

**MINUTES OF A REGULAR MEETING**

**URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** December 7, 2006

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

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

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

**MEMBERS EXCUSED:** Jane Burris, Don White

**STAFF PRESENT:** Robert Myers, Planning Manager; Matt Wempe, Planner II; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Traci Nally, Susan Taylor

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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 present.

**2. CHANGES TO THE AGENDA**

There was none.

**3. APPROVAL OF MINUTES**

The minutes from the November 30, 2006 Plan Commission meeting are not completed. Therefore, the review and approval of these minutes will be carried over to the next scheduled meeting to be held on Thursday, December 21, 2006.

**4. WRITTEN COMMUNICATIONS**

- Packet of information regarding Plan Case No. 2020-T-06
- Letter regarding Plan Case No. 2024-M-06
- Staff report on the Housing Investment Corporation Workshop

- Robert Myers, Planning Manager, reported that staff received an email from Jane Burris, Plan Commission member, explaining that she could not attend because she is not feeling well, but supports the rezoning of 1405 North Lincoln Avenue.

## 5. CONTINUED PUBLIC HEARINGS

### **Plan Case No. 2020-T-06: Request by the Zoning Administrator to amend the Urbana Zoning Ordinance by revising Section XIII-3. Planned Unit Developments (PUDs).**

Matt Wempe, Planner II, gave an explanation of the requested information handed out prior to the meeting. He reviewed the changes made to Article XIII of the Zoning Ordinance since the previous Plan Commission based on comments and concerns voiced by the members. He took questions from the Plan Commission members.

Mr. Grosser expressed his concern about using the term sewer “lagoons”. It has a very specific connotation. Mr. Wempe stated that they could use more general language. The Plan Commission can suggest changes.

Ms. Stake wondered if the City could require that any buildings constructed in a PUD be “green”. This would be really positive. It is time the City starts doing some of the conservation measures. Mr. Wempe noted that on Page 208 of the Recommended Design Features under Architectural Design, there is one feature called Energy Efficient Construction. It is optional right now and up for the Plan Commission to discuss. Mr. Myers added that City staff had talked about this at length, because they thought it is a really exciting possibility for the City of Urbana. The City does lack some of the natural areas that are in other cities which would be obvious for conservation PUDs. So, staff discussed use of “green” and LEED-rated buildings as an alternative. Staff discussed requiring LEED-rated buildings versus crediting in PUDs versus strongly encouraging green buildings. The existing PUD ordinance is currently worded so that developers would get special credit for providing super-energy efficient construction in a future development. In fact, this is one of the criteria that the City would rate projects on. If a developer includes LEED-rated buildings in a future development, then doing so would help the project qualify for a PUD. Some communities have a point rating system for PUDs, but our staff has chosen to steer away from this because in the end some communities find that a project technically meets the point system but doesn’t meet the intent of the PUD ordinance. Staff is proposing different categories of PUD projects, one of which is conservation oriented.

Ms. Stake commented that she did not understand how this would work out because it seems so open-ended. There are no requirements. Mr. Wempe stated that City staff would address this concern a little later in the presentation. There is additional information in the packet handed out prior to the meeting that shows different kinds of development that the City of Urbana really wants to encourage. He continued that as far as having specific requirements, the proposed PUD ordinance does have guidelines and lists goals. Ms. Stake remarked that the goals sound good, but she knows developers quite well. Mr. Wempe pointed out that any proposed PUD project would come before the Plan Commission and the City Council for review and approval. There are the recommended design features and criteria for evaluating these features.

Ms. Stake noticed that the written staff report referred to the Mixed Office Residential (MOR) Zoning District. As far as she is concerned, the MOR Zoning District does not work. People wanted to leave the beautiful homes on Green Street and let them develop into small shops and offices. The City did not have any real requirements for this, and as a result, we lost all of it. Therefore, she does not want things to happen in PUDs like they happen in the MOR Zoning District. Mr. Myers responded by saying that the MOR Zoning District is not a historic preservation district. It is not intended prohibit tearing down and replacing buildings. It does have guidelines for the overall form and character of new development.

The PUD ordinance if approved would be using a different form of standard. It will be a performance-measure standard rather than a specific requirement. Traditional zoning might require a seven foot setback for buildings from a property line, but this is assumed that a seven foot distance makes a good neighbor. Under PUD, development proposals would be judged on how they perform. The City staff, the Plan Commission and the City Council will get the opportunity to review all of the details of these developments which would not be reviewed under traditional zoning. This will provide a big opportunity for development that is beyond mediocre and the minimum cookie-cutter standards.

Ms. Stake commented that it also states that PUDs will not be *unreasonably* injurious. She did not feel that it should be injurious to other people at all. Mr. Wempe replied that this specific language is standard for Conditional Use Permit and Special Use Permit criteria.

Mr. Wempe presented the second part of the staff report. He reviewed the General Difficulties with the Current PUD Ordinance. He discussed the list of uses that would be prohibited in a PUD based on Table V-1, which is the Table of Uses.

Ms. Stake questioned whether a personal garden would be considered Agriculture. Mr. Wempe answered by saying that it would be considered residential if part of a personal garden.

Mr. Wempe discussed the different categories of PUDs. He reviewed the current Zoning Ordinance approach and the proposed text amendment's approach to PUDs.

Mr. Pollock noticed that "adequate play areas" were mentioned, but he did not see specific criteria about multi-use pedestrian and bicycle trailways or anything else like this mentioned. Mr. Wempe replied that this is not a comprehensive listing of the criteria. Mr. Pollock commented that this may be something that the Plan Commission might want to think about as an amenity. We want the developer to figure out how to build it in their own way, but we want these things in a development. Mr. Wempe mentioned that this is something that is part of the recommended design features that we would include as pedestrian connectivity, such as bike paths and open space provisions.

Ms. Stake asked if there would have to be open space in a development. Mr. Wempe responded that right now the existing ordinance requires open space. Usually, the setback requirements on a parcel count towards the open space ratio. It is not necessary for all open space to be a park. There is an existing requirement that up to 15 percent of open space has to be an area for active recreation.

Ms. Stake inquired as to how the proposed text amendment would change this. Mr. Wempe explained that on Page 207 there are seven recommended design features for open space. Ms. Stake asked if a developer had to do any of the recommended design features for open space or could a developer get by without doing any of them. Mr. Wempe answered by saying that PUD proposals will be reviewed to determine whether or not they meet the City's review criteria. One of the review criteria for a PUD is significant responsiveness to the recommended design features. In general, providing some degree of open space would obviously be beneficial to the developer. Mr. Pollock pointed out that the Plan Commission and the City Council get to determine whether a PUD proposal meets the City's review criteria. One of the things that are attractive about the proposed text amendment is that rather than the City telling developers that they have to do certain things, the City tells developers that we need certain things in order to approve their requests. Therefore, if a developer submits a PUD request with no open space, then the Plan Commission and the City Council could easily say that it does not meet the City's requirements. Mr. Myers added that they could deny a request based on having no open space, especially if it is for conservation PUD.

Ms. Stake questioned whether there could be one PUD with industry, single-family residences and businesses. Mr. Wempe said no. Residential and mixed-use PUDs cannot have any industrial uses. Certain businesses with exemptions that are outlined on Page 204 could be allowed.

Mr. Wempe concluded his staff report by reviewing how the proposed text amendment would approach a conservation PUD. He did not review the other development types because there is a lot of overlap. The goals would call specifically for what the City would like to see in PUDs. The goals are tied into the review criteria. The applicability criteria addresses the types of development the City really wants to encourage. Our recommended design features have been tailored to types of development that we would like to see.

Mr. Pollock commented that City staff had responded quickly to the Plan Commission's comments and concerns from the previous meeting. He wanted to know what the timetable is for the proposed text amendment. Mr. Wempe said that after the Plan Commission formulates a recommendation, then City staff will take it to the City Council at the next available meeting. Mr. Myers added that staff could present the proposed PUD text amendment to City Council either on January 8, 2007 at a Special City Council meeting or on January 16, 2007.

Mr. Pollock suggested that the Plan Commission could ask staff any questions they may have and forward this case to the next Plan Commission meeting, which is scheduled for December 21, 2006. When they take action on this case, he wants to be sure that it's shown on the agenda well ahead of a vote and that any additional materials are sent to the Commission members in time to review them. With no further questions from the Plan Commission and no comments from the audience, Chair Pollock asked that this case be continued to the next scheduled meeting.

## 6. OLD BUSINESS

There was none.

## 7. NEW PUBLIC HEARINGS

### **Plan Case No. 2024-M-06: A request to rezone 1405 North Lincoln Avenue from R-5, Medium High Density Multiple-Family Residential Zoning District, to B-3, General Business Zoning District.**

Mr. Wempe presented this case to the Plan Commission. He introduced the case by giving background information about the proposed site. He described the subject property and the surrounding adjacent properties noting their land uses and zoning designations. He discussed how the Comprehensive Plan relates to the proposed rezoning. He reviewed the La Salle National Bank criteria that pertains to the case. He read the options of the Plan Commission and presented staff's recommendation, which is as follows:

*Based on the evidence presented in the written staff report, and without the benefit of considering additional evidence that may be presented during the public hearing, staff recommended that the Plan Commission forward this case to the Urbana City Council with a recommendation for approval.*

Ms. Stake inquired about what would happen to the strip to the south zoned Multi-Family. Mr. Wempe stated that it is currently an access drive to the Lincoln View apartment complex. Mr. Wempe added that this is the sole entry/exit point for the apartment complex.

Mr. Grosser asked if the Fire Chief had any comments about the proposed rezoning. Mr. Wempe stated that they discussed the proposed rezoning with the Fire Chief when they meet on a weekly basis. The Fire Chief commented that the existing building is close to the fire house but did not say anything about opposing the rezoning.

Mr. Myers said he believes that even with B-3 zoning the site would likely be used as offices in the future. He does not know why the Girl Scouts office is currently zoned. City staff researched to find out why but did not find an answer. Also, he asked what the current residential zoning is really protecting. Is the R-5 zoning protecting the property itself from surrounding properties or is it protecting the neighboring properties from the proposed site? He can't see that the existing R-5 zoning is protecting any use.

Ms. Upah-Bant got the impression that the current building on the proposed site is not structurally sound. Isn't it likely that if the site is redeveloped that it would require new construction? Mr. Myers said that he did not have any information on the condition of the existing building.

With no comments from the members of the audience, Chair Pollock closed the public hearing and opened the case up to Plan Commission discussion.

Mr. Grosser moved that the Plan Commission forward the proposed rezoning to the City Council with a recommendation for approval. Ms. Upah-Bant 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

The motion was passed by unanimous vote. Mr. Myers noted that the proposed rezoning case would be forward to the City Council on Monday, December 11, 2006.

## **8. NEW BUSINESS**

There was none.

## **9. AUDIENCE PARTICIPATION**

There was none.

## **10. STAFF REPORT**

### **Report on Housing Investment Corporation Workshop**

Mr. Myers presented this report to the Plan Commission. He introduced the report by noting the purpose is to provide an update on City staff progress and to solicit further direction from the Plan Commission and the City Council.

He discussed Community Development Corporations (CDCs), which are private, not-for-profit organizations which work at the neighborhood level to foster economic revitalization and reduce blight. He highlighted the presentation given by Bob Yapp at a workshop that was hosted by the City of Urbana on November 8, 2006. He mentioned the possibility of holding meetings with neighborhood groups to talk about solutions for their neighborhood problems and the possibility of holding an expanded workshop for interested people to learn more about housing investment corporations.

Chair Pollock wondered what Mr. Yapp meant in the workshop when he said that *“the average functional economic life of a new home built in a standard subdivision is 27.5 years”*. Mr. Myers believed that Mr. Yapp was saying there is a built in obsolescence of a newly constructed homes and that his information is that the average is 27.5 years.

Chair Pollock mentioned that when the City of Urbana did the Downtown to Campus Study, City staff took a look at what other Big Ten university cities were doing. Many people took a tour of Columbus, Ohio, where the Ohio State University is located. Columbus, Ohio had a large residential neighborhood adjacent to Ohio State University that was blighted. The City of Columbus created a partnership with the university to economically bring back a pretty sizable area. Our City staff might find it worthwhile to talk to City staff in Columbus, Ohio to find out more about their partnership with the Ohio State University and to possibly see if we could get

someone from there to speak at a workshop about this. Mr. Myers said that this is a good lead, because it is not a private university.

Ms. Upah-Bant feels that this is an exciting concept; however, she does not see how a CDC would succeed in the City of Urbana without having someone like Bob Yapp leading the organization. Bob Yapp is the driving force behind the Renaissance Danville group. We would need someone with a forceful personality and who has a lot of expertise in neighborhood revitalization. Mr. Myers agreed that we would definitely need someone with expertise and leadership skills. If Danville, Illinois can create a CDC, then why cannot the City of Urbana?

Chair Pollock questioned what kind of blight is there in the City of Urbana that City staff would identify as being appropriate for this type of action. Mr. Myers replied that a CDC could reconvert rental homes to single-family homes. Rental status does have an affect on the character of a neighborhood if the neighborhood goes from predominantly owner-occupied homes to renter-occupied even if all the buildings look the same. This is something that you hear many of the residents in the West Urbana area talking about. However, the City cannot impose restrictions against renting out houses. Mr. Pollock feels that most people in West Urbana are upset not that a property is rental, but what happens to the property when it becomes rental.

Mr. Grosser voiced a similar concern to that of Ms. Upah-Bant. Did anyone identify themselves as being interested in taking the lead to setup a CDC organization? Does staff feel that if the City holds more workshops, then someone might step forward to take on the responsibility of organizing a CDC? Ms. Upah-Bant inquired more specifically if any developers were interested? Ms. Stake responded that there were people at the previous workshop that were interested in buying properties, so they could rehab them. Mr. Myers stated that there are already people in the City of Urbana who do this. They are not necessarily a not-for-profit organization, but they do a lot of good by reinvesting money in old homes. Mr. Pollock commented that the idea of a CDC is to be able to do more rehabilitation of blighted properties with fewer assets. Also he knows that WUNA is really interested in this idea.

Ms. Stake mentioned that there are many people in the West Urbana area who have been working hard and want to do something like this. She did not know if there is anyone in the West Urbana area who would want to lead a CDC, but there are certainly good people who would be followers. Mr. Myers pointed out that most of the neighborhoods that set up CDCs hire skilled people with leadership abilities to manage the CDCs. Not-for-profit CDCs can take charitable contributions and receive donated buildings. CDCs act as a pass through for various tax credits that are available. Many times CDC organizations will have memberships and/or are supported by a pool of money from local banks. Sometimes they are funded by a local institution, or even occasionally they are funded partially by the city that they are located in. Ms. Stake commented that a CDC could start out by buying one property and go from there.

Mr. Myers noted that the City of Urbana would like to provide the technical assistance on how to setup a CDC. There could be more than one CDC set up in the City of Urbana.

Mr. Pollock inquired as to what other direction could the Plan Commission provide to help City staff move this ahead. Mr. Myers stated that he liked the tip on the Downtown to Campus Plan and the Ohio State University.

Mr. Grosser expressed that the City should make it clear in future workshops that a leader needs to come forward. Mr. Pollock added that the driving component needs to be citizens and not the City of Urbana.

Ms. Upah-Bant commented that the banking community really needs to get behind the CDC concept. Has any City staff done any presentations with them? She agrees with Mr. Grosser that it is a great idea, but she is a little skeptical, because the residents in the West Urbana area are buying their own houses to rehab. She does not know if people are particularly interested in buying a house that has been rehabilitated for them.

Mr. Myers pointed out other information included in the packet handed out prior to the meeting. There is more information from Bob Yapp, and there are some model bylaws from other communities. There is also information on maintenance agreements and conservation agreements.

Ms. Stake mentioned that she would really like to have Bob Yapp's book, but she cannot find it on sale anywhere in town.

Mr. Myers gave a brief report on the following topics:

- **Cross Construction Special Use Permit** will be presented to the City Council on December 12, 2006.
- **The text amendment to the Zoning Ordinance regarding Outdoor Storage** will go before City Council on December 12, 2006.
- **The Zoning Board of Appeals on December 20, 2006** will be considering a major variance for Fairlawn Village. It is a request for a setback to build garages just off the alley.
- **The Plan Commission on December 21, 2006** will include a Special Use Permit application from METCAD for a emergency communications tower 285 feet in height.

## 11. STUDY SESSION

There was none.

## 12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,

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Robert Myers, AICP, Planning Division Manager  
Urbana Plan Commission