance, the Development Review Board shall so find and disapprove the proposed site plan. The applicant shall be notified in writing of the Board's decision within five working days, which notification shall address the relevant and applicable reasons for the decision as well as any conditions imposed by the Board.
7. If the proposed site plan is not approved, the applicant shall be given a reasonable opportunity to resubmit the site plan with modifications to specifically address the findings of the Board. Site plan approval is required prior to the approval of any request for a building permit or a Certificate of Occupancy in the MOR District. Site plan approval is also required for all requests for conditional uses and special uses in the MOR District. The decision of the Development Review Board concerning the site plan shall be submitted to the appropriate body reviewing the

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conditional use and special uses requests. The approved site plan becomes the official plan for the property and is the final site plan submitted with a request for a building permit in the MOR District. They physical development and continued use of the property shall be in strict conformance with the approved site plan.

8. Any order, requirement, decision or condition of approval made by the Development Review Board is appealable by any person aggrieved thereby to the Board of Zoning Appeals in accordance with the procedures of Section XI-3-C. Upon the filing of an appeal, the complete record of the Development Review Board's minutes, findings and decision shall be submitted to the Board of Zoning Appeals for action on the requested appeal. The Board of Zoning Appeals shall have the final authority to approve or disapprove a proposed site plan.
9. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question and shall also keep records of its findings and official decisions.
10. The procedure for amending a site plan already approved by the Development Review Board or for a request to change conditions attached to the approval of a site plan shall be the same procedure as a new site plan request.
11. Approval of a site plan pursuant to Section XI-12 shall become null and void unless an application is made for a building permit or Certificate of Occupancy within one year after the date on which the Board approves the site plan.
12. Any building permit or Certificate of Occupancy issued pursuant to an approved site plan may be revoked by the City for failure to comply with the conditions of approval.

E. Design Review Criteria and Standards

All site plans will be reviewed by the Development Review Board according to the criteria and standards listed below. The Development Review Board shall approve no site plan unless it complies with the requirements of this Ordinance, is consistent with the intent and purpose of the MOR District, and is compatible with the land uses surrounding the site.

1. Will the proposed land use conform with the purpose of the MOR District as stated in Section IV-2-H, and with the table of permitted uses listed in Table V-1? Will the project design be harmonious with adjacent land uses and the character of the surrounding neighborhood?
2. Will the proposed site plan and structure(s) conform to the development regulations in Article VI? Will the proposed site plan be compatible with the surrounding neighborhood? Will the proposed use overburden the capacities of existing streets, utilities, sewers and other public facilities?
3. Will the location, orientation, setbacks, spacing and placement of the structure(s) harmonize with the surrounding neighborhood and minimizes the impact of their use and bulk on adjacent properties?
4. Will drives and parking areas be located, designed and controlled to move traffic conveniently and safely in a manner which minimizes traffic friction, noise and visual impacts?

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5. Will adequately sized and designed parking areas be located to meet the requirements of Article VIII except as modified by the Development Review Board?
6. Will safe and convenient provisions for the movement of handicapped persons and parking for the vehicles of the handicapped be accommodated in the project design in conformance with the requirements of the State of Illinois?
7. Will the project design encourage the preservation of natural features such as mature trees and other healthy vegetation?
8. Will the project design conform to the sign regulations in Article XI?
9. Will the location and construction of fencing and screening conform to the requirements of the Urbana City Code?
10. Will the project design conform to customary engineering, site development and site landscaping standards?
11. Will landscaping berms, fences and/or walls be provided to screen adjacent properties from possible negative influences that may be created by the proposed use?
12. Will the design of drives and parking areas result in a minimum area of asphalt or concrete? Will drainage be provided in conformance with the requirements of the Urbana City Code?
13. Will the location of exterior trash dumpsters, storage areas and loading areas be screened from adjacent properties and streets? Will exterior lighting be directed away from adjacent structures?

The Development Review Board shall not consider the architectural style, appearance, color, building materials, or architectural details of the structure in reviewing a proposed site plan except as such factors affect the placement of the building, drives and parking areas on the site.

F. *Site Plan Adjustments*

1. In order to encourage the compatible re-use of existing structures in accord with the purpose and objectives of the MOR District, the Development Review Board is hereby authorized to approve site plan adjustments or modifications to the requirements of the Urbana Zoning Ordinance and Urbana City Code in accordance with the provisions of Section XI-12-E(3).
2. When changes are proposed to the use of existing structures and/or when additions or exterior remodeling of existing structures is proposed, the Development Review Board is hereby authorized to approve site plan adjustments or modifications of the requirements of the Zoning Ordinance and City Code. Construction of new buildings shall conform to all requirements of the Urbana Zoning Ordinance and Urbana City Code unless a general or specific variance is granted by the Board of Zoning Appeals or Urbana City Council in accordance with Section XI-3-C. The purpose of this provision is to provide an incentive to re-use the existing structures, to provide flexibility in meeting the City's requirements in using existing structures, and to preserve the overall character of the MOR District.

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3. In accord with the purposes of the Zoning Ordinance, the Development Review Board is hereby authorized to make minimum adjustments or modifications to the following requirements of the Urbana Zoning Ordinance and Urbana City Code in the MOR District that are consistent with the purposes of the MOR District:
 - a) Section VIII-2, Design and Specifications of Off-Street Parking;
 - b) Section VIII-3, Location of Parking Facilities;
 - c) Section VIII-4, Amount of Parking Required; except that no adjustment in excess of 25% of the full parking requirements may be approved by the Development Review Board and no adjustment of the parking requirements shall be approved for residential uses; residential use in the MOR District shall conform to the full parking requirements of Section VIII-4;
 - d) Section VIII-5, Off-Street Loading Regulations;
 - e) Article VI, Development Regulations; except that the Development Review Board is authorized to approve only the site plan adjustments listed in Section XI-3-C(2)(c) and no others; and
 - f) Chapter 7 of the City Code, Fences.

4. None of the provisions of this Section XI-12 shall prevent or otherwise restrict the ability of a property owner to request a general variance or specific variance or to receive approval of a request for a general variance or specific variance from the Board of Zoning Appeals or City Council in accordance with the provisions of Section XI-3 of this Ordinance.