

**MINUTES OF A REGULAR MEETING  
URBANA ZONING BOARD OF APPEALS**

**DATE:** May 16, 2018

**APPROVED**

**TIME:** 7:00 p.m.

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

---

**MEMBERS PRESENT** Joanne Chester, Ashlee McLaughlin, Nancy Uchtmann, Charles Warmbrunn, Jonah Weisskopf, Harvey Welch

**MEMBERS EXCUSED** Matt Cho

**STAFF PRESENT** Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Christopher Marx, Planner I; Teri Anzel, Planning Administrative Assistant II

**OTHERS PRESENT** Andrew Fell, Sam Giglio

---

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

Chair Welch called the meeting to order at 7:04 p.m. Roll call was taken, and he declared a quorum of the members present.

**2. CHANGES TO THE AGENDA**

There were none.

**3. APPROVAL OF THE MINUTES**

The minutes from the March 21, 2018, regular meeting were presented for approval. Ms. Uchtmann moved to approve the minutes as written. Ms. McLaughlin seconded the motion. The minutes were approved by unanimous voice vote as written.

**4. COMMUNICATIONS**

There were none.

**5. CONTINUED PUBLIC HEARINGS**

There were none.

**NOTE:** Chair Welch swore in members of the audience who indicated that they might give testimony during the public hearing.

## **6. NEW PUBLIC HEARINGS**

**ZBA-2018-MAJ-06 – A request by Andrew Fell Architecture, on behalf of Hao Jan Liu, for a Major Variance to increase the maximum Floor Area Ratio (FAR) from 0.7 to 0.96 at 408 West Green Street in the MOR, Mixed Office Residential Zoning District.**

Chair Welch opened the public hearing for this case.

Kevin Garcia, Planner II, presented the staff report to the Zoning Board of Appeals. He began by stating the purpose for the proposed major variance, which is to increase the maximum Floor Area Ratio (FAR) to allow a basement to be constructed in the new multi-family residential building. He noted the location and existing land use of the subject property as well as that for the surrounding adjacent properties. He pointed out the differences between the approved plans by the MOR (Mixed Office Residential) Development Review Board and the proposed plans. Those differences include a large window wall on the east side of the building to allow for light and egress, a sunken patio on the rear of the proposed building and the configuration of the air conditioning units, which would require more screening than originally anticipated. He reviewed the variance criteria according to Section XI-3 of the Urbana Zoning Ordinance. He read the options of the Zoning Board of Appeals and presented City staff's recommendation of approval to City Council.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff.

Ms. Chester asked if the tenants would have to walk around from the front of the building to get to the parking lot behind the building. Mr. Garcia said yes.

Ms. Uchtmann inquired about how many bedrooms would be in the proposed building. Mr. Garcia said that there would be 11 bedrooms if the proposed plans are approved. In the original plans approved by the MOR Development Review Board, there were 9 bedrooms.

Ms. Uchtmann asked how many parking spaces are required for 11 bedrooms. Mr. Garcia replied that it depends on the unit mix. The previously approved plans requires 5 parking spaces, and the proposed plans would require 6 spaces.

With their being no further questions for City staff, Chair Welch opened the hearing for public input. He invited the applicant to speak first.

Andrew Fell, architect for the project, approached the Zoning Board of Appeals to speak. He clarified that there would be enough parking spaces provided on site unless a tenant moves in that needs an accessible parking space. If this happens, they would be able to lease a parking space from a neighbor.

He stated that the idea of the FAR including the basement space came up at the Plan Commission. The intent of the basement space being included in the FAR is to avoid garden units, which are half in the ground and half out of the ground in multi-unit apartment buildings. For this project, the basement would be completely underground, and the building would be no taller or bigger if they did not include the basement. Because they would be required to provide a sprinkler service for the building, the building footprint would be larger if they did not have a basement.

Ms. McLaughlin inquired about screening of the air conditioning units. Mr. Fell explained there was a drafting error on the proposed Site Plan. It was decided, after review and discussion of the MOR Development Review Board of the original plans, to put the air conditioning units on the roof of the proposed building. He forgot to make the change to the site plan for this case.

With no further input from the audience, Chair Welch closed the public input portion of the hearing and opened the hearing for discussion and/or motion(s) by the Zoning Board of Appeals.

Ms. McLaughlin moved that the Zoning Board of Appeals forward Case No. ZBA-2018-MAJ-06 to the City Council with a recommendation for approval as requested based on the findings outlined in the written staff memo. Ms. Uchtmann seconded the motion.

Roll call on the motion was as follows:

Ms. McLaughlin	-	Yes	Ms. Uchtmann	-	Yes
Mr. Warmbrunn	-	Yes	Mr. Weisskopf	-	Yes
Mr. Welch	-	Yes	Ms. Chester	-	Yes

The motion passed by unanimous vote. Mr. Garcia stated that this case would be forwarded to City Council on June 4, 2018.

**ZBA-2018-MAJ-07 – A request by Fairlawn Village Development LLC for a Major Variance to allow a reduction in the required yard setback from five feet to zero feet on the south side of Hollywood Alley in the R-5, Medium High Density Multiple Family Residential Zoning District.**

Chair Welch opened the public hearing for this case.

Christopher Marx, Planner I, presented the staff report to the Zoning Board of Appeals. He began by explaining the reason for the proposed variance request, which is to allow the construction of a new garage with individual parking stalls to replace a structure destroyed by a fire in 2009. He noted the location and zoning of the subject property. He referred to A2 in the written staff report to show where the new garage would be located on the property. He talked about traffic on Hollywood Alley. He reviewed the variance criteria from Section XI-3 of the Urbana Zoning Ordinance as they relate to the proposed variance. He read the options of the Zoning Board of Appeals for the major variance. He presented City staff’s recommendation for approval to the City Council with the following condition, *“The garage generally conforms with*

*the Fairlawn Village Garage Addition site plan and elevations dated March 29, 2018*". He stated that since the request is for a major variance, a motion must be approved by 2/3 vote.

Chair Welch asked if any members of the Zoning Board of Appeals had questions for City staff.

Mr. Warmbrunn understood that a structure existed in this location in 2007 when the City approved 3 additional garages to be constructed in a location nearby. The 3 garages were never built. The existing structure burnt down due to fire, and part of the structure was reconstructed. He asked when the partial structure was built and why did they not need approval from the City to do so? Mr. Marx answered that the owner was allowed to reconstruct a legally non-conforming replacement garage up to 60% of the fair market value of the previous structure without requiring review and approval.

Mr. Warmbrunn noticed that there was not a uniform pad for the existing stalls. Mr. Marx responded that the two stalls to the east are slightly elevated. He noted that each stall is individual and separated by walls.

With no further questions for City staff, Chair Welch opened the hearing for public input.

Sam Giglio approached the Zoning Board of Appeals to speak on behalf of the applicant. He felt the staff report was succinct and comprehensive. Each parking stall would have demising walls on the bumps so there would not be any grade changes.

Mr. Warmbrunn inquired about stormwater runoff. Mr. Giglio replied that they have addressed this concern with downspouts and gutters.

There was no other input from the audience, so Chair Welch closed the public input portion of the hearing and opened it for Zoning Board of Appeals discussion and/or motions.

Mr. Warmbrunn moved that the Zoning Board of Appeals forward Case No. ZBA-2018-MAJ-07 to the City Council with a recommendation for approval with the condition that *"The garage generally conforms with the Fairlawn Village Garage Addition site plan and elevations dated March 29, 2018"*. Ms. Uchtmann seconded the motion. Roll call was as follows:

Ms. Uchtmann	-	Yes	Mr. Warmbrunn	-	Yes
Mr. Weisskopf	-	Yes	Mr. Welch	-	Yes
Ms. Chester	-	Yes	Ms. McLaughlin	-	Yes

The motion was passed by unanimous vote. Mr. Garcia stated that these cases would be forwarded to City Council on June 4, 2018.

**7. OLD BUSINESS**

There was none.

## **8. NEW BUSINESS**

There was none.

## **9. AUDIENCE PARTICIPATION**

There was none.

## **10. STAFF REPORT**

There was none.

## **11. STUDY SESSION**

### **WHAT'S IN YOUR SQUARE? Visioning Exercise**

Chair Welch opened this item on the agenda. Christopher Marx, Planner I, presented on the following:

- Video of Mayor Marlin inviting people to give input
- Location of the Visioning Exercise
- Outreach and Purpose
- Exercise: A Great Place
  - Close eyes and imagine a great place that they have been to
  - Where is it located?
  - Write down your first thoughts that come to your mind about what makes the place great
- Exercise: The Square Cloud
  - Write down words to describe feelings or thoughts when you envision your perfect Square
    - Responses included technology, food, drink, hotel, apartments, large fountain, ice skating rink, roller skating and skate boarding, community gathering spot, moving Champaign County offices to downtown area to drawl more people to downtown restaurants and businesses, town square, and covered areas for the Farmer's Market, antique car or Corvette shows
- Exercise: Mapping Your Square
  - Members marked and wrote on a map at a side table of what they would like to see
    - Reconnecting Green Street, but leaving Broadway Avenue closed
    - Park Connection with statue and water
    - County or other public services
    - Senior walking space
    - Restaurants along street
    - Covered areas for Market at the Square
    - Water area

**12. ADJOURNMENT OF MEETING**

Chair Welch adjourned the meeting at 8:24 p.m.

Respectfully submitted,

---

Lorrie Pearson, AICP  
Planning Manager  
Secretary, Urbana Zoning Board of Appeals