



DATE: Monday, August 05, 2024
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

Chair: Christopher Evans, Ward 2

- A. Call to Order and Roll Call
- B. Approval of Minutes of Previous Meeting
- C. Additions to the Agenda
- D. Presentations and Public Input
- E. Staff Report
- F. New Business
 - [1.](#) **Ordinance No. 2024-08-27:** An Ordinance Authorizing a First Amendment to Option to Lease Agreement – Landfill Solar Lease – PW
 - [2.](#) **Ordinance No. 2024-08-28:** An Ordinance Amending the Urbana Zoning Ordinance - Replace B-3U with CMU Zoning District and Update Development Regulations / Plan Case No. 2485-T-24 – CD
- G. Council Input and Communications
- H. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions, and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and the general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner. Public Input will be taken in the following ways:

Email Input

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanaillinois.us. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than two (2) hours, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting. The presiding officer may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or

behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanaininois.us

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO OPTION TO LEASE
AGREEMENT – LANDFILL SOLAR LEASE**

WHEREAS, the City of Urbana (hereinafter, the “City”) is an Illinois home rule unit of local government pursuant to Section 6 of Article VII of the Illinois Constitution of 1970 and the Statutes of the State of Illinois; and

WHEREAS, Subsection (a), entitled "Sale of real estate," of Section 2-118, entitled “Purchase, sale, lease, etc., of real estate,” of the Code of Ordinances, City of Urbana, Illinois, provides that any real estate owned by the City of Urbana may be leased in any manner prescribed by the City Council in an ordinance authorizing such lease; and

WHEREAS, the City Council expressly finds and declares that the real estate, or interest therein, that is therein authorized to be leased is no longer needed for governmental purposes or proprietary activity of the City; and

WHEREAS, the City owns certain property commonly known as the “Urbana Landfill Complex”, a portion of which consisting of approximately 24 acres of land readily suitable for solar energy development is situated in Champaign County, Illinois (hereinafter, the “Landfill”); and

WHEREAS, the City Council of the City of Urbana, Illinois has a strong interest in fostering the development and use of sustainable, non-fossil fuel, energy sources including, but not limited to energy generated by solar power arrays; and

WHEREAS, TotalEnergies Distributed Generation USA, LLC, directly or through one or more of its affiliated organizations (hereinafter, collectively, “Total”), is in the business of leasing property and constructing solar power generating facilities on such property; and

WHEREAS, the City of Urbana selected Total as a qualified landfill solar developer and entered into a lease option with Total to facilitate a commercially viable solar development on up to 24 acres of the Landfill and executed an Option to Lease Agreement with Total on August 24, 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

The First Amendment to Option to Lease Agreement and the exhibits appended thereto and incorporated therein in substantially the form appended hereto, shall be and the same are hereby authorized and approved.

Section 2.

The Mayor of the City of Urbana, Illinois, shall be and the same is hereby authorized to execute on behalf of the City of Urbana, Illinois and deliver the same to the City Clerk of the City of Urbana, Illinois, the latter being and the same being hereby authorized to attest to said execution of the First Amendment to Option to Lease Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

Section 3.

In the event Total exercises the option provided in the Option to Lease Agreement herein referenced, the Form of Solar Facility Ground Lease, in substantially the form appended to and incorporated as an exhibit to the Option to Lease Agreement, shall be and the same is hereby authorized and approved.

Section 4.

In the event Total exercises the option provided in the Option to Lease Agreement hereinbefore referenced, the Mayor of the City of Urbana, Illinois, shall be and the same is hereby authorized to execute on behalf of the City of Urbana, Illinois and deliver the same to the City Clerk

of the City of Urbana, Illinois, the latter being and the same being hereby authorized to attest to said execution of the Form of Solar Facility Ground Lease as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this _____ Day of _____, 2024.

AYES:

NAYS:

ABSTAINS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this _____ Day of _____, 2024.

Diane Wolfe Marlin, Mayor

FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT (this "**First Amendment**") is made this ____ day of July 2024 ("**Effective Date**") by and between **City of Urbana, Illinois**, (the "Owner"), and **Solar Star Urbana Landfill South, LLC** ("Optionee").

WITNESSETH:

WHEREAS, Owner and Optionee entered into that certain Option to Lease Agreement dated August 24, 2022 (the "**Option Agreement**"), relating to certain real property located in Champaign County, State of Illinois (the "**Property**"); and

WHEREAS, the parties desire to extend the Option Term for an additional twenty-four (24) months and amend the Option Agreement upon the terms and conditions hereinafter set forth.

WHEREAS, the parties desire to further amend the Option Agreement upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **Defined Terms.** Capitalized terms used herein but not defined herein shall have the meanings given to them in the Option Agreement.

2. **Recitals.** The foregoing recitals are hereby incorporated as if fully set forth herein.

3. **Amendment to Section 2 Option Term.** Section 2. Option Term is deleted in its entirety and replaced as follows:

2. **Option Term.** The term of the Option (the "**Option Term**") shall commence on the Effective Date and, unless sooner terminated, shall end at 11 :59 p.m. on the last day of the forty-eighth (48th) month beginning on August 24, 2022. Optionee shall have the right, in its sole discretion, to terminate this Agreement at any time by giving written notice thereof to Owner and this Agreement shall terminate on the date specified in Optionee' s written notice. In the event of any such termination, absent a material default by Owner, Owner shall retain all the payments tendered by Optionee pursuant to this Agreement prior to the date of termination and Optionee shall have no further obligations to make further payments under this Agreement. Upon the effective date of the termination of this Agreement, all rights granted to Optionee pursuant to this Agreement shall cease and revert to Owner and Optionee shall have no residual rights in or to the Property in any respect.

5. **Memorandum.** The parties intend to record the Memorandum of First Amendment to Option to Lease Agreement, as shown in Exhibit A attached hereto.

6. Savings Clause. Except as specifically modified by this First Amendment, all of the terms, covenants and conditions of the Option Agreement shall remain in full force and effect and are hereby ratified and affirmed by the parties hereto.
7. Conflict. In the event of a conflict between any provision of this First Amendment and the Option Agreement, the terms and conditions of this First Amendment shall govern and control.
8. Entire Agreement. This First Amendment constitutes the entire agreement concerning the subject matter of this First Amendment. No subsequent alteration, amendment change or addition to this First Amendment or the Option Agreement shall be binding upon the parties hereto unless reduced to writing and signed by the party or parties to be charged herewith.
9. Binding Effect. This First Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
10. Counterparts. This First Amendment may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute only one original.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE 1 OF 2 TO FIRST AMENDMENT TO OPTION TO LEASE
AGREEMENT]

IN WITNESS WHEREOF, the parties hereto have duly executed this First Amendment to Option to Lease Agreement as of the day and year first above written, but effective as of the Effective Date.

OWNER:

CITY OF URBANA

By: _____

Name:

Title:

Date:

[SIGNATURE PAGE 2 OF 2 TO FIRST AMENDMENT TO OPTION TO LEASE
AGREEMENT]

OPTIONEE:

SOLAR STAR URBANA LANDFILL SOUTH,
LLC

By: TotalEnergies Distributed Generation Assets
USA, LLC, its sole owner

By: TotalEnergies Distributed Generation USA,
LLC, its sole owner

By: _____

Name: _____

Title: _____

EXHIBIT A
FORM OF MEMORANDUM OF FIRST AMENDMENT TO OPTION TO LEASE
AGREEMENT

(Attached)

**RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:**

SOLAR STAR URBANA LANDFILL SOUTH, LLC
c/o TotalEnergies Distributed Generation Assets USA, LLC
1201 Louisiana St, Suite 1800
Houston, TX 77002
Attn: Legal

MEMORANDUM OF OPTION TO LEASE

This **MEMORANDUM OF OPTION TO LEASE** (this “**Memorandum**”) is made this ____ day of _____, 2024 (“**Effective Date**”) by and between **City of Urbana, Illinois**, (the “**Owner**”), and **Solar Star Urbana Landfill South, LLC** (“**Optionee**”).

WITNESSETH:

WHEREAS, Owner and Optionee entered into that certain Option to Lease Agreement dated August 24, 2022 (the “**Option Agreement**”), relating to certain real property located in Champaign County, State of Illinois, and as further described in Exhibit A to this Memorandum (the “**Property**”); and

WHEREAS, the parties desire to amend the Option Agreement upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration and mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

1. **Grant of Option.** Owner hereby grants to Optionee an exclusive option (the “**Option**”) to lease the Property from Owner upon the terms and conditions set forth in the Agreement, which Option may be exercised until the Option Term has expired.

2. **Exercise of Option.** Should Optionee timely and properly exercise the Option as set forth in the Agreement, Optionee shall lease from Owner, and Owner shall lease to Optionee, the Property, upon the terms and conditions set forth in a lease agreement to be executed by and between Optionee and Owner.

3. **Option Term.** The term of the Option commenced on August 24, 2022, and, unless sooner terminated, shall end at 11:59 p.m. on the forty-eighth (48) month anniversary thereof (the “**Option Term**”). Optionee has the right to conduct those due diligence activities on the Property throughout the Option Term as stated in the Agreement.

4. **No Transfers/Lease Limitations.** During the Option Term, Owner shall not, other than in accordance with the Agreement, sell, encumber or otherwise transfer any interest in all or

any portion of the Property or enter any agree to do so, except as expressly permitted in the Agreement. During the Option Term, Owner shall not enter into or amend any Leases in a manner which grants rights to any portion of the Property beyond the effective date of any Lease Agreement entered into pursuant to the Agreement.

5. **Notices.** All notices required by the Agreement shall be made in the manner provided in the Agreement.

6. **Recording.** The parties have agreed that this Memorandum shall be recorded in the official real property records of the county. In the event there is any error or inaccuracy in the legal description included on Exhibit A to this Memorandum, Optionee, upon the written consent of Owner, shall be authorized to record a corrective Memorandum correcting the error in the legal description on Exhibit A.

7. **Counterparts.** This Memorandum may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Signature pages may be detached from the counterparts and attached to a single copy of this Memorandum to physically form one document.

8. **Purpose.** The sole purpose of this Memorandum is to give notice of the Agreement and all of its terms, covenant and conditions to the same extent as if the Agreement were fully set forth herein. This Memorandum is subject to all of the terms, conditions and provisions of the Agreement, which shall control in the event of any conflicts with this Memorandum. Nothing in this Memorandum shall confer any rights or interests in the Property other than those set forth in the Agreement. The parties have executed and recorded this Memorandum for the propose of imparting notice to all third parties of the Agreement, Optionee right to lease the Property, and the parties' rights and obligations pursuant to the Agreement. If any of the terms of this Memorandum conflict with the terms of the Agreement, then the Agreement shall control.

9. **Binding Effect.** This Memorandum and the Agreement shall be covenants and obligations binding on and running with the Property and shall bind and inure to the benefit of the parties and their respective heirs, successors and assigns.

10. **Governing Law.** This Memorandum and the Agreement are governed by Illinois law.

IN WITNESS WHEREOF, Owner and Optionee have executed this Memorandum of First Amendment to Option to Lease as of the day and year first above written.

OWNER:

CITY OF URBANA

By: _____

Name:

Title:

Date:

STATE OF _____

COUNTY OF _____

I, _____, a notary public in and for said County in said State, hereby certify that _____, whose name is signed to the foregoing instrument, and who is known to me, acknowledged me on this day that, being informed of the content of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand this the _____ day of _____, 20____.

Signature _____(Seal)

Name: _____

Notary Public in and for the State of _____

STATE OF _____

COUNTY OF _____

I, _____, a notary public in and for said County in said State, hereby certify that _____, whose name is signed to the foregoing instrument, and who is known to me, acknowledged me on this day that, being informed of the content of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand this the _____ day of _____, 20____.

Signature _____(Seal)

Name: _____

Notary Public in and for the State of _____

**SOLAR STAR URBANA LANDFILL SOUTH,
LLC**

By: TotalEnergies Distributed Generation Assets
USA, LLC, its sole owner

By: TotalEnergies Distributed Generation USA,
LLC, its sole owner

By: _____

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

I, _____, a notary public in and for said County in said State, hereby certify that _____ whose name as _____ of **TotalEnergies Distributed Generation Assets USA, LLC**, a Delaware limited liability company, its Sole Member of Solar Star Urbana Landfill South, LLC, a Delaware limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the _____ day of _____, 20____.

Signature _____(Seal)

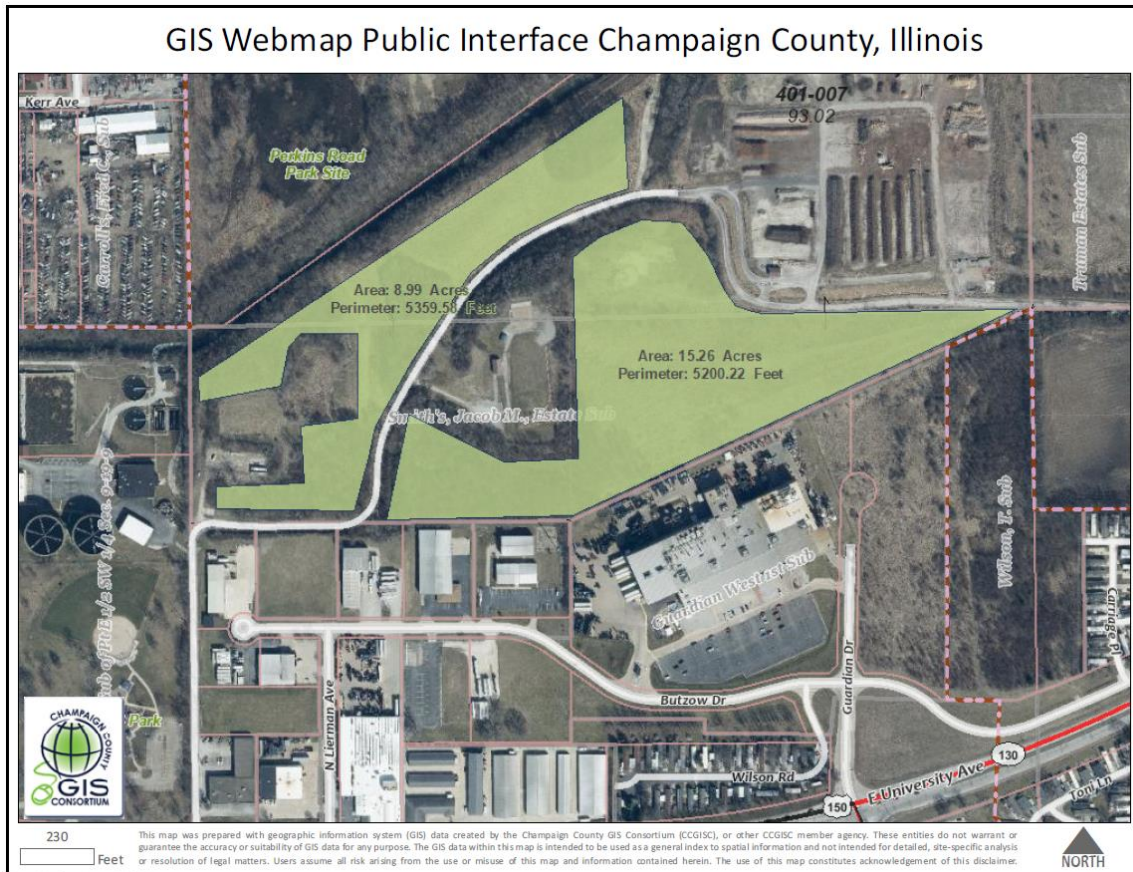
Name: _____

Notary Public in and for the State of _____

Exhibit A to Memorandum of Option to Lease

Legal Description of Leased Premises

The Property is the portion of Property Identification Number (PIN) 91-21-09-401-007 depicted in the below image. Optionee shall have the right to obtain an appropriate legal description for the Property and attach it to the Memorandum of Option to Lease for recording purposes.



Per Title Commitment File Number 250003 / 254751 with an effective date of October 10, 2023, provided by Stewart Title Guaranty Company.

PART OF THE-E1/2 OF SECTION 9, T. 19N., R. 9E. OF THE 3RD P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT AN IRON PIPE MONUMENT FOUND AT THE SE CORNER OF THE NE 1/4 OF SECTION 9, T. 19 N., R. 9 E. OF THE 3RD P.M.; THENCE S. 66°07'41" W., 1574.02 FEET TO AN IRON PIPE MONUMENT FOUND AT THE NE CORNER OF BUTZOW INDUSTRIAL SUBDIVISION; THENCE S. 89°35'12" W., ALONG THE NORTH LINE OF SAID SUBDIVISION, 1187.58 FEET TO AN IRON PIPE MONUMENT FOUND AT THE NW CORNER OF SAID SUBDIVISION, SAID CORNER BEING ON THE WEST LINE OF THE SE 1/4 OF SAID SECTION 9, THENCE N. 00°51'16" W., ALONG SAID WEST LINE, 627.65 FEET TO A 2"X2" WOODEN HUD FOUND AT THE SW CORNER OF THE NE1/4 OF SAID SECTION 9; THENCE N. 89°36'34" E. ALONG THE SOUTH LINE OF SAID NE 1/4, 109.65 FEET TO A POINT ON THE CENTERLINE OF THE SALINE BRANCH DRAINAGE DITCH; THENCE N. 55°55'18" E., ALONG SAID CENTERLINE, 1448.98 FEET TO THE WEST LINE OF THE E 1/2 OF THE NE ¼ OF SAID SECTION 9; THENCE CONTINUING N. 55°55'18" E., ALONG SAID CENTERLINE, 91.98 FEET; THENCE N. 50°38'22" E., ALONG SAID CENTERLINE, 523.05 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1468.50 FEET OF THE E 1/2 OF THE NE 1/4 OF SAID SECTION 9; THENCE N. 89°35'31" E., ALONG SAID SOUTH LINE, 10.46 FEET TO A POINT ON THE EAST LINE OF THE WEST 495.00 FEET OF

THE E 1/2 OF THE NE 1/4 OF SAID SECTION 9; THENCE N. 00°35'42" W., ALONG SAID EAST LINE, 1468.50 FEET TO AN IRON PIPE MONUMENT SET ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 9; THENCE N. 89°35'31" E., ALONG SAID NORTH LINE, 309.44 FEET TO AN IRON PIPE MONUMENT SET AT A POINT 514.45 WEST OF THE NE CORNER OF THE NE 1/4 OF SAID SECTION 9, SAID POINT BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF F.A.1. ROUTE 5; THENCE S. 00°14'31" W., ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 23.52 FEET TO AN IRON PIPE MONUMENT SET; THENCE S. 39°55'14" E., ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 551.77 FEET TO AN IRON PIPE MONUMENT SET ON THE WEST LINE OF THE EAST 165.00 FEET OR THE NE 1/4 OF SAID SECTION 9; THENCE S. 00°34'46" E., ALONG SAID WEST LINE, 342.80 FEET TO AN IRON PIPE MONUMENT SET ON THE SOUTH LINE OF THE NORTH 792.00 FEET OF THE NE 1/4 OF SAID SECTION 9; THENCE N. 89°35'31" E. , ALONG SAID SOUTH LINE, 165.00 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF SAID SECTION 9; THENCE, S. 00°34'46" E., ALONG SAID EAST LINE, 1860.43 FEET TO THE POINT OF BEGINNING CONTAINING 95.215 ACRES, MORE OR LESS, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS



City of Urbana
 400 S. Vine Street, Urbana, IL 61801
www.urbanailinois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: August 5, 2024 Committee of the Whole
Subject: Landfill Solar 2 Lease and Lease Option Extension

Summary

Action Requested

Consideration of AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT for approximately 24 acres of the City's former landfill site.

Relationship to City Services and Priorities

Previous Council Actions

The original ordinance and lease option agreement were executed on August 24, 2022.

Discussion

Additional Background Information

The City completed a qualifications-based selection for a landfill solar developer at the end of 2021 to pursue the development of a second solar array on the City's closed landfill. The City selected TotalEnergies Distributed Generation USA, LLC (Total), a global energy company. Subsequently, an ordinance authorized and the Mayor executed an Option to Lease Agreement with Total on August 24, 2022. The lease option enables Total to apply for State of Illinois solar incentives needed to make a development commercially viable. The lease option gives Total the exclusive right to develop one or more solar arrays on 24 acres of Urbana landfill property for two years.

If Total is awarded incentives or otherwise is able to develop a commercially viable solar array, then the City and Total will enter into a long-term ground lease. Total will use an LLC called Solar Star Urbana Landfill South for this purpose. The City and Total would convert some or all of the 24 acres covered under the lease option to an approximately 25-year lease. Total would pay an annual lease fee as well as any taxes on what may become taxable commercial property. The City will not own, operate, repair, or decommission the equipment. Total will be responsible for vegetation maintenance on the leased property.

Total has executed an interconnection agreement, secured permits, secured a waitlist position for the Illinois Shines incentive, and have shortlisted engineering and construction contractors. As the project is currently on the Illinois Shines incentive waitlist, we do not yet have certainty on the

incentive value or construction start date. Total expects to start construction in mid-2025. Delays for many reasons are typical and weather also impacts installation schedules.

Fiscal and Budget Impact

Total has made payments totaling \$3,600 thus far in lease option payments. Total will continue to pay the City of Urbana \$100 per acre per year for the duration of the Option to Lease Agreement. Long term lease rates will be negotiated when additional project costs and awarded incentive values become known. Staff has observed solar lease rates from \$300 to \$1,200 per acre, per year.

Recommendation

Staff recommends that AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT be approved.

Attachments

1. AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT
2. FIRST AMENDMENT TO OPTION TO LEASE AGREEMENT

Originated by: Scott Tess, Sustainability & Resilience Officer

Reviewed: Tim Cowan, Public Works Director

Approved: Carol Mitten, City Administrator



City of Urbana
 400 S. Vine Street, Urbana, IL 61801
www.urbanainillinois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: August 5, 2024 Committee of the Whole
Subject: An Ordinance Amending the Urbana Zoning Ordinance
 (Replace B-3U with CMU Zoning District and Update Development Regulations /
 Plan Case No. 2485-T-24)

Summary

Action Requested

City Council is being asked to approve a zoning ordinance text amendment to replace the B-3U (General Business, University) zoning district with the CMU (Campus Mixed-Use) zoning district, and to update the development regulations of the new district to better align with the Comprehensive Plan.

Plan Commission Recommendation

The Plan Commission reviewed the proposed text amendment on July 11 and July 18, 2024, and voted unanimously with five ayes and zero nays to recommend approval to City Council with a maximum height of 85 feet for by-right development in the CMU zone district.

Relationship to City Services and Priorities

Impact on Core Services

Approval of the text amendment will have no direct impact on City services. Over time, the text amendment will help facilitate appropriate and desirable development in the district.

Strategic Goals & Plans

The 2005 Comprehensive Plan identifies the future land use of the B-3U district as “Campus Mixed-Use”; the proposed text amendment would bring the area into alignment with that designation.

Previous Council Actions

The B-3U zoning district and regulations were enacted by City Council on November 11, 1990. (Ordinance No. 9091-61 / Plan Case No. 1367-T-90).

Discussion

Additional Background Information

Plan Commission Staff Reports and Draft Minutes are attached for background information and discussion. A concise summary of the proposed changes is detailed in the June 15, 2024 Supplemental

Memorandum (Attachment 2); during the July 18, 2024 Plan Commission meeting, *Table VI-3. Development Regulations by District* was amended so that that the maximum height of the principal structure in a by-right development is 85 feet. The attached ordinance reflects that change.

Staff continues to support a maximum height of 120 feet in a by-right development for Council consideration. Anchoring new development expectations on the current context (with buildings having fewer stories) suggests that low-rise buildings will be the norm, when in fact, the goal of these zoning ordinance modifications is to increase the amount of housing in this area, which means taller buildings. It is notable that the B-3U zone itself has no height limit, and it is also notable that the tallest building in the district is 125 feet tall. A more limited height restriction may also impact development interest in the new zoning district. The City is aware of one developer who is pursuing a development within the district at a height of 115 feet.

Recommendation

City Council is asked to approve the zoning text amendment and determine the appropriate maximum height.

Next Steps

If approved, staff will update the City's Zoning Ordinance with the proposed changes.

Attachments

1. An Ordinance Approving a Zoning Text Amendment (Replace B-3U with CMU Zoning District and Update Development Regulations / Plan Case No. 2485-T-24)
2. Plan Commission Supplemental Memorandum (June 15, 2024)
3. Plan Commission Staff Report (June 3, 2024)
4. Draft Plan Commission Minutes (July 11 and July 18, 2024)

Originated by: Kevin Garcia, Principal Planner, Zoning Administrator

Reviewed: William Kolschowsky, Senior Management Analyst / Assistant to the City Administrator

Approved: Carol Mitten, City Administrator

ORDINANCE NO. _____**AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE****(Replace B-3U with CMU Zoning District and Update Development Regulations / Plan Case No. 2485-T-24)**

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance to replace the B-3U (General Business, University) zoning district with the CMU (Campus Mixed-Use) zoning district, and to update the development regulations of the new district; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2485-T-24; and

WHEREAS, after due publication in accordance with Section XI-7 of the Zoning Ordinance and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), the Plan Commission held public hearings on the petition on July 11 and July 18, 2024; and

WHEREAS, the Plan Commission voted five (5) ayes and zero (0) nays on July 18, 2024, to forward Plan Case No. 2485-T-24 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives, and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

The following provisions of the Urbana Zoning Ordinance are hereby amended and as amended shall read as set forth in Ordinance Attachment A, which is attached hereto and incorporated herein by reference:

- A. Article IV, Districts and Boundaries: Section IV-1, Number and Designation of Districts; Section IV-2, Purpose of Districts;
- B. Article V, Use Regulations: Section V-7, Additional Regulations in the CMU District; Table V-1, Table of Uses;
- C. Article VI, Development Regulations: Table VI-3, Development Regulations by District; and
- D. Article VIII, Parking and Access: Section VIII-5, Amount of Parking Required; Table VIII-6, Bicycle Parking Requirements by Use.

Section 2.

Upon approval of this Ordinance, the City Clerk is directed to record a certified copy of this Ordinance with the Champaign County Office of Recorder of Deeds. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2024.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2024.

Diane Wolfe Marlin, Mayor

Ordinance Attachment A

...

Section IV-1. Number and Designation of Districts

In order to carry out the purposes of this Ordinance, ... the City of Urbana, Illinois, is hereby divided into 21 zoning districts, which are hereby established as follows:

...

CMU Campus Mixed-Use

...

Section IV-2. Purpose of Districts

In addition to the general purposes of this Ordinance, as listed in Section I-1, the various zoning districts also serve more specific individual purposes, as follows:

...

- E. The *CMU, Campus Mixed-Use District* is intended to provide opportunities to redevelop areas close to the University of Illinois campus at high densities, with a mix of commercial, office, and residential uses. Developments should be designed to be pedestrian-scale, with buildings close to the street, wide sidewalks, landscaped areas, few driveways, on-street parking, and parking behind structures. Large-scale developments containing only single uses are discouraged within this classification.

...

Section V-7. Additional Regulations in the CMU District

- A. Buildings must have one main pedestrian entrance facing the street from which the building is addressed.
- B. Building walls that face a street must have at least 20 percent transparent glass.
- C. For buildings with first-floor residential uses, front yards must be landscaped.
- D. Parking is not allowed in front yards, and must be located behind the principal face of a building. Parking shall be screened to minimize visibility from the street.
- E. When parking is provided, access to parking must be off an alley, when available.
- F. Mechanical equipment and trash enclosures must be screened from view at ground level from public rights-of-way, excluding alleys. No mechanical equipment or trash enclosures are allowed in front yards.

...

Table V-1. Table of Uses

[Condensed, showing new CMU uses; S = Permitted with Special Use Permit, D = Permitted with Planned Unit Development]

Principal Uses	CMU
Principal Use Parking Garage or Lot	S
Residential Planned Unit Development	D

...

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
CMU	6,000	60	85	none	none	10 min. /20 max.	none	none

...

Section VIII-5. Amount of Parking Required

...

N. CMU, Campus Mixed-Use District Parking Requirements.

1. Off-street parking is only required for residential developments containing more than 20 bedrooms.
2. For every bedroom beyond the first 20, parking shall be provided at a rate of 0.25 spaces per bedroom.

...

Table VIII-6. Bicycle Parking Requirements by Use¹

Use	Number of Spaces Required
Multi-family, Boarding or Rooming House, or Dormitory ²	1 for every 2 dwelling units; 1 for every dwelling unit in the CMU District
Public and Quasi Public Uses ^{2,3,5}	
All schools	4 for every classroom
All other uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Commercial Uses ^{2,3,4,5}	
All uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Industrial, Transportation & Related Uses ^{2,3,5}	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
¹ The Zoning Administrator shall determine whether proposed developments are subject to these bicycle parking requirements based upon demand generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors. ² The Zoning Administrator shall further have the ability to reduce the number of required bicycle parking spaces by up to 50% in response to evidence regarding expected bicycle use submitted by the petitioner. ³ For non-residential uses, bicycle parking spaces shall be required only for developments with 10 or more automobile parking spaces required. ⁴ Commercial uses include the following categories from Table VIII-7: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses. ⁵ In the CMU district, see Table VIII-7 to calculate the amount of automobile parking that would normally be required, based on use, and provide bicycle parking at the rate given in this table (Table VIII-6).	



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Kevin Garcia, Principal Planner and Zoning Administrator

DATE: July 15, 2024

SUBJECT: **Plan Case 2485-T-24:** A request by the Urbana Zoning Administrator to amend Articles IV, V, VI, and VIII of the Urbana Zoning Ordinance to rename the B-3U, General Business, University, zoning district as the Campus Mixed-Use zoning district, and update development and parking regulations in the district.

Supplemental Memorandum

At the July 11, 2024 Plan Commission meeting, the Commission continued Plan Case 2485-T-24 to give staff time to incorporate the Commission's suggested changes into the draft text amendment, and asked staff to present the revised text amendment at the July 18, 2024 meeting. Exhibit H contains the updated text, which includes the changes summarized below.

In addition to the suggested changes, staff received an email from Michael Osterloo, an architect, about the suggested 75-foot maximum building height. Mr. Osterloo presents arguments for an 85-foot maximum building height. His email is provided in Exhibit I. Staff also expects that a letter will be forthcoming from a developer or their representative regarding plans to build a project in the B-3U district (once amended) to a height of 115 feet.

Proposed Changes

- Updated paragraph V-7.A, to clarify that buildings must have one main pedestrian entrance facing a street.
- Removed a paragraph (formerly V-7.C), which would have required a 12-foot ceiling height on first floors.
- Updated paragraph V-7.C, to clarify that front yards must be landscaped only for buildings with first floor residential uses.
- Updated paragraph V-7.D, replacing, "Parking shall not be visible from the street," with "Parking shall be screened to minimize visibility from the street."
- Updated paragraph V-7.G, replacing "including alleys" with "excluding alleys" when referring to screening of mechanical equipment.
- Updated building height in Table VI-3 to be 75 feet, rather than 120 feet as originally proposed.
- Updated paragraph VIII-5.N, to clarify that parking rates only apply to bedrooms beyond the first 20.

- Rewrote footnote #5 in Table VIII-6 to clarify how to calculate bicycle parking for non-residential uses in the CMU district.

Staff Comments

Staff has some additional comments on the proposed changes in Exhibit H for the Plan Commission's consideration.

In Section V-7.A., the proposed new language is intended to clarify that the main entrance need only be on a single street face. However, staff recommends that the entrance be required to be on the street from which the building will be addressed, to reinforce a clear building identity.

In Table VI-3, staff continues to recommend that the maximum height permitted in the CMU zone be 120 feet. Much of the Plan Commission discussion on July 11 focused on the lack of economic feasibility to build beyond seven or eight stories; however, we are aware of a developer who is planning to build to 115 feet. Further, if the issue is more contextual, then we would recommend that the Plan Commission consider allowing a 120-foot maximum height for sites fronting Lincoln Avenue, which has the widest right-of-way in the area under consideration. In any event, staff recommends that the Plan Commission adopt a maximum building height no lower than 85 feet.

Staff Recommendation

Staff recommends that the Plan Commission recommend **approval** of the proposed text amendment to City Council. Exhibit H: Proposed Changes, reflects the proposed amendment as modified by the Plan Commission on July 11th. Based on the staff comments above, staff recommends two modifications:

Section V-7. A. Buildings must have one main pedestrian entrance facing the street from which the building is addressed.

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
<u>B-3U</u> <u>CMU</u>	6,000	60	none <u>120</u>	4.0 <u>none</u>	0.4 <u>none</u>	15 <u>10 min. /20 max.</u>	5 <u>none</u>	5 <u>none</u>

Attachments: Exhibit H – Proposed Changes
Exhibit I – Communications

Exhibit H: Proposed Changes

Section IV-1. Number and Designation of Districts

In order to carry out the purposes of this Ordinance, ... the City of Urbana, Illinois, is hereby divided into 21 zoning districts, which are hereby established as follows:

...

~~B-3U General Business University~~

...

CMU Campus Mixed-Use

...

Section IV-2. Purpose of Districts

In addition to the general purposes of this Ordinance, as listed in Section I-1, the various zoning districts also serve more specific individual purposes, as follows:

...

- B. The Business districts generally are intended to provide areas for commercial uses in districts accommodating the range of types, intensity, and physical forms of trade, commercial services, and offices.

...

- 4. ~~The B-3U, General Business University District is intended to provide areas in proximity to the University of Illinois for a range of business and office uses to meet the needs of persons and businesses associated with the University. This district is also intended to provide areas for high density residential uses to insure an adequate supply of housing for persons who desire to reside near the campus. These business and residential uses may occur as mixed uses in the same structure. The development regulations in this district are intended to allow buildings which are compatible with the size and scale of the University's buildings.~~

...

- E. The CMU, Campus Mixed-Use District is intended to provide opportunities to redevelop areas close to the University of Illinois campus at high densities, with a mix of commercial, office, and residential uses. Developments should be designed to be pedestrian-scale, with buildings close to the street, wide sidewalks, landscaped areas, few driveways, on-street parking, and parking behind structures. Large-scale developments containing only single uses are discouraged within this classification.

...

Section V-7. ~~(Reserved)~~ Additional Regulations in the CMU District

- A. Buildings must have one main pedestrian entrance facing a street.

- B. Building walls that face a street must have at least 20 percent transparent glass.
- C. For buildings with first-floor residential uses, front yards must be landscaped.
- D. Parking is not allowed in front yards, and must be located behind the principal face of a building. Parking shall be screened to minimize visibility from the street.
- E. When parking is provided, access to parking must be off an alley, when available.
- F. Mechanical equipment and trash enclosures must be screened from view at ground level from public rights-of-way, excluding alleys. No mechanical equipment or trash enclosures are allowed in front yards.

...

Table V-1. Table of Uses

[Condensed, showing changes between B-3U and CMU; P = Permitted, C = Permitted with Conditional Use Permit, S = Permitted with Special Use Permit, D = Permitted with Planned Unit Development]

Principal Uses	B-3U	CMU
Feed and Grain (Sales only)	P	
Principal Use Parking Garage or Lot	P	<u>S</u>
Car Wash	P	
Gasoline Station	<u>C</u>	
Shopping Center – Convenience	S	
Shopping Center – General	S	
Wholesale Business	P	
Residential Planned Unit Development		<u>D</u>

...

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
B-3U <u>CMU</u>	6,000	60	none <u>75</u>	4.0 <u>none</u>	0.1 <u>none</u>	<u>15 min.</u> <u>10</u> <u>/20 max.</u>	<u>5 none</u>	<u>5 none</u>

...

Section VI-4. Floor Area and Open Space

...

- B. ~~In the B-3U District, where parking is incorporated into or provided underground below a principal structure, the maximum Floor Area Ratio may be increased by up to 25% using the following formula:~~

$$F_{\text{bonus}} = 0.25(F)(P/R) + F$$

~~Where: F = Maximum Floor Area Ratio specified in Table VI-3.~~

~~———— F_{bonus} = Maximum Floor Area Ratio after applying parking bonus~~

~~P = Number of parking spaces incorporated into or provided underground below the principal structure~~

~~R = Number of parking spaces required by Section VIII-5 of this Ordinance~~

...

Section VI-6. Screening

...

- B. Screening of Off-Street Parking and Storage Areas

...

2. In the B-2, B-3, ~~B-3U~~ and IN-1 and IN-2 Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required front yard setback if the encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8.

...

Section VIII-4. Location of Parking Facilities

...

- F. *Parking in a Required Yard is Prohibited Except as Follows:*

...

4. In the B-2 ~~and B-3-U~~ Zoning Districts, parking is permitted in the required side yard setback (up to within 18 inches of the property line per Section VIII-4.G) if the zoning district adjacent to the setback is designated B-2, or B-3, ~~or B-3U~~ and if the adjacent area is also used for parking.

...

6. Parking in the B-2, B-3, ~~B-3U~~, IN-1, and IN-2 Zoning Districts may encroach ten feet into the required front yard if the buffer yard requirements set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

...

Section VIII-5. Amount of Parking Required

...

N. CMU, Campus Mixed-Use District Parking Requirements.

1. Off-street parking is only required for residential developments containing more than 20 bedrooms.
2. For every bedroom beyond the first 20, parking shall be provided at a rate of 0.25 spaces per bedroom.

...

Table VIII-6. Bicycle Parking Requirements by Use¹

Use	Number of Spaces Required
Multi-family, Boarding or Rooming House, or Dormitory ²	1 for every 2 dwelling units; <u>1 for every dwelling unit in the CMU District</u>
Public and Quasi Public Uses ^{2,3,5}	
All schools	4 for every classroom
All other uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Commercial Uses ^{2,3,4,5}	
All uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Industrial, Transportation & Related Uses ^{2,3,5}	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
¹ The Zoning Administrator shall determine whether proposed developments are subject to these bicycle parking requirements based upon demand generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors. ² The Zoning Administrator shall further have the ability to reduce the number of required bicycle parking spaces by up to 50% in response to evidence regarding expected bicycle use submitted by the petitioner. ³ For non-residential uses, bicycle parking spaces shall be required only for developments with 10 or more automobile parking spaces required. ⁴ Commercial uses include the following categories from Table VIII-7: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses. ⁵ <u>In the CMU district, see Table VIII-7 to calculate the amount of automobile parking that would normally be required, based on use, and provide bicycle parking at the rate given in this table (Table VIII-6).</u>	



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Kevin Garcia, Principal Planner and Zoning Administrator

DATE: July 3, 2024

SUBJECT: **Plan Case 2485-T-24:** A request by the Urbana Zoning Administrator to amend Articles IV, V, VI, and VIII of the Urbana Zoning Ordinance to rename the B-3U, General Business, University, zoning district as the Campus Mixed-Use zoning district, and update development and parking regulations in the district.

Introduction

The Urbana Zoning Administrator proposes a text amendment to replace the B-3U (General Business – University) zoning district with the CMU (Campus Mixed-Use) zoning district, and to: require parking only for larger residential projects, and reduce the amount required; add bicycle parking requirements; remove floor-area and open-space requirements; set a maximum building height; set minimum and maximum front yards; remove side and rear yard requirements; add building, landscaping, and parking design requirements; add screening requirements; and change the uses allowed in the district.

The proposal would amend Article IV – Districts and Boundaries, Article V – Use Regulations, Article VI – Development Regulations, and Article VIII – Parking and Access of the Zoning Ordinance.

The intent of the proposed changes is to create a district that better aligns with the 2005 Comprehensive Plan and with the reasoning behind the creation of the B-3U district, which was a direct outgrowth of the 1990 Downtown to Campus Plan.

The Plan Commission should review the proposed Zoning Ordinance text amendment and make a recommendation for City Council to adopt or deny the proposed changes. Staff recommends that the Plan Commission recommend approval of the proposed changes, with any clarifications or amendments as they see fit.

Background

The B-3U District was created in 1990. It is intended to provide a range of business and office uses close to the University of Illinois, and to provide high-density residential uses to ensure an adequate supply of housing for people who want to live near the campus. It is located exclusively on the west side of Lincoln Avenue. To date, development and redevelopment has been slow and does not reflect the intent of the district. Meanwhile, in similarly-situated areas in Champaign, development has been robust.

The B-3U district has not performed as intended for close to 35 years, and there are two main reasons for this. First, the district was created to promote office uses related to the University in close proximity to campus. This objective was eclipsed by the decision of the University to develop the

Research Park in Champaign. Second, the B-3U district was also created to promote high-density housing close to campus, without reflecting an understanding of how the requirements of the district (especially parking) would undermine that intent. The result is that the demand for high-density, campus-oriented housing has been satisfied largely by redevelopment of sites in Champaign. Not only is that a significant lost opportunity for the City of Urbana to build its residential tax base, but the related neighborhood-serving uses that would accompany those high-density residential uses are also being developed in Champaign. Urbana's residents lose twice.

It is imperative that changes be made to the B-3U district now, and not be delayed until a rewrite of the Zoning Ordinance can be accomplished years from now. There are large, well-situated parcels of B-3U land that are ripe for redevelopment. Staff strongly recommends that making the proposed changes as outlined will allow appropriate and desirable development to proceed in a timely manner. This is in both the short- and long-term best interests of the City.

Proposed Changes

To address the problems identified above, staff propose the following two-step approach:

1. Update the intent statements for the district to match the vision laid out in the Comprehensive Plan for the area.
2. Replace current development regulations with regulations that match the new intent of the district, while making the new regulations easy-to-understand and future development more predictable.

These two steps are explained below. In addition, some small changes to “clean up” references to the B-3U district and to address minor errors are proposed in Exhibit A, which includes the entire proposed text amendment.

1. Update the intent statements for the district to match the vision laid out in the Comprehensive Plan for the area¹

Staff propose renaming the B-3U, General Business, University, district as the CMU, Campus Mixed-Use district, then replacing the intent statement with the following:

The CMU, Campus Mixed-Use District is intended to provide opportunities to redevelop areas close to the University of Illinois campus at high densities, with a mix of commercial, office, and residential uses. Developments should be designed to be pedestrian-scale, with buildings close to the street, wide sidewalks, landscaped areas, few driveways, on-street parking, and parking behind structures.

A new Campus Mixed-Use district would align directly with the Comprehensive Plan, which designates the entire B-3U area, and a few others nearby, as “Campus Mixed-Use”. The new intent statement borrows heavily from the Comprehensive Plan’s future land use description of “Campus Mixed-Use”:

... intended for limited areas that are close to campus. These areas promote urban-style private development with a mix of uses that commonly include commercial, office and residential. Design Guidelines shall ensure that developments contain a strong urban design that emphasizes a pedestrian scale with buildings close to the street, wide sidewalks, and parking under and behind structures. The design and

¹ See Exhibit A: Proposed Changes, Sections IV-1 and IV-2 for specific proposed changes.

density of development should capitalize on existing and future transit routes in the area. Large-scale developments containing only single uses are discouraged within this classification.

The proposed intent statement is not as prescriptive as the Comprehensive Plan's statement regarding design guidelines for the district; however, the proposed changes can achieve many of the aims of a set of design guidelines without being overly restrictive on new development/redevelopment.

2. Replace current development regulations with regulations that match the new intent of the district, while making the new regulations easy-to-understand and future development more predictable.

The updated intent of the district is to allow **high densities, a mix of commercial, office, and residential uses**, with developments designed to be **pedestrian-scale**, with **buildings close to the street, wide sidewalks, landscaped areas, few driveways, on-street parking, and parking behind structures**.

The proposed changes would address most of these intentions in the following ways:

High densities are addressed in the proposed amendment by simplifying the development regulations by removing floor-area and open-space ratios, setting a cap on building height, and removing or reducing minimum parking requirements. The changes, when taken together, will allow a more predictable, higher-density type of development in the district.

While **a mix of commercial, office, and residential uses** are already allowed in the district, the proposed amendment would remove several automobile-oriented businesses from the district, and would make some other minor changes that would match the new intent of the district.² In addition, the amendment would require 12-foot ceiling heights for the first floor of every building, which would make every first floor more usable for a mix of different uses.³

Pedestrian-scale development is addressed in each of the specific elements below. The proposed amendment would also do the following, which are considered “best practices” for pedestrian-scale/“walkable” districts: requiring main entrances that face the street and connect to the sidewalk⁴, requiring a certain amount of windows and doors (“transparent glass”) on walls that face the street⁵, and requiring that mechanical equipment and trash enclosures are kept out of front yards and are screened from public view.⁶

Buildings close to the street are addressed in the proposed amendment by setting both a minimum (10 feet) and maximum front yard (20 feet). That will ensure that buildings will be close to the street (between 10 and 20 feet from the front property line).⁷

Wide sidewalks are not something that the Zoning Ordinance can regulate; this could be addressed in the future through the Land Development Code/Manual of Practice, with a streetscape plan, or with a more comprehensive district plan that includes design elements for every block and every street.

Note: Footnotes 2-10 below refer the proposed changes in Exhibit A.

² Table V-1 – Table of Uses

³ Section V-7.C

⁴ Section V-7.A

⁵ Section V-7.B

⁶ Section V-7.G

⁷ Table VI-3.

Landscaped areas are addressed in the proposed amendment by requiring front yards to be landscaped, but without being overly-prescriptive.⁸

Few driveways are addressed by requiring access to parking off of alleys⁹, which will prevent more driveways from being built, and from more **on-street parking** from being lost. Over time, when properties are developed, existing driveways will be replaced with access off of alleys, further reducing the number of driveways and increasing the number of on-street parking spaces.

Parking behind structures is addressed in several ways in the proposed amendment: by requiring that parking be accessed off of alleys³, by stating that parking is not allowed in front yards and must be behind the principal face of a building, and by stating that parking areas shall not be visible from the street.¹⁰

Comprehensive Plan

The following goals and objectives of the 2005 Comprehensive Plan relate to this case.

Goal 1.0 Preserve and enhance the character of Urbana’s established residential neighborhoods.

- 1.4 Promote established neighborhoods close to campus and the downtown as attractive places for people to live.

Goal 12.0 Preserve the characteristics that make Urbana unique.

- 12.1 Identify and protect neighborhoods and areas that contain significant historical and cultural resources.

Goal 16.0 Ensure that new land uses are compatible with and enhance the existing community.

- 16.1 Encourage a mix of land use types to achieve a balanced growing community.
- 16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

The 2005 Comprehensive Plan designates all of the B-3U area east of Harvey Street as “Campus Mixed Use”.¹¹ Making the proposed changes would align the intent statement of the newly-proposed “Campus Mixed-Use” district with the Comprehensive Plan, and would amend the development regulations in the district to match the new intent statement.

The changes would also meet Goal 1.0 and Objective 1.4, by promoting redevelopment, over time, of the district. Doing so would enhance the district, and it would also alleviate pressure to redevelop the established neighborhoods east of Lincoln Avenue.

⁸ Section V-7.D

⁹ Section V-7.F

¹⁰ Section V-7.E

¹¹ The University of Illinois owns several B-3U-zoned parcels west of Harvey Street

Alleviating development pressure east of Lincoln Avenue would also help meet Goal 12.0 and Objective 12.1.

Finally, the proposed changes would help meet Goal 16.0 and Objectives 16.1 and 16.3, by encouraging a mix of land uses in the area closest to the University of Illinois campus, which is also very close to both OSF and Carle Hospitals. The area is well-served by existing city infrastructure and services.

Property Owner and Public Outreach

Staff held two public meetings to discuss the proposed changes to the B-3U district: one at the Phillips Recreation Center on May 15, 2024, targeting property owners, and one at the Urbana Free Library on May 21, 2024, intended for the general public. Prior to those meetings, staff sent letters to all owners of B-3U properties inviting them to the meetings and asking them to fill out a survey. Staff also sent letters to every mailable residential address in the B-3U district and within 300 feet of the B-3U district (nearly 1,400 total) inviting residents to the second public meeting. Seven people in total attended the two public meetings. In general, attendees were supportive of the changes that staff proposes. In addition, seven people filled out the owners' survey (see Exhibit D).

Summary of Findings

1. The proposed amendment will modify Article IV – Districts and Boundaries, to replace the B-3U, General Business – University with CMU, Campus Mixed-Use, and add a new intent statement to better align the district's intent with the Comprehensive Plan.
2. The proposed amendment will modify Article V, by adding a new section, "Additional Regulations in the CMU District", to align the development regulations with the new intent statement.
3. The proposed amendment will modify Table V-1, Table of Uses, to align the uses in the district with the new intent statement.
4. The proposed amendment will modify Article VI, Table VI-3, Development Regulations by District, to match the new intent statement.
5. The proposed amendment will remove Section VI-4.B, which provides a bonus parking provision in the B-3U district.
6. The proposed amendment will remove Section VI-6.B.2, which regulates the screening of vehicles for sale, as it is irrelevant since vehicle sales are not allowed in the district.
7. The proposed amendment will modify Article VIII, Parking and Access, by adding a provision to only require off-street parking for residential projects with 20 bedrooms or more, at a lower rate than required in other districts; removing a regulation regarding parking in required yards; and adding provisions for bicycle parking.
8. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan to preserve and enhance the character of established residential neighborhoods, preserve the characteristics that make Urbana unique, and ensure that new land uses are compatible with and enhance the existing community.

9. The proposed amendment conforms to the notification and other requirements for Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

Options

The Plan Commission has the following options in Plan Case 2485-T-24:

1. Forward the case to City Council with a recommendation to approve the text amendment as presented herein; or
2. Forward the case to City Council with a recommendation to approve the text amendment as modified by specific suggested changes; or
3. Forward the case to City Council with a recommendation of denial of the text amendment.

Staff Recommendation

Staff recommends that the Plan Commission recommend **approval** of the proposed text amendment to City Council.

Attachments: Exhibit A – Proposed Changes
 Exhibit B – Maps
 Exhibit C – Photos
 Exhibit D – Owners’ Survey
 Exhibit E – Pages from *Walkable City Rules*
 Exhibit F – Champaign MFUniv/CB3 District Comparison to B-3U
 Exhibit G – Photos of Champaign MFUniv Apartments w/No On-Site Parking

Exhibit A: Proposed Changes

The proposed changes can be summarized as follows, with more details below:

- In Article IV – Districts and Boundaries, the B-3U, General Business – University will be replaced with CMU, Campus Mixed-Use, and a new intent statement will replace the existing intent statement, to better align the new district’s intent with the Comprehensive Plan.
- In Article V, a new section, “Additional Regulations in the CMU District”, will be added to align the development regulations with the new intent statement. In addition, Table V-1, Table of Uses, will be updated to match the new intent statement as well.
- In Article VI, Table VI-3, Development Regulations by District, will be updated to match the new intent statement, and Section VI-4.B, which provides a bonus parking provision in the B-3U district, will be removed. In addition, a regulation regarding the screening of vehicles for sale will be removed, as it is irrelevant since vehicle sales are not allowed in the district.
- In Article VIII, Parking and Access, a provision to only require off-street parking for residential projects with 20 bedrooms or more, at a lower rate than required in other districts, will be added; a regulation regarding parking in required yards will be removed; and provisions for bicycle parking will be added.

The text changes are shown in detail in the following sections, with each change followed by a discussion of the reasoning behind the change. The changes are shown using a strikethrough and underline notation system. A strikethrough is used to indicate ~~deleted language~~, while an underline is used to indicate added language.

Section IV-1. Number and Designation of Districts

In order to carry out the purposes of this Ordinance, ... the City of Urbana, Illinois, is hereby divided into 21 zoning districts, which are hereby established as follows:

...

~~B-3U General Business – University~~

...

CMU Campus Mixed-Use

...

Section IV-2. Purpose of Districts

In addition to the general purposes of this Ordinance, as listed in Section I-1, the various zoning districts also serve more specific individual purposes, as follows:

...

- B. The Business districts generally are intended to provide areas for commercial uses in districts accommodating the range of types, intensity, and physical forms of trade, commercial services, and offices.

...

4. ~~The B-3U, General Business-University District is intended to provide areas in proximity to the University of Illinois for a range of business and office uses to meet the needs of persons and businesses associated with the University. This district is also intended to provide areas for high density residential uses to insure an adequate supply of housing for persons who desire to reside near the campus. These business and residential uses may occur as mixed uses in the same structure. The development regulations in this district are intended to allow buildings which are compatible with the size and scale of the University's buildings.~~

...

- E. The CMU, Campus Mixed-Use District is intended to provide opportunities to redevelop areas close to the University of Illinois campus at high densities, with a mix of commercial, office, and residential uses. Developments should be designed to be pedestrian-scale, with buildings close to the street, wide sidewalks, landscaped areas, few driveways, on-street parking, and parking behind structures. Large-scale developments containing only single uses are discouraged within this classification.

...

Section V-7. (Reserved) Additional Regulations in the CMU District

- A. Buildings must have a main entrance facing the street, with a walkway connecting the entrance to the public sidewalk.
- B. Building walls that face a street must have at least 20 percent transparent glass.
- C. The first story of every building must have a clear ceiling height of at least 12 feet.¹²
- D. Front yards must be landscaped, with a minimum of 30 percent vegetation that is not turf grass.
- E. Parking is not allowed in front yards, and must be located behind the principal face of a building. Parking areas shall not be visible from the street.
- F. When parking is provided, access to parking must be off an alley, when available.
- G. Mechanical equipment and trash enclosures must be screened from view at ground level from public rights-of-way, including alleys. No mechanical equipment or trash enclosures are allowed in front yards.

...

¹² See Exhibit E - *Walkable City Rules* excerpt, *Seven Rules for a Successful Downtown Tulsa*.

Table V-1. Table of Uses

[Condensed, showing changes between B-3U and CMU; P = Permitted, C = Permitted with Conditional Use Permit, S = Permitted with Special Use Permit, D = Permitted with Planned Unit Development]

Principal Uses	B-3U	CMU
Feed and Grain (Sales only)	P	
Principal Use Parking Garage or Lot	P	<u>S</u>
Car Wash	P	
Gasoline Station	C	
Shopping Center – Convenience	S	
Shopping Center – General	S	
Wholesale Business	P	
Residential Planned Unit Development		<u>D</u>

...

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (In square feet unless otherwise indicated)	Minimum Lot Width (In feet)	Maximum Height of Principal Structure (In feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (In Feet) ¹		
						Front	Side	Rear
B-3U <u>CMU</u>	6,000	60	none 120	4.0 none	0.1 none	15 <u>10</u> min. / 20 max.	5 none	5 none

...

Section VI-4. Floor Area and Open Space

...

- B. In the B-3U District, where parking is incorporated into or provided underground below a principal structure, the maximum Floor Area Ratio may be increased by up to 25% using the following formula:

$$F_{\text{bonus}} = 0.25(F)(P/R) + F$$

Where: F = Maximum Floor Area Ratio specified in Table VI-3.

— F_{bonus} = Maximum Floor Area Ratio after applying parking bonus

P = Number of parking spaces incorporated into or provided underground below the principal structure

~~R = Number of parking spaces required by Section VIII-5 of this Ordinance~~

...

Section VI-6. Screening

...

B. Screening of Off-Street Parking and Storage Areas

...

2. In the B-2, B-3, ~~B-3U~~ and IN-1 and IN-2 Zoning Districts, parking or storage of vehicles for sale is permitted to encroach ten feet into the required front yard setback if the encroachment conforms to the regulations set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8.

...

Section VIII-4. Location of Parking Facilities

...

F. *Parking in a Required Yard is Prohibited Except as Follows:*

...

4. In the B-2 and ~~B-3U~~ Zoning Districts, parking is permitted in the required side yard setback (up to within 18 inches of the property line per Section VIII-4.G) if the zoning district adjacent to the setback is designated B-2; or B-3; ~~or B-3U~~ and if the adjacent area is also used for parking.

...

6. Parking in the B-2, B-3, ~~B-3U~~, IN-1, and IN-2 Zoning Districts may encroach ten feet into the required front yard if the buffer yard requirements set forth in Section VI-6.A.2.b.3, 4, 5, 6, 7 and 8 are met.

...

Section VIII-5. Amount of Parking Required

...

N. CMU, Campus Mixed-Use District Parking Requirements.

1. Off-street parking is only required for residential developments containing 20 bedrooms or more.
2. Parking shall be provided at a rate of 0.25 spaces per bedroom.

...

Table VIII-6. Bicycle Parking Requirements by Use¹

Use	Number of Spaces Required
Multi-family, Boarding or Rooming House, or Dormitory ²	1 for every 2 dwelling units; <u>1 for every dwelling unit in the CMU District</u>
Public and Quasi Public Uses ^{2,3,5}	
All schools	4 for every classroom
All other uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Commercial Uses ^{2,3,4,5}	
All uses	10% of required automobile parking up to a maximum of 25 bicycle parking spaces
Industrial, Transportation & Related Uses ^{2,3,5}	
All uses	4% of required automobile parking up to a maximum of 25 bicycle parking spaces
¹ The Zoning Administrator shall determine whether proposed developments are subject to these bicycle parking requirements based upon demand generated by the use, the location of the development, the proximity to other uses with bicycle parking demand, and other relevant factors. ² The Zoning Administrator shall further have the ability to reduce the number of required bicycle parking spaces by up to 50% in response to evidence regarding expected bicycle use submitted by the petitioner. ³ For non-residential uses, bicycle parking spaces shall be required only for developments with 10 or more automobile parking spaces required. ⁴ Commercial uses include the following categories from Table VIII-7: Office and Related Uses, Service Business Uses, Retail Business Uses, and Commercial Recreational Uses. ⁵ <u>In the CMU District, since automobile parking is only required for some residential uses, for all other uses bicycle parking spaces shall be required based on the amount of automobile parking spaces that would normally be required.</u>	

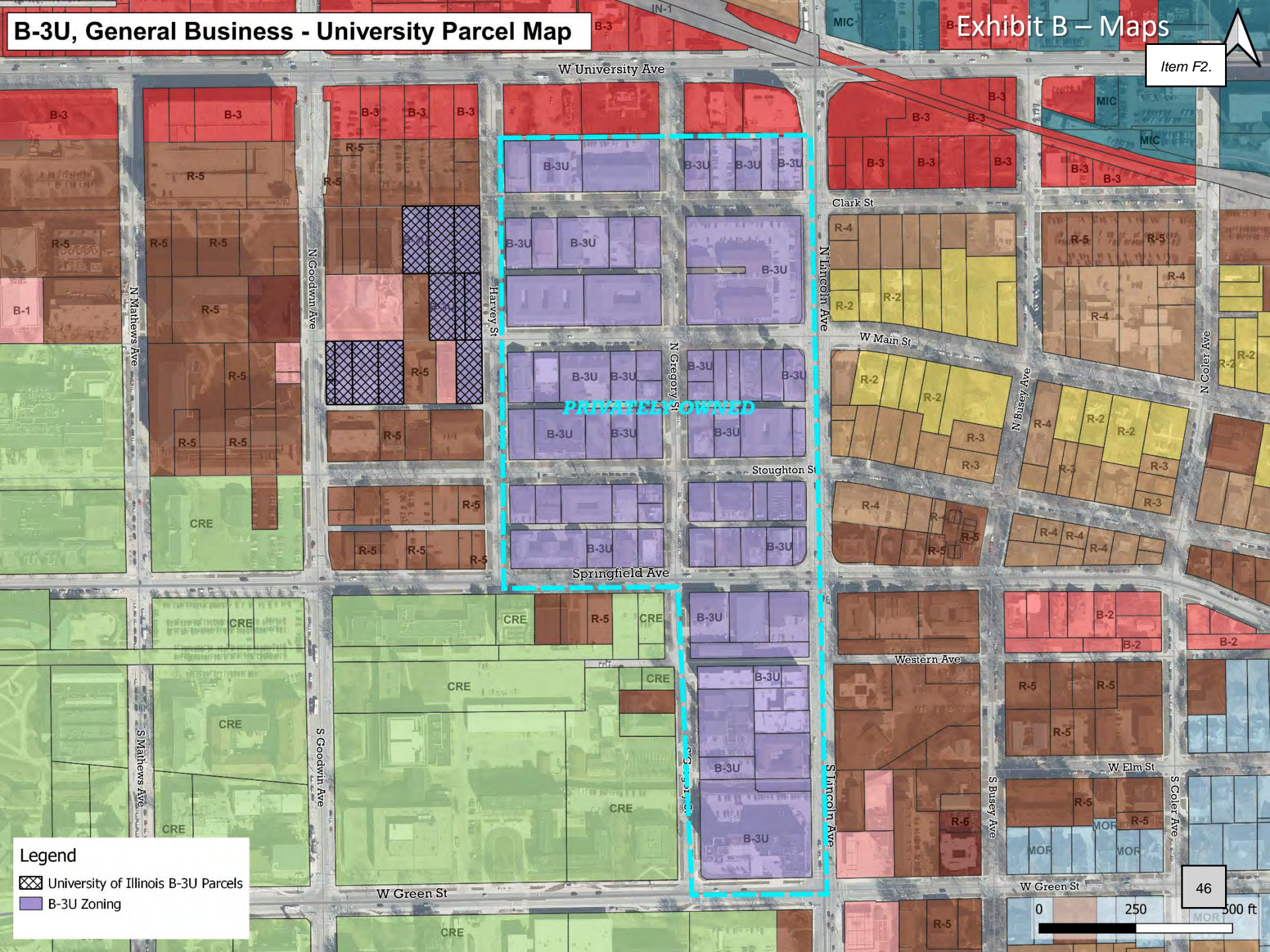
B-3U, General Business - University Parcel Map

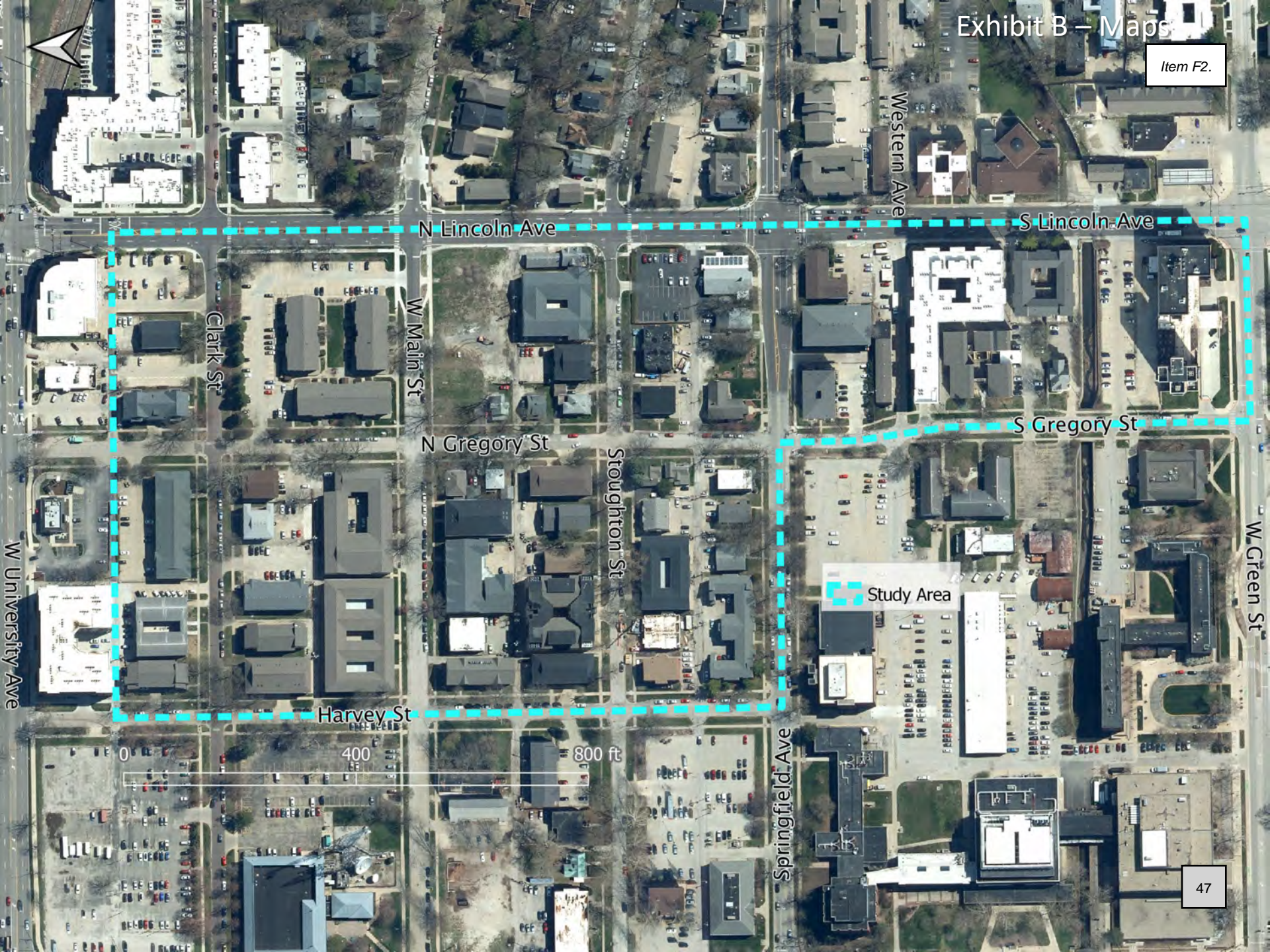
Exhibit B – Maps

Item F2.

Legend

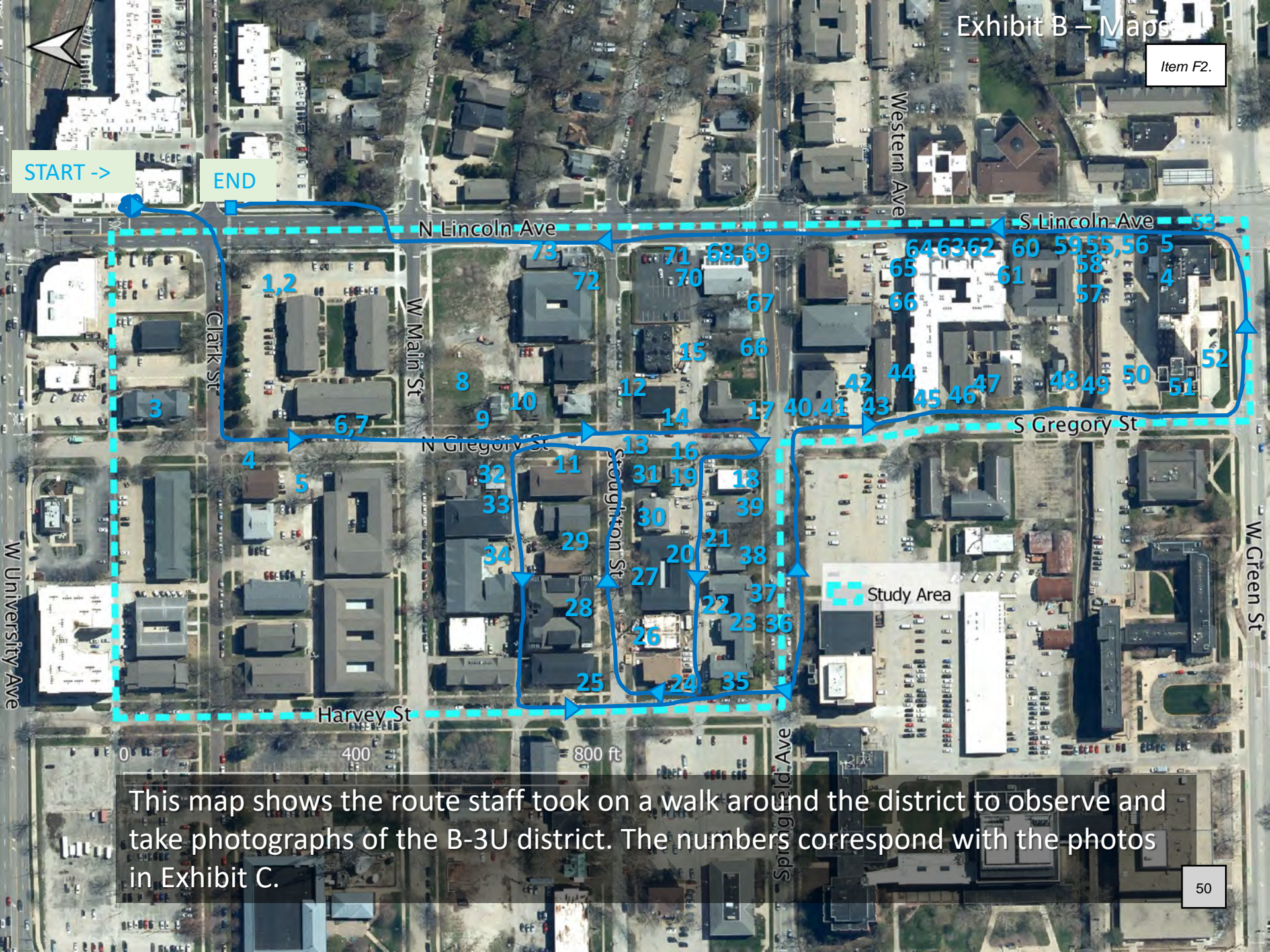
-  University of Illinois B-3U Parcels
-  B-3U Zoning











PARKING

Item F2.



22

PARKING

Item F2.



34

52

50

PARKING

Item F2.



37



53

5

ALLEYS

Item F2.



44



54

6

SIDEWALKS

Item F2.



12

Exhibit C – Photos

55

40

SIDEWALKS

Item F2.



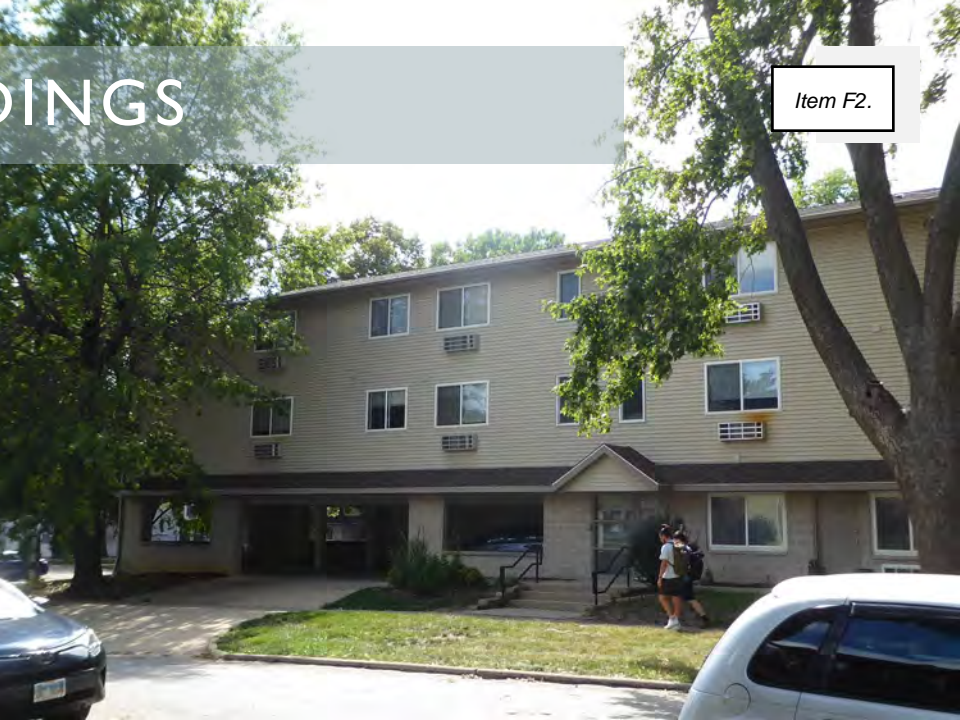
67

56

3

BUILDINGS

Item F2.



28

Exhibit C – Photos

57

18

BUILDINGS

Item F2.



46

58

36

BUILDINGS

Item F2.



38

59

49

GREENERY

Item F2.



66

60

24

WASTE / MECHANICAL EQUIPMENT

Item F2.



62

61



Summary Report for B-3U Zoning Update

Selected record count: 7

Total record count: 7

Use limportant to apply the filter to all responses, rather than just the responses selected for this report.

Recent 3 records in a table:

You can reference any field from your survey in a table.

Object Id	Submitted by	Submitted time
9	Anonymous user	May 21, 2024 12:45 PM
8	Anonymous user	May 13, 2024 3:57 PM
7	Anonymous user	May 13, 2024 2:22 PM

A summary section can also be put at the end of the report.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 21, 2024 12:45 PM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

3

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

No

What, if anything, is preventing you from developing the properties?

Please explain how those things are preventing you from developing the properties.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

First Mennonite Church at 902 and 906 W Springfield Ave

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I plan to attend the May 21st meeting at the Urbana Free Library

Please add any additional comments you'd like to share with staff and the Plan Commission.

First Mennonite Church is the owner of the church building at 902 W Springfield, the adjacent parking lot to the north, and the apartment building (906) and open garden / green space to the west. We would appreciate being informed about any proposed zoning changes, and would likely have some questions about if/how those changes would affect the church. The 8-unit apartment building is not presently used for ministry purposes; it is managed by Weiner Inc., and typically fully rented.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 13, 2024 3:57 PM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

3

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

No

What, if anything, is preventing you from developing the properties?

Please explain how those things are preventing you from developing the properties.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

Christine Gunther

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I plan to attend the May 15th meeting at the Phillips Rec Center

Please add any additional comments you'd like to share with staff and the Plan Commission.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 13, 2024 2:22 PM

Do you own property that is zoned B-3U?

I am considering purchasing property that is zoned B-3U

How many properties do you own that are zoned B-3U?

How many properties are you considering purchasing that are zoned B-3U?

1

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

Yes

What, if anything, is preventing you from developing the properties?

Bulk Requirements (e.g. Floor Area, Open Space, Setbacks), Parking Requirements

Please explain how those things are preventing you from developing the properties.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

Rael Development Corporation

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I do not plan to attend, or am unable to attend, either meeting.

Please add any additional comments you'd like to share with staff and the Plan Commission.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 10, 2024 1:59 PM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

5

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

Yes

What, if anything, is preventing you from developing the properties?

Financing or Cost

Please explain how those things are preventing you from developing the properties.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

Phil Bailey - Bailey Apartments

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I do not plan to attend, or am unable to attend, either meeting.

Please add any additional comments you'd like to share with staff and the Plan Commission.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 9, 2024 11:33 AM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

1

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

Yes

What, if anything, is preventing you from developing the properties?

Bulk Requirements (e.g. Floor Area, Open Space, Setbacks), Parking Requirements

Please explain how those things are preventing you from developing the properties.

Too much Parking requirement and setback requirement that limit the development potential to make it financially feasible.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

Tim Chao

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I plan to attend the May 15th meeting at the Phillips Rec Center, I plan to attend the May 21st meeting at the Urbana Free Library

Please add any additional comments you'd like to share with staff and the Plan Commission.

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 8, 2024 2:05 PM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

1

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

No

Are you interested in developing or redeveloping any of the properties?

Yes

What, if anything, is preventing you from developing the properties?

Financing or Cost, Bulk Requirements (e.g. Floor Area, Open Space, Setbacks)

Please explain how those things are preventing you from developing the properties.

Hemmed in by apartment buildings owned by NON-LOCAL developers/investment groups. My house is on less than 1/2 of a lot, so City prohibits adding anything. The rest is owned by developer (Wakeland). The neighborhood is no longer maintained by the City: open garbage, overrun by rodents, crows, etc. Broken sidewalks that don't get fixed, potholes that only get temporary fixes that open every few months. (Q2) But all the houses across the street are vacant. (Q3) Creating more space (1st floor bath)

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

Please let us know who we're hearing from.

Judy Checker. Please mail or call me. [redacted]

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I plan to attend the May 15th meeting at the Phillips Rec Center, I plan to attend the May 21st meeting at the Urbana Free Library

Please add any additional comments you'd like to share with staff and the Plan Commission.

When I moved into my home 45 years ago it was a thriving residential neighborhood that was well-maintained by owners and the City. Since the change in zoning, garbage overflows; apartment buildings block light to adjacent housing, making plant growth difficult; huge problems exist for sewers that were not designed for the load. Trucks occasionally travel narrow streets, breaking up the asphalt curbs and lawns. [See scanned PDF for additional comments.]

Individual Record Report for B-3U Zoning Update

Submitted By: Anonymous user

Submitted Time: May 8, 2024 1:30 PM

Do you own property that is zoned B-3U?

I own property that is zoned B-3U

How many properties do you own that are zoned B-3U?

9

How many properties are you considering purchasing that are zoned B-3U?

Are any of the properties vacant?

Yes

Are you interested in developing or redeveloping any of the properties?

Yes

What, if anything, is preventing you from developing the properties?

Financing or Cost, Bulk Requirements (e.g. Floor Area, Open Space, Setbacks), Parking Requirements

Please explain how those things are preventing you from developing the properties.
Tax incentives for developers.

Would you like to be kept informed about the proposed changes and when the Plan Commission will be considering them?

Yes

Please enter your email address.

[redacted]

Please let us know who we're hearing from.

Marta Conway - Tecton Group, LLC / Advantage Properties C-U

We're hosting two public meetings on this topic. Will you be able to attend one or both of them?

I do not plan to attend, or am unable to attend, either meeting.

Please add any additional comments you'd like to share with staff and the Plan Commission.

We currently have a developer who is working with the city to get approvals on a project. Anything we can do to speed the process, please let me know. Thank you.

16

Eliminate On-Site Parking Requirements

Replace parking minimums with maximums.

IN 2000, my colleagues and I wrote the following:

[The on-site parking requirement] is probably the single greatest killer of urbanism in the United States today. It prevents the renovation of old buildings, since there is inadequate room on their sites for new parking; it encourages the construction of anti-pedestrian building types in which the building sits behind or hovers above a parking lot; it eliminates street life, since everyone parks immediately adjacent to their destination and has no reason to use the sidewalk; finally, it results in a low density of development that can keep a downtown from achieving critical mass. All told, there is nothing to be said in favor of the on-site parking requirement. Cities that wish to be pedestrian friendly and fully developed should eliminate this ordinance immediately and provide public parking in carefully located municipal garages and lots.⁶⁷

Since that time, a lot has changed. Many cities have eliminated the on-site parking requirement in their downtown cores, and many others are reconsidering their park-

ing rules citywide. But most are not. Why they need to is well described in *The High Cost of Free Parking*. And if your city has good transit, then parking maximums, such as those in New York or Europe, are probably in order.

Even in car-dependent places, one need not worry that eliminating the parking requirement will result in too

“Removing off-street parking requirements will not eliminate off-street parking, but will instead stimulate an active commercial market for it.”

little parking. As Shoup notes, “removing off-street parking requirements will not eliminate off-street parking, but will instead stimulate an active commercial market for it.”⁶⁸ Developers will always meet the market; their financing usually requires parking anyway. But different developers should be able to meet different markets, and cities shouldn’t get in the way of that with one-size-fits-all auto-centric requirements.



The ramp to ample parking for the formerly homeless at Alma Place in Palo Alto, CA.

Nationally, the trend is slow but sure. Washington, DC, has eliminated parking requirements for retail near transit. Minneapolis just did the same for residential.⁶⁹ The greatest barrier to progress usually comes in the form of nearby residents worried about competition for on-street spaces.

Shoup tells the story of Alma Place, a 107-unit single-room-occupancy hotel that was proposed three blocks from the commuter train station in wealthy Palo Alto, CA. Given the high cost of providing parking, the need for affordability, the lower car ownership rates among its clientele, and the proximity to transit, the housing authority asked the city to waive its on-site parking requirement.

The city gave in—partway—reducing the requirement to 0.67 cars per unit. When it was built, this reduced parking still added a whopping 38% to the cost of construction.

Why did the city insist on making the cost of this “affordable” housing so high with unnecessary and unwanted parking? Because local residents were afraid of their new neighbors competing with them for a limited number of on-street parking spaces.

What if the City, instead of simply giving in, had come forward with a “Parking Preservation Plan:” a commitment to create and refine a resident-only permit system to protect existing abutters? Such a plan would have likely included a requirement that new renters sign leases proscribing car ownership. Such has been the proposal for several developments in Washington, DC.

A final counterintuitive note: in cities with good transit, eliminating the parking minimum results in less competition for on-street spaces, not more. Because when you allow a developer to put up a building without parking, the tenants show up without cars.

RULE 16: Eliminate on-site parking requirements; institute maximums where transit is ample. Where needed, create Parking Preservation Plans to protect current residents.

81

Disallow Curb Cuts

Driveways across sidewalks don't belong in walkable districts.

EVERY DRIVEWAY that crosses a sidewalk presents a potential danger to people walking and biking who may be hit by a vehicle crossing their path. This danger makes the sidewalk feel less safe and comfortable, a feeling that is reinforced by the tilt of the driveway skirt and the missing curb. Additionally, curb cuts eliminate on-street parking that would otherwise protect the sidewalk edge, resulting in a visual widening of the street that encourages illegal speeds.

Fast-food and bank drive-throughs have no place in walkable districts.

That's not all. When trying to make a place more walkable, curb cuts threaten to derail many of the needed improvements, for several reasons. Adding curb parking to a street by right-sizing the number and width of driving lanes has little impact if the parking is removed for curb cuts. Bike lanes crossed by curb cuts are not as safe as they would be otherwise. Cycle tracks, where parked cars protect bike lanes from traffic, are especially undermined by curb cuts, which replace the parked car with a wide striped

buffer zone providing little protection. Finally, it is more challenging to plant street trees when the sidewalk is regularly interrupted by driveways.

The first step to addressing the curb cut problem in most cities is simply to stop allowing them, except for key facilities like parking structures. Fast-food and bank drive-throughs have no place in walkable districts. Nor do gas stations, car repair, and other auto-centric uses; put them out on the strip. While smaller hotels should be satisfied with curb drop-off in reserved parking spaces, sometimes developing downtowns cannot land a desired hotel without offering a dedicated porte-cochere; these should be located not at front, but off of an alley at the flank or rear. No other uses merit a dedicated driveway through an urban sidewalk.

New curb cuts should never be allowed for any use if the property is adjacent to a public alley that provides alternative access. When they are (rarely) allowed, curb cuts should be paved to match the sidewalk, and no larger than absolutely necessary. The conventional standard for a curb cut is two 12-foot lanes. These gaping maws invite cars to speed across the sidewalk. New curb cuts should be limited to 20 feet in width for any large parking lots need-



In downtown Tulsa, sidewalks that are continually violated by curb cuts do not feel safe to walk along.

ing two lanes, and 10 feet otherwise. Most cars are only 6 feet wide, after all.

But what do cities do about all the curb cuts they are already living with? No established best practice exists. In cities like Tulsa, where curb cuts were given away like candy for fifty years, it would seem that a dedicated and properly funded government effort is needed to close curb cuts along streets that are considered part of the walkable core.²³⁹

Such a program to eliminate unnecessary curb cuts would have to be structured in a way that acknowledges the cost to property owners, in time and effort, of closing

these access points. Ideally, it would provide the following owner-assistance process:

- The property owner is notified of the upcoming curb replacement, and a meeting is requested. If the owner chooses not to meet, the curb is replaced without the owner's involvement.
- For cooperating owners, the City provides a design for reconfiguring owner's property, and executes the design, modified as necessary, with owner's approval.
- In some cases, reconfiguring a property such as a parking lot will result in a net loss of interior parking spaces, representing a foregone revenue to the owner. This anticipated revenue would be calculated according to a standard formula as the net present value of future income, and paid in a lump sum to the owner as a subsidy.

If properly executed, this owner-assistance program could be funded principally from the additional revenue that the City would receive from new curb parking installed along the reconstructed curbs. Such a program is under consideration in downtown Tulsa and should be tested in other cities with similar challenges.

RULE 81: In would-be walkable districts, disallow all new curb cuts except for parking structures and hotel drop-offs lacking alley access. Limit curb cuts to 20 feet maximum for large parking lots, 10 feet otherwise, and pave them to match the sidewalk. Where needed, create a municipal program for eliminating existing curb cuts.

84

Never Allow Front Parking

Embrace the sidewalk with buildings fronts.

ONE OF THE EARLIEST BOOKS to come out of the New Urbanist movement was *City Comforts*, by David Sucher. It begins with three crucial rules for creating community. Rule #1: “Build to the sidewalk.”²⁴² While it takes more than three rules to make great places—how does 101 sound?—it is hard to imagine a better place to start. Because when it comes to destroying walkability, the front parking lot is probably the most common and the most impactful error that cities make.

Front parking lots do five bad things simultaneously.

Case in point, Over-the-Rhine in Cincinnati: 1,200 feet of continuous revitalization along Vine Street after a two-way reversion in 1999 (see Rule 38), stopped in its tracks after three full blocks by a Kroger Deli parking lot. Shoppers and diners stroll north from downtown, hit this beauty—with a mere fifteen spots—and turn on their heels. As of this writing, the buildings to the north, 100 feet from bustling vitality, are still boarded up.

Similar mistakes can be found along more North American main streets than it is possible to count. Some time around 1960, the suburban auto-age Quickie Mart was allowed to invade the downtown, and things went south from there. The ugly, plastic, fluorescent-glowing storefront added insult to injury, but the real culprit was the parking in front.

Front parking lots do five bad things simultaneously. They push buildings back from the street, destroying its spatial definition. They put store windows out of view, making the walk less interesting. They create curb cuts across the sidewalk, undermining its comfort and safety (see Rule 81). They allow patrons to park directly in front of businesses, depopulating sidewalks of strolling shoppers. And they send a not-so-subtle message that the store is meant to serve motorists—who could be from anywhere—rather than locals.

Most cities’ planning departments understand that front parking is a blight, but that does not mean it is not allowed. A common struggle is with Walgreens or Rite Aid, whose standard store plans presume front parking, typically right at the corner, where spatial definition is most needed. Happily, these merchants have shown a willing-



The parking lot that stalled redevelopment on Vine Street in Over-the-Rhine.

ness to be flexible—in those cities that insist. The proper solution involves a parking lot that is one bay wide (double head-in in 60 feet) that wraps around the back two sides of a building that sits on the corner.

This result still places gaps in the streetscape while introducing two curb cuts, but it is vastly superior to the alternative. If the curb cuts are paved to match the sidewalk, and the parking lot edged by decorative walls, the impact is limited.

Cities that wish to ensure a positive outcome must be specific in their codes. All good new urban development ordinances outlaw front parking lots. Most also stipulate

that stores may have secondary doors facing their rear parking, as long as they have front doors on the sidewalk. But very few remember to require that the front doors be kept open during store hours. This was the problem in Birmingham, MI, which over a decade transformed its downtown from auto-oriented to “walker’s paradise” following a DPZ plan. One glitch was a large jeweler who followed the plan to a T but kept their sidewalk doors locked.

Shifting back to urban, walkable development patterns from conventional suburban models has been a struggle, especially in suburbia. The first step has always been—and remains—reorienting buildings to the street.

RULE 84: Do not allow front parking lots, and require businesses with rear or side parking lots to place their primary entrance at front.

92

Hide the Parking Structures

Exposed parking structures do not belong next to sidewalks.

THE IMAGE BELOW IS FROM GRAND RAPIDS, MI, which, over the last few decades, has achieved a very walkable city center. Unfortunately, very few people want to walk on the street pictured, which connects the front doors of the two best downtown hotels, because when one



A perfect 1:1 street section—the Renaissance ideal—fails to please when it is this dull.

side of the street is an exposed parking deck, and the other side is a conference facility that was apparently designed in admiration for that parking deck, the experience is simply too boring.

The conference facility would benefit from more vertical articulation (see Rule 88); the garage is beyond fixing. While there are many ways to make a parking deck more attractive, there is no way to make it more interesting, except to make it something other than a parking deck. Doing just that—at least at ground level—is a strategy that many cities have been using for decades, with mixed results. A more reliable approach is to hide the parking from the street entirely. Both techniques merit discussion.

Active ground floor: The mid-twentieth century was the era of dropping massive, exposed parking decks into city centers. The late-twentieth century was the era of experiencing the sidewalk blight they caused, and looking for solutions. Two main responses arose. One, common in car-happy Sun Belt cities, was the tower in which a ground-floor lobby sits below a bunch of levels of parking, above

which the floors for humans begin. The other was the parking structure with a ground floor of retail.

Both types are viable but not ideal, and rely on super-interesting ground floors to distract passers-by from the utterly inactive parking levels. When that parking forms the base of a taller tower, its success usually depends on how convincingly the parking levels are clad to resemble occupied real estate. The best versions are passable, but they still look like offices with no staff; think Lehmann Brothers circa 2008.

It only takes 20 feet of building to hide 200 feet of parking.

When a parking structure includes a commercial ground floor, the outcomes can vary widely. The two key criteria are a tall ground floor that allows optimal retail, and the location of the garage in a place where the shops can thrive. Some have turned out quite well, but many cities have made the mistake of placing low-ceilinged retail on the ground floor of parking decks in bad retail locations, with sad results.

The lot-liner: For this reason, many cities and developers have moved on to the better solution, which is to set the parking lot back slightly and hide it from view. In the 1990s, Mayor Riley of Charleston, SC, demonstrated that it only takes 20 feet of building to hide 200 feet of parking. That model has since proliferated, even spawning a now-



In Charleston, a little lot-liner building buffers a giant parking deck from its historic neighborhood.

common apartment-house type, the Dallas Donut, in which a ring of apartments hides a large parking lot at its center. Given all the successful versions of this building type across North America, it is fully reasonable for cities to require hidden parking, and to stop allowing buildings to place parking up against would-be walkable streets, however well it is clad.

The other mandate for the twenty-first century is to make parking lots convertible. If ride-hailing services—and eventually AVs—end up drastically reducing the need for parking, as predicted, we will wish that we had built all those parking structures with flat floors, removable ramps, and frames that can support conversion to human uses. Smart developers are doing it now.

RULE 92: Hide all parking structures from abutting streets behind occupied buildings. Design parking structures for eventual conversion to human use.

99

Start Code Reform Now

*Introduce stopgap measures while mounting
a campaign for true zoning reform.*

MUCH HAS BEEN WRITTEN about the failure of twentieth century zoning practice, and how it has been instrumental in creating many of the current problems facing our cities, our country, and our planet (see Rule 9). Thousands of communities have taken half-measures to circumvent their deeply flawed zoning codes and subdivision ordinances, such as eliminating unit size and parking minimums, modifying height limits and setback requirements, and changing street design standards. Every change helps, but many North American cities have reached the conclusion that simple code modifications are not enough. Just as fattening a rat does not make it a cat, conventional land use codes—introduced principally to limit disease and overcrowding, and subsequently developed as a tool for enforcing neighborhood homogeneity—simply lack the DNA to make vibrant, walkable neighborhoods. Particularly as they address the design of private buildings, conventional codes are missing the tools needed to ensure that streets and public spaces end up adequately comfortable and interesting; that edges are firm, parking is hidden, facades are sticky, and repeti-

tion is limited. Achieving these objectives requires a code organized around them. Such an instrument is referred to as a form-based code.

The first modern form-based codes were written in the 1980s. As already discussed, close to four hundred have been officially adopted. Some are citywide, but many apply only to areas within cities where walkability is specifically desired. This makes sense, since their rules are largely irrelevant in automotive sprawl.

Cities that want their ordinances to support walkability, rather than undermine it, probably need a form-based code. The problem is that major zoning reform is difficult, expensive, and slow. For that reason, it is smart, while pursuing more comprehensive reform, to enact a stopgap overlay for areas where current zoning is allowing mistakes to be made. In Tulsa, fear in the business community over excessive regulation led to the suggestion of a simple one-page code, to be applied in the downtown's Network of Walkability.²⁶² While it is catered to specific local challenges, one can see how a similar instrument could be useful in many other places.

SEVEN RULES FOR A SUCCESSFUL DOWNTOWN TULSA

A One-Page Zoning Overlay for Private Development

All developments proposed abutting the Network of Walkability shall be reviewed in light of the following criteria by City Planning staff, with exceptions to be granted only in the case of exemplary architectural merit.

- 1. Surface parking lots kill vitality.** No surface parking lots may be placed between a building edge and the sidewalk.
- 2. Dead walls create dead sidewalks.** Parking structures shall be exposed to sidewalks on the ground floor only at the locations of their car entrances. Entrance drives may be no wider than 11 feet for each lane of travel. The remainder of the parking deck's ground floor (and other floors, if desired) shall be shielded from the sidewalk by a habitable building edge at least 20 feet deep. That edge may be office, retail, residential, and/or vertical circulation, but retail use is not recommended where not adjacent to successful retail, and new retail space must have a minimum ceiling height of 12 feet.
- 3. Sidewalks need buildings near them.** With the exception of hotel porte-cocheres (allowed only for hotels with more than 100 guest rooms), all buildings shall place their facades within 10 feet of the sidewalk edge. If retail, any setback shall be paved to match the sidewalk. If residential or office, any setback may include greenery, stoops, patios, and other construction, with the exception that no walls or fences shall exceed

three feet in height. Exceptions may be granted for public or semipublic greens, plazas, or courtyards.

- 4. Curb cuts endanger people walking.** Curb cuts are not allowed for any buildings other than parking structures and hotels with more than 100 guest rooms. Smaller hotels shall conduct loading against the curb in the parking lane, where several spaces shall be designated for this use. No set of curb cuts shall be more than two lanes in number.
- 5. Front doors are essential.** Buildings with sidewalk facades and rear (or side) parking must place a primary entrance on the sidewalk frontage. Said entrance shall be unlocked whenever the secondary entrance is unlocked.
- 6. Homes against sidewalks need height.** Residential facades placed within 5 feet of the sidewalk edge must have a ground floor elevation of at least 18 inches. Ground-floor residential units are encouraged to have front porches or stoops along the sidewalk, even where also hallway-served.
- 7. Urban buildings need friendly faces.** Facades enfronting sidewalks shall average no less than 18 feet tall and shall have regularly spaced door and window openings on every story, with at least one opening in every 10 linear feet, with rare exceptions granted for special architectural features. The window-to-wall ratio for all facades shall be between 20% and 80%.

RULE 99: Begin the effort now to create a form-based code for the potentially walkable parts of your city. In the meantime, pass a one-page code overlay for key areas.

Champaign MFUniv and CB3 District Takeaways**Background and District Purpose**

Most of Champaign's student housing is contained in its MFUniv and CB3 districts.

CB3 is Champaign's campus-oriented business district, which also allows residential uses above building ground floors. CB3 properties are primarily located along Green Street.

The MFUniv district consists of areas to the North and South of Green Street, and allows only residential uses.

Because our B3-U district is designed to attract both business and residential development, it is worth looking at both of Champaign's campus-oriented zoning districts.

General Development Regulation Comparisons

<u>Regulation</u>	<u>B-3U</u>	<u>MFUniv</u>	<u>CB3</u>
Max Height	None	75	175
Lot Size Min.	6,000 sf	6,500 sf	None
Lot Width Min.	60 feet	60 feet	None
Max FAR	4	None	None
Min OSR	.1	None	None
Front Yard	15	10	None (10 foot <u>max.</u>)
Side Yard	5	5	None
Rear Yard	.1	None	None
Parking	Required; based on use	None	None
Residential Bike Parking	Based on % of car parking	1 per 4 bedrooms	1 per 4 bedrooms

Other Design-Related Features of MFUniv and CB3**Both districts:**

- When provided, parking access must be via an alley where available
- No parking allowed along a primary building façade
- Require a certain percentage (20-30%) of transparent glass on building façade

MFUniv:

- Multifamily units capped at 4 bedrooms per unit
- Architectural variation requirements for buildings longer than 75 ft (Sec. 37-197.e.)
- Buildings must have a primary, pedestrian entrance connecting to public sidewalk along a public street
- 70% of façade facing a public street must be brick

CB3:

- 20 foot height minimum
- Ground floor must be commercial (25% ground floor square footage cap for residential accessory lobbies and common areas)
- *Maximum* 10 ft setback
- Ground floor frontage must extend along 90% of lot width

Exhibit F – Photos of MFUniv Apartment w/No Parking

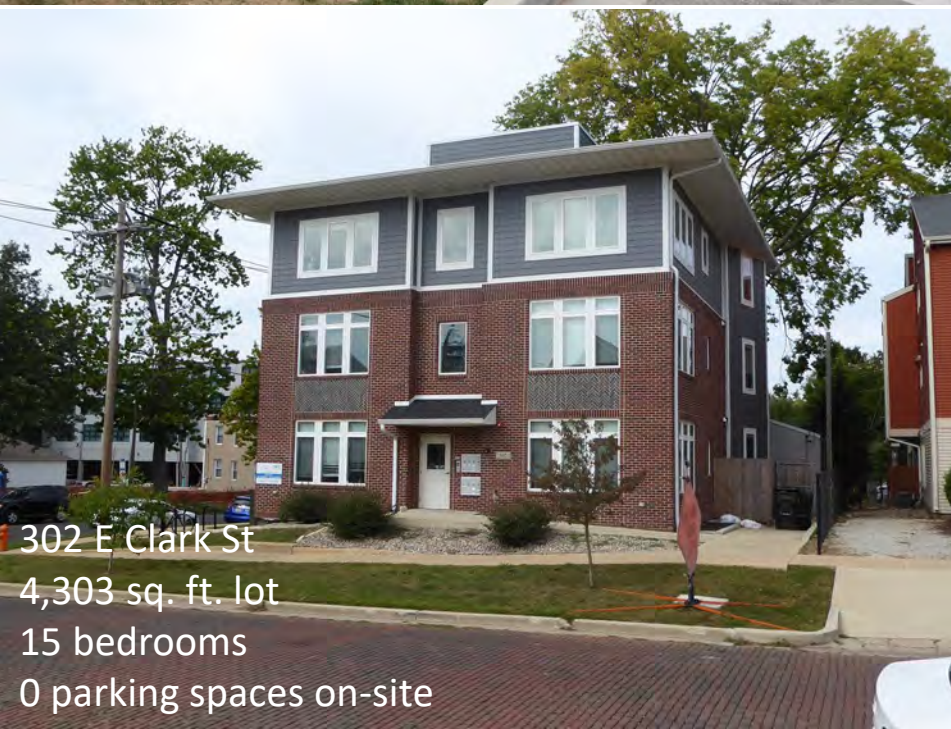
Item F2.



207 S Wright St
4,762 sq. ft. lot
17 bedrooms
0 parking spaces on-site



301 S Wright St
4,479 sq. ft. lot
17 bedrooms
0 parking spaces on-site



302 E Clark St
4,303 sq. ft. lot
15 bedrooms
0 parking spaces on-site



405 S Fifth St
4,450 sq. ft. lot
15 bedrooms
0 parking spaces on-site

Exhibit F – Photos of MFUniv Apartment w/No Parking

Item F2.

901 S Fourth St
5,441 sq. ft. lot
49 bedrooms
0 parking spaces on-site

1005 S Second St
9,121 sq. ft. lot
54 bedrooms
0 parking spaces on-site

Similar example in Urbana, with some parking

1009 W Stoughton St (Urbana)
8,672 sq. Ft. lot
18 Bedrooms
6 parking spaces on-site
7 parking spaces off-site*

**To meet requirements;
not necessarily used.*

1009 W Stoughton St (Urbana)
(Back, off alley; note two of six parking spaces in use)

MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** July 18, 2024**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Hall, 400 South Vine Street, Urbana, Illinois**MEMBERS ATTENDING:** Dustin Allred, Andrew Fell, Lew Hopkins, Karen Simms, Chenxi Yu**MEMBERS EXCUSED:** Will Andresen, Debarah McFarland, Bill Rose**STAFF PRESENT:** Kevin Garcia, Principal Planner; Teri Andel, Planning Administrative Assistant II**OTHERS PRESENT:** Phyllis Williams**A. CALL TO ORDER and ROLL CALL**

Chair Allred called the meeting to order at 7:02 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

There was none.

D. COMMUNICATIONS

- Email from Annie Feldmeier Adams regarding Plan Case No. 2485-T-24
- Email from Graeme Rael regarding Plan Case No. 2485-T-24

E. CONTINUED PUBLIC HEARINGS

Plan Case No. 2485-T-23 – A request by the Urbana Zoning Administrator to amend Articles IV, V, VI and VIII of the Urbana Zoning Ordinance to rename the B-3U (General Business-University) Zoning District as the Campus Mixed-Use Zoning District, and update development and parking regulations in the district.

Chair Allred re-opened the public hearing for Plan Case No. 2485-T-23. He noted that this case was continued from the July 11, 2024 meeting. The meeting left off with Plan Commission discussion. Since there is a new audience member present at this current meeting, he suggested that they re-open the public input portion of the public hearing.

Phyllis Williams approached the Plan Commission to speak. She felt that the City staff was trying to change our regulations to market a piece of property for some client rather than having the client come forward with a plan and ask for variances as part of the Planned Unit Development, if needed.

She believes that 75-feet is tall enough for a building, especially on Lincoln Avenue. One hundred twenty feet maximum height does not make a lot of sense.

She said that the residents are not going to get much in return. There are going to be parking problems in the neighborhood. There is no mention of lighting in the changes. The proliferation of lighting in certain areas of Urbana makes the areas appear to be unsafe and makes it hard to appreciate any kind of dark sky. She suggested the City use enclosed bulbs and something that makes it more person friendly.

Mr. Garcia mentioned that City staff has been doing some zoning compliance for some of the new lighting in the neighborhood. The City of Urbana has pretty robust standards for lighting in the Urbana Zoning Ordinance.

Chair Allred asked for clarification that the proposed text amendment is for revisions of a zoning district, and there is not any kind of proposal for development of a specific parcel. Mr. Garcia replied that was correct.

Mr. Hopkins stated that when he researched the existing B-3U (General Business – University) Zoning District, he discovered a vacant parcel that the Plan Commission members had received a notification from a developer for a proposal for a 10-story building. He looked at the record for the meeting in May and discovered that the developer had responded to the survey, so he thinks it is disingenuous of the Plan Commission to pretend that there is no proposal on the table. So, he feels that we are making a change for a specific proposal that we know about. Mr. Garcia responded by saying that City staff has been working on the proposed text amendment for some time and talked to City Council around the end of 2022 and again in January 2023 about prioritizing a list of tasks. The proposed text amendment was at the top of the list. It has been a task that has been on the Planning Division's to-do list since he began working for the City in 2014.

Mr. Hopkins stated that he understands this. After last week's meeting, he assumed that the major thing that the Plan Commission would be talking about during this meeting is to have the maximum height of the building at 75 feet, 85 feet or 120 feet. At that meeting, the Plan Commission was saying it does not really matter because a 120-foot building would not happen. It turns out not only is there a parcel ready, there is a person wanting to do it on a particular parcel and we know who that person is. Mr. Garcia replied that when City staff went to City Council in 2023, staff told them about the vacant parcel and said that the current Zoning Ordinance would not allow it to be developed in a good way.

Mr. Fell clarified that when he commented about reducing the maximum height to 75 feet at the previous meeting, he had no idea that there was a proposal on the table. He really believed that no developer would propose a 120-foot-tall building in the district.

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

Mr. Garcia summarized the changes that he made to the proposed text amendment based on the discussion held by the Plan Commission at the July 11, 2024 meeting. He recommended that the main pedestrian entrance be located on the street that the building is addressed off of and to recommend that maximum height of 120 feet.

Ms. Simms believed that a lot of the discussion at the previous meeting was predicated primarily implicitly on an assumption that the best use of a development was for student housing. This was on her mind since the meeting because all the data indicates that student enrollment is going to decline. She felt that they need to think about how to improve development in reflection of where we think the City would be going. The first plan felt like it was trying to make it neighborhood friendly, which she could see it being multi-generational, multi economic. She can see a much more diverse pluralistic landscape, so she just wants us to be clear that the City may end up with a surplus of student housing. If we are making decisions with that sort of implicit about the best practice for development, many of the changes they made may not be what we want to see in 10 years. She believes they may have tossed away some values that might take the City further in terms of the types of communities we could build. Some of the specific changes that were discussed at the previous meeting included the space between the sidewalk and the front door, the maximum height of a building, and scaling back of parking spaces.

The Plan Commission talked about the changes they recommended at the previous meeting and how to adjust them to allow for mix-use developments and alternatives for student housing in the future. Mr. Fell encouraged staff to come up with some incentive program for a developer that wants to build a mix-use development. Mr. Garcia mentioned that part of the district is within the Enterprise Zone, which allows some tax breaks if a certain percentage of the overall floor space is commercial.

Mr. Hopkins stated that as far as requiring the main entrance to be located on the street that the building is addressed on, it does not matter because they could always have the address changed in the future.

Ms. Yu stated that she felt herself to be in support of the maximum height of a building to be 120 feet. Mr. Hopkins stated that he has concerns about the maximum height being 120 feet; however, it would be nice if there would be a way for the Plan Commission to have discretionary evaluation of developments in the proposed district. Is there a way to do this by requiring a Special Use Permit. Mr. Garcia suggested the following, *"Building height is a maximum of 85 feet by right. If you want to construct a taller building than 85 feet, then you have to get a Special Use Permit"*. Chair Allred and Mr. Fell agreed that there would need to provide some guidance about what would satisfy the Special Use Permit review. The kind of guidance to provide could include bulk and the setback from street edge.

Chair Allred pointed out that the proposed text amendment as originally written by City staff never indicated that development would be constructed as student housing. The discussions by the Plan Commission is what steered this way of thinking. Other than the 12-foot ceiling height requirement on the first floor and the maximum height limit of the building, he did not believe that there was anything being proposed that would not allow other types of development. It really just depends on the market.

The Plan Commission talked about density issues and urban development. One way is by controlling building height and bulk to protect shade and light for properties across the street from a

development. Chair Allred stated that we have a pattern built in with the zoning that provides for transitions to a certain extent. They would be potentially altering the pattern with the proposed text amendment. They need to figure out if they would be creating discontinuities by removing the buffer that transition from some parts of Lincoln Avenue with two story homes to something else that might be six or seven-story buildings.

Mr. Garcia stated that the solution may already be in the proposed text amendment. City staff is recommending adding Residential Planned Unit Development (PUD) to the list of permitted uses. If a developer wanted to go above the maximum height, then the developer could apply for a PUD. A PUD requires $\frac{1}{2}$ acre. A block is equivalent to about 2-1/2 acres in this district.

The Plan Commission discussed whether it should be a Special Use Permit, a Residential Planned Unit Development, or set the maximum height of a building at 85 feet. Ms. Yu stated that smaller scale development would get relief from the parking requirement and would be able to build up to 85 feet, which should be sufficient. For certain cases where a developer wants to construct a bigger building, the developer would have to go through the PUD process to get approval. She did not think this would be too burdensome. Mr. Garcia clarified that a developer can ask for whatever relief or deviation from the Zoning Ordinance they want. Mr. Fell added that the Zoning Ordinance will allow certain relief if a developer offers certain benefits.

Ms. Yu moved that the Plan Commission forward Plan Case No. 2485-T-23 to City Council with a recommendation for approval based on the Planning staff's revised text amendment with the change of the maximum height limit to 85 feet. Mr. Hopkins seconded the motion.

Mr. Fell asked for a modification to the motion to say 85 feet to the roof surface. Mr. Garcia responded that the Zoning Ordinance does not describe "building height" anywhere else.

Mr. Garcia asked for clarification on the motion as to whether it includes City staff's recommendation that the main pedestrian entrance be located on the street that the building is addressed off of. Ms. Yu said yes. Mr. Hopkins stated that his second still holds.

Roll call on the motion was as follows:

Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Ms. Simms	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes			

The motion passed by unanimous vote. Mr. Garcia stated that this case would be forwarded to Committee of the Whole on August 5, 2024.

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L. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:30 p.m.

MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** July 11, 2024**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Hall, 400 South Vine Street, Urbana, Illinois

MEMBERS ATTENDING: Dustin Allred, Will Andresen, Andrew Fell, Lew Hopkins, Karen Simms, Chenxi Yu**MEMBERS ABSENT:** Debarah McFarland**MEMBERS EXCUSED:** Bill Rose**STAFF PRESENT:** Kevin Garcia, Principal Planner; Marcus Ricci, Planner II; Carol Mitten, City Administrator; Andrea Ruedi, Senior Advisor for Integrated Strategy Development**OTHERS PRESENT:** Tim Chao, Philip Marteus

A. CALL TO ORDER and ROLL CALL

Chair Allred called the meeting to order at 7:02 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the June 6, 2024 regular meeting were presented for approval. Mr. Hopkins moved that the Plan Commission approve the minutes as written. Mr. Andresen seconded the motion. The minutes were approved as written by unanimous voice vote.

D. COMMUNICATIONS

There were none.

E. CONTINUED PUBLIC HEARINGS

There were none.

F. OLD BUSINESS

There was none.

G. NEW PUBLIC HEARINGS

Plan Case No. 2485-T-23 – A request by the Urbana Zoning Administrator to amend Articles IV, V, VI and VIII of the Urbana Zoning Ordinance to rename the B-3U (General Business-University) Zoning District as the Campus Mixed-Use Zoning District, and update development and parking regulations in the district.

Chair Allred opened the public hearing for Plan Case No. 2485-T-23. Kevin Garcia, Principal Planner, presented the written staff report to the Plan Commission. He gave a brief background on the history of the B-3U (General Business-University) Zoning District and reviewed the proposed changes which include 1) high densities; 2) mix of commercial, office and residential uses; 3) pedestrian-scale development; 4) buildings close to the street; 5) wide sidewalks; 6) landscaped areas; 7) few driveways; and 8) parking behind structures. He mentioned that two public meetings were held to gather input. He reviewed some of the exhibits of the written staff report to give a visual image of the current B-3U Zoning District. Mr. Garcia presented the options of the Plan Commission and the City staff's recommendation that the Plan Commission forward the case to City Council with a recommendation for approval.

Chair Allred asked if any members of the Plan Commission had questions for Mr. Garcia.

Mr. Hopkins credited City staff for doing lots of background work and for developing the proposed text amendment all the way through. He deferred asking questions until Plan Commission discussion.

Chair Allred asked about the University of Illinois (U of I) properties. Would these properties be rezoned to the new district? Mr. Garcia responded that these properties would be subject to the new regulations. He noted that the University of Illinois should rezone all of their properties in the near future to the CRE (Conservation-Recreation-Education) Zoning District; however, the U of I is not planning to redevelop any of their properties any time soon according to their Master Plan.

Mr. Hopkins questioned what the property tax implication would be if the U of I redeveloped their properties west of Harvey Street in a manner similar to Gregory Place. Mr. Garcia recalled that there is an agreement with the U of I that would allow the City of Urbana to get taxes from any businesses that would be developed.

Chair Allred noted that one of the changes is proposing to go from a Floor Area Ratio (FAR) to a height limit, so much taller buildings would be allowed. He asked how the buildable envelope would change from the current to the future development regulations. Mr. Garcia responded that he has not calculated this because it is difficult to get for a typical parcel. With regards to building height, he stated that although the FAR is currently 0.4, since there is no building height restriction in the existing B-3U district, a 12-story building could still be constructed. It would just not get as much built on the rest of the site.

Mr. Allred asked how City staff came up with the proposed height limit of 120 feet. Mr. Garcia said that he compared the City of Urbana's current B-3U development regulations to what the City of Champaign has done. He pointed out that the City of Champaign has about eight or nine times the amount of development area than the City of Urbana has with the B-3U District. The City of Champaign has a lot more land to develop, so they have the benefit of designating one area to be

the business focused area and another area to be multi-family only. He said that the City of Urbana does not have that benefit. He further explained that part of the reasoning for the 120-foot proposed height limit is a split between what the City of Champaign is allowing in their multi-family University district and what they allow in their business district. Setting the maximum height to something in between would allow for taller buildings, more density, and maybe more mixed-use buildings.

Mr. Garcia mentioned that the B-3U district is the best area for the City of Urbana to build our tax base. Although it is a small area, there are no other districts that have the characteristics of the land that would allow the City to maximize our property tax base. The district is west of Lincoln Avenue and right next to the U of I campus.

Mr. Fell mentioned that the proposed development regulations are perfectly appropriate for the district. For example, the current parking regulations would prevent a developer from building more than a three-story building, because you could not fit parking on the site. Even though the proposed changes eliminate setback and FAR requirements, it would still be difficult to construct a building to the property line because the closer a building is to the property line, the higher the fire rating and fewer windows you can have.

Chair Allred asked why City staff is not proposing to eliminate parking requirements entirely. Mr. Garcia stated that even though the City of Champaign does not require parking in similar districts on campus, some developers are still providing parking on site. He stated that the proposed text amendment would eliminate parking requirements for smaller residential buildings with 20 bedrooms or fewer in the district. He went on to explain that when staff talked about reducing parking requirements in the past, they were met with some resistance; so, staff did not want to ask for too much and have the proposed text amendment get bogged down in a discussion about eliminating parking requirements altogether. He mentioned that when City staff presented a draft of the proposed text amendment at the two public meetings, there was one person who expressed concern about the parking regulations.

Chair Allred mentioned that there have been requirements for ground-floor commercial in Champaign, and sometimes the commercial space has gone unfilled. As a result, the City of Champaign has eliminated some of the requirements for commercial and allows all residential developments in certain corridors. So, knowing that redevelopment of parcels in the proposed district is likely to be buildings that are entirely residential with the first floor even being residential, he asked if the 10-foot minimum/20-foot maximum setback sufficient to manage the transition from the public realm of the street and sidewalk to the private realm of the first-floor apartments? Mr. Garcia replied that he is aware of the best practices for design and had to fight the urge to be overly prescriptive in the proposed text amendment. Many times, we create a regulation with a good intent and then later realize that it is creating unintended consequences. One of the reasons for the proposed text amendment is to try and build in some good design but not be super prescriptive. He noted that they could add nuance if the Plan Commission wanted to, and the City can make changes in the future if a regulation is not working.

Mr. Fell asked who would be responsible for fixing an alley in need of repair when a development is constructed mid-block. Mr. Garcia said that he would get an answer to this question before this case goes to City Council.

Mr. Hopkins noticed that there were several statements in the proposed text amendment that refer to “a lot line abutting a street or the setback”. He asked if the “property line” is also the “right-of-way line”. Mr. Garcia said yes. It can also be called the “lot line”. He explained that the lot line starts on the private side of the sidewalk for about 90% of the lots in the city. Sometimes, in certain areas, the property line is not next to the sidewalk though.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. He read the rules for a public hearing and invited proponents of the case to address the Plan Commission.

Tim Chao approached the Plan Commission to speak. He stated that he owns a property within the B-3U Zoning District. He believes that this is an important time for the B-3U Zoning District. Most of the mixed-use developments in Urbana don’t get to be used to the mixed-use intent in which they were built. They become mostly single or multi-family residential uses. The proposed text amendment addresses the parking issues, setbacks and the height of future developments in this area.

He mentioned that he and his partner also own the BakeLab across the street from the existing B-3U Zoning District. They have seen an increase in pedestrian traffic. He believed that if the City made the development regulations more accommodating, then it would create an opportunity to connect people to downtown Urbana. Many people from small towns areas are moving to the City of Urbana wanting to live in a more modern urban area. Also, with the University of Illinois’ Engineering Campus, there are professors and outside investors that want to set up offices adjacent to campus. With the Research Park being too far out and with Champaign being too saturated, they love this area in Urbana next to campus. He believes that the City of Urbana can get the best of both worlds by allowing an office mixed-use with residential on top.

Mr. Chao stated that if the City does not overly regulate development in this area and let the developers take the risk so they build something simple and friendly for investors and residents to enjoy the space. This will change the entire area.

With there being no additional input from the audience, Chair Allred closed the public input portion of the hearing and opened it for Plan Commission discussion and/or motion(s). He reviewed the procedure for a public hearing.

Ms. Yu stated that she finds it interesting that the City intended to have more office use in the B-3U Zoning District, but when the University of Illinois built the Research Park, more office use was not needed. Now, the trend is for the offices to be closer to campus. She stated that there is also a shift in the need for higher density rather for parking.

Mr. Fell wondered about parking for business use. So, if a developer constructs a mixed-use building with less than 20 residential units, does the City not require any parking for the business component of the building. Mr. Garcia said that was correct.

Mr. Hopkins stated that the greatest failures of planning are success. We get so convinced that we know exactly what should be done that we do it everywhere to the limit. There are some characteristics of this that worry him. The image of mixed use that much of this conversation is based on is the notion of retail on first floors with glass windows that you walk by and it is exciting and interesting with usually residential on the floors above. The Gregory Place is an example of this

idea. He believes that much of the first floor is offices of the University. Ms. Yu added that the biggest portion of the second floor on the Urbana side is the School of Social Work.

Mr. Hopkins stated that he is not sure that there is demand for retail/commercial sufficient to support the notion that this is a mixed-use neighborhood. He said that offices do not necessarily have to be on first floors. He said that residential on first floors is tricky in high density; so, it has to be done reasonably well. Some of the regulations in this seem to be unnecessary and maybe making it more difficult to get the kind of uses/development that the City wants.

He expressed concerns about the proposed text amendment promoting on street parking; requiring a 10-foot setback when there is already a 15-foot right-of-way in some areas and not requiring enough of a setback on other properties to allow for the growth of trees; and the proposed maximum height regulation. He believes that they should have the maximum height limit be 7-8 stories. Mr. Fell agreed that it would be appropriate to put a 75-foot height limit for the proposed district in part because a 75-foot height under the Building Code limits you to not be considered a high-rise. Any height over 7 stories is considered a high-rise. Economy does not allow for 9, 10, or 11 stories. Financially, you have to build higher. Not too many developers would want to construct high-rise in the proposed area. Mr. Hopkins noted that the City would not want them to build higher.

Mr. Fell talked about the setback and stated that the fire separation distance matters more when it comes to the Building Code. A property line that abuts another property line designates the fire separation distance, and the closer to the property line you build, the fewer windows you can install. However, a property line along a street, the center line of the street designates the fire separation distance, which means you can construct a building on the property line and install as many windows as you want.

He went on to say that bankers deal with a cap rate. The cap rate is now about 7, which means that things have to be 30% more efficient to achieve the same goal for the developer. Artistic designs vanish and developers are being forced to construct the building to the setback line all the way around. As a result, developers will construct their buildings up to the property line on the front/street side(s) and hold back on the interior lot lines. He believed the proposed development regulations would allow more appropriate buildings in this district but just in a different way. By getting rid of the FAR, OSR, and parking requirements achieves the goals that everyone wants to achieve. They are achieved in part by the Zoning Ordinance and in part by the Building Code; and unfortunately, we cannot rely on the Building Code to achieve what the Plan Commission is supposed to achieve.

Ms. Yu asked Mr. Fell as an architect if he saw any part of the proposed text amendment that might become problematic and create unintentional consequences. Mr. Fell replied that he is in favor of most of the proposed text amendment. He added that there are always unintended consequences but they are unintended and he does not know what they are right now. He pointed out that there are districts in the City of Champaign similar to the proposed district. Unintended consequences are usually that a developer wants to build a building and he does not have enough parking to build it; and then, they just have to solve that. This is a greed problem and not a zoning problem. So, as an architectural or development perspective, he does not see a real detriment to the proposed changes.

Ms. Yu stated that there seems to be a lot of expectation on how the first floor would be developed and used. She asked if that will create a handicap for a development proposal. Is the proposed text

amendment written in a way that would prevent first-floor residential use? Most of the developers for the proposed area is in the business of constructing apartments, not business buildings. The developers do not want to deal with commercial business in their buildings. He knows of one building that was required to provide commercial business on the first floor, and the space has been vacant for more than 20 years. Chair Allred stated that there is nothing written in the proposed text amendment requiring commercial business on the ground floor. Mr. Garcia confirmed this. He pointed out that the 12-foot ceiling height requirement for the first floor is by design and not to force commercial when being built. Things change over time...a building may be constructed with residential on the first floor and years later may want to change the first floor to commercial business.

Ms. Simms stated that she loved that the proposed language is broad enough to allow for commercial business on the first floor. She loves walkable communities and believes that mixed use buildings provide walkability.

Mr. Andresen asked whether developers would have to go up 120 feet, and if not, why not just leave it at 120 in case someone ever did want to go up that high? Ms. Simms stated that she did not want buildings that tall. Chair Allred noted that looking at the surrounding development, a 75-foot-tall building seems contextually more appropriate and is also more economically sound. He said it seems like a consensus of the Plan Commission members were in agreement to capping the height at 75 feet.

Mr. Allred asked about Mr. Hopkins' comments regarding the setback from the right-of-way. Mr. Hopkins replied that he doesn't know what the purpose of asking for a 10-foot setback. If it is to allow for a wider sidewalk, then we need to modify the Land Development Code. We need to add language; otherwise, we end up with a 10-foot strip of grass that is a pain to maintain and don't accomplish anything. You cannot plan any trees because the setback is too small.

Mr. Garcia inquired how much space would be needed to plant trees. Mr. Hopkins guessed 20-feet. However, he did not want to require 20 feet because he did not want to require a developer to plant trees, especially on streets where there are already street trees.

Mr. Garcia said he has the same reaction to the 12-foot height for the first floor and also for no first-floor parking. He believes that hidden first floor parking can be a really efficient way to use first floors when you do not have anywhere near the demand for retail walkable commercial space. Mr. Garcia stated that there is nothing in the proposed text amendment that prevents first floor hidden structured parking within a building. Mr. Hopkins said it has to be 12 feet tall.

Mr. Fell stated that as a design professional he wants to get rid of every additional regulation in the proposed CMU District. He said that legislating good design is impossible. He pointed out that the City of Urbana's most famous architectural building, the Erlanger House, could not be built under any of the proposed regulations. He has a client that wants to build a lab, and because of the City's requirements in this area, the client has decided to build in the City of Champaign. Design regulations limit what can happen. Good and bad designs still happen and none of the proposed regulations get rid of bad design. He wants to be able to design a building that his client wants him to design without being restricted by the proposed text amendment.

Mr. Hopkins went through Section V-7. Additional Regulations in the CMU District:

- A. *Buildings must have a main entrance facing the street, with a walkway connecting the entrance to the public sidewalk.*

Mr. Hopkins asked if this is required for a development that is constructed on four streets. Would a main entrance be required for each street frontage?

- B. *Building walls that face a street must have at least 20 percent transparent glass.*

Mr. Hopkins does not believe this is needed. He said that the language does not require any glass on the first or second floor, so it would have nothing to do with what the pedestrian experience would be.

- E. *Parking is not allowed in front yards, and must be located behind the principal face of a building. Parking areas shall not be visible from the street.*

Mr. Hopkins believed the way to avoid this from becoming a problem is that angle parking would actually be allowed within the right-of-way. Mr. Fell stated that the proposed text amendment does not require any setbacks so there would not be a front yard. Mr. Garcia said that if they removed the proposed regulation in this Section, parking would still not be allowed in the front yard because it is in the Zoning Ordinance in a different section. He was trying to put all of the pieces together so that when a developer looks at the Zoning Ordinance for this district's regulations, all of the regulations would be in the proposed Section.

Discussion ensued about fire-rating walls being allowed to be constructed on the side and rear property lines and whether the City should require a front yard setback and if so, what should the setback be. Ms. Yu suggested only having a maximum setback requirement for the front yard of 20 feet and to get rid of the minimum. Mr. Fell stated that is what the City of Champaign has for their Multi-Family University (MFU). Mr. Hopkins felt this is something that could benefit the City and developers. Mr. Allred expressed concern about a development having a 0 setback with regards to the transition between the right-of-way, the public realm and private space. Mr. Garcia stated that the intent is to have something, not super onerous, because we do not want buildings constructed right on the sidewalk. He mentioned that the only place the City currently has zero setbacks is in the downtown business district where it makes sense.

Mr. Fell asked if it was subject to the visibility triangle requirement. Mr. Garcia said yes. He added that the City's Engineering staff have reviewed the proposed requirements. If a developer wants to construct a building 15 feet from the property line but it falls within the visibility triangle, then the developer will not be allowed to construct the building.

Discussion ensued about Gregory Place and whether a similar development would be allowed in the proposed CMU District. Marcus Ricci, Planner II, stated that since Gregory Street is not a through street and only runs from Nevada Street to Oregon Street, the parking is not in the front yard setback. Mr. Garcia said that a similar development could occur if an alley ran between the middle of the development. There could be parking on both sides of the alley.

Mr. Hopkins referred to Footnote 5 on Page 15, which states as follows: *"In the CMU District, since automobile parking is only required for some residential uses, for all other uses bicycle parking spaces shall be required based on the amount of automobile parking spaces that would normally be required."* Mr. Garcia stated that the current bicycle parking requirements are based on the amount of required car parking for a

development. It is not an ideal situation, so the only way to require bicycle parking spaces in the proposed CMU District, where the City is proposing to get rid of parking requirements for some types of buildings, is to calculate the number of automobile parking spaces that would normally be required and then base the required number of bicycle parking spaces off of that. Mr. Hopkins understood that for residential uses in the CMU District, one bicycle space is required for every dwelling unit regardless of the project size. For all other uses, one can look in the table for what would be required in any other district, because it is not the same in all districts. Mr. Garcia stated that the parking requirements are generally a blanket for all districts. The only places where there are different parking requirements are specifically called out in other paragraphs in the Zoning Ordinance. For example, in the CCD (Campus Commercial District) and in the R-7 (University Residential) districts, there are some additional things. Mr. Hopkins suggested the following language: *“Look at the parking table for auto parking requirements by use to compute the bicycle parking required.”*

Mr. Fell clarified that when he commented about Section V-7, he did not mean that the whole thing should be scrapped. Part of his comments come from his profession as an architect, and he wants the most freedom he can have. He understands that staff needs to protect the City and if staff feels the additional regulations for the CMU district is important, then they should keep them in the proposed text amendment. Mr. Allred thanked Mr. Fell for clarifying this. The Plan Commission has to weigh taking Mr. Fell's input as a design professional and being able to understand how these will impact the work that designers do versus what the City is trying to achieve in terms of the benefit for the larger community.

Mr. Hopkins commented that there are not any design guidelines for the proposed CMU District or guidelines that are universal for the City. He said that some of the additional regulations seemed more aspirational than requirements. He does not believe that requiring access to parking off an alley, when available, is not always the best way to do it. The City is responsible for maintaining all of the alleys as well as the streets. If all of the mechanical and waste distribution stuff is off the alleys, then the alleys have to be wide enough for the garbage trucks to be able to turn to pick up the containers. Therefore, he did not feel that this should be a “must”. Mr. Garcia replied that the additional regulations are not about design but rather about making the district pedestrian friendly. Having a lot of driveways off the street where people are walking on the sidewalk is not pedestrian friendly. Having blank walls is not pedestrian friendly, which is why the 20% transparency requirement is being proposed. He added that the alleys are mostly in tack and mostly function.

Chair Allred suggested changing the language to “Encourage parking access to be off an alley”. Mr. Garcia stated that he did not like this suggestion. The Comprehensive Plan says that design guidelines shall be used to make these areas more pedestrian friendly. He stated that the design guidelines that the City currently has are often a struggle because they use words like “may”, “shall”, “should” and “encourage”. These terms are difficult to parse out because they mean something different to everybody.

Mr. Fell wondered if providing the access to parking off an alley means that developers would need to provide enough backout space into an alley. Will they need 23 feet to back out or will they be able to provide 12 feet for drivers to back out into the alley? Mr. Garcia stated that a person should be able to back out in a 12-foot space. Mr. Ricci added that they can take advantage of the already built right-of-way to be the turnaround space.

Mr. Chao re-approached the Plan Commission. He commented that one way to make the area pedestrian friendly would be to allow pergola or outdoor seating to serve as an open transitional

space so the building does not intimidate pedestrians walking by. The current B-3 (General Business) Zoning District does not allow outdoor seating or a pergola because of the setback regulation. Mr. Hopkins felt that this would be a reason to not require that the yard be landscaped or that 30% of it be something other than grass. Some areas, such as for Bake Lab, would rather have concrete or some other hard surface to be able to provide seating and provide shade. Mr. Hopkins suggested adding the following language to Section V-7.D, *“Front yards must be designed to enhance pedestrian experience and access”*. Discussion ensued about this topic.

Ms. Yu asked how the proposed text amendment is different from Champaign’s districts. Chair Allred said he did not think we wanted to make it similar to Champaign. From his understanding, City staff took the best practices and translated them into development standards. Mr. Garcia said that was correct and staff also tried to learn from the City of Champaign’s regulations.

Chair Allred suggested that the Plan Commission go through each item in Section V-7 and come to a consensus.

A. Buildings must have a main entrance facing the street, with a walkway connecting the entrance to the public sidewalks.

Chair Allred asked about multiple frontage streets. Mr. Garcia said that the way it is written, it does not require all street faces to have an entrance, only that the entrance be on a street, so they could change “the street” to “a street” to clarify it more.

Mr. Hopkins used the Gather as an example. He asked where is the main entrance. Is it to the Bake Lab? Is the main entrance to the hotel? Mr. Ricci stated that the main auto-oriented entrance is off the parking lot when you come off Clark Street. He added that the main pedestrian-oriented entrance is off of Lincoln Avenue. When you walk in, there is a shared lobby with a counter to the right for Bake Lab and there is a registration table for the hotel and for the apartment complex.

The Plan Commission discussed how the language should be worded for the proposed regulation and the impact of removing the entire regulation. Mr. Garcia suggested the following language, *“Buildings must have one main pedestrian entrance facing a street.”* The Plan Commission members agreed.

B. Building walls that face a street must have at least 20 percent transparent glass.

Mr. Garcia stated that the intent is that any street facing wall for a building is going to have 20% transparent glass. Ms. Yu stated that she did not see anything wrong with it.

Mr. Fell stated that he didn’t see anything wrong with this regulation except that it limits what a designer can do on a building. Most of the time, buildings are designed with at least 20% transparent glass; however, there are multiple buildings, some famous, around the world with no windows facing the street. Mr. Hopkins added that this prevents some uses, such as a lab, from being built. Also, sometimes it does not make sense to require windows, such as with the apartment building to the north of the City Building. He said that there is an energy point of view here as well to not have windows on the north or west facing walls. Mr. Ricci stated that there is still the variance process where if a developer has justifications, then they can plead their case.

Mr. Garcia stated that he wrote this as a regulation because blank walls are not pleasant to walk by. He said that there needs to be some regulation to prevent blank brick walls. With regards to energy

efficiency, he stated that he initially wrote this regulation as 30% and changed it to 20% after a public meeting was held at which an architect told him that it would be really hard with current energy code to meet this requirement.

Chair Allred stated that he looks at this regulation as a starting point. It is a minimum of something that tries to achieve a collective built environment that has a certain experience.

There was no consensus of the Plan Commission for this proposed regulation.

C. The first story of every building must have a clear ceiling height of at least 12 feet.

Mr. Fell stated that it was an arbitrary standard. No developer who wants to construct a residential building wants to have a 12-foot tall first floor. A normal building is going to be built with pre-cut wood studs that are 9 feet tall. In 95% of the cases, this regulation may be appropriate; however, in 5%, it is not. He believes that most of the lots will be developed as residential rather than mixed use, and 12-foot-tall ceilings are not needed and is a cost that the developers do not want. Mr. Allred agreed.

Mr. Andresen asked where the 12-foot came from. Mr. Garcia replied that it came from the book, Walkable City Rules. He said that he would be willing to strike this regulation.

Ms. Yu stated that if a developer acquires several lots on a block and is planning to construct a large building, more than likely they are already thinking of having a mixed use with commercial on the first floor and are planning to have a 12-foot-tall ceiling. However, a 20-bedroom apartment is not going to be suitable for a commercial development.

The Plan Commission agreed to strike this regulation.

D. Front yards must be landscaped, with a minimum of 30 percent vegetation that is not turf grass.

Mr. Garcia restated what the Plan Commission has discussed and came to an agreement on, which is as follows, “Buildings with first floor residential uses, front yards must be landscaped.” The Plan Commission agreed.

E. Parking is not allowed in front yards, and must be located behind the principal face of a building. Parking areas shall not be visible from the street.

Mr. Fell suggested giving a developer the first 20 bedrooms free of parking requirements if the developer has room to build more bedrooms. Chair Allred asked why require any parking and allow the developers the flexibility to provide the parking that they need. Mr. Fell stated that anecdotally in the City of Champaign, this works pretty well. He added that any building of any size, you want a few parking spaces to allow for deliveries and moving in/out. Mr. Hopkins stated that there needs to be some parking requirements because some developers won’t provide parking and then parking issues are created with neighboring parking spaces.

Mr. Garcia stated that the intent is to keep parking from being super visible.

Mr. Fell asked staff to think about eliminating the ability to dedicate parking on a separate lot in this district. A developer can secure parking up to 600 feet away from their building if there is not enough room on the lot to provide the required number of parking spaces. He stated that this is a loophole that gets taken advantage of inappropriately at times. Mr. Garcia replied that by reducing the parking a lot that would probably in effect eliminate that practice.

Mr. Garcia suggested changing the wording to be as follows, *“Parking is not allowed in front yards. It must be located behind the principal face of a building. Screening shall be provided around the entire perimeter of the parking area, except along the portion at the parking area abutting a public alley.”* He mentioned that screening can include fences and other landscaping.

Ms. Yu stated that parking is not ugly and should not always be hidden. Mr. Hopkins agreed with Ms. Yu. Chair Allred stated that we are not trying to apply our own aesthetic taste. We are trying to apply best practices for how to create pleasant pedestrian environments.

Chair Allred suggested substituting the screening language with the following wording, *“Parking areas shall be screened to minimize visibility from the street”*.

The Plan Commission members agreed to the wording.

F. When parking is provided, access to parking must be off an alley, when available.

Ms. Yu said she was okay with this regulation. Mr. Fell asked for it to be removed because in general terms of best practices, an efficient building is going to park off the alley anyway. However, forcing it to happen may not be appropriate all of the time. In a residential use with this amount of parking required, it is going to happen almost every time. Discussion amongst the Plan Commission members ensued, and it was a consensus of most members to keep the regulation because of the wording *“when available”*.

G. Mechanical equipment and trash enclosures must be screened from view at ground level from public rights-of-way, including alleys. No mechanical equipment or trash enclosures are allowed in front yards.

Ms. Yu stated that she is okay with how it is written.

Mr. Hopkins suggested changing the wording to *“excluding alleys”*. The Plan Commission members agreed.

Discussion ensued about on-street parking for delivery drivers and tenants moving in/out. Mr. Garcia noted that providing on-street parking is beyond the scope of the proposed text amendment and can be addressed in other ways, such as having “loading zones” or “delivery vehicles only zones”.

Ms. Yu stated that she wanted some language to allow free parking up to 20 bedrooms. Mr. Garcia stated that he would add language to allow this.

Mr. Fell moved that the Plan Commission continue Case No. 2485-T-24 to their regular meeting on July 18, 2024, to allow staff time to update the proposed amendment based on their discussion. Ms. Yu seconded the motion.

Roll call on the motion was as follows:

Mr. Allred	-	Yes	Mr. Andresen	-	Yes
Mr. Fell	-	Yes	Mr. Hopkins	-	Yes
Ms. Simms	-	Yes	Ms. Yu	-	Yes

The motion passed by unanimous vote.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

There was none.

J. STAFF REPORT

Mr. Garcia reported on the following:

- Plan Case No. 2490-M-23 – This case was to rezone 710 North Cunningham Avenue from AG (Agriculture) to B-3 (General Business). The City Council voted to approve the rezoning.
- Comprehensive Plan – Staff is ready to present a draft of the plan to City Council and to the Plan Commission. He noted the process and timeline for reviewing the document and holding a study session. Mr. Hopkins stated that he feels that the City Council should not see the draft before the Plan Commission.

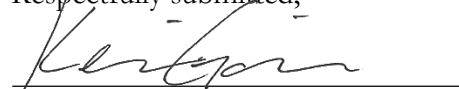
K. STUDY SESSION

There was none.

L. ADJOURNMENT OF MEETING

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,



Kevin Garcia, Secretary
Urbana Plan Commission