

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: April 7, 2022

TIME: 7:00 P.M.

PLACE: Council Chambers, City Building, 400 South Vine Street, Urbana, Illinois

PLAN COMMISSION

MEMBERS ATTENDING: Dustin Allred, Jane Billman, Andrew Fell, Karen Simms, Chenxi Yu

MEMBERS EXCUSED: Lew Hopkins

MEMBERS ABSENT: Debarah McFarland

STAFF PRESENT: UPTV Camera Operator; Kevin Garcia, Principal Planner | Zoning Administrator; Kat Trotter, Planner II

PUBLIC PRESENT: Susan Appel, Bill Erickson, David Krehbiel, Sarah McEvoy, Mary Pat McGuire, Dannie Otto, Huseyin Sehitoglu

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

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

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

There were none available for review and approval.

4. COMMUNICATIONS

There were none other than the written communications included in with each staff report.

5. CONTINUED PUBLIC HEARINGS

Plan Case No. 2425-T-21 – A request by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article II (Definitions), Article V (Use

Regulations), and Article VI (Development Regulations), and other relevant sections, to facilitate solar energy system installation.

Chair Allred continued this case to the April 21, 2022 regular meeting at the request of City staff.

Plan Case No. 2438-T-22 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance to allow for limited, residential, commercial and public uses in existing buildings located in the R-7 (University Residential) Zoning District.

Chair Allred re-opened Plan Case No. 2438-T-22. Andrew Fell stated that his company will be submitting an application for a property zoned R-7, University Residential Zoning District in the near future. Therefore, he would participate in the discussion but abstain from voting on any motion(s).

Kat Trotter, Planner I, presented the staff report for the case. She began by stating the purpose for the proposed text amendment. She showed a map indicating the location of the 43 zoned parcels. She gave some background information on the R-7 Zoning District and talked about the possibility of expanding the uses allowed in the district. She mentioned the neighborhood meetings that City staff held to gather public input prior to bringing the text amendment to the Plan Commission. She noted the concerns of the neighborhood residents and reviewed the results from an online survey that City staff prepared. She presented the following two options for the proposed text amendment: 1) Allow some non-residential uses by-right, if performance standards are met, or if not, with a special use permit; and 2) Allow some non-residential uses only with a special use permit. Referring to the R-7 Zoning District Description Sheet, she showed the uses that might be allowed if the proposed text amendment was approved. She discussed the amount of required parking and sign regulations for the R-7 district. She stated how the proposed text amendment relates to the 2005 Comprehensive Plan and presented staff's recommendation that the Plan Commission discuss the proposed text amendment, provide direction to staff on how to proceed and forward Plan Case No. 2438-T-22 to the next Plan Commission meeting.

Chair Allred asked if the Plan Commission members had any questions for City staff.

Ms. Yu stated that she noticed several terms used such as Greek houses vs. rooming houses, boarding houses and group homes. She asked if there was a formal categorization of all the parcels. Ms. Trotter replied that rooming houses, boarding houses and group homes fall under one category, "boarding houses" in the definitions in the Zoning Ordinance. Greek houses fall under the definition for "dormitories". Since the differences between a boarding house and a dormitory are laid out in the Zoning Ordinance, that is why City staff distinguishes between the two in the proposed text amendment. Ms. Yu commented that it is difficult to identify which applies to each R-7 property. She used 713 West Michigan as an example. Kevin Garcia, Zoning Administrator, replied that some of the properties were once considered Greek houses and have since become rooming houses. He believed that 713 West Michigan was one of these properties.

Ms. Yu felt it was important to be able to identify the type because for this discussion they want to focus on Greek houses. Whether a Greek house is turned into a rooming house or vice versa, it is like a moving target. It would be nice to know what type each property is and to know the process for differentiating them. Mr. Garcia said that hopefully the proposed text amendment will be

approved because it focuses on how to best preserve Greek houses. There may be future text amendments or rezoning of properties [to address rooming houses]. He believed it would make sense to keep the Greek houses that have been converted into rooming houses zoned R-7, so that the City has the ability to make the existing buildings reusable. The other types of rooming houses that are smaller or were converted from single-family homes need to be treated in a separate way. To do all of this in one text amendment would be difficult.

Mr. Fell asked if a Greek house converted into a different use would still be considered a Greek house. Mr. Garcia stated that they are all currently zoned R-7. If we make changes to allow Greek houses to be better preserved, that would apply to every building in the R-7 district. If there is better treatment for some of the rooming houses that are not converted Greek houses, then we can address those in a follow up text amendment. He noted that a property owner wanting to rezone a Greek house to be able to convert it into multiple family residential did not apply to the proposed text amendment.

Ms. Yu said that the title of the proposed text amendment refers to existing buildings located in the R-7 district; however, staff is saying that the proposed text amendment would only apply to Greek houses in the R-7 district. She asked for clarification. Ms. Trotter explained that while the proposed text amendment would apply to all existing buildings in the R-7 district, it also prioritizes the preservation of and promote the reuse of existing Greek houses. For some of the older rooming houses, the City would handle them on a case-by-case basis.

Ms. Yu asked what the rationale is behind allowing commercial uses by right for R-7 properties located on or west of Lincoln Avenue. Why not require every R-7 property to get approval of a special use permit? Ms. Trotter explained that the City staff's rationale is that the properties on Lincoln Avenue are different than the properties deeper in the neighborhood. A commercial use might be a better fit in one of the buildings on Lincoln Avenue. It would be capped at 2,500 square feet and have limited operating hours. So, what would be the purpose of requiring a property owner to apply for a special use permit? City staff is asking for the Plan Commission's perspective on this.

Ms. Simms wondered if approving Option #1 would create a problem in the neighborhood. She said if four or five property owners on Lincoln Avenue had commercial uses, then it would increase traffic and parking in an area that already has issues with parking. Ms. Trotter replied that there are approximately 12 properties zoned R-7 that front onto Lincoln Avenue. Some of the existing uses such as the Twin City Bible Church, the Farmhouse, and Chateau Normand are not going to change anytime soon. She said typically we do not see a flood of changes made when an amendment such as this is approved. That is not saying that it could not happen though.

Chair Allred stated that several of the R-7 properties are part of the University of Illinois (U of I) campus. Was there any discussion with the U of I? Ms. Trotter replied no. The main reason is because all of the R-7 properties are privately owned. Another reason is because City staff does not expect any changes with the properties that are on campus because they are occupied by fraternities, sororities and other student groups.

Chair Allred asked about the language in Option 2 with regards to buildings that were constructed on or before the [date ordinance is passed]... Mr. Garcia explained that most of the existing buildings were built over 80 years ago. If we pick a specific date to put in the language, then we have to figure out when each building was constructed; whereas, if we put on or before the date that

the ordinance is passed, then it will be easier for future staff to know whether or not this amendment applies to a building.

Ms. Billman asked if City staff had considered just allowing the Greek houses west of Lincoln Avenue, not including on Lincoln Avenue, to have commercial by right. Ms. Trotter said no. Staff did not consider this as an option.

Ms. Simms asked if there was any provision regarding the historical integrity of the buildings. She did not read it in the proposed text amendment. Mr. Garcia replied that some of the R-7 properties are inside the Lincoln-Busey Design Corridor. So, for certain exterior changes to properties in the Corridor, the changes would need to be reviewed by the Design Review Board. But unless a property is located in the Corridor or is actually a local historic landmark, there is no way for the City to ensure that the historic integrity would be kept intact. The proposed text amendment would only allow the expansion of uses in existing buildings, but it would not ensure that the façade could not be altered.

Ms. Trotter noted that 30 of the 43 properties are located in the Lincoln-Busey Corridor. Eight of the properties are located west of Lincoln Avenue. So, there are only 5 properties that the City would not have the ability to review changes. Since the proposed amendment would only apply to existing buildings, she believed that it would prevent the notion to demolish an existing R-7 building and to rebuild.

Chair Allred reviewed the procedure for a public hearing. He then opened the hearing for public input.

Dannie Otto approached the Plan Commission to speak. He mentioned that he is part of an ad hoc un-appointed committee of interested citizens that meet. Initially, they formed “Voices of West Urbana” to address the planning process to come up with a new 20 year plan. They have been focusing on the proposed R-7 text amendment. He complimented City staff for meeting with the neighborhood to get the residents input. In general, the committee is in support of the City’s interest to preserve the existing R-7 buildings. Many people would be interested in allowing some non-residential uses to help preserve them into the future. However, he felt that “the devil is in the details,” so he feels that there needs to be a public hearing to discuss and review the details. Some of the uses being proposed are too much, such as liquor stores, hardware store, etc.

Mr. Garcia stated that adding specific details, such as outdoor seating, would be things that the Plan Commission could consider adding to the amendment. The only details that City staff considered were size of the use and limited hours.

Mr. Garcia addressed an earlier question about why City staff would even consider by right uses. He felt that if they could establish certain criteria that people can agree on for uses that would not create a nuisance, that would remove the friction to allow some agreed upon uses that meet these performance measures to go in by right.

Sarah McEvoy approached the Plan Commission to speak against the proposed text amendment. She stated that she is one of the 200 people who signed a letter stating that only residential uses should be allowed by right and that all commercial uses require a special use permit. While she is interested in preserving the existing R-7 buildings, she believes it would not be too onerous on a

property owner to be required to get approval of a special use permit so the neighborhood could have a voice.

With there being no further public input, Chair Allred declared the public input portion closed and opened the hearing for Plan Commission discussion and possible recommendations.

Mr. Fell felt that requiring a special use permit for any commercial use is a good idea. There are some property owners who would be interested in reusing an existing building to only make a buck. They are not invested in what they are doing, they are only doing it because there is a commercial venture. Those people have no incentive to be careful with what they do. The property owners who care and want to be responsible and answer to the community are the people who will apply for a special use permit.

Ms. Yu asked if a property owner wanted multiple commercial uses in one space, would each business be required to get a special use permit. Mr. Garcia stated that this might require a conditional use permit to allow more than one principal use. He would need to get back to the Plan Commission on this.

Mr. Fell said that if we require special use permits for commercial uses then the City would be able to review and set limits on the size of the use. It may be appropriate for a fraternity house to be reused with commercial space on the first floor, so he did not feel that the proposed text amendment should limit the size of a use. Ms. Trotter added that the City required special use permits for commercial uses in existing R-7 buildings, then a property owner wanting a commercial use would apply for a special use permit and submit a business plan with a floor plan indicating how much space the business would need. She noted that the largest R-7 building is within 10,000 to 15,000 square foot range in total for the entire building.

Ms. Yu asked if more than one business could occupy a commercial space under Option 1. Ms. Trotter said yes, potentially with approval of a conditional use permit.

Ms. Billman asked if regulations would apply to elevators and numbers of bathrooms. Mr. Garcia said that any new use would be required to meet building code. Mr. Fell confirmed this. Even if they change the use to add a coffee shop on the first floor, it triggers the entire building to be updated to meet current building code.

Ms. Billman questioned how practical any of the proposed re-uses financially. Mr. Fell said that most of them are very practical. The size limit helps because uses 2,500 square feet or smaller are generally easier to get into an existing structure. However, there are many complications to do so. Many of these older buildings are not handicap accessible. Just making them handicap accessible is a monumental economic undertaking. These issues will prevent most/any commercial business from happening in almost all of the R-7 buildings. Another complication is inserting a commercial use in with a residential use.

Ms. Yu asked for clarification. Is adding any commercial use to an existing R-7 building is a huge undertaking. Mr. Fell replied that there are cases where it could very easy to insert certain uses into these buildings, especially when dramatic remodeling is not required. However, a use that requires public health approval would be very hard. Any place that cooks food, serves food, etc. requires public health approval.

Ms. Yu said that her understanding is then that applying for a special use permit is a small piece compared to meeting building code and getting public health approval. Mr. Fell said it could potentially be a smaller piece, but not always. He believes that requiring a property owner to get a special use permit makes the owner be serious about what they are trying to do and to be responsible to the neighbors.

Ms. Simms wondered about an expansion of an air bed and breakfast or vacation rental or other nuance residential expansions. Mr. Fell stated that most of these would be zoning issues and not building code.

Ms. Yu asked if the neighbors had any concerns about how adopting the proposed amendment would impact the existing rooming houses being used for different residential uses. Mr. Garcia said no. There were some comments that it would not make sense for commercial uses to be in many of the existing R-7 buildings. Property owners probably won't propose a commercial use unless there is a demand for it. The only other discussion was that rooming houses are separate from Greek houses.

Ms. Yu asked if there would be a second amendment to target the rooming houses. Mr. Garcia said yes. He felt that the City would need to look at the rooming houses on a case-by-case basis. The list of rooming houses is smaller, so it would not take much effort for City staff to reach out to the owners.

Ms. Yu asked if the proposed text amendment would make the process for R-7 properties to do similar things as the recent PUD on Lincoln Avenue and a rezoning case that involved converting a R-7 property to R-4 (Medium Density Multiple Family Residential). Ms. Trotter replied that the objective of the proposed text amendment is to make reuse of existing R-7 properties easier. The two cases Ms. Yu mentioned were very special cases. The Chateau Normand is on more than a half-acre lot, which made it eligible for a PUD, Planned Unit Development. The Europa House was formerly built as apartments, then converted into certified housing, and then converted back to apartments once it was rezoned to R-4.

Mr. Garcia added that the Chateau Normand showed that there is a demand for turning old houses into apartments. Now there is proof that it is a viable thing to do, so City staff wanted to make the option available to other Greek houses that are not located on half an acre and cannot go through the PUD process.

Ms. Billman believed that there were the same people concerned about the parking issues in the area also not wanting yards to be turned into parking lots. Some properties might have enough parking already but others might not. Chair Allred stated that if the City went with Option 2, then parking would be dealt with through the special use permit process. An applicant would need to submit a site plan. Mr. Garcia added that one of the beauties of requiring a special use permit is that the City could deal with parking on a case-by-case basis.

Mr. Fell said that a rooming house that was once built for a family of five could be converted to an apartment building with no parking. Mr. Garcia said that the residents of a rooming house with 14 bedrooms could come to the City building and each resident get a permit to park on the street. He did not see how changing from a rooming house to some other use and having the same number of residents or less would exacerbate some parking problem.

Ms. Billman noted that when the Greek houses were built, most students did not have cars, so the City did not require as much parking. She did not think that would compare to the current times. Mr. Garcia stated that some of the R-7 lots are parking lots because fraternities and sororities had parking issues. They would buy the lot next door, demolish the building on it and turn the lot into a parking lot. He said it was a tradeoff of whether we want a building or parking. He thinks that for neighborhood character, keeping the buildings make more sense. If we want to preserve Greek houses, then we should not have parking requirements prevent that from happening.

Ms. Simms asked for clarification in that parking and signage would be reviewed under Option 2. Mr. Garcia said that was correct for commercial uses, not for residential uses.

Chair Allred asked if we know whether this would cause problems in the future if a Greek house converted into a different residential use that would potentially have additional residents needing more parking than what currently exists. Mr. Garcia replied that City staff has pulled parking permit data to look at how many on-street parking permits were requested for buildings in West Urbana. Some of them have 10, 20 or 30 permits each. City staff has discussed the possibility of setting a cap per property on the number of permits that are allowed. He did not believe that the proposed text amendment would increase the number of residents on a property, so it would not be making any existing problems worse.

Mr. Fell asked if the current sign ordinance would address any issues with signage or what issues do we foresee regarding signage. Ms. Trotter explained that the R-7 Zoning District currently does not have any sign regulations with exception of subdivision signs. Sign regulations are based on zoning districts, so it would be necessary to add sign regulations in the R-7 district for commercial uses but this could also be addressed through the special use permit process. Mr. Garcia noted that there are tables in the sign ordinance that show how signs are allowed and in what districts.

Chair Allred summarized the discussion by saying that the Plan Commission was leaning towards Option 2.

Mr. Fell stated that he would like some staff recommendation on signage. It could become an issue for a neighborhood. Ms. Trotter stated that she could show the Plan Commission members what is allowed in the MOR Zoning District. Mr. Fell commented that he would like to see signage be part of the special use permit process. Ms. Trotter explained that typically an applicant would seek approval for a special use permit and then submit an application for a sign permit.

Chair Allred asked about the existing sign at Chateau Normand. Ms. Trotter said that the sign is regulated by and considered a rental sign in the R-7. Mr. Garcia added that the sign was reviewed and approved by the Historic Preservation Commission because the Chateau Normand is a local historic landmark.

Ms. Billman moved that the Plan Commission continue Plan Case No. 2438-T-22 to the next Plan Commission meeting. Ms. Simms seconded the motion. The motion was passed by unanimous voice vote.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

There were none.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Garcia reported on the following:

- Case Update – He would give an update on the case that were previously considered by the Plan Commission at the next meeting after they have been considered by City Council.

11. STUDY SESSION

There was none.

12. CLOSED SESSION

To Consider Security Procedures, Pursuant to 5 ILCS 120/2(c)(8)

Chair Allred continued this item to the next in-person meeting of the Plan Commission.

13. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:32 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission