

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: January 18, 2018

TIME: 7:00 P.M.

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, Nancy Esarey Ouedraogo, David Trail, Dan Turner

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Teri Anzel, Planning Administrative Assistant II; Brandon Boys, Economic Development Manager

OTHERS PRESENT: Carol Baker, Janice Brownfield, Ed Chevalier, Caitlyn Edwards, Lynn Coulston, Peter Coulston, T. Hope Johnson, Mary Kennedy, Bob Leach, Johnny Robinson, Dustin Tarter, Nancy Uchtmann, Raymond Wait, Cynthia Weisiger

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

Chair Fitch called the meeting to order at 7:02 p.m. Roll call was taken and a quorum was declared present with all members present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the December 21, 2017 regular meeting were presented for approval. Mr. Fell moved to approve the minutes as presented. Mr. Trail seconded the motion. The minutes were approved by unanimous voice vote as written.

4. COMMUNICATIONS

- Letter from Dustin Tarter regarding Plan Case Nos. 2325-M-17 and 2326-CP-17

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2324-SU-17 – A request by Kenneth Mooney and Nehemiah Tan for a Special Use Permit to operate a church at 713 West Ohio Street in the R-7, University Residential Zoning District.

Chair Fitch announced this case had been withdrawn. A new application will be submitted and will be reviewed at a later Plan Commission meeting.

Plan Case No. 2326-CP-17 – A request by Urbana School District 116 to amend the 2005 Urbana Comprehensive Plan future land use designation for 1102 North Broadway Avenue from Institutional to Mixed Residential.

Plan Case No. 2325-M-17 – A request by Urbana School District 116 to rezone five parcels totaling approximately 3.5 acres from CRE, Conservation-Recreation-Education Zoning District to R-4, Medium Density Multiple-Family Residential Zoning District, located at 1102 North Broadway Avenue.

Chair Fitch opened these two items on the agenda together since they were regarding the same property. Kevin Garcia, Planner II, introduced the cases to the Plan Commission by explaining the purpose of each request and presenting a brief history of the subject property. He noted the zoning of the proposed site and of the surrounding adjacent properties. He talked about the CRE Zoning District and the “Institutional” designation on the Future Land Use Map. He discussed the benefits of changing the Future Land Use designation to “Mixed Residential” and changing the zoning to R-4. He reviewed how the existing zoning would compare to the proposed zoning using the La Salle National Bank criteria. He read the options of the Plan Commission and presented staff’s recommendation for approval.

Chair Fitch asked if the Plan Commission members had any questions for the Planning staff.

Mr. Fell noticed that the subject properties includes five parcels. He asked if the School District planned to demolish the existing school building and if they planned to sell all of the parcels together or individually. Mr. Garcia replied that from his knowledge, the School District planned to leave the existing building and allow a future buyer to decide if they wanted to reuse the building or demolish it. The existing school covers two of the five lots. He noted that Carol Baker, a representative from the Urbana School District, was present in the audience. She would be able to better answer questions regarding the School District’s intentions for selling the properties. Mr. Fell expressed concern about the possibility of the School District selling the lots individually versus selling the lots together.

Chair Fitch wondered how big of an apartment building would be allowed. Mr. Garcia explained that the Floor Area Ratio (FAR) for the proposed R-4 Zoning District is .5. A one-story building could cover half the site. A two-story building could cover $\frac{1}{4}$ of the site, and a three-story building could cover up to 17% of the properties.

Ms. Billman inquired as to when the other multi-family buildings in the neighborhood built. Mr. Garcia stated that the Crystal View Townhomes were constructed around 2013 or 2014. Highland Green was recently built in 2017. The multi-family apartments on the corner of Kerr Avenue and North Broadway Avenue might have been built a couple of decades ago. Ms. Billman pointed out that those areas were already designated as "Mixed Residential". Mr. Garcia said yes.

Ms. Billman asked how many stories a developer/future buyer would be allowed to build an apartment building in the R-4 Zoning District. Mr. Garcia replied that the maximum height could be 35 feet so that would be about 3 or 3-1/2 stories.

With no further questions for City staff, Chair Fitch opened the hearing for public input. He reviewed the procedures for a public hearing.

Carol Baker, Chief Financial Officer for Urbana School District #116, approached the Plan Commission to speak in favor of the proposed requests. She mentioned that the School Board had put the properties out for bid two different times. The first time there were no bids to buy the properties. The second time, there was one bidder but they pulled out after a couple of months and decided not to move forward with their project. The School District staff began talking with the City staff to help them get the properties redeveloped. They felt that rezoning the property now to R-4 would help a future developer with the process of redeveloping.

Mr. Ackerson wondered why the School District chose to rezone to the R-4 Zoning District rather than the R-3, Single and Two-Family Residential Zoning District. Ms. Baker responded that the School District felt it would give more flexibility for a developer to reuse the existing buildings.

Mr. Ackerson asked if the School District had discussed whether they would be willing to sell the properties individually. Ms. Baker replied that the School Board had not discussed selling the properties individually. They have only talked about selling all the properties to one developer.

Mr. Trail questioned why the School District no longer used Washington School. Ms. Baker answered saying that the existing building was too small and has asbestos in the walls. It would not be feasible for the School District to reuse it.

Mr. Hopkins asked if one option was reuse of the existing building. Ms. Baker said yes, if someone was interested and has the money in doing so. Mr. Hopkins questioned if the difference between asking to rezone to R-4 versus R-3 was to allow the reuse of the existing building. Mr. Garcia answered that if someone wanted to reuse the existing building as an apartment building or condominium, which is what many old schools are reused as, then it would not be allowed in the R-3 Zoning District. However, an R-4 zoning classification would allow it.

Mr. Hopkins mentioned that there are also special uses in the R-4 Zoning District that would make reuse of the building plausible. Mr. Garcia said that was correct.

Johnny Robinson approached the Plan Commission to speak in opposition. Exhibit B shows that single-family homes and duplexes are about half the size of the neighborhood. He expressed concern about more multi-family apartments being developed in the area. Low-income housing is a great thing but putting it all in one area creates a slum. The single-family homeowners in the area do not want to become a slum area. He suggested that the City rezone the subject properties to R-3.

Mr. Ackerson inquired if he had spoken with any of his neighbors. Mr. Robinson said yes. Some of those neighbors are in the audience. About ten of his neighbors expressed opposition of the proposed rezoning to him. This number is low because the weather has prevented the neighbors from coming together.

Chair Fitch asked how Mr. Robinson felt about the possibility of duplexes being developed on the proposed site. Mr. Robinson stated that he had no problem with duplexes.

Bob Leach approached the Plan Commission to speak in opposition. He expressed concern about the City not notifying more of the neighborhood about the proposed rezoning. He discovered the request from reading a sign posted in front of the school. He found that the City only mailed notices to neighbors within 250 feet of the subject property. He felt the City should have canvassed more neighbors in the area.

He talked about the School District wanting to provide flexibility for a future developer and what was best for the School District. However, he did not hear the School District say anything about the neighbors.

He felt that the School Board should put the properties out for bid again since it had been two years since their last attempt. To rezone the properties now to a higher residential density, there is no room for the developer to trade. He believed that the City should either leave the zoning as CRE or rezone to a lower residential zoning district. A future developer could always come back in the future and ask for a higher residential zoning district.

He asked what the zoning is for Crystal Lake Townhomes and for Highland Green. Mr. Garcia replied that Crystal Lake Townhomes are zoned R-5, Medium High Density Multiple Family Residential, and Highland Green is zoned R-4.

Janice Rutherford approached the Plan Commission to speak in opposition. She stated that the neighborhood is delightful with a mix of larger and smaller houses in the neighborhood where everyone co-exists very well. From her understanding, the building could not be redeveloped. A future buyer would need to demolish it and rebuild, which means they would need to recoup demolition expenses by constructing a significant development. She would like to see the subject properties be rezoned to R-3. Anything bigger would change the character of the neighborhood.

She asked if there would be another public hearing to allow the neighbors to give the neighborhood an opportunity to feed into what a future developer would be interested in developing. Ms. Pearson noted that this is the public hearing for the rezoning of the property. City Council will allow people to speak at the beginning of the Council meeting, but it would not be a public hearing. Chair Fitch noted that there are uses that would be permitted by right and would not require an additional public hearing.

Nancy Uchtmann approached the Plan Commission to speak in opposition. She asked if the Urbana Park District was interested in preserving the proposed lots if for nothing else but for open space in the City of Urbana. She asked what the appraised value would be per acre of the subject lots if the existing school building was demolished. What would be the cost to demolish the existing school building? Could this be an extension of Crystal Lake Park? Chair Fitch responded saying that if the Urbana Park District were interested in acquiring the subject lots, then they would have contacted the Urbana School District. Mr. Trail stated that he believed the Urbana Park District was more interested in acquiring the residential properties along Franklin Street. Ms. Uchtmann commented that the City of Urbana was already overbuilt with apartments that have many vacancies.

Dustin Tarter approached the Plan Commission to speak in opposition. He expressed concern about creating an island of different zoning within a low-density neighborhood. He understood the Urbana Park District's intention for rezoning to R-4; however, he hoped that the City would wait to see what proposals are created by potential developers so we can all work together to get a development that works for the City's tax base, for the School District and for the neighborhood. He stated his concerns about what could be developed if the proposed site was rezoned to R-4.

Mr. Trail asked what Mr. Tarter would like to see be developed on the site other than single-family homes. Mr. Tarter replied that he would be acceptable to duplexes or zero lot line development. The R-3 Zoning District would prohibit a gigantic vinyl box. The subject properties are located in the historic north end of Urbana, and we owe it to the community to encourage owner-occupied options in the neighborhood. Mr. Trail stated that there is a big need for density, which is how a City gets vibrant, walkable neighborhoods.

Janice Brownfield approached the Plan Commission to speak in opposition. She stated that she chose the neighborhood because of the neighbors and the character of the area. She felt anxious about possibly having a multi-family apartment building developed close to her home. Crime rate is currently low. Why change the neighborhood?

Ms. Baker re-approached the Plan Commission to speak. She stated that an appraisal of the proposed properties, as they currently exist - zoned CRE and with the school building, was performed in 2015 and the market value was assessed to be \$450,000.00.

Mr. Fell questioned what the total square feet of the subject properties are together. Ms. Baker said there were 152,233 square feet for the entire 3.5 acres. The existing school building is 30,000 square feet.

Mr. Ackerson asked if the asbestos issue had any impact on the previous potential buyer that was interested in redeveloping the building for senior housing. Ms. Baker replied that she did not believe the asbestos issue had anything to do with the first potential buyer pulling out of the purchase. From her knowledge, they pulled out because of the possibility of not being able to receive tax credits that they had applied for due to a new administration coming in. Receiving the tax credits was key for them to be able to redevelop the site.

Mr. Ackerson asked what limitation the asbestos issue would pose for a future buyer to redevelop the existing building as any residential use. Ms. Baker believed that the cost for the School District to remove the asbestos was higher than for anyone else.

With no further input from the audience, Chair Fitch closed the public input portion of the hearing. He opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Ackerson believed it was highly unlikely for the existing building to be reused for any residential use. He felt that any future developer would demolish the existing building and start from scratch.

Mr. Turner agreed. He believed that the R-3 Zoning District would make more sense even though it is more restrictive. If a future developer wanted a higher density zoning, then they could come back to the Plan Commission in the future and propose a different zoning. The Plan Commission is not currently talking about building apartments on the proposed site. They are only considering the zoning.

Chair Fitch read the options of the Plan Commission. He asked if the Plan Commission also had an option to rezone to a lower density zoning district. Ms. Pearson said yes. Chair Fitch summarized the permitted uses of the R-3 and the R-4 Zoning Districts.

Mr. Ackerson noted that if the City rezoned the proposed properties to R-4, then they would be essentially dropping an R-4 area in the middle of an R-3 zoned area. A future developer could get some level of density by building duplexes in an R-3 zone. He might be more open-minded about rezoning the properties to R-4 if there was a developer proposing a specific use. However, right now the School District wants to rezone to R-4 to make the subject site more attractive to potential buyers. Therefore, he was more inclined to rezoning the proposed properties to R-3. Chair Fitch pointed out with any rezoning case, it is not what the developer plans to build but what would be allowed to be built that the Plan Commission should consider.

Mr. Hopkins noted the non-residential uses that would be allowed in the R-4 Zoning District with approval of a Special Use Permit. He believed this to be an opportunity for the Plan Commission to respect a neighborhood that they rarely hear from. He would be inclined to rezoning the proposed site to R-3.

Mr. Fitch agreed with the comments from Mr. Ackerson and Mr. Hopkins.

Ms. Pearson read the descriptions of "Residential Urban Pattern" and "Urban Pattern of Development". Mr. Fitch read the description of "Mixed Residential". The Future Land Use

Map uses the term “Residential”, so changing the designation to “Residential” would make it consistent with the rest of the neighborhood.

Ms. Ouedraogo mentioned that #2 of the La Salle National Bank criteria implies that property values are diminished as ordinances become more restrictive. Chair Fitch stated that if they amend the zoning from CRE to most any other zoning classification, then they probably would not diminish the property value. It is probable that the R-4 zoning district would have more value than R-3 and would make the property easier to sell; however, he did not feel it would affect the La Salle National Bank criteria.

Ms. Ouedraogo asked for clarification on #4 of the La Salle National Bank criteria. Does “hardship imposed on the individual property owner” refer to financial hardship? Chair Fitch said that it refers to financial hardship as well as other things. Ms. Ouedraogo believed that the Plan Commission had not discussed enough the relative gain of rezoning to R-4 versus rezoning to R-3. Ms. Billman commented that rezoning to R-4 would give some greater value if the current properties were razed. She did not believe it would increase the value of individual properties. The surrounding property owners believe that the value of their properties would decrease. Chair Fitch pointed out that the La Salle National Bank criteria refers to the proposed properties.

Mr. Hopkins corrected himself and after looking at the Future Land Use Maps for different areas, he believed that they should amend the designation to “Residential Urban Pattern”.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2326-CP-17 to the City Council with a recommendation to amend the 2005 Comprehensive Plan Future Land Use designation for 1102 North Broadway Avenue from Institutional to Residential Urban Pattern. Mr. Turner seconded the motion. Roll call on the motion was as follows:

Ms. Billman	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Hopkins	-	Yes
Ms. Ouedraogo	-	Yes	Mr. Trail	-	No
Mr. Turner	-	Yes	Mr. Ackerson	-	Yes

The motion was passed by a vote of 7 ayes to 1 nay.

Mr. Turner moved that the Plan Commission forward Case No. 2325-M-17 to the City Council with a recommendation to rezone 1102 North Broadway Avenue from CRE (Conservation-Recreation-Education) Zoning District to R-3 (One and Two-Family Residential) Zoning District. Ms. Billman seconded the motion.

Mr. Fell stated that this was a unique case because the Plan Commission had two views for them to represent. He believed that it was best to rezone to R-3 instead of R-4 because once it is rezoned to R-4, they cannot take it back; whereas, a future developer could always ask to rezone to R-4. While it may put a slight damper on the Urbana School District in selling the proposed properties, he felt rezoning to R-3 was the best and correct thing to do.

Mr. Ackerson felt it was an improvement to go from the CRE zone to the R-3 zone for the neighborhood and for the proposed vacant properties. He agreed with Mr. Fell's comments.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Trail	-	No	Mr. Turner	-	Yes
Mr. Ackerson	-	Yes	Ms. Billman	-	Yes

The motion passed by a vote of 7 ayes to 1 nay. Mr. Garcia noted that these two cases would be forwarded to the City Council on February 5, 2018.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Ms. Pearson gave a staff report on the following:

- CCZBA-873-AT-17 was not protested by the City Council as recommended by the Plan Commission.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission