



**MINUTES OF A REGULAR MEETING  
URBANA PLAN COMMISSION**

**APPROVED**

**DATE:** April 16, 2026

**TIME:** 7:00 P.M.

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

**MEMBERS ATTENDING:** Dustin Allred, Andrew Fell, Klayton Matlock, Bill Rose, Chenxi Yu

**MEMBERS ABSENT:** Will Andresen, Karen Simms

**STAFF PRESENT:** Olivia Jovine, Director of Community Development Services; Kate Himick, Planner I; Aimirou Sy, Planner II

**OTHERS PRESENT:** Adrien Kim; Joaquin Lalama; Jose Reyes; Thomas Schnelle; Christian Sechel; Hristo Tosher

**A. CALL TO ORDER and ROLL CALL**

Chair Allred called the meeting to order at 7:03 p.m. Roll call was taken, and there was a quorum of the members present.

NOTE: Chair Allred introduced Klay Matlock as the newest member of the Urbana Plan Commission.

**B. CHANGES TO THE AGENDA**

There were none.

**C. APPROVAL OF MINUTES OF PREVIOUS MEETING**

**Minutes of January 15, 2026 Regular Meeting**

The minutes of January 15, 2026, Regular Meeting were presented to the Plan Commission. Mr. Fell moved that the Plan Commission approve the minutes as written. Mr. Rose seconded the motion. The motion was approved by unanimous voice vote.

**D. COMMUNICATIONS**

- Email from Julie Laut in support of Case No. CW-2026-01
- Email from Dennis Roberts regarding Case No. CW-2026-01
- Application for Construction or Zoning Use Permits within the Boneyard Creek District for Case No. CW-2026-01
- Statement of Economic Interest Fact Sheet, Instructions, and Form
- Urbana Housing Needs Study flyer

**E. CONTINUED PUBLIC HEARINGS**

There were none.

**F. OLD BUSINESS**

There was none.

**G. NEW PUBLIC HEARING**

**Case No. CW-2026-01 - A request by Andrew Fell, on behalf of DMCB Properties, for a Creekway Permit to allow development at 413-419 West Main Street within the Boneyard Creek District.**

Chair Allred opened Case No. CW-2026-01. Mr. Fell recused himself from the case since he is the applicant, which presents a conflict of interest. Chair Allred then reviewed the procedures for a public hearing.

Olivia Jovine, Director of Community Development Services and Zoning Administrator, presented the case to Plan Commission. She explained that the applicant is requesting a Creekway Permit with a bonus height provision allowing an additional story not to exceed 12 feet. She summarized the procedural steps required under Section XIII-4 of the Zoning Ordinance, including the Preliminary Conference held on February 9, 2026, with the applicant, Boneyard Creek Commissioner Bill Rose, the Zoning Administrator, the Assistant City Engineer, and other staff. The Zoning Administrator forwarded the request to the Plan Commission because the proposed development does not comply with the underlying R-2, Single-Family Residential, Zoning District, as described in Section XIII.4.G.3.

Ms. Jovine talked about the proposed development and described the subject parcels. She showed photos of the Boneyard Creek adjacent to these parcels. She summarized the flood study prepared by Farnsworth Group and stated that the building must be elevated above the flood elevation and allow water to flow beneath it. The first floor will be constructed one foot above the 100-year flood elevation and will be floodproofed per FEMA guidance.

She also talked about the cost of construction and pointed out that the cost of elevating and floodproofing the building makes development under the R-2 Zoning District standards economically unviable, prompting the applicant to request an increase in the density of the development by requesting the bonus provision to allow an additional 12-feet in height. The proposed building is designed to generally conform with the R-5, Medium High Density Multiple Family Residential, Zoning District. She mentioned that the applicant plans to seek approval of a Planned Unit Development at a later date.

Ms. Jovine discussed how the proposed development relates to the 2008 Boneyard Creek Master Plan. She reviewed the six criteria for approval from Section XIII-4 of the Urbana Zoning Ordinance. She also reviewed the Zoning Ordinance requirements for an improvement fund for projects that result in increased floor area over what is permitted by the underlying zoning (Section 13-4.E.10). No improvement fund currently exists, and the Chief Financial Officer would need to formally create a fund line in the City budget and the establishment of an escrow account. The Zoning Ordinance requires construction of the project within one year of receiving approval; otherwise, the Creekway permit expires. The City would then have to transfer the funds back,

which introduces some administrative complexity. Therefore, the City does NOT recommend enforcement of the improvement fund as described in the Ordinance.

Ms. Jovine discussed the dedication requirement from Section 13-4.E.11 of the Zoning Ordinance, which is required if a bonus provision is requested by the applicant. While the Zoning Ordinance does not define dedication, it describes an irrevocable offer by the owner and further states that the parcel offered or dedicated shall for computation purposes remain as part of the zoning lot and shall be counted as open space or yards. This implies it would function as a maintenance agreement or easement versus formal control or ownership of said parcel.

Ms. Jovine reviewed the options of the Plan Commission and presented staff's recommendation that the Plan Commission approve the proposed Creekway Permit, including the requested bonus provision for height, subject to the following conditions:

- 1) *The height requirements may be modified to add an additional story, provided such height modification shall not exceed 12 feet;*
- 2) *The parcel offered shall be 20 feet from the edge of the creekway and specifically dedicated to the City of Urbana as a governmental unit; and*
- 3) *The requirements for the improvement fund, per Section XII-4.E10 of the Zoning Ordinance, shall be waived.*

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

Mr. Rose complimented Ms. Jovine on an excellent presentation. Chair Allred agreed.

Chair Allred asked Ms. Jovine to talk about how the proposed development would be consistent with the current *Imagine Urbana* Comprehensive Plan. Ms. Jovine responded that the proposed development would be in keeping with the Big Moves and the Little Moves associated with the current *Imagine Urbana* Comprehensive Plan in the sense that it would produce more housing that is connected to a walkable neighborhood, and it contemplates housing that is variable and responsive to a built environment that actually can provide and meet the needs of all Urbana residents; not just traditional single family homeowners. However, she does find conflict in that the Comprehensive Plan does identify the proposed neighborhood as Place Type - Neighborhood 1, which is not generally supportive of higher density multifamily housing. She mentioned that the Boneyard Creek Master Plan has not been amended to be consistent with the Comprehensive Plan yet, so she focused her analysis on the 2008 Boneyard Creek Master Plan.

Chair Allred asked if the 20-foot measurement of the 20-foot dedication is consistent with the Zoning Ordinance. Ms. Jovine replied that her understanding from reading the 1978 Boneyard Creek Master Plan is that it did not provide as the 2008 Boneyard Creek Master Plan did with regards to actual sections of recommended design, landscape design, or construction of paths, banks, and easements. It really identified segments and various distances. In this particular section of the Creekway, the 1978 plan said up to 30 feet, but it does not have specific plans. She wonders if the 1978 plan contemplates a 10-year storm channel, and that is in fact what we have today. Mr. Rose added that the Zoning Ordinance uses the term "corridor limit" with regard to the 20-foot dedication. The 1978 plan describes for this segment a 32-foot right-of-way that appears to float over the entire area; whereas the 20-foot requirement in the Zoning Ordinance is from the middle of the creekway into the property and is consistent with the right-of-way as described in the 1978 plan.

Ms. Jovine pointed out that staff's recommended Condition #2 refers to 20-feet from the edge of the creekway, so this might be something for the Plan Commission to discuss. Mr. Rose agreed it should be clarified; however, the creek may vary in width. He considers the center of the creek to be a more fixed point.

Chair Allred stated that the terms "easement" and "dedication" seem to have been used interchangeably. The Zoning Ordinance calls for dedication, which he associates with deeding the ownership of that parcel. He asked how City staff interpret access to the proposed parcel. Would the City take ownership of the parcel, or would we be granted temporary access through an easement? Ms. Jovine replied that her understanding from a conversation she had with the City Engineer and others is that this would function as a maintenance easement, but it is up for interpretation. Mr. Rose noted that the City also has recreation easements, and easements have legal standing where dedication lacks that. Mr. Allred pointed out that in a subdivision, the developer dedicates the right-of-way to the City, and the City takes ownership. However, in this case, I believe that the City's desire is to not take ownership but have the owner continue to maintain and operate the parcel; however, the City would have access for maintenance purposes to the Boneyard Creek. Ms. Jovine believed this to be accurate and that is why the Ordinance contemplates the formal acceptance of the dedication; however, she felt it is left for interpretation because it is not defined in the Ordinance. Chair Allred asked if the Plan Commission should address this in their recommendation. Ms. Jovine said that City staff does not want to codify it as this stage. She recommended leaving the term "dedication" in their recommendation.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. He invited the applicant's representative to approach the Plan Commission.

Adrienne Kim and Jose Reyes approached the Plan Commission to answer any questions from the Commission members. Ms. Kim stated that Mr. Reyes put together many of the drawings for this project, and she did a lot of preliminary research. She felt that Ms. Jovine did a good job of summarizing their request. They will answer questions.

Chair Allred asked for clarification for how the proposed development would affect the Boneyard Creek's capacity to carry flow from a 10-year storm within the confines of the banks designated for the specific reach in the Boneyard Creek Master Plan. He noted that the applicant had checked the box for "Increase" and wrote "See study" on the application; however, the Plan Commission did not get a copy of the study. Andrew Fell, applicant, approached the Plan Commission to respond. He stated that the Farnsworth study for the floodway resulted in a flood elevation raise of 1/16 of an inch. He explained that they had to do the study because the parcels are in the flood way and flood plain. In a significant floodway issue building you have to do special things so the flood water can run through the foundation of the building. The increase in flood elevation for this project is so minimal that they do NOT have to do that in this case. He explained that they had to do the study because the parcels are in the flood way and flood plain.

Chair Allred asked what sort of storm water management requirements would apply to the proposed development or would apply during the Planned Unit Development application. Are there plans to do anything to mitigate the flush off the impervious surfaces directly into the creek? Ms. Kim said no and read the conclusion of Farnsworth's floodway study. She stated that they are not planning to do anything beyond what they would normally do to mitigate an increase in the impervious area. Mr. Fell added that they are not allowed to dump more water anywhere other than where it currently gets dumped. He explained that they are also not at a point in the project where they are engaging a

civil engineer to technically solve this problem. Most likely this problem will be resolved with underground vaults that will be located under the parking lot. They will fill up with water and release it slowly. They will be required to solve this in order to get a building permit.

With there being no additional input from the audience, he closed the public input portion and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Rose stated that he has familiarity with Section XIII because he is also the City of Urbana's Boneyard Creekway Commissioner. He believes that the interpretation by City staff has been excellent. He stated that the Boneyard proposed in 1978 acted upon in two parcels in the last decade or two and has seen very little activity in all of this time. He feels that the Boneyard Creek is actually poised to move forward. Because of the Comprehensive Plan and the bike path, there is a renewed interest in continuity and in the Boneyard connection.

Mr. Rose said that it really becomes a tradeoff between the developer and the City. The developer is welcomed to bonus provision(s). Most of them are irrelevant to the proposed case; however, Provision #10 regarding an improvement fund and Provision #11 regarding a dedication merit discussion.

He stated that the City has provided many bonus provisions in the past, but we do not have evidence of the City receiving any benefit from this. He believes that we are poised to move forward because there are two developed parcels at Race Street terminating at Griggs Street. There is likely to be economic development from Griggs Street south on city-owned property. In effect between there and Thornburn, probably half of the properties are likely to be considered for Boneyard Creek permits. With this in mind, it looks like we have the chance to do something of importance for moving the Boneyard forward.

Mr. Rose stated that the Plan Commission has already discussed Provision #11. It imposes a burden on the City to have some formal dedication, and the City will have to study what exactly this means. So, he is comfortable at this point using the term "dedication" that City staff recommends.

Mr. Rose said he feels that Provision #10 is an unambiguous requirement and a burden on the applicant. He also considers it to be perfectly appropriate. For the work to move forward on the Boneyard Creek, it is going to require grant money. The amount of money that we are talking about in the improvement fund certainly cannot fund connectivity of the segments of the Boneyard Creek even when it is combined with maintenance funding for the current channel that is in great need of work. He said that grant money needs seed money, and he feels that it is finally time for the City to not only do the leg work for Provision #11, but to also put in place the seed money for the work that is poised to move forward with considerable strength.

Chair Allred asked if City staff has a general idea of what the amount would be for the developer for this case to contribute to the improvement fund. Mr. Rose stated that this provision was written in the 1980s or 1990s and was written to be a dollar per square foot then is not a dollar per square foot now. Ms. Jovine added that Section 10 does not contemplate the deviation from zoning with a Planned Unit Development or a rezoning or any other kind of mechanism for a great increase in intensity of use. Her interpretation is that it contemplates the additional height of 12 feet over the maximum allowed for the overlying zoning district. She found herself wondering if we should calculate from a hypothetical R-2 Zoning District condition or do we calculate from the proposed R-5 Zoning District condition. She presented the following example: in the application, it was

shown that the average floor area will be about 10,000 square feet per floor. So, if you calculate from a hypothetical R-5 Zoning District condition, the amount the developer would need to submit to the improvement fund would be \$10,000 (\$1.00 per square foot). However, if you calculate from a hypothetical R-2 Zoning District condition, the highest density housing would be four duplexes with approval of a special use permit, which would be about 4,000 square feet. She calculated that it would end up being about 16,273 square feet. She reiterated that the Zoning Ordinance does not provide clarity on how to calculate the amount to be given to the improvement fund.

Chair Allred said that the language about the “dedication portion” does not actually reference the center line. It talks about how the size of the parcel should not be greater than 20% of the zoning lot or a strip of land averaging 20 feet in width, whichever is smaller. Ms. Jovine said that she would like some clarity from the applicant on where the property line is in relationship to the actual southernmost edge of the Boneyard Creek.

Mr. Fell reapproached the Plan Commission to address some questions/concerns expressed during the Plan Commission discussion. He began by stating that in developing the proposed project, they intended to consider it as a development by right in the R-5 Zoning District. So, the square footage of the proposed building would be at the maximum allowable floor area ratio of 0.90 for an R-5 Zoning District. The difference would be between 0.40 FAR for the R-2 (Single-Family Residential) Zoning District, which is what the property is zoned, and 0.90 FAR for the R-5 Zoning District.

Mr. Fell stated that regarding the 20-foot buffer being shown on the Site Plan, they have not had the site surveyed, so they do not know the minutiae of the site yet. They intend to dedicate 20 feet from the north bank of the curb of the Creekway. They are amendable to take the dedication line straight east and west instead of jogging it down. He mentioned that there is some room to slightly adjust the location of the parking lot to the north.

Chair Allred asked if there are similar developments that have dedicated 20-foot easements from the edge of the creek. Mr. Rose stated that there are other places where the City has full ownership of dedications of 20 feet from the Boneyard Creek, but do not have any easements. Ms. Jovine showed the Boneyard Creek going from Downtown Urbana towards the proposed properties.

Mr. Rose stated that his decision will be influenced by his interest in seeing a path along the Boneyard Creek being able to be developed.

Chair Allred asked if it would be problematic for the Plan Commission to recommend approval of the Creekway permit with the bonus provision to allow an additional 12-feet in height, and then the Planned Unit Development case not be approved. Ms. Jovine stated that she had not thought about this. She only thought about if the Creekway permit was denied, then there would be no need to proceed with the Planned Unit Development request. She pointed out that a Creekway permit is only valid for one year from the point of approval. Since the Creekway approval has an expiration date, it is not an indefinite benefit to the applicant. The Plan Commission could put a condition on the approval of the Creekway permit, but it might become confusing for Council members or others who might review this.

Chair Allred felt it was important for the Plan Commission members to keep in mind that there could potentially be a 47-foot-tall building if the Creekway permit and the Planned Unit Development are both approved.

Mr. Rose moved that the Plan Commission forward Case No. CW-2026-01 to the City Council with a recommendation for approval with the following conditions:

- 1) The height requirements may be modified to add an additional story, provided such height modification shall not exceed 12 feet; and
- 2) The parcel offered shall be 20 feet from the edge of the creek and specifically dedicated to the City of Urbana as a governmental unit.

Mr. Rose stated that he does not wish to waive the requirement for the improvement fund. Mr. Matlock seconded the motion.

Ms. Yu commented that she preferred to remove the requirement for the improvement fund. The amount of money that the developer would be required to contribute to the improvement fund versus the City administration burden does not feel worth it to her.

Mr. Matlock expressed concern by waiving the requirement to contribute to the improvement fund, it may create a precedent should there be an opportunity to collect more contributions in the future. Mr. Rose said that the City has not required contributions be made in previous Boneyard Creek permit cases. However, he believes that the City is at a point where we can enforce compliance. He agrees that if we do not require a contribution to the improvement fund in this case, then it will definitely set a precedent for future cases.

Chair Allred asked if there are areas zoned Campus Mixed Use, CMU, that are adjacent to the Boneyard Creek. He explained that he was asking to find if there are areas where there is great potential for development or redevelopment that the City would receive additional contributions towards the improvement fund. Mr. Rose stated that the Boneyard Creek is underground on the west side of Lincoln Avenue. Chair Allred noted that there does not appear to be a lot of potential for redevelopment in the area.

Chair Allred agreed with Mr. Rose’s comments regarding it being time to start requiring contributions to the Boneyard Creek improvement fund. Roll call on the motion was as follows:

Mr. Rose	-	Yes	Mr. Matlock	-	Yes
Mr. Allred	-	Yes	Ms. Yu	-	Yes
Mr. Fell	-	Recused			

The motion passed by a vote of 4-0-1.

Ms. Jovine noted Case No. CW-2026-01 would be forwarded to Committee of the Whole on May 4, 2026, and to City Council on May 11, 2026. She noted that the related Planned Unit Development application is expected to come before the Plan Commission on May 7, 2026 or on May 21, 2026. Meetings.

**H. NEW BUSINESS**

There was none.

**I. AUDIENCE PARTICIPATION**

There was none.

**J. STAFF REPORT**

Ms. Jovine reported:

- A new Principal Planner, Evan Alvarez, will begin on April 27, 2026.
- A Statement of Economic Interest form was included in the packet for this meeting and was handed out prior to the start of this meeting. She reminded the Plan Commission members that the filing deadline is May 1, 2026.
- Commissioners received a flyer for the **Urbana Housing Needs Study** which has a QR code for the resident survey. She stated that responses are requested by April 30, 2026. A landlord survey is also available.
- Findings from the Housing Needs Assessment are expected midsummer.

Chair Allred introduced the following:

- Kate Himick, Planner I, introduced herself and summarized her background in historic preservation and planning.
- Klayton Matlock, newly appointed Plan Commission member, introduced himself and described his background in construction and facilities maintenance.

**K. STUDY SESSION**

There was none.

**L. ADJOURNMENT**

The meeting was adjourned at 8:29 pm.