

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** August 24, 2006

**TIME:** 7:30 P.M.

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

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**MEMBERS PRESENT:** Jane Burris, Ben Grosser, Lew Hopkins, Michael Pollock, Bernadine Stake, Marilyn Upah-Bant, James Ward, Don White

**MEMBERS EXCUSED:** None

**STAFF PRESENT:** Robert Myers, Planning Manager; Jeff Engstrom, Planner I; Becca Bicksler, Community Development Associate; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Brandon Bowersox, Betsey Cronan, Paul Debevec, Debbie Insana, Emily Laugesen, Susan Taylor, Dianna Visek

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

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

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF MINUTES**

Mr. White moved to approve the minutes from the August 10, 2006 Plan Commission meeting as presented. Mr. Grosser seconded the motion. The minutes were approved as presented by unanimous vote.

**4. WRITTEN COMMUNICATIONS**

- Email from David Kraft regarding the Neighborhood Conservation District Study
- PowerPoint Presentation Guide for the Neighborhood Conservation District Study

**5. CONTINUED PUBLIC HEARINGS**

There were none.

**6. OLD BUSINESS**

There was none.

**7. NEW PUBLIC HEARINGS**

**CCZBA-558-AT-06 – Request by the Champaign County Zoning Administrator to amend the Champaign County Zoning Ordinance to add “Mortuary or Funeral Home” and authorize by Special Use Permit only in the AG-2, Agriculture Zoning District.**

Jeff Engstrom, Planner I, gave the staff presentation for this case. He reviewed the proposed changes to the Champaign County Zoning Ordinance. He mentioned that this case came about as a result of a proposal to operate a mortuary at Mount Hope Cemetery which is an unincorporated island surrounded by both the cities of Urbana and Champaign. He discussed the impact that the proposed land uses would have on the City of Urbana. He mentioned the goals and objectives of the 2005 Comprehensive Plan that pertained to this case. He summarized staff findings and read the options of the Plan Commission. He presented staff’s recommendation, which is as follows:

*Staff recommends that the Plan Commission forward this case to the City Council with a recommendation to defeat a resolution of protest for the proposed text amendment based upon the findings summarized in the written staff report.*

Mr. Ward inquired if there were other cemeteries located within the Extraterritorial Jurisdiction (ETJ) that the proposed changes might create future actions. Mr. Engstrom found four other cemeteries within the ETJ; however, they seem older and pretty much fully occupied. He did not believe that the proposed text amendment would affect them.

Ms. Stake asked how the local firm acquired land that is part of the cemetery. Mr. Engstrom replied that there is an existing building at Mount Hope Cemetery that the local firm plans to expand to allow for funeral services. Mr. Myers explained that cemeteries fall under different ownership patterns. One kind is where it is owned by a private land owner. A second kind is where it is owned by a not-for-profit cemetery association, and the third type of cemeteries is for-profit ownership and operation. He did not know whether Mt. Hope Cemetery is owned by a for-profit or a not-for-profit organization, but it does have professional management.

Ms. Stake stated that it seems the proposed change would be so they could make more of a profit, because they would have a business. Mr. Engstrom said yes. Ms. Stake commented that it seemed strange to have a business in the cemetery.

Ms. Burris feels that funeral homes and mortuaries go with cemeteries, maybe because she is originally from a larger city. It is actually very common for people who do not have an affiliation

with a specific church or religion to have services on the same ground as to which they are about to be buried.

Mr. Grosser asked if the cemetery is located between Pennsylvania and Kirby Avenues. Mr. Engstrom replied yes.

Ms. Upah-Bant commented that she was surprised to find that the cemetery was still in Champaign County. Mr. Myers pointed out that the cemetery is an unincorporated island totally surrounded by the City of Champaign and the City of Urbana. One of the issues is that if the common City boundary line were extended straight, it would cut the cemetery in half. Should it ever get annexed into one city or the other, then the City boundary would have to jog either west or east around the cemetery depending on which City would take it in. Ms. Upah-Bant questioned how the cemetery could ever be annexed, because the University of Illinois is north of it. Mr. Myers did not know if there are any good reasons to annex it other than emergency service response.

Ms. Upah-Bant inquired how a City taxes a cemetery. Mr. Myers stated that it depends on whether the cemetery is for profit or not-for-profit. There are different variables on it.

Ms. Upah-Bant questioned whether the cemetery would be more valuable with a mortuary on it than before. Is the City of Urbana more likely to want to annex the cemetery with a mortuary on it? Mr. Myers responded by saying that annexation is another whole issue than reviewing the County's change in zoning standards. Staff has not done any kind of analysis to figure out whether the City should or should not annex it. Constructing a new building would probably add value to the property, but he is not sure if this is for-profit or not-for-profit.

Ms. Upah-Bant inquired how the cemetery could ever be annexed if it is totally surrounded by the University of Illinois. Mr. Myers stated that the City of Champaign's and the City of Urbana's boundaries go around each side of it, and it is not totally surrounded by either City. Consequently, he believed it would be up to the property owner to petition to annex if so desired.

Ms. Stake asked who owns the cemetery. Mr. Grosser answered by saying that Mittendorf-Calvert Funeral Home is the business that wants to build a funeral home/mortuary there. Mr. Engstrom believes that Mittendorf-Calvert Funeral Home would either have to own it or manage it in order to build on it.

Mr. White stated that there is already a building located in the cemetery, and it appears to have an office in it already. He went on to say that in another situation if there was a cemetery, the owner could purchase additional property adjacent to it to build a funeral home on it. He did not see anything wrong with this.

Mr. White moved that the Plan Commission forward the proposed case to the City Council with the recommendation to defeat a resolution of protest as recommended by City staff. Ms. Burris seconded the motion. Roll call was as follows:

Mr. Grosser	-	Yes	Mr. Hopkins	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes

Ms. Upah-Bant	-	Yes	Mr. Ward	-	Yes
Mr. White	-	Yes	Ms. Burris	-	Yes

The motion was approved by unanimous vote.

**CCZBA-546-AM-06 – Rezone 24 acres in Champaign County to allow for the development of 12 single-family residential lots in the AG-2 zoning district by adding the Rural Residential Overlay (RRO) Zoning District, north side of Airport Road just east of High Cross Road.**

Robert Myers, Planning Manager, presented the staff report for this case. He gave a brief introduction and background regarding the process and the City’s responsibility for reviewing the proposed County rezoning. He talked about the County zoning classification of RRO, Rural Residential Overlay. He pointed out staff’s review of the future land use designations and goals and objectives of the 2005 Comprehensive Plan, as well as the La Salle National Bank Criteria, that pertained to the proposed rezoning. He summarized staff findings and read the options of the Plan Commission. He presented staff’s recommendation, which is as follows:

*Based upon the findings in the written staff report, staff recommends that the Plan Commission forward to the City Council a recommendation to defeat a resolution of protest.*

Mr. Pollock inquired if the proposed rezoning is approved, then the subdivision would be developed according to the City of Urbana’s subdivision regulations and building requirements. Mr. Myers replied yes. The improvements to the property would have to meet all of the City’s subdivision standards. Should it be annexed sometime in the future, then it would at least have been built to the City’s standards.

Mr. Pollock asked if this is currently farmland. Mr. Myers replied he believed it is currently pasture.

Ms. Stake moved that the Plan Commission forward the proposed case to the City Council with a recommendation to defeat a resolution of protest. Mr. Ward seconded the motion.

Mr. Pollock pointed out that the case is listed on the agenda as a 06 case, but on the staff report it is listed as 04. He assumed that staff would correct this.

Roll call was as follows:

Mr. Hopkins	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	Yes	Ms. Upah-Bant	-	Yes
Mr. Ward	-	Yes	Mr. White	-	Yes
Ms. Burris	-	Yes	Mr. Grosser	-	Yes

The motion was approved by unanimous vote.

## 8. NEW BUSINESS

There was none.

## 9. AUDIENCE PARTICIPATION

**Betsey Cronan**, of 304 West High Street, expressed that she is pleased to see City staff consider neighborhood conservation. She talked about the concerns mentioned in the report, which are poorly maintained housing, ongoing conversion of owner-occupied homes to rentals, parking design and congestion, incompatible construction and remodeling, and nuisances such as noise and trash.

The proposed Rental Registration Program should help with poorly maintained housing if the program is approved by City Council. The proposed Community Development Corporation might also help, but that will depend upon rather substantial financial support from individuals. The report makes it clear that there would be no money or other incentives from the City of Urbana.

Regarding the ongoing conversion of owner-occupied homes to rentals, none of the proposed incentives would really directly address this problem. It is possible that creating historic districts would be of help, but this also has shortcomings. The City of Urbana has identified the Carle Park area and the area from Michigan south to Florida as potential historic district areas. While these are the best preserved houses in the City of Urbana, they are not the oldest or the most historically significant, nor the ones most in need of protection. Those houses are north of Washington Street in the West Urbana Neighborhood Area. Many of these older houses have been subdivided into several units. Original details have been lost and intensive parking has degraded both landscaping and setbacks. The Neighborhood Conservation District (NCD) could be used to protect the degraded houses or others that are unsuitable for historic designation. She invited everyone to join in on the Preservation and Conservation Association (PACA) House Tour on October 15<sup>th</sup>.

A NCD could also offer a review of demolition permits. Too many owners have allowed their properties to deteriorate over a long period of time. Then, they make the argument that their houses are too far gone to be able to afford to renovate it. If the building is of importance to the fabric of the neighborhood, then the demolition should not be a given.

Regarding the issue of parking design and congestion, the written staff report identifies an existing project with research underway that will improve requirements and enforcement for gravel parking lots. Aside from the issues of dust and uncontained gravel parking areas expanding, it really makes little difference whether cars are parked on gravel or concrete when the entire yard is devoted to parking.

With regards to inappropriate mixed zoning uses, the memo proposes creating an overlay zone for several mixed zoning districts including the Busey-Lincoln Corridor with design guidelines for alterations and new development. She believes that guidelines similar to those of the Development Review Board could be very useful in other zoning districts. However, she has

one concern that any site plan that is not approved by the Development Review Board is automatically forwarded to the Zoning Board of Appeals thereby rendering the Development Review Board as a waste of time.

In conclusion, she applauded the City staff for proposing initiatives that would help in solving recurring neighborhood degradation issues. Since staff is determined that these initiatives would be a benefit to all residential neighborhoods, then it would make sense to implement them. She believed that limited use of NCDs would be useful for particular neighborhoods.

**Diana Visek**, of 608 West Pennsylvania Avenue, expressed concern about the concept of regulating design and other things in general. People who live in the West Urbana Neighborhood or in the Historic East Urbana Neighborhood live there because they do not want to have to deal with things like neighborhood covenants that regulate what types of plants they could grow or what color they could paint their homes.

She is also concerned with the idea of preserving everything that exists. Some of the buildings that exist in West Urbana were frankly not that great when they were built. The materials were not necessarily that wonderful. The designs of the homes were not that wonderful. Although they might be 50 to 70 years old, they are not that fantastic. Age does not make something a great design.

Mandating compatibility could lead to tremendous blandness. When looking at the University of Illinois (U of I) campus, there is a lot of compatibility with red brick buildings. However, there is not very much exciting architecture. She believes that many architects would be upset with the idea of compatibility. Compatibility means that if someone wanted a more modern house or something more in keeping with this age, then they would not be able to construct it in the West Urbana area. She feels this would be stifling to creativity and design.

She believes that larger houses in the West Urbana area is unlikely for being rentals because the houses are too expensive, too big, and have too many rooms. This is not something threatened by rentals. The neighborhood has tremendous incentives to carry out projects in a decent way because if not the value of properties would suffer. If someone constructed an addition to their home that is not particularly attractive, then it will affect the resale value. She feels that the NCD would be a much greater regulation than what the West Urbana neighborhood needs. She does not think that they need to go through a design review to do something that the people in the neighborhood normally already do to maintain their homes.

Therefore, she would like the Plan Commission to think very hard about whether or not having the government intrude on what people do in the West Urbana area would be advantageous. She does not believe that West Urbana has a design problem that the City needs to solve.

## 10. STAFF REPORT

Mr. Myers reported on the following:

- September 5<sup>th</sup> City Council meeting has been cancelled. Therefore, the two County cases will be heard by them on September 18<sup>th</sup>.

## 11. STUDY SESSION

### Neighborhood Conservation Initiatives/Districts Report

Mr. Myers introduced Rebecca Bicksler, Community Development Associate, by saying that she has worked hard for several months on researching, analyzing and writing about neighborhood conservation districts. Ms. Bicksler, then, presented the study to the Plan Commission with a PowerPoint Presentation. She reported on the following:

- Issues Prompting the Discussion
- Neighborhood Issues
  - HEUNA
  - WUNA
- Neighborhood Conservation Districts (NCDs)
- Main Functions of NCDs
  - Historic Preservation
  - Neighborhood Planning
  - Design Guidelines
- Process for Creating a NCD
- Benefits of NCDs
- Shortfalls of NCDs
- Summary of Issues
- Applicable Elements
- Blacksburg, VA
- New Initiatives
- Design Review for Lincoln/Busey Corridor
- Private Community Development Corporation
- Rezone selective blocks in East Urbana
- Potential Historic Districts
- Existing Initiatives
- Issues/Solutions

Chair Pollock asked Mr. Myers what type of process staff is looking for and what role should the Plan Commission be taking. Mr. Myers explained that City staff is looking for advice and feedback. If the Plan Commission, Historic Preservation Commission, and the City Council feel that some of the report has merit, then City staff could work to bring some of these initiatives back in ordinance form. Other recommended initiatives are private ones which do not deal with ordinances. Staff wanted to bring this effort forward and show that there is a comprehensive approach to improving the quality of life in these neighborhoods. Staff feels that taken together these initiatives could have a pretty big positive impact.

Mr. White questioned whether all of the issues and problems could be addressed without creating NCDs. It might be easier because rather than having to open the entire thing up for review again if there is a problem with an ordinance, it could be handled separately. Ms. Bicksler pointed out that one issue that would not be addressed in this approach would be design review for “not-quite

historic” districts. NCDs could still be a possibility in the future. The report shows that there are some other concerns that staff feels should be addressed first.

Ms. Stake understood that many of these issues and concerns could come under a NCD. The residents of a community can decide what rules and regulations they wanted in a NCD and customize it for our community. Once a NCD is setup, it would not be nearly as much trouble to maintain it as it is to do piece by piece. Because the City has pieced many things together, many things have already been taken away. As a result, there is not a very large area anymore for preservation as a historical area. The reason many people do not want to designate their property as a historical area is because there are too many rules and regulations.

She mentioned that she researched NCDs and feels they have been very successful in many places. She feels it would be a big disappointment to not have a conservation area. It is even mentioned in the 2005 Urbana Comprehensive Plan.

She asked why the City staff has not held any community meetings prior to bringing it to the Plan Commission or Historic Preservation Commission. Ms. Bicksler stated that she based a lot of her report on the issues identified in the Comprehensive Plan. The 2005 Urbana Comprehensive Plan went through a really large public process. So, she felt that the basic issues were defined in the Comprehensive Plan. Talking with neighborhood representatives confirmed this.

Ms Bicksler went on to say that not all of the issues could be contained within a NCD. A NCD is a zoning tool, and zoning is limited in what it can achieve. This is why staff feels that the targeted initiatives could address more issues than if the City only used NCD. A NCD could only address the physical characteristics of a neighborhood.

Mr. Ward feels that the report was well done. It pinpoints many issues that the community needs to face. At this point, he is not prepared to be for or against NCDs. He suggested that staff expand the list of issues and solutions to include more specifics than mentioned in the presentation. The level of specificity that he is looking for is in the report itself. He would like to see a side-by-side comparison of NCDs versus these other initiatives using a table format as used in a limited way in the Power Point presentation. In subsequent columns, staff could list other policy instruments that might be available and evaluate each one of them. This would be helpful to make it easier to compare and find out which strategy would solve each problem best. He stated that at this point he is not concerned with whether a NCD could solve the problems. He feels that there are some very real problems and concerns in the City of Urbana. The City needs to address those problems and concerns. Mr. Pollock recommended adding another column to show progress on how we are targeting the issues outside of a NCD already.

Ms. Stake asked for a definition of NCD and who determines what the definition is. Ms. Bicksler replied that this is provided in the written report, and that the report lists examples of NCDs from other areas. Ms. Stake said that the definition needs to be specific and staff should mention where the information comes from.

Mr. Grosser commented that it appears to him that the most important thing mentioned by people and in the 2005 Comprehensive Plan is the single-family home conversion to rental. City staff



proposes that the thing to potentially solve this problem is a private community development corporation, which seems to require neighbors who want to form this kind of corporation to restore houses in their own neighborhood. Has there been any indication from people who live in West Urbana that they would be interested in doing this? Ms. Bicksler answered that, yes, she has heard mention of community development corporations by people who are concerned about the issue of single-family homes being converted into rental properties. City staff was thinking of solutions of what the City could do. She is not sure if there is a legal solution that the City could do to prevent home owners from turning their homes into rental homes. So, then it becomes a question of how the City can find a solution for residents for this problem? Community development corporations are a solution that staff believes could be viable. It does depend on the neighborhood residents taking the initiative.

Mr. Grosser inquired if staff had any examples of this working in other cities. Mr. Myers replied that staff has examples of community development corporations working well in other cities. They even have examples of community development corporations that specialize in neighborhoods around universities, such as Chicago and Philadelphia. Mr. Grosser questioned whether universities play a role in the financing in some of these places. Mr. Myers said yes, in some cases. In some of the examples, the university places a big role, and in other places, they play a small role. In the places where the university plays a big role are usually universities that feel threatened by the decline of the neighborhoods around them. Yale and Columbia are two universities that feel that their existence as a university has been threatened by the quality of the neighborhoods around them, so they have helped fund community development corporations. Mr. Pollock added that there is an initiative like this in Columbus, Ohio as well.

Mr. Myers stated that there is a community development corporation in Danville, Illinois called The Renaissance Initiative Project. A not-for-profit corporation buys and repairs historic properties and resells them with private covenants. Community development corporations are used in a lot of different situations, and City staff feels that it might be a possibility for the West Urbana area. If they can do this in Danville, Illinois, this can be done in Urbana.

He went on to say that a NCD is not going to prevent single-family homes from being converted to rental properties. He explained that a NCD is a zoning-based tool. Ms. Stake thought it would be easier to keep the single-family zoning with a NCD by providing some stability for the zoning. Mr. Myers stated that the City could require design review, but then the question is, whether or not the City wants to designate an entire neighborhood and make every property owner go through a design review for changes to the outside of their homes. Ms. Stake said no. Mr. Myers pointed out that it then becomes a question of how would we use a NCD, what would it do and would it really be effective. He is concerned that a solution is being proposed without clearly defining the problem. Ms. Stake commented that she believed a NCD would be a way to solve the problems, because she thought the community decided what they wanted to happen with the NCD. Mr. Pollock pointed out that a NCD is not the over-arching, all-inclusive plan that would include all the different elements to address all the issues in the WUNA area. It would only be one piece of that approach. Mr. Myers added that Ms. Stake is right in that there needs to be a comprehensive approach and a neighborhood plan for how to deal with all the problems; however, it may not fall under one over-arching umbrella of zoning that solves all problems for all people. Instead, City staff is suggesting a more targeted approach in many different areas all with the same goal of improving livability and people's quality of life without

necessarily creating some over-arching zoning district that may not achieve what people really want.

Mr. Grosser noticed that City staff is looking at the Property Maintenance Code as being the vehicle for dealing with property maintenance problems. Obviously, it is either not being enforced or it does not have the things in it that need to be or everyone would not be talking about property maintenance leading to demolition of the properties as being a major problem. He asked if Ms. Bicksler had enough knowledge of this Ordinance to have ideas about which of the problems it is and if it needs more regulations, then what those regulations should be. Ms. Bicksler stated that she is unaware of all the details of the Property Maintenance Code, but that there have been improvements made. Mr. Myers added that the City is in the process of serious consideration for a comprehensive inspection program for rental housing. In this community, rental housing is two-thirds of the housing units. The City already performs inspections of rental housing, but we don't necessarily have a systematic approach where within a certain cycle all rental units are inspected for the basic health, life and safety issues. He understood that property maintenance violation inspections are currently on a complaint basis. Mr. Grosser agreed that this improvement would lead to some identification of problems inside the homes. However, by just driving around, he can see plenty of houses that have serious property maintenance problems that are viewable from the street. This is why he was asking if it is an enforcement issue or a regulation issue.

Ms. Burris understood a NCD is formed when a group of individuals who live within the community who come together and decide what it is that they want to do. They would set the design elements for any changes in the district. Therefore, she could see it as a zoning tool. She agreed with Mr. Ward's suggestion on adding to the Issues/Solutions chart, because there seems as though there are so many other things that the City could do before they come to a point where they take people's individuality away. A NCD sounds restrictive, but at the same time she understands the desire to want an environment where the streets are clean. However, these are people issues, and she feels that the City could educate property owners on how to maintain their properties' values or even increase those values, but it is a commitment that the people have to make for their own community.

With regards to the private community development corporations, Mr. Ward noticed tremendous differences between the two neighborhoods referenced in the staff report. One person who testified made it clear that there are differences within a neighborhood. Has staff considered the inequities that such a proposal would introduce into the system simply because of the differential ability of different neighborhoods to raise capital? Some neighborhoods might be able to generate sufficient capital to make a private development corporation work; however, there are other neighborhoods where it would be extremely difficult to begin to generate any amount of capital. Ms. Bicksler replied that some of the neighborhoods like HEUNA and King Park Neighborhood have opportunities to use Community Development Block Grant (CDBG) Funds to repair homes. Although the process is incremental due to limited Federal funding, she has seen the improvements using CDBG Funds for this purpose. A private community development corporation would probably be used more often in a neighborhood that would not economically qualify for these types of funds. Mr. Myers stated that ironically a community development corporation might work better in neighborhoods where property values are lower, because it is much more expensive to buy properties in neighborhoods where property values are higher and

fix them up to resell them. Where property values are lower, some people are willing to give away properties if they are in a pinch or sell below market value and take the difference as a tax break. Mr. Ward stated that he merely wanted to point out that there are differences, and the City needs to be sensitive to that.

Mr. White inquired if there is anything that would prevent a group of citizens from starting a private community development corporation in a particular area right now. Mr. Myers said that any neighborhood could form a community development corporation right now. They would have to meet all of the requirements of the State law and the tax code, etc., but there is nothing preventing it from happening now. He stated that it is a private initiative, but in tandem with some public initiatives it could be helpful.

Mr. White asked if City staff had suspected that people had just not thought of it. Mr. Myers said yes, in some cases. Some people do not know about all the tools that are currently out there and available. This is part of the reason staff has included this in the report.

Mr. Pollock followed up by saying that if you look at the tools presented in the proposed study such as improving the streets, doing a comprehensive rezoning of the HEUNA area, curb and gutter repair, neighborhood planning, etc., many of these things have already been started on and most of them can be done outside a general umbrella. When you start employing a comprehensive plan with design requirements where the neighborhood controls private property, then he begins to worry about it. Mr. Ward asked for more information to be included on the Issues/Solutions chart so we can look at what can be done and what we are already doing. The NCD study is a good way of doing this.

Mr. White asked if staff thought there would be an advantage to approaching solutions for the issues outlined in the study so that they would not be solving problems for one area and not the other areas of the City. Many of the issues are problems faced in all the neighborhoods of the City. Ms. Bicksler stated that one of the things that staff realized in looking at the issues is that most of them expanded beyond neighborhood boundaries. Mr. Pollock added that when we have neighborhood associations that are active like in WUNA and HEUNA, they do give a lot of input and a lot of influence and bring these issues before the City. However, they are a small percentage of properties in the City of Urbana, and the problems that are identified in the study are not restricted to those areas.

Mr. Pollock went on to say that the NCD Study is spectacular in terms of the work put into it. It is very well written and presented.

Mr. Myers noted that this is the beginning of the conversation about these issues. He does not want anyone to think that these ideas will be implemented tomorrow. In the end, some of these may or may not happen. He feels that the City could benefit from more resident input on these issues. Staff would like to be able to further tailor the initiatives to their needs.

Mr. Pollock inquired as to where the process leads us next. Mr. Myers stated that staff will present and discuss the proposed study with the Committee of the Whole on August 28, 2006 and with the Historic Preservation Commission on September 6, 2006.

Emily Laugesen, of 1103 South Orchard Street, thanked the City staff and Plan Commission for working on this and for all the work they have done to address these issues.

She commented that there has been a lot of discussion about problem solving, but maybe they should back up a little bit and talk about what it is they are trying to preserve. What is it about these neighborhoods that they want to keep? If we can keep those specific things in mind that the neighborhoods like, then hopefully they will find the right tools to solve whatever the problems are or to preserve whatever it is that they want to preserve.

She talked about some of the things that she likes about her neighborhood, one of which is that the neighborhood is designed to encourage as much interaction among the neighbors as possible. Some of these things are architecturally defined, such as doorways that face the street, doors that are close to the sidewalks or blocks that are short so when walking you meet the neighbors. Some other things are community social matters. Many property owners in the neighborhoods live there and care about their homes. This is where the resistance to rental properties comes in, because obviously more rental populations tend to be more transient or students who are younger.

She also discussed the idea of the design review for the Lincoln/Busey Corridor. She said that this might encourage developers to go one block to the east to avoid the design review restrictions. If you are talking about preserving the neighborhood, then it is just not the Lincoln/Busey Corridor that is in danger.

Ms. Visek re-approached the Plan Commission to discuss community development corporations. She pointed out that there has been explicit talk about this possibility on the WUNA listserv. There has been discussion and examples of other communities mentioned. There are many individuals who specialize in preserving homes in the City of Urbana. There are landlords who specifically buy run down properties and fix them up. They are aware of the incentives in doing something like this.

It is her understanding that any individual could write a covenant for their property saying that it has to be maintained in a particular manner. Whoever the buyer is would have to follow those regulations. There are obviously reasons why property owners may not want to do this because it limits the freedom of future buyers, and it therefore drops the value of the property.

Another thing to keep in mind is that all manifest creation has a certain life cycle that is based on physical, biological and other natural laws that we cannot get around through ordinances or other regulations. We cannot regulate that a human body should by definition be limited to 125 years. Similar things happen with buildings. Buildings have a certain aging cycle. We can prolong some of it, but not in perpetuity. We can only really preserve some parts of a building, such as the roof. There are other problems that we run into such as functional obsolescence, such as the rooms were a lot smaller 100 years ago. People did not want great rooms and didn't have home theatres or other things that create functional demands on what people want in this day and age. By saying that we have to maintain a structure the way people wanted it 100 years ago really limits what people can do in the future. We cannot see the kinds of changes that are going to taken place in society, such as in family size or in technology.

Therefore, if we start over-regulating, then we do not have the capacity to respond to positive changes, because we would be locked into an older part of time. It is sort of like the Amish. Although they are quaint, how many of us really want to live the way it was in the 1600s? The City of Urbana wants to remain dynamic and has to have some capacity for change that maintains quality of life but yet allows the positive changes to come in. So, this needs to be thought about very carefully in terms of just what do we want to lock in and what do we want to maintain in a fluid state.

Ms. Stake commented that when we think about conservation we are thinking about the conservation of the quality of life in all of our neighborhoods in the City of Urbana. There are many different kinds of neighborhoods. A person can find the kind of life that they like to lead. It happens that there are many people in West Urbana and East Urbana who really like to live where they are. They would like to keep that quality of life that is there. It does not just include zoning; it includes everything that is important to them.

Brandon Bowersox, of 506 West Florida Avenue and City Council member for part of the proposed area, thanked the Plan Commission and the City staff for considering these issues, because they are incredibly important and worth discussing and critically thinking about so the City gets them right. Many of the recommendations in the NCD Study, such as the design review in the Busey/Lincoln Corridor and the downzoning of the HEUNA neighborhood are wonderful things that he supports doing.

Community development corporations are available now. Why aren't we doing them? He believes the biggest answer is education. The City could be helpful in educating neighborhoods about how to start a community development corporation and what it is. He suggested that staff show members in the community some examples of community development corporations and possibly take some members in the community up to Chicago to meet some of the people involved in a community development corporation to talk about what is hard, what is easy, and how they structure themselves, so that there is some hand holding in setting up and launching the private group of neighbors who might be interested in creating a community development corporation.

Regarding design review and how appropriate it is to regulate architecture, Mr. Bowersox stated that he would never want to regulate architectural style. Design review would be to regulate incompatible characteristics, such as sideways-turned apartment buildings with huge two-story brick walls and rusty steel steps going up the sides.

He has three issues to have the Plan Commission to think about. The first one is what should they do with a block of houses where full historic designation is not right and neighbors would not want to be limited in their ability to replace their doors and windows, but where some level of architectural protection for the block could apply.

The second issue is about demolition review. Demolition review seems to be one part of a NCD. He wondered if it is a part that could stand alone. Design guidelines help us control new development coming out of the ground and make it compatible, but some form of demolition review might help us limit the demolition of some houses that should not be taken down. Right now anyone could walk into Community Development's office and pay \$15.00 for a demolition

permit and a house could be gone without any review or discussion even of what impact it might have on the neighborhood.

The last issue is about identifying historic districts and properties. He believes that we need to be identifying and finding these properties and nominating them. The Historic Preservation Commission cancels most of their meetings, because they have not had a lot of cases to take up. The members of the Commission feel that they cannot go find the properties themselves without creating a conflict of interest. So, the question becomes "Who should play the role of identifying these properties?"

He would like to hear more of the City staff's and the Plan Commission's discussion as planning experts for the City of Urbana of how we accomplish and address these issues. He mentioned that he agreed with Mr. Ward's idea of expanding the Issues/Solutions chart. He would love to see more details about what aspects of NCDs could stand on their own and what other tools could accomplish some of these objectives.

Ms. Stake expressed her concern about identifying historic properties. Why cannot the members of the Historic Preservation Commission go out and look for properties? They would not gain anything from finding historical properties, and they are the people who know the most about what the historic buildings are. Mr. Bowersox stated that he did not have an answer. He feels that City staff might have some ideas. It is a real important question, and there have not been a lot of nominations recently. We need to figure out the right tool for picking our most historical properties and saving them. Mr. Pollock asked if the reasons we have not had many nominations lately be because of the results of the West Main Street nomination. Mr. Bowersox felt this was one factor.

Mr. Myers mentioned that City staff has previously spoken with the City Attorney about this. The question is: can a Commissioner go out and ask property owners to nominate their properties as historic landmarks or districts and then sit on the Historic Preservation Commission and impartially review the application? Ms. Stake said that one of the members could choose to do this and then not vote on the application. Mr. Pollock pointed out that the mission of the Historic Preservation Commission is not to go out and choose properties that would come before them, anymore than the Plan Commission should go out and encourage property owners to rezone their property. There are the Preservation and Conservation Association (PACA) and other historic organizations for this. It really comes down to the property owners. It is not up to a City commission. Ms. Stake commented that we are losing historic properties, because we do not have a way of finding them.

Mr. Myers commented on Mr. Bowersox's issue with demolition review. City staff has not really researched whether demolition review could stand alone but believed that it could be done.

Regarding building form, he said one speaker had a good point about trying to ensure that the building form is compatible, but not try to regulate architectural style. Historic districts are not intended to freeze things in time. They are to support the character defining features of the district but not freeze properties in time. During the historic period, people made additions and changes to their houses, and people have to be able to do the same today. It's a question of how it's accomplished.

**12. ADJOURNMENT OF MEETING**

The meeting was adjourned at 9:29 p.m.

Respectfully submitted,

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Robert Myers, AICP, Planning Division Manager  
Urbana Plan Commission