

MINUTES OF A SPECIAL MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: **October 12, 2017**

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

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

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Nancy Esarey
 Ouedraogo, Christopher Stohr

MEMBERS EXCUSED: Tyler Fitch, Lew Hopkins, David Trail, Dan Turner

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Teri
 Andel, Administrative Assistant II

OTHERS PRESENT: Yidan Chen, Gaezan Finney-Day, Keddy Hutson, Louise Kuhny,
 Seoklroo Lee, Dahee Min, Pierre Moulin, Sheila Parinas, Kim
 Smith, Xuezhu Zhao

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

Barry Ackerson called the meeting to order at 7:30 p.m. In the absence of Chair Fitch, he asked the members to nominate an Acting Chairperson. Mr. Fell nominated Mr. Ackerson to serve the role. Ms. Billman seconded the nomination. The Plan Commission agreed by unanimous voice vote. Roll call was taken and a quorum was declared present.

2. CHANGES TO THE AGENDA

Ms. Pearson requested that the Plan Commission remove the study session item regarding the preview of a proposed Champaign County Nursing Home plat. Chair Ackerson withdrew this item from this agenda.

3. APPROVAL OF MINUTES

Mr. Ackerson announced that the minutes from the October 5, 2017 regular meeting would be presented for approval at the next regularly held meeting.

4. COMMUNICATIONS

- Update Site Plan

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2314-PUD-17 and 2318-PUD-17: A request by Pierre Moulin for preliminary and final approval of a residential Planned Unit Development at 1404 South Lincoln Avenue under Section XIII-3 of the Urbana Zoning Ordinance.

Acting Chair Ackerson reviewed the procedures for a public hearing and then opened the public hearing for these two cases. Kevin Garcia, Planner II, presented the staff report for the cases. He began by explaining the purpose of a Planned Unit Development (PUD) and talking about how it is different from a rezoning request. He explained the reason for the proposed preliminary and final PUD requests. He talked about the intent of the R-7, University Residential Zoning District. He reviewed the updated Site Plan that was handed out prior to the start of the meeting. He noted the zoning, existing land uses and future land use designations of the proposed site and of the surrounding adjacent properties. He reviewed the goals and objectives of the 2005 Comprehensive Plan as well as the PUD Ordinance goals and requirements that relate to the proposed requests. He discussed the two areas that the applicant requests some flexibility, which were for a reduction in the number of required parking space and for the front-yard setback requirement. He reviewed the Criteria for Approval of a PUD from Section XIII-3 of the Zoning Ordinance. He mentioned that the applicant held a public meeting for the neighborhood on September 25, 2017 to explain and answer questions about the proposed development. In addition, he received a phone call from Susan Taylor expressing concern about the proposal providing too much parking. He read the options of the Plan Commission and presented City staff's recommendation for approval with the condition that construction be in general conformance with the updated Site Plan and Elevations.

Acting Chair Ackerson asked if any members of the Plan Commission had questions for City staff.

Mr. Fell asked if City staff was aware if the City had ever granted a reduction of parking in the West Urbana Neighborhood area. Mr. Garcia replied not to his knowledge.

Mr. Fell asked if the City ever granted parking to encroach into the setback. Mr. Garcia replied that he did not know.

Mr. Fell asked if the City ever granted a waiver allowing other items such as bicycle parking, condensers and trash receptacles to encroach into the setback. Mr. Garcia recalled one of his first cases where a condenser was approved to encroach in the setback.

Mr. Fell asked if City staff would be okay with these items encroaching into the setback even though there was no formal request. Lorrie Pearson, Planning Manager, stated that she had asked the applicant to address the condenser being located in the setback and that they submit a request for a waiver for the trash receptacles encroaching into the setback. Because the trash receptacle would be screened and due to the constrained site, City staff would support the waiver.

There were no further questions for City staff. Acting Chair Ackerson opened the hearing for public input.

Pierre Moulin, applicant, approached the Plan Commission to speak. He mentioned that he purchased the property about six weeks ago. The exterior is wonderful, but because the property had been vacant for several years and was vandalized, the interior is a disaster and is now decaying. He believed his plans for redeveloping the building were the most promising way to bring life back to the building, to make it nicer and to make it accessible. The number of residents would decrease from the previous use. They tried to keep the existing trees and provide parking spaces. He hoped to have the project completed by August 1, 2018.

Mr. Fell commented that in the last few years, several projects have come before the Plan Commission and other boards and commissions in the WUNA neighborhood. Applicants in many of those projects had asked for a reduction in parking, and it had never been granted. He noted that Mr. Moulin was one of the most vocal opponents in many of those cases. Other than Mr. Moulin's economic interest in this particular project, how had his interest in the amount of parking changed? Mr. Moulin responded that it is an existing site and the footprint of the building would remain the same. It was a tradeoff between providing the number of required parking spaces and keeping the existing greenery.

Mr. Fell applauded Mr. Moulin's efforts in trying to preserve the existing building. However, he took exception to Mr. Moulin's explanation about parking. He felt that Mr. Moulin was asking for something that he was so opposed to other developers asking for. Mr. Moulin stated that the proposed PUD request is a different scenario than a previous case involving a property along Lincoln Avenue. In the previous case along Lincoln Avenue, the applicant was asking to build something that was unfit for the neighborhood and would require a lot of parking spaces. He plans to renovate an existing building that does fit in with the character of the neighborhood. Mr. Fell read some of the correspondence that Mr. Moulin had written in previous cases regarding parking. Mr. Moulin replied that the previous case referred to new construction and his project would renovate an existing building. As a resident in this neighborhood, he is opposed to a large quantity of cars flooding his street. They held a neighborhood meeting and one resident stated that he should have less parking, so parking is not an issue for other neighbors in the area.

Mr. Fell asked if Mr. Moulin's opinion about providing three or four bedroom units had changed. In the previous development case along Lincoln Avenue, Mr. Moulin voiced his opposition to three and four bedroom units. Now his project is proposing more than half of the units be three bedroom. Mr. Moulin stated that his goal was to cater to the population in the neighborhood. He believed his architect had done a great job partitioning the existing building so that it can

accommodate a different variety of things. It all depends on the type of construction. With new construction, the developer can decide to provide all two bedroom units; whereas, with this project they are trying their best to match an existing, historical home, so there has to be a mix of units with some smaller and some larger.

Ms. Billman commented that she believed there would be more cars for the proposed use than there was for the previous sorority use. Although the University of Illinois and a few restaurants are within walking distance, there are no services nearby such as a grocery store. Mr. Moulin replied that there would be the FAR and PAR resident halls where tenants could eat. Three bus lines run near the proposed site. Most residents will walk to work or to school.

Ms. Billman questioned what would happen to the handicap parking spaces if no tenants were handicapped. Mr. Moulin answered that those two parking spaces would then become part of the parking spaces for other tenants to use. Mr. Fell added that developers are required to provide handicap accessible parking spaces as part of the parking count. Until there is a tenant who requires an accessible parking space, it can be used as a regular parking space. If there is a tenant that needs one, then it could only be used as an accessible parking space.

Ms. Billman asked if Mr. Moulin planned to charge extra for a parking space. If so, how much? How would it compare to a resident getting a tag from the City to park on the streets? Mr. Moulin said yes, he planned to charge the same rate as the City charges for a parking permit. It would be about \$15 to \$20 per month.

Kim Smith, architect for the project, approached the Plan Commission to speak.

Ms. Pearson asked what the applicant planned to do with the air conditioning units in the front-yard setback. Ms. Smith replied that they would like to place the units behind the building; however, there are limitations on the length that they can put the condensing lines. Therefore, they would like to request a waiver, and they would do their best to not use it.

Mr. Stohr noticed it would be a tight spot to access the garbage dumpster. Ms. Smith explained that Mr. Moulin spoke with his garbage hauler and they did not have a problem with the amount of space.

Keddy Hutson approached the Plan Commission to answer questions about the architectural design.

Mr. Fell stated that there would need to be two ways out and accessible people would need a place for refuge. In this case, he figured it would be one in each of the enclosed stairwells. He did not see a way for them to fit this in the north stairwell, so it would need to be reconfigured.

He noticed there were many rooms that would not meet the building code requirements. In a studio apartment, there needs to be a room that is a minimum of 220 square feet exclusive of the kitchen. In any unit other than an efficiency unit, there must be a room that is a minimum of 120 square feet exclusive of the kitchen. He believed that many of the proposed living rooms would not meet this requirement. While he applauded their efforts to reuse the existing building, he said there were some major code issues that would need to be addressed. Mr. Hutson said it was just a schematic design and they would look at some of these issues.

Mr. Stohr agreed that someone would be tackling a project to save the existing building. There would be a lot of trying to retrofit new codes in an old building. He wondered if there would be any flexibility to allow for a historic building. Acting Chair Ackerson stated that this would be a question to ask of City staff after the public input portion of the hearing was closed.

Louise Kuhny approached the Plan Commission to speak. She stated that she supports the project overall. The neighborhood has been concerned about what would happen to the subject property long term. Mr. Moulin was invested in the community and was active in working for preservation.

She expressed concern about the process for any PUD project. She did not believe that the standards for approving a PUD project were clear. She encouraged the Plan Commission to discuss how they could get criteria that are more specific so that it would not be left to judgement. She did not understand how a project could get to the preliminary and final approval stage and discover that some of the room sizes might not meet building codes. She also felt that someone else without pure thoughts might want to develop something less desirable. The 800 block of South Lincoln Avenue has been under attack.

Mr. Moulin re-approached the Plan Commission to speak. He summarized by saying that he was trying to find a way to reuse a wonderful building. It is an existing building with many issues. If they do not find a solution, then it would not be good for the neighborhood.

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

Mr. Stohr stated that he disagreed with Mr. Garcia's assessment of the exterior of the existing building as being "good". He would be inclined to call it "fair". He wondered if there would be any flexibility in the building code requirements for a historic property. Mr. Fell explained that there are two paths around some building code issues. One is an existing structures code, which allows some flexibility with certain things. He did not know if the City of Urbana used this code. Secondly, there are some exemptions for historic structures. He did not believe that room size would be affected by either of these paths.

Ms. Billman noticed the small living rooms and wondered if they would even be marketable. With regards to parking requirements, she felt requirements for new construction would be different than for redevelopment of an existing structure. A developer has choices with constructing a new development; whereas, there are not as many choices with redeveloping an existing building.

Mr. Fell stated that he hoped the project would go forward because he would like to see the existing building redeveloped. However, he cannot support the project as proposed because it did not meet the City's building code. He believed that part of the process of meeting the building code would reduce the number of required parking spaces because it would mean losing some of the proposed bedrooms. If the Urbana Zoning Ordinance would be more in line with other cities, then there probably would not be any issues with parking. Other cities pick the frontage of a corner lot along one street to be a front yard and along the other street to be a side yard. Ms. Pearson pointed out that the applicant is seeking approval of a more general plan at this stage in

the process. We do not want to require building permits level drawings because they are more costly to produce. The developer wants to know if he could even move forward to that stage first. When it comes to applying for building codes, the applicant will definitely need to meet the building code requirements.

Mr. Fell stated that in order for the applicant to meet the building code, the plans would have to change including reducing the number of bedrooms to accommodate room size requirements. It will change the number of three and four bedroom units. It is more economical to build three bedroom units rather than have one and two bedrooms. Therefore, their solution may be to make the entire project three-bedroom units, which would reduce the number of kitchens they would need. This would allow them the ability to increase the room size where they need.

Ms. Billman expressed concern about the reduction in parking. She believed that any reuse of the property would require parking. So, she believed the proposed redevelopment was the best option. Mr. Fell agreed this would be the best use of the existing building and hoped it happens. Once they make some changes to the plan to meet building codes, he believed that they would meet the parking requirements.

Mr. Fell pointed out that parking waivers had never been granted in this area before. Approving the proposed parking waiver would set a precedent for future developments/redevelopments. So, community members would have less opportunity to voice opposition in the future. Mr. Stohr noted that the rationale for allowing a reduction in the parking for this case is it would be a reuse of an existing historic building rather than a brand new development. Mr. Fell disagreed. Calculating the number of parking spaces depends on how many bedrooms and what types of units there would be. It is the same algebra used for redeveloping an existing building as it would be for new construction.

Mr. Ackerson stated that we want intensive residential infill development in this area. He is sensitive to the WUNA issues concerning parking. He was happy to see that they doubled the bicycle parking. He did not see anyone other than students and new assistant professors living in the proposed use. Many of them would walk, bus or ride bicycles. He was sensitive to this setting a precedent in reducing the number of parking spaces.

Ms. Billman questioned how the Plan Commission could grant a waiver if they do not see the final plans. Ms. Pearson explained the process. PUDs have a different set of criteria. The applicant is seeking approval to be able to create a more detailed plan. The building permit would include more details such as the number of units and number of parking spaces. The PUD process is more of a discussion of whether the project is good and whether it should conceptually be allowed. The building permit level is when all the details have been worked out and are finalized for review and approval. Building permit approval is determined by whether it meets the building code.

Mr. Stohr asked about the two parking spaces in the front-yard setback. Mr. Garcia explained that if any portion of the parking is within a setback, then the applicant must request a waiver. This case is simply a trade-off between the two waivers being requested. Does the Plan Commission want to grant a larger waiver to reduce the parking so the applicant can fully meet the setback requirement? Or does the Plan Commission want to allow the parking spaces to encroach into the required setback?

Ms. Billman commented that there was a neighborhood public meeting held to inform the neighbors of the proposed PUD development. She felt that if any of the neighbors had any concerns, then they would be at the Plan Commission meeting or would have submitted communications to voice those concerns.

Mr. Fell stated that he could not support the PUD requests because the plan does not work. To make it work there would need to be changes to the Site Plan. He wondered if it would be possible to ask the applicant to bring the cases back to the Plan Commission with changes so that the Plan Commission could say that it would conceptually meet the building code. By doing so, it may eliminate the parking issue and a precedent would not be set. The Plan Commission is supposed to make sure that an applicant builds to general conformance of what they submit. Ms. Pearson said it would be possible to continue the case; however, the building permit review is an administrative function. The Plan Commission is only to determine if the project as a whole meets the criteria of a PUD. The Plan Commission could add a condition regarding changes to the interior. Mr. Garcia added that the condition recommended by City staff asks, "That construction be in general conformance with the Site Plan and Elevations". It does not mention floor plans, and perhaps they should have not be included in the packet because they are not looking at that level of detail.

Ms. Ouedraogo believed that the application was consistent with the goals and criteria for a PUD. Concerning whether this would set a precedent for a reduction in parking, she felt that she would be able to say no in future cases. Mr. Fell stated that while the Plan Commission could say no to reducing parking requirements in future cases, they would want to treat every developer the same with equality.

Mr. Ackerson asked about the tradeoff of preserving a tree or removing the tree to construct a few more parking spaces. Mr. Garcia said that was correct. Mr. Ackerson commented that he would rather see a tree live than be removed for parking spaces, but reducing the number of required parking spaces would set a precedent for future cases. Mr. Fell pointed out that a future developer will not address it as the City reducing a specific number of parking spaces. Instead, they will say that the City reduced the parking requirement by 20%. Ms. Billman said that she did not have a problem saying no to future waiver requests for reduction in parking depending on the circumstances.

Mr. Stohr moved that the Plan Commission forward Plan Case Nos. 2314-PUD-17 and 2318-PUD-17 to the Urbana City Council with a recommendation for approval. Ms. Billman seconded the motion.

Mr. Stohr moved to amend the motion to include the following conditions: 1) That construction be in general conformance with the Site Plan and Elevations and 2) That the two parking spaces completely within the front-yard setback be removed. Ms. Billman did not accept the amendment, so the motion to amend failed.

Mr. Fell moved to amend the original motion to include waivers to allow A/C units, garbage/recycling and bicycle parking within required setbacks as long as they are screened. Mr. Stohr and Ms. Billman accepted the amendment.

Mr. Stohr moved a second amendment to the motion to include the following condition: 1) That construction be in general conformance with the Revised Site Plan and Elevations. Ms. Billman accepted the amendment.

Roll call was taken on the motion and the two accepted amendments and was as follows:

Mr. Fell	-	Yes	Ms. Ouedraogo	-	Yes
Mr. Stohr	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion passed by unanimous vote. Ms. Pearson announced that these two cases would be forwarded to City Council on Monday, October 16, 2017.

8. NEW BUSINESS

There was none.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission