



**CITY OF URBANA
RESCHEDULED - COMMITTEE OF THE
WHOLE MEETING**

DATE: Tuesday, November 12, 2024
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AMENDED AGENDA

Chair: Christopher Evans, Ward 2

A. Call to Order and Roll Call

B. Approval of Minutes of Previous Meeting

1. 10-14-2024 City Council Minutes
2. 10-21-2024 Committee of the Whole Minutes

C. Additions to the Agenda

D. Presentations and Public Input

1. CUUATS Long Range Transportation Plan 2050 – RPC
2. Lincoln Avenue Corridor Study – RPC

E. Staff Report

F. New Business

1. **Ordinance No. 2024-11-034:** An Ordinance Amending the Urbana Zoning Ordinance (Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24) – CD
2. **Resolution No. 2024-11-072R:** A Resolution Approving an Increase in the Number of Liquor Licenses in the Class A Designation for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue – Exec
3. **Resolution No. 2024-11-073R:** A Resolution Estimating the Tax Levy (Fiscal Year 2024-2025) – HRF

G. Council Input and Communications

H. Adjournment

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://urbanaininois.us/uptv>

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@urbanaininois.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



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

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 4, 2024 Committee of the Whole
Subject: An Ordinance Amending the Urbana Zoning Ordinance
(Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)

Summary

Action Requested

City Council is being asked to approve a zoning ordinance text amendment to remove additional lot area and width requirements for duplexes in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) zoning districts, remove additional lot area requirements and simplify lot width requirements for common-lot-line dwellings in all districts, simplify language regarding the reuse of existing lots, and amend other parts of Section VI-3 to make it easier to understand.

Plan Commission Recommendation

The Plan Commission reviewed the proposed text amendment on September 19 and October 17, 2024, and voted unanimously to recommend approval to City Council.

Relationship to City Services and Priorities

Impact on Core Services

Approval of the text amendment will have no direct impact on City services.

Strategic Goals & Plans

The 2005 Comprehensive Plan emphasizes infill development, enhancing established neighborhoods, promoting a mix of compatible land uses, and promoting a strong housing supply to meet the needs of a diverse community. The proposed text amendment would help accomplish all of those goals by removing barriers that significantly restrict duplexes and common-lot-line dwellings from being built in zoning districts where they are supposed to be allowed, according to the Table of Uses.

Previous Council Actions

11/15/1950 – Ord. No. 5051-28 – adopted Urbana’s second Zoning Ordinance (first was in 1940); established minimum lot sizes for new lots; first occurrence of text allowing re-use of existing small lots (limited to single-family dwellings).

9/21/1970 – Ord. No. 7071-43 – adopted Urbana’s third Zoning Ordinance; established additional lot area and width requirements for new duplex lots (9,000 square feet/80 feet).

5/21/1979 – Ord. No. 7879-102 – adopted Urbana’s fourth Zoning Ordinance; established CRE district; allowed reuse of existing AG and CRE-zoned parcels that did not meet minimum lot area/width.

1/16/1990 – Ord. No. 8998-65 – text amendment; established current text found in Paragraphs VI-3.A, B, and C regarding reuse of existing lots and additional lot area/width for duplexes.

11/19/1990 – Ord. No. 9091-59 – adopted MOR zoning district, established current text found in Paragraph VI-3.D regarding lot area and width in the MOR district.

Discussion

Additional Background Information

This request was initiated by David Huber, a local developer with experience redeveloping small lots containing dilapidated homes in East Urbana. Mr. Huber’s initial request was to remove the additional lot area and width requirements for duplexes in the R-2 and R-3 districts only. During the course of the September 19, 2024, Plan Commission meeting, the Commission asked staff to broaden the scope to include removing similar additional requirements for common-lot-line dwellings, and to clean up the rest of Section VI-3 to make the section easier to understand.

A concise summary of the proposed changes covering the broader scope requested by the Plan Commission is detailed in the October 17, 2024 Supplemental Memorandum (Attachment 2). A summary of the initial request covering the duplex regulations requested by Mr. Huber is detailed in the September 19, 2024 Staff Report (Attachment 3).

Recommendation

City Council is asked to approve the zoning text amendment as presented.

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 (Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)
2. Plan Commission Supplemental Memorandum (October 17, 2024)
3. Plan Commission Staff Report (September 19, 2024)
4. Draft Plan Commission Minutes (October 17, 2024)
5. Plan Commission Minutes (September 19, 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

(Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-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, David Huber has submitted a petition to amend the Zoning Ordinance to remove additional lot area and width requirements for duplexes in the R-2, Single-Family Residential, and R-3, Single and Two-Family Residential Zoning Districts; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2493-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 September 19, and October 17, 2024; and

WHEREAS, the Plan Commission voted five (5) ayes and zero (0) nays on October 17, 2024, to forward Plan Case No. 2493-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 VI, Development Regulations: Section VI-3, Lot Area and Width;

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 VI-3. Lot Area and Width

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
 1. For zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 2. For zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- D. Common-Lot-Line Dwelling Units
 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 2. Dwelling units on the end of a common-lot-line building shall have a single side yard as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.
 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.



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: October 17, 2024

SUBJECT: **Plan Case 2493-T-24:** A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate the additional lot width and area requirements for two-family dwellings in the R-2, Single-Family Residential, and R-3, Single- and Two-Family Residential zoning districts.

Supplemental Memorandum

At the September 19, 2024, Plan Commission hearing on the subject case, the Commission directed staff to look at the entirety of Section VI-3 of the Zoning Ordinance and to propose changes at an upcoming meeting. Staff have analyzed all of Section VI-3 and propose the following.

Proposed Changes & Discussion

For each change below, strikethrough and underline notation is used to indicate ~~removed~~ and added text; for ease of reading, staff have attached the original text as Exhibit E.

Proposed Change #1 – Simplify Paragraph VI-3.A to allow reuse of existing lots

Repeal Paragraph VI-3.A:

~~A. In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot.~~

Replace with:

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.

Discussion

Paragraph VI-3.A is unnecessarily complicated and can be simplified to distinguish between newly-created lots and existing lots. The current language, which has been in place since the December 17, 1979 edition of the Zoning Ordinance, uses different dates as a threshold to allow non-conforming lots to be re-used:

AG and CRE: December 17, 1979 – The date that the CRE District was created, effectively separating the existing AG District into two: AG and CRE.

R-1 District: December 21, 1970 – The date that more detailed regulations in the R-1 District were adopted.

All Other Districts: November 6, 1950 – The date that the 1950 Zoning Ordinance was adopted.

While it may have had some use at the time, after 45 years, the utility of setting specific cutoff dates for non-conforming lots has outlived its usefulness. When broken down, Paragraph VI-3.A essentially states that:

If a lot was created before a certain date, it does not need to meet the minimum area and width requirements; if it was created after a certain date, it needs to meet minimum area and width requirements.

Visually, the intent of Paragraph VI-3.A can be seen here:

< -----	1950	-----	1970	-----	1979	-----	2024	---->
All other districts								
R-1 District								
CRE and AG Districts								

- = Existing lots do not need to meet district minimums
- = All new lots platted to district minimums

Staff find that it is unnecessary after 45 years to adhere to specific cutoff dates at all. Any lot that has been created in the past 45 years would have had to meet the minimum lot standards in place at the time, so any lot existing now will either be a) a lot that existed prior to the cutoff dates, or b) platted after the cutoff date (and thus met the minimum standards when it was created).

The regulations can be simplified to state that when a lot is created, it must meet certain area and width standards, and that if a lot exists, there are no minimum standards. Staff’s proposal to repeal Paragraph VI-3.A with the simplified A and B paragraphs above does that.

This change would also add an exception for new common-lot-line dwellings, as discussed below in *Proposed Change #4*.

Proposed Change #2 – repeal additional lot area and width requirements for duplexes in R-2 and R-3 Districts (unchanged from previous memo)

Repeal Paragraphs VI-3.B and C:

- ~~B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~
- ~~C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.~~

Discussion

The reasons to repeal these paragraphs are detailed in the staff memo dated September 19, 2024.

Proposed Change #3 – Minor Adjustments to MOR District paragraph

Reformat, renumber, and make minor changes to Section VI-3.D:

- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
1. ~~In the case of For~~ zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 2. ~~In the case of For~~ zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, ~~in order~~ to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.¹

Discussion

This change would take the existing paragraph and split it into three parts to make it more legible, and clean up the language slightly. Staff find that these regulations have generally worked as intended, i.e., they have kept new structures compatible with the scale and density of existing development in the MOR District, and have prevented lots from being combined to create one large structure.

¹ (Ord. No. 8283-52, § 1, 3-7-83; Ord. No. 8687-15, § 1,2, 8-4-86; Ord. No. 8990-65, § 5, 1-16-90; Ord. No. 9091-59, § 9, 11-19-90)

Proposed Change #4 – Simplify minimum lot dimensions for common-lot-line dwellings

D. Common-Lot-Line Dwelling Units

1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
2. ~~The standards for minimum lot area and lot width for common lot line dwelling units shall be as follows:~~
 - a) ~~For a common lot line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.~~
 - b) ~~For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
 - c) ~~For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.~~
 - d) ~~For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
2. ~~For the purpose of calculating side yards, a dDwelling units on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.²~~
3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet

Discussion

This change would remove the additional lot area and width requirements for common-lot-line dwellings, which are essentially the same as the current additional requirements for duplexes. The reasons mirror those in the staff memo dated September 19, 2024 to remove similar additional requirements for duplexes. They can be summarized as follows: if a use is allowed in a district according to the Table of Uses, and can meet all of the development regulations in that district, it should not be subject to additional, arbitrary constraints on lot area and width.

This change would also establish a minimum lot width of 20 feet for each common-lot-line dwelling, and would state that no minimum area is required. Without stating both of these things explicitly, common-lot-line units would be subject to the dimensions set forth in Table VI-3. Furthermore,

² (Ord. No. 9293-109, § V-9, 5-17-93)

stating that no minimum lot area is required for common-lot-line dwellings would allow smaller existing lots to be subdivided for common-lot-line dwellings. This would mirror the intent of the other proposed changes, which is to allow duplexes (and all other allowed uses) on existing lots.

Additional Discussion

At the Plan Commission hearing on September 19, 2024, the Commission asked staff to ensure that any of the proposed changes would not create unintended consequences elsewhere in the Zoning Ordinance. Staff have checked each of the proposed changes and have found no indication that the changes would adversely affect any other part of the ordinance.

Staff Recommendation

Staff recommends that the Plan Commission recommend **approval** of the proposed text amendment, as revised with the changes above, to City Council.

Attachments: Exhibit E – Section VI-3 (Clean Copy of Existing Regulations)
Exhibit F – Proposed Changes
Exhibit G – Section VI-3 (Clean Copy of Proposed Regulations)

EXHIBIT E – SECTION VI-3 (CLEAN COPY OF EXISTING REGULATIONS)

Section VI-3. Lot Area and Width

- A. In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off-street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot
- B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.
- C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.
- D. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure. In the case of zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12. In the case of zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, in order to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accord with the requirements of Section V-3.C and Section VII-2.³
- E. Common-Lot-Line Dwelling Units
 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 2. The standards for minimum lot area and lot width for common-lot-line dwelling units shall be as follows:
 - a) For a common-lot-line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.
 - b) For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.

³ (Ord. No. 8283-52, § 1, 3-7-83; Ord. No. 8687-15, § 1,2, 8-4-86; Ord. No. 8990-65, § 5, 1-16-90; Ord. No. 9091-59, § 9, 11-19-90)

- c) For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.
 - d) For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.
3. For the purpose of calculating side yards, a dwelling unit on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.⁴

⁴ (Ord. No. 9293-109, § V-9, 5-17-93)

EXHIBIT F – PROPOSED CHANGES

Table V-1 Notes

*** See Section VI-3 for lot area and width regulations for duplex and common-lot-line dwelling units

Section VI-3. Lot Area and Width

- A. ~~In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off-street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot.~~
- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- B. ~~In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~
- C. ~~Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.~~
- D. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
1. ~~In the case of For~~ zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 2. ~~In the case of For~~ zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, in order to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- E. Common-Lot-Line Dwelling Units
1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
- ~~The standards for minimum lot area and lot width for common-lot-line dwelling units shall be as follows:~~
- a) ~~For a common-lot-line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.~~

- b) ~~For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
 - c) ~~For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.~~
 - d) ~~For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
2. ~~For the purpose of calculating side yards, a d) Dwelling units on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.~~
 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Maximum Height of Principal Structure (feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (feet) ¹		
						Front	Side	Rear
R-2	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10
R-3	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

Footnotes

Note: In addition to the footnotes below, please refer to Article V for use regulations, Article VII for conditional and special use procedures, Article VIII for parking regulations, Article IX for sign regulations, Article XII for historic preservation regulations, and Article XIII for special development provisions.

...

13. ~~In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~

...

EXHIBIT G – SECTION VI-3 (CLEAN COPY OF PROPOSED REGULATIONS)

Section VI-3. Lot Area and Width

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
 - 1. For zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 - 2. For zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- D. Common-Lot-Line Dwelling Units
 - 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 - 2. Dwelling units on the end of a common-lot-line building shall have a single side yard as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.
 - 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.



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: September 12, 2024

SUBJECT: **Plan Case 2493-T-24:** A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate the additional lot width and area requirements for two-family dwellings in the R-2, Single-Family Residential, and R-3, Single- and Two-Family Residential zoning districts.

Introduction

David Huber proposes a text amendment to eliminate the additional requirements for additional lot area and width for two-family (duplex) dwellings in the R-2, Single-Family, and R-3, Single- and Two-Family Residential zoning districts. The Zoning Ordinance currently requires duplexes to be on larger, wider lots than single homes. The proposal would eliminate those additional requirements, and would allow duplexes on any lot as long as all other development regulations are met (standard minimum lot size, standard minimum lot width, floor-area ratio, open space ratio, parking, minimum yards).

The proposal would amend Article VI – Development Regulations of the Zoning Ordinance.

The intent of the proposed changes is to allow duplexes in two districts the descriptions for which state that duplexes should be allowed, but where additional size requirements make it difficult to build duplexes without additional zoning approvals (i.e., variances).

The Plan Commission is asked to 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 as presented.

Background and Discussion

Paragraph VI-3.B of the Zoning Ordinance states:

In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

Since many lots platted before 1970 are less than 6,000 square feet (ft²) and/or 60 feet wide, and an even greater percentage of lots platted after 1970 are less than 9,000 ft² and/or 80 feet wide, the current regulations severely limit where duplexes can be built (see Table 1 below).

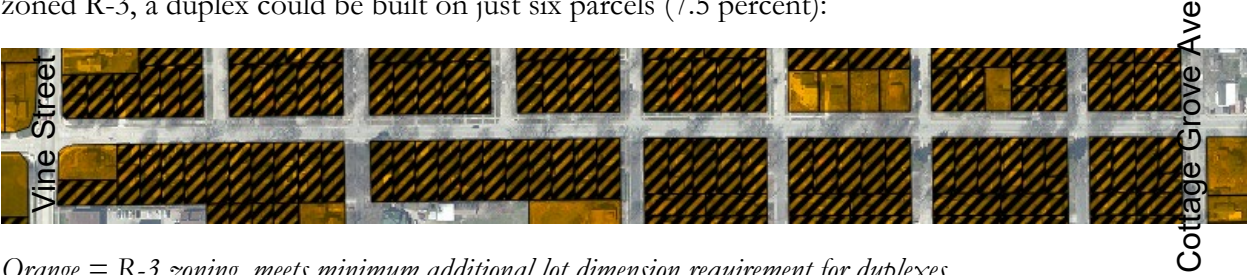
District	Total Parcels	Width Less Than Currently Required	Area Less Than Currently Required	Width and/or Area Less Than Currently Required
R-2	3,558	1,622 (46%)	1,163 (33%)	1,815 (51%)
R-3	3,717	1,280 (34%)	559 (15%)	1,408 (38%)

Table 1 – R-2 and R-3 parcels, vis-à-vis additional duplex requirements

Plat Date	Total Parcels	Width Less Than Currently Required	Area Less Than Currently Required	Width and/or Area Less Than Currently Required
Pre-1970	5,094	1,848 (36%)	659 (13%)	1,987 (39%)
Post-1970	2,181	1,054 (48%)	1,063 (49%)	1,236 (57%)

Table 2 – R-2 and R-3 parcels (combined), by plat date, vis-à-vis additional duplex requirements

Furthermore, the distribution of lots that do not meet the minimum standards is uneven. There are entire blocks in some – mostly older – neighborhoods where a duplex cannot practically be built, despite duplexes being allowed “by right”. A good example of this is in Historic East Urbana, along East Washington Street between Vine Street and Cottage Grove Avenue. Out of 80 parcels that are zoned R-3, a duplex could be built on just six parcels (7.5 percent):



Orange = R-3 zoning, meets minimum additional lot dimension requirement for duplexes
 Orange + black hatching = R-3 zoning, does not meet minimum additional lot dimension requirement for duplexes

Exhibit C contains a map inventory of all R-2 and R-3 zoning districts in Urbana, and highlights the uneven distribution of lots that do not meet the current minimum standards; for example, the map of “Southeast Urbana” contains a relatively low percentage of parcels that do not meet the minimum standards, whereas the maps for “East Urbana” and “Myra Ridge/South Ridge” contain a higher percentage of such lots.

Duplexes require a conditional use permit in the R-2 district. If the proposed text amendment is approved, that requirement would not change; there would simply be more R-2-zoned parcels available whose owners could pursue a conditional use permit to build a duplex. As Table 1 above shows, that option would be made newly available to more than half of all owners of R-2-zoned parcels if the proposed amendment is approved.

Duplexes are allowed “by right” in the R-3 district. However, as Table 1 above shows, 38 percent of parcels that are zoned R-3 – nearly four out of every ten – do not meet the minimum lot dimensions.

At present, the only way to build a duplex in the R-2 or R-3 district on a lot that is smaller than required by paragraph VI-3.B is to apply for and be granted a variance, which is seldom done. In the past 20 years, such variances have been sought just three times; two were granted, while the other, which was part of a large, complicated series of zoning requests, was denied.

There is little practical reason to impose larger lot requirements for duplexes, if all other development regulations – standard minimum lot size, standard minimum lot width, floor-area, open space, parking,

yards – can be met. Below, the applicant offers compelling arguments for removing these additional requirements (see Application Responses).

Application Responses

Zoning Ordinance text amendments are typically staff-initiated. In this case, with the text amendment having been submitted by a member of the public, staff feel it is important to include the questions posed on the application and the applicant's responses to those questions.

Note: for each of the following sections, the "Applicant Response" is quote verbatim from the application.

1. *What error in the existing ordinance would be corrected by the Proposed Amendment?*

Applicant Response:

The lot area/width requirement for two-family dwellings disqualifies a large number of parcels within the R-3 district from constructing duplexes and thereby acts as a limit. The intent of the R-3 zoning district is to allow one- and two-family dwellings without qualification, whereas the intent of the R-2 zoning district is to "provide for a limited proportion of two-family dwellings."

"The R-2 Single-Family Residential District is intended to provide areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings."

"The R-3 Single-Family and Two-Family Residential District is intended to provide areas for low-density residential development, including single-family attached and detached dwellings and two-family dwellings."

The current lot area/width requirement severely diminishes the specificity of the R-3 district relative to the R-2 district. Since these two zoning districts have identical development regulations (lot area, lot width, FAR, max height, etc), their difference should lie in the uses they allow and the proportion of uses, as the purpose statements reflect. Otherwise, why have two distinct zoning districts?

The proposed amendment intends to more clearly articulate the different zoning districts, in line with their purpose statements. The effect of eliminating the lot area/width requirements for two-family dwellings in both districts would be:

- R-2: two-family dwellings require a conditional use permit on any lot (satisfying the "limited proportion" and preserving the discretionary review of the Zoning Board of Appeals)
- R-3: two-family dwellings allowed by right on any lot

2. *What changed or changing conditions warrant the approval of this amendment?*

Applicant Response:

Urbana needs more housing and more types of housing. In light of decreasing household sizes and increasing unaffordability, eliminating barriers to constructing smaller housing units at lower price points is imperative. There is also growing recognition that many of today's zoning restrictions often have a prejudiced past. In 2021 the White House acknowledged the link between minimum lot size requirements and exclusionary zoning: <https://www.whitehouse.gov/cea/written-materials/2021/06/17/exclusionary-zoning-its-effect-on-racial-discrimination-in-the-housing-market/> (attached as Exhibit D)

3. *What other circumstances justify the zoning amendment?*

Applicant Response:

First and foremost, the area/width requirement is arbitrary insofar as it is possible to construct a two-family dwelling on what is considered by the ordinance a substandard lot and still meet all other requirements of the zoning ordinance. If a lot area and/or width makes constructing a two-family dwelling impractical, a two-family dwelling will not be constructed. The zoning ordinance does not need to regulate it.

Furthermore:

- Land use efficiency: A 5,999 sq ft lot in the R-3 district is allowed 2,400 sq ft of floor area (FAR = .40). However, a single-family dwelling of that size is not economically feasible, nor is it desirable. Most new homes constructed in Urbana's outerlying subdivisions in recent years are well below 2,400 square feet. By imposing a lot area/width requirement for two-family dwellings the zoning ordinance is contributing to underutilization of land and thereby tax revenue.

- Housing diversity: By allowing a second unit, underutilized floor area is put to use in potentially creative ways that fulfill the needs of underserved segments of the housing market. Especially on smaller lots, the Floor Area constraint could produce, for instance, a 1,200 sq ft dwelling unit and a second one-bedroom unit that is 600-800 sq ft in size. The single family dwelling market does not by and large provide for houses below a certain size threshold and the current area/size requirement serves to reinforce this dynamic.

- More housing where more housing is needed, not where lot width/area is sufficient: at present, the area/width requirement attracts development to specific parcels meeting those criteria rather than to parcels that have other more valuable characteristics, such as proximity to public transportation, public amenities, and places of work.

- Remaining competitive as a city: Similar area/width requirements do not exist in many other cities, including Champaign's R-2 district. The current restrictions disincentivize development.

Proposed Changes

The proposed changes would remove the following two paragraphs from the Zoning Ordinance that impose additional area and width requirements for duplexes in the R-2 and R-3 districts:

Section VI-3. Lot Area and Width

...*[Paragraphs to be removed]*...

B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana

Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.

...

Paragraph VI-3.B establishes minimum lot dimensions for duplexes in the R-2 and R-3 districts. Paragraph VI-3.C effectively states that duplexes cannot be established on lots smaller than the requirements established in paragraph VI-3.B.

Table VI-3. Development Regulations by District

Table VI-3 would be modified by removing Footnote 13:

In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

Comprehensive Plan

On page one of the Comprehensive, “The Vision” states, in part, that, “*Appropriately designed infill development will be encouraged to help revitalize the built urban environment.*” The proposed text amendment would encourage appropriately designed infill development by making more lots available for duplexes, which are appropriate in the R-2 and R-3 districts, per their definitions. The text amendment would also help meet the following goals and objectives of the Comprehensive Plan:

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

Goal 2.0 New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Obj. 2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.

Goal 4.0 Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.

Obj. 4.1 Encourage a variety of land uses to meet the needs of a diverse community.

Obj. 4.3 Encourage development patterns that offer the efficiencies of density and a mix of uses.

Goal 18.0 Promote infill development.

Goal 19.0 Provide a strong housing supply to meet the needs of a diverse and growing community.

Obj. 19.2 Encourage residential developments that offer a variety of housing types, prices and designs.

Summary of Findings

1. The proposed amendment would modify Article VI – Development Regulations, by removing paragraph VI-3.B, which establishes additional minimum lot dimensions for duplexes in the R-2 and R-3 districts.
2. The proposed amendment would modify Article VI – Development Regulations, by removing paragraph VI-3.C, which effectively bans duplexes on lots that do not meet the minimum dimensions in paragraph VI-3.B.
3. The proposed amendment would modify Table VI-3, by removing Footnote 13.
4. The proposed amendment would be 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.
5. 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 2493-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 – Application
 Exhibit C – Maps
 Exhibit D – *Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market*

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: October 17, 2024

TIME: 7:00 P.M.

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

MEMBERS ATTENDING: Dustin Allred, Lew Hopkins, Bill Rose, Karen Simms, Chenxi Yu

MEMBERS EXCUSED: Will Andresen, Andrew Fell, Debarah McFarland

STAFF PRESENT: Kevin Garcia, Principal Planner; Will Kolschowsky, Senior Management Analyst; Carol Mitten, City Administrator; Marcus Ricci, Planner II; Andrea Ruedi, Senior Advisor for Integrated Strategy Development

OTHERS PRESENT: Annie F. Adams, Susan Burgstrom, Cole Filges, David Huber, Audrey Ishii, Rita Morocoima-Black, Anna Syi, Alec Thomas

A. CALL TO ORDER and ROLL CALL

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

B. COMMUNICATIONS

- ❖ Email from Liz Cardman regarding Plan Case No. 2493-T-24 dated October 2, 2024
- ❖ Long Range Transportation Plan (LRTP) 2050
- ❖ *Imagine Urbana* – Community Feedback Draft dated August 15, 2024
- ❖ *Imagine Urbana* – Plan Commission Study Session Agenda dated October 17, 2024

C. CONTINUED PUBLIC HEARINGS

Plan Case No. 2493-T-24 – A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwellings in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

Chair Allred re-opened the public hearing for Plan Case No. 2493-T-24. Kevin Garcia, Principal Planner, presented the updated staff report to the Plan Commission. He reviewed the following proposed changes to Section VI-3 of the Zoning Ordinance:

1. *Proposed Change #1* – Simplify Paragraph VI-3.A to allow reuse of existing lots. Repeal the existing Paragraph VI-3.A and replace with the following language:

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3.
Exception: new lots for common-lot-line dwelling (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
2. *Proposed Change #2* – Repeal additional lot area and width requirements for duplexes in R-2 and R-3 Districts in Paragraphs VI-3.B and C. This is unchanged from the previous memo.
3. *Proposed Change #3* – Minor Adjustments to MOR District. Reformat, renumber and make minor changes to Section VI-3.D by separating the paragraph into a paragraph with a couple of subparagraphs to make it easier to follow and also making some minor language tweaks.
4. *Proposed Change #4* – Simplify minimum lot dimensions for common-lot-line dwellings. Basically, making the same changes as for duplexes by getting rid of the additional lot width and area requirements for common-lot-line dwellings but explicitly stating that they would have no minimum lot area if a new dwelling is being constructed AND also giving a minimum street frontage of 20 feet.

Mr. Garcia clarified that these changes would not create consequences in other areas of the Zoning Ordinance. He stated that City staff recommends approval of Plan Case No. 2493-T-24 with the proposed changes as stated.

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

Mr. Hopkins asked if a common-lot-line building would require a new lot. Mr. Garcia said almost certainly.

Mr. Hopkins asked if a new lot has to be 60 feet unless it is a common-lot-line building, correct? Mr. Garcia said that is correct, which is why he added an exception to the language for common-lot-line lots.

Mr. Hopkins asked if only semi-detached/two unit common-lot-line dwellings are permitted in R-2 and R-3 Districts. Multi common-lot-line dwellings are only permitted in the R-4 District. Mr. Garcia said yes. Mr. Hopkins stated this implies that a person could build two common-lot-line units on 40 feet. Mr. Garcia replied that is what it means. They would also require five-foot-side yards.

Mr. Hopkins asked if a common-lot-line unit is a dwelling unit or a permitted zoning use unit. Would a person be able to build a duplex on a 20-foot lot? Mr. Garcia said he needed to research an answer.

Chair Allred stated that the language in Section VI-3.D seems to contradict the language in Table VI-3. Mr. Garcia explained that the intent is to direct people to Table VI-3 for everything except common-lot-line dwelling units.

With there being no further questions for City staff, Chair Allred re-opened the public hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins credited City staff for simplifying the language. He then read the definition of “common-lot-line dwelling unit”. He said it specifies that they are dwelling units, so they cannot be duplexes. He said that his understanding is that in R-2 and R-3 Districts, we can only have semi-detached common-lot-line dwellings, and in R-4 and higher zoned districts, we can have multi-unit common-lot-line dwelling units. Separate approval is required, which presumably is either exactly or

analogous to subdivision approval. Mr. Garcia stated that is correct. It would be a minor subdivision for five lots or fewer, and a major subdivision for more than five lots.

Chair Allred asked if it would be realistic to have three common-lot-line units where the interior unit would not have any yard requirements and could have a width of 20 feet. Mr. Rose said yes.

Chair Allred asked if there is any concern about there not being any depth requirement to the lot. Mr. Hopkins stated that unless there were closely spaced streets, you are not going to have a small depth because of the frontage. Mr. Hopkins stated that he feels the language is good. He felt the language deals with the question of ownership and rental potentially. It creates the option for a different kind of development, which is useful to our mix in Urbana.

Mr. Rose moved that the Plan Commission forward Case No. 2493-T-24 to the City Council with a recommendation for approval including the proposed changes presented at this meeting. Ms. Simms seconded the motion. Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Rose	-	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 Monday, November 4, 2024.

MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** September 19, 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, Debarah McFarland, Bill Rose, Karen Simms, Chenxi Yu**MEMBERS EXCUSED:** Will Andresen**STAFF PRESENT:** Breaden Belcher, Grants Management Manager; Kevin Garcia, Principal Planner; Carol Mitten, City Administrator; Hillary Ortiz, CD Executive Assistant; Andrea Ruedi, Senior Advisor for Integrated Strategy Development**OTHERS PRESENT:** David Huber**A. CALL TO ORDER and ROLL CALL**

Chair Allred called the meeting to order at 7:01 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 September 5, 2024 regular meetings were presented for approval. Mr. Rose moved that the Plan Commission approve the minutes as written. Ms. Simms seconded the motion. The minutes were approved as written by unanimous voice vote.

D. COMMUNICATIONS

- ❖ Emails received in support of Plan Case No. 2493-T-24:
 - Phil Fiscella dated Monday, September 16, 2024
 - Matthew Macomber dated Wednesday, September 18, 2024
 - Adani Sanchez dated Wednesday, September 18, 2024
 - Cameron Raab dated Wednesday, September 18, 2024
- ❖ Emails received in opposition of Plan Case No. 2493-T-24:
 - Esther Patt dated Wednesday, September 18, 2024
 - Liz Cardman dated Wednesday, September 18, 2024
- ❖ *Imagine Urbana* - Urbana Plan Commission Future Discussion Topics

E. CONTINUED PUBLIC HEARINGS

There were none.

F. OLD BUSINESS

There was none.

G. NEW PUBLIC HEARINGS

Plan Case No. 2493-T-24 – A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwellings in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

Chair Allred opened the public hearing for Plan Case No. 2493-T-24. Kevin Garcia, Principal Planner, presented the staff report to the Plan Commission. He began by stating the purpose for the proposed text amendment. He gave a brief history on existing duplexes in the R-2 and R-3 Zoning Districts. He showed the maps in Exhibit C from the written staff report, which shows where duplexes in the City meets and does not meet the additional minimum lot dimensions in the R-2 and R-3 Districts. He reviewed the applicant's responses to questions in the text amendment application. He reviewed the proposed changes to Section VI-3. Lot Area and Width and to Table VI-3. Development Regulations by District. He explained how the proposed text amendment would relate to the goals and objectives of the 2005 Comprehensive Plan. He read the options for the Plan Commission and presented staff's recommendation for approval. He stated that the applicant was in the audience and could answer questions.

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

Mr. Hopkins read Section VI-3. A. Lot Area and Width of the Urbana Zoning Ordinance out loud. He said that what this means (but not what it says) is that if we have a building and a use in place on a lot that does not meet the requirements for R-2 or R-3 and if the lot was platted before 1950, then it is not considered a non-conforming use. He said that he did not think it is intended to mean what it appears to say until the last sentence suggests otherwise that one could change the use. If you interpret this one way, then we do not need the text amendment because the Zoning Ordinance already says that one can change the use on lots platted before 1950. However, he did not believe that it means what the Zoning Ordinance says. Mr. Garcia replied that he thinks it means what it says but that what it says is not exceedingly clear. The language about "otherwise herein" means if there are any exceptions somewhere else, then that trumps the rule, so the exceptions for duplexes in R-2 and R-3 districts are spelled out in Paragraph B.

Mr. Hopkins stated that he is trying to figure out where we end up if they approve the proposed text amendment. If they remove these other two, this applies to changes of use or building on lots pre-1950 without meeting the width and size requirements of the Zoning Ordinance, which is a minimum of 6,000 feet, and have an average width no less than 60 feet. So, no lot if it is less than 6,000 square feet, even if they approve the proposed text amendment, could actually be changed to a duplex because that would be a use change, which would have to meet the Zoning Ordinance requirements. Mr. Garcia said that is not correct. Paragraph A is acknowledging that in Historic West or Historic East Urbana there are many lots that do not conform to the City's current area and

width standards. It is saying that you can still use those for any use that is allowed in that district, even if it is a substandard lot size. Most of the existing areas with substandard lots reflects when they were platted. Mr. Hopkins stated that by deleting Paragraphs B and C, we would be deleting the requirements for a 6,000-square foot lot and a 60-foot-wide lot, which is the district requirement regardless of use for districts R-2 and R-3. Mr. Garcia noted that Paragraph A is crucial to the outcome of putting anything on any really old lot. Paragraphs B and C are the exceptions so that we do not put duplexes on a lot that does not meet the minimum requirements.

Mr. Hopkins asked for confirmation if this only applies to lots platted prior to 1950. Any lot platted after 1950 still has to meet the 6,000-square foot minimum. Mr. Garcia said that this is correct.

Mr. Hopkins asked if lots platted before 1950 that are under 6,000 square feet are shown on Exhibit C as duplexes not being allowed. Mr. Garcia said it is the lots before December 21, 1970 that are shown on the map as being not developable as a duplex. Mr. Hopkins asked for confirmation that only the lots platted before 1950 and under 6,000 square feet will be allowed to be developed as duplexes if the proposed text amendment is approved, not between 1950 and 1970. Mr. Garcia said that is correct. Mr. Hopkins stated that before 1950, lots could be under 6,000 square feet and 60 feet wide. After 1950, lots would have to be a minimum of 6,000 square feet and at least 60 feet wide.

Chair Allred wondered why if they are proposing changes to allow duplexes, why not allow two-unit common lot line units the same relief from restrictions? Mr. Fell stated that a duplex is a very different thing than a two-unit common lot line unit. Duplexes can be stacked. A common lot line development in what is the minimum standard lot is really hard mostly because of open space and trying to provide parking on it. Duplexes and common lot line developments are dealt with differently in the Building Code and in the Zoning Ordinance. Chair Allred said that they could remove those requirements; and if it was not economical to construct it on the standard size lot, then that would be left up to the developer or the land owners. Mr. Garcia said yes.

Mr. Rose asked if they were looking for an end product that is independent of the time the land was platted. Mr. Garcia stated that he would love to get rid of anything that has to do with when it was platted or not.

Chair Allred asked if staff's recommendation would change based on what is in the current draft Comprehensive Plan. Mr. Garcia replied that, if anything, it would be a stronger recommendation for making the proposed changes because we are talking about incremental development and infill development in the draft plan.

Mr. Rose asked if there was material in Section VI-3 of the Zoning Ordinance that the City wished to maintain. Mr. Garcia stated that is important to retain Paragraph A because it does say that if you have a lot that does not meet the current requirements you can still develop it if it is old. Paragraph D is about the MOR (Mixed Office Residential) Zoning District. He feels that it has been effective in keeping development in the MOR District from being too massive. He agreed with Chair Allred that they may want to get rid of the wording about common lot line dwelling units.

Mr. Rose asked if Paragraph A could be reworded so that it is independent of the year of platting. Mr. Garcia responded saying that no matter how it is reworded, they may have to put a date in it.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. He reviewed the procedure for public input. He invited the applicant to speak on behalf of his application for a text amendment.

David Huber, applicant, approached the Plan Commission to speak. He stated that as the applicant he had to make a political decision about how much to include in the text amendment. He does not want to undermine the core reason for the amendment, which is to eliminate lot area and width to allow duplexes to be constructed on lots platted prior to 1950. However, if the Plan Commission wants to include common lot lines, then he is willing to make it work.

He noted that the Land Development Code has a ratio that is different and supersedes the Zoning Ordinance. It is a one-to-three ratio of width to depth for a lot.

Mr. Huber stated that he lives in Urbana and works with the Zoning Ordinance a lot. He would like to think of it as a real model of what the City should be like. Someone who works with the document and has the right to propose an amendment to it can do so.

He talked about the particular economics of doing an infill development as a single-family house when there is an existing house on the lot. There are costs for demolishing the existing house and possible costs for repairing the sewer line or adding an additional sewer line. While there is the Think Urbana program which gives tax subsidies and sales tax abatements on building materials, it is quite expensive to get a lot to where it can be built on. Without substantial investment, a developer or property owner cannot meet the requirements of the Building Code or the Rental Code.

He said that he did not believe the proposed text amendment would unleash the tearing down of occupied properties. The proposed text amendment is not just about redevelopment of a lot. It could be for someone wanting to add a second unit or studio on to their existing house.

He wondered why there is a minimum lot width and area for lots in the R-2 and R-3 Zoning Districts. If the proposed text amendment is not approved, then how can the existing language be substantiated. He stated that he can build a duplex on a lot that is less than 6,000 square feet and less than 60 feet wide. As a developer, he can make the economics work and the units are desirable to people to want to rent. He did not know if there is still anyone around that understands how this came to be.

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

Ms. Simms stated that there seems to be a lot of moving parts, and she wants to make sure that the parts flow. She does not want to make a change that has an implication somewhere else.

Mr. Rose said that if the Plan Commission feels there is a sense that a modification of width and area is appropriate, then they are left to decide between approval or approval with modifications.

Mr. Hopkins agreed with Ms. Simms. He said the general objective makes sense but there is a lot of history and a lot of complexity to where all the width and area requirements come from, so he wants to think more of it through. He started talking about specific areas in the City, beginning with Lincoln and Bradley Avenues. Given the history of this neighborhood, he is not sure allowing

duplexes would benefit the neighborhood because it would turn even more of the lots into rental properties.

He noted the difference between a duplex and a common lot line dwelling is ownership. A duplex by definition is rented because it is two dwelling units and one owner. Whereas, a common lot line dwelling is more likely to be owner occupied. They do not know the rate of which duplexes would be constructed, and they would not be able to allow a certain number of duplexes on a block without allowing more because it would change the neighborhood. Mr. Garcia said that one of the criteria the Zoning Board uses to make a determination on a conditional use permit is whether it will alter the character and what impact it would have on the neighborhood. A conditional use is only required for duplexes in the R-2 District. Duplexes would be allowed by right anywhere in the R-3 Zoning District. Mr. Hopkins stated that the Plan Commission may want to consider adding common lot line dwellings to this text amendment to take into account the ownership rental question.

Mr. Hopkins pointed out that it is not terribly difficult to create a duplex out of an existing building that is in good shape. If you create a duplex out of an existing building in the City of Urbana, you go from four unrelated renters to eight unrelated renters. This, again, will potentially change the character of the neighborhood. When we talk about zoning, one of the attributes is how are we accounting for change in a zoning district, which has to deal with non-conforming use rules and how we imagine change occurring without ending up where we do not want to. Therefore, he would like to rewrite Section VI-3 to be as clean as we can get it. He added that common lot line dwellings and duplexes cannot be separate buildings. He talked about the possibility of accessory dwelling units (ADUs) and making sure that they get the right mix of the right types of housing in the right places.

Ms. Simms asked if the proposed language prohibit condos, which look like a duplex but each unit is owned by different people. Mr. Garcia said no. The proposed text amendment would not prohibit condos. Ms. Simms said that it does not always mean that we would be creating more rental property then. Mr. Garcia explained that a duplex is two dwelling units on one lot. A common lot line dwelling is two units in one building; however, it is split into two lots. A property owner could condoize a common lot line dwelling, but he did not think they could turn a duplex into a condo.

Mr. Rose wondered if the Comprehensive Plan would take into account the issues of decreasing home ownership and increasing rentals, and if using the Comprehensive Plan as a guide would be sufficient. Chair Allred stated that the 2005 Comprehensive Plan and the draft of the new Comprehensive Plan both talk about wanting to have a variety of housing types in every neighborhood. Ms. Yu stated that she was in favor of turning run down homes into duplexes, because it does not make sense for the houses to be sitting there without a way to develop them. However, she did not want to create a way for people to be incentivized to change the use of single-family houses into duplexes. Mr. Garcia showed maps from Exhibit C for West Urbana and for East Urbana. He noted that there already are 66 legally non-conforming duplexes in the West Urbana area. Chair Allred reiterated that in the R-2 Zoning District, a duplex would only be allowed with the approval of a conditional use permit. Any property owner in the R-3 District could convert an existing home or build a duplex by right. Right now, we just have arbitrary lot size restrictions that are limiting duplexes to some degree.

Mr. Fell stated that as an architect, he would be in favor of waiving all of the minimum lot requirements for width and area as long as the developer meets all of the other development

requirements. Chair Allred said that the proposed text amendment does not waive the requirements for lot area and lot width; instead, it is making the requirements the same as for a single-family home. Mr. Hopkins corrected by saying that it does waive the requirements for lots the zones shown on the map where the lots were platted before 1950. Mr. Garcia added that is for any use allowed in those zones.

Mr. Hopkins talked about the rate of change and mentioned that they need to be clear and it is worth thinking about. Chair Allred commented that if the history of an area includes an exclusionary intent to keep people out of their neighborhood based on family status or based on income levels, then that is something they should try to remedy when they have the opportunity. So, that is why the proposed text amendment is something that the City should be considering.

Mr. Hopkins stated that he agrees. Part of what makes the West Urbana neighborhood an American Planning Association (APA) Great Neighborhood is indeed the mix of housing that it has. It has family housing, a walkable elementary school, a mix of people, and is walkable to work and to Downtown Urbana. He was trying to think through how to get a mix, not how to enable one set of things.

Ms. Simms wondered if this goes back to the Comprehensive Plan where we want neighborhoods to be diverse and have a mix of different types of housing opportunities and where we could still prioritize equity initiatives. Does the Comprehensive Plan say enough about this that when decisions are made, we reference it? Is it aligned with the overall vision of where they are trying to go? Ms. Yu stated that she likes the way Ms. Simms said this. She asked if the text amendment fits into the scenario we want it to be? Mr. Rose asked what is the guide that is going to promote rehabilitation. To implement rehabilitation of housing in priority neighborhoods strikes him as the Comprehensive Plan's distillation of these issues done well or poorly. Ms. Yu stated that if the Comprehensive Plan does not have enough language about promoting home ownership, then maybe that is something they should add to the draft *Imagine Urbana*.

Mr. Hopkins pointed out that he is not promoting home ownership. He is promoting mixed neighborhoods, and if they are doing that through zoning, then there are five attributes: 1) the activity that occurs, 2) the form that occurs, 3) interdependence among things, 4) the ownership, and 5) change. As he mentioned before, he would like to do a revision of Section VI-3 with enough stated intent about all of that to suggest how we want to enable neighborhoods to adapt to changing circumstances in a way that they have thought through. He does not think that they have to wait for the Comprehensive Plan to be updated. It would be inherently about lot area and width but is about adaptation of lot requirements related to changes in neighborhoods where rehabilitation renewal cannot happen for a set of rules that are in the way.

Ms. Yu said she agreed with Mr. Hopkins. She said it is a big issue, and just crossing out two articles will not solve the issues. If we really want to reimagine our zoning code in this area, we should take the approach Mr. Hopkins is recommending.

Mr. Hopkins moved that the Plan Commission send the proposed text amendment to City staff to revise Section VI-3 to address changes in area lot width, common lot line, condo, and duplex adaptation in the R-2 and R-3 Zoning Districts. Ms. Yu seconded the motion.

Mr. Rose stated that he felt the motion needed guidance from the Plan Commission to City staff.

Chair Allred stated that during discussion he heard concern about the balance between home ownership versus rental within certain neighborhoods. He asked why Section VI-3. Lot Area and Lot Width be the section of the Urbana Zoning Ordinance to deal with this in particular. Mr. Hopkins stated that Section VI-3 was the area of focus, but he is trying to get at using the five attributes to figure out how we are dealing with the expectation of change. Chair Allred stated that he did not feel that Section VI-3 is the place to deal with this, but rather in Article V. Use Regulations or where it would be appropriate to spell out requirements for a conditional use permit or consider criteria. Mr. Garcia stated that Article VII. Standards and Procedures for Conditional and Special Uses has separate conditional use criteria that we can spell out for different things. Mr. Hopkins stated that Section VI-3 is the entry point because they need to look at the definitions of R-2 and R-3, which requires a lot to have 6,000 feet minimum for area and a 60-foot minimum width. He felt it is worth doing a little more complete task that makes it cleaner and more obvious where they are heading.

Mr. Garcia stated that Big Move # 2 in the *Imagine Urbana* draft is about rewriting the Zoning Ordinance to match the intent of the revised Comprehensive Plan. He stated that the appropriate time to deal with some of the larger issues would be after the new Comprehensive Plan is adopted and staff gets involved in the process of rewriting the whole Zoning Ordinance. The proposed changes in this application seem like a basic text amendment to him. There are two zoning districts (R-2 and R-3) that say duplexes should be allowed. The R-2 District allows duplexes with approval of a Conditional Use permit. The maps in Exhibit C show that there are tons of places within those districts that do not align with what the current Zoning Ordinance says. He suggested that the Plan Commission approve the proposed text amendment, maybe including common lot line as well because it has the same criteria and rules as for duplexes. Then, they tackle the larger issues in the not-so-far future.

Mr. Rose stated that the motion on the table is to direct the staff to conduct a rewrite of Section VI-3. If this passes the staff will get back to us with a rewrite, but I think we need to give direction for this rewrite to staff now. If the direction is to have staff clean up the language, then that would have his strong support. He said that he would hate to have the issue falter for staff not broadening the issues that are on the table right now.

Mr. Hopkins stated that he would interpret a concise response, roughly what Mr. Garcia just described, which is an explanation that clarifies the wording so they know what the outcome actually is and how Section VI-3. A relates to the others and deals with a common lot line in the same way. By putting the two together, it actually addresses many of the concerns the Plan Commission had talked about. What makes the expectation appear to be something massively more than this is that City staff has to make sure that the changes are not contradicted somewhere else in the Zoning Ordinance. He is not expecting a housing study to be done in order to make changes at this time.

Ms. Simms asked how difficult it would be to simplify the changes they are requesting. Mr. Garcia said it should only take two weeks and he could bring it back at the next regular meeting of the Plan Commission. Mr. Garcia stated that in the draft *Imagine Urbana* Comprehensive Plan, one of the Little Moves is that one does not have to wait. You can make little changes to the Zoning Ordinance as issues arise.

Ms. Yu asked if this application was not submitted by the applicant, would staff have intended to bring this text amendment to Plan Commission. Mr. Garcia replied that he would count the issue of the lot width and lot area preventing duplexes in the R-2 and R-3 Zoning Districts as one painful

thing among many in the Zoning Ordinance. City staff has a list of about 70 or more changes that would make the Zoning Ordinance better. Chair Allred pointed out that Big Move # 7, Little Move # 1 is to identify and resolve barriers to incremental and infill development. He believed the proposed text amendment would help resolve a barrier to infill development by allowing more duplexes. Mr. Garcia commented that while he knew duplexes were being prevented in certain areas by substandard lots, he did not realize how much of an issue it is until he was creating the maps for Exhibit C.

Roll call on the motion was as follows:

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

The motion passed unanimously by a vote of 7-0.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

David Huber addressed the Plan Commission on some comments that were made during the public hearing for Plan Case No. 2493-T-24. He stated that there is nothing legally that stops a single-family house from being converted into a rental property.

If duplexes are so egregious, he asked, why did not the neighborhood downzone the lots in the neighborhood to R-1 (Single Family Residential)? He hoped that the City can align the zoning districts with the other mechanisms of the Zoning Ordinance.

Mr. Hopkins stated that the south part of the state streets starting at Michigan Avenue is zoned R-1. The West Urbana area residents have been battling this for 50 years and one of the reasons the rest of the West Urbana area is not zoned R-1 is because part of the historical claim that it has not been single-family only.

COMMUNICATIONS COVER PAGE

Committee of the Whole Meeting – November 12, 2024

Emails regarding Plan Case No. 2493-T-24 (not included in Plan Commission meeting packets):

- Liz Cardman *{email dated 10-02-2024}*
- Paul Devebec *{email dated 09-19-2024}*
- Paul Hixson *{email dated 10-17-2024}*
- Deborah Katz-Downie *{email dated 10-17-2024}*
- Marie and Pierre Moulin *{email dated 10-30-2024}*
- Michael and Elizabeth Plewa *{email dated 10-24-2024}*
- Kurt and Deanna Wisthuff *{email dated 10-23-2024}*

Emails regarding Plan Case No. 2493-T-24 (included in previous Plan Commission packet):

- Liz Cardman *{email dated 09-18-2024}*
- Phil Fiscella *{email dated 09-16-2024}*
- Matthew Macomber *{email dated 09-18-2024}*
- Esther Patt *{email dated 09-18-2024}*
- Cameron Raab *{email dated 09-18-2024}*
- Adani Sanchez *{email dated 09-18-2024}*

From: [E.R. Cardman](#)
To: [!!Plan Commission](#)
Subject: Plan Case No. 2493-T-24
Date: Wednesday, September 18, 2024 1:01:37 PM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Re: Plan Case No. 2493-T-24 - A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwelling in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

To: The Urbana Plan Commission

With only three requests in the last twenty years for variances of the zoning FAR requirements for duplexes, I am not sure why the Plan Commission is considering a permanent revision to the code.

Further, 65% of Urbana households are rentals. The housing vacancy rate in Urbana is 13%. Higher than the state [8%] or national [6%] rates. Does the City aim to increase rentals at the expense of more single-family units? It seems misguided for the City to expand in this way, gradually closing out working couples with children. [See the demographic data in the [Examine Urbana Housing](#) online document.]

Further, when the Plan Commission is considering increasing density on a lot, it's critical that the Commission also assess the potential impact on infrastructure – especially in the older parts of town: e.g., sewer, water, parking, roads, etc. This is best done on a case-by-case basis, as the conditional use requirement permits.

At a minimum, the conditional use for duplexes in R2 should be retained.

Thank you for your consideration,

Liz Cardman
Urbana

From: [E R Cardman](#)
To: [IPlanning](#)
Subject: Plan Commission: Public Input: To be read into the record: regarding: Plan Case No. 2493-T-24
Date: Wednesday, October 2, 2024 8:01:35 AM
Attachments: [Screenshot 2024-10-01 at 20-53-05 Microsoft Word - R-2 District - R-2 District 1.pdf.png](#)
[Screenshot 2024-10-01 at 20-49-59 Microsoft Word - R-1 District - R-1 District 1.pdf.png](#)

***** Email From An External Source *****
 Use caution when clicking on links or opening attachments.

I am not able to attend the Plan Commission meeting of October 3, but would like the following read into the record:

At the Plan Commission meeting of September 19, Mr. Huber asked why, if West Urbana was opposed to increasing duplexes, it did not apply to have the entire area rezoned R1. To those of us who live in West Urbana, that seems like a good option to consider. However, please note that under longstanding zoning regulations, the lot sizes and dimensions between the two zones are radically different. R1 lot size is 50% greater than an R2 lot size. As well, setbacks and required side yards are also greater for R1 districts.

[See below]

A walk down West Michigan makes the difference readily apparent: the south side of the street is R1; the north side of the street is R2.

The screenshot shows a PDF viewer interface with a table titled "DEVELOPMENT REGULATIONS IN THE R-1 DISTRICT". The table has 9 columns: ZONE, MIN LOT SIZE (square feet), MIN AVERAGE WIDTH (in feet), MAX HEIGHT (in feet), MAX FAR, MIN OSR, MIN FRONT YARD (in feet)¹, MIN SIDE YARD (in feet)¹, and MIN REAR YARD (in feet)¹. The row for R-1 shows values: 9,000¹¹, 80, 35, 0.30¹¹, 0.50¹¹, 25⁹, 5 (15)¹², and 10. Below the table, it defines FAR as Floor Area Ratio and OSR as Open Space Ratio.

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-1	9,000 ¹¹	80	35	0.30 ¹¹	0.50 ¹¹	25 ⁹	5 (15) ¹²	10

FAR = Floor Area Ratio
OSR = Open Space Ratio

The screenshot shows a PDF viewer interface with a table titled "DEVELOPMENT REGULATIONS IN THE R-2 DISTRICT". The table has 9 columns: ZONE, MIN LOT SIZE (square feet), MIN AVERAGE WIDTH (in feet), MAX HEIGHT (in feet), MAX FAR, MIN OSR, MIN FRONT YARD (in feet)¹, MIN SIDE YARD (in feet)¹, and MIN REAR YARD (in feet)¹. The row for R-2 shows values: 6,000¹³, 60¹³, 35¹⁷, 0.40, 0.40, 15⁹, 5, and 10. Below the table, it defines FAR as Floor Area Ratio and OSR as Open Space Ratio.

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-2	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

FAR = Floor Area Ratio
OSR = Open Space Ratio

I hope this clarification is helpful for future discussions.
 Liz Cardman
 West Urbana

From: [Debevec, Paul T](#)
To: [!!Plan Commission](#)
Subject: Plan Case 2493-T-24
Date: Thursday, September 19, 2024 12:05:40 PM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Comment to Plan Commission on Plan Case 2493-T-24 from Paul Debevec, [REDACTED]
Urbana, IL

The Plan Commission should vote to deny the request.

The motivation of the zoning change request is the claim that there is an impediment to duplex construction in R-2 and R-3 zoning districts. There is already a mechanism to gain approval for duplex construction in these districts, namely, the variance. Variances are routinely requested and approved for other departures from other zoning requirements. The submission notes that there have been only **three requests in 20 years** for a duplex construction variance. The simplest explanation is that there is no compelling interest in such construction. The corollary is that there is no need to change the zoning ordinance.

The applicant claims that approval will increase housing affordability. Granted that housing affordability is an important issue in many communities, Champaign-Urbana is actually doing quite well. The 2022 data from the National Association of Realtors put Champaign-Urbana at number 14 out of 178 communities in housing affordability. There is no quantitative basis for the claim of the applicant.

The citation of the White House report is of questionable relevance, and its citation is certainly divisive. Granted a deplorable history in which zoning had been motivated by racism in many communities, the application offers no evidence that the current zoning requirements are racist. Urbana is diligent in protection of opportunities for housing to all individuals.

A small observation. The application makes a questionable claim about land use efficiency which includes the howler that "Most new homes constructed in Urbana's outer lying subdivisions in recent years are well below 2,400 square feet. Just a few minutes on Zillow, ReMax, or Redfin will show that this claim is incorrect.

A new comprehensive plan, very much in the works, will address zoning issues. The Plan Commission should put 2493-T-24 aside.

From: Philip Fiscella
To: !Planning
Subject: R2 lot width amendment comment
Date: Monday, September 16, 2024 11:34:04 AM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Dear Sirs / Ma'ams,

I couldn't help but notice that the Plan Commission agenda includes a proposal to eliminate the lot-width requirements for duplexes in a few of the zoning districts in Urbana.

While I am not an Urbana resident, I am immediately adjacent to the boundary of the City, some of my family lives in town, and we own several other properties in the City proper.


More germaine to this discussion, I also sit on the Board of Trustees for the Mass Transit District. One of our greatest struggles is getting our routes compact enough to allow short trips. And the biggest impediment to that is a lack of density. Nobody wants to sit on the bus for four hours to go to the grocery store and back. But when every unit sits on a quarter-acre lot, well, the trips are long and walking past fifteen houses to the bus stop with groceries becomes a real hassle.

We need to move in the direction of allowing for smaller homes, set closer together. The environment demands it. Today's economy demands it. Younger people demand it, seniors downsizing need it, and we can't design the entire city around nuclear families with four kids who need a 2,500 sf house with a big yard. We have to move past 1955.

Please consider adopting this amendment, and please consider allowing duplex construction by-right. The more you require people to take a risk that their dream might be shot down by committee, the more you discourage progress and action. I've had that conversation so many times. "Well, you're going to need a variance or a special use permit"

And the answer is usually that the family will look elsewhere first.

Anyway, thank you for your consideration!

Phil Fiscella


Ricci, Marcus

From: Hixson, Paul [REDACTED]
Sent: Thursday, October 17, 2024 5:54 PM
To: !Planning
Cc: Plewa, Michael Jacob
Subject: Fwd: [WUNA-Main] FW: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

Categories: Public Input, Marcus, Kevin, Complete

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Planning Commission Members,

Like Michael, I will not be able to attend tonight's public meeting, but I want to strongly echo what Michael has so clearly stated. I not only have the same concerns, but as a long-term homeowner in the West Urbana Neighborhood, my family's personal story very closely parallels that of Michael and Elizabeth.

My wife, Jennifer Hixson and I purchased our home at [REDACTED] in 1977 for very similar reasons - I wanted to be able to walk or bike to campus and my wife wanted to be able to walk or bike with our kids to downtown Urbana. And, like the Plewas, we are only the 2nd owners of our wonderful home in this wonderful neighborhood. We also have made careful improvements to our property that someday we will pass on to new owners. We have loved living in this neighborhood and are concerned that proposals like the one you will be considering this evening represent an increasing set of attacks on the long term health and viability of the West Urbana neighborhood.

The proposed amendment to the Zoning Ordinance being requested by David Huber would directly harm this wonderful neighborhood, which as Michael so eloquently notes is one of only a handful of nationally recognized family-friendly neighborhoods bordering a major college campus.

I respectfully urge you to reject this proposed change to the Urbana Zoning Ordinance and instead focus on ways that you can support this treasure of a neighborhood with policies and decisions that will make coming generations of families choose to live in this very wonderful neighborhood long into the future.

Sincerely,

Paul Hixson
 [REDACTED]

Urbana, IL 61801

Begin forwarded message:

From: Michael Plewa [REDACTED]
Subject: [WUNA-Main] FW: PLAN COMMISSION – PUBLIC INPUT
Date: Oct 17, 2024 at 5:30:54 PM

Dear Neighbors,

I am unable to attend this evening's public meeting of the Urbana Plan Commission. However, I urge all to send their concerns and opinions on this blatant attack on single-family residential zoning in West Urbana.

Sincerely,
Michael

From: Plewa, Michael Jacob
Sent: Thursday, October 17, 2024 5:27 PM
To: Planning@urbanainllinois.us
Subject: PLAN COMMISSION – PUBLIC INPUT

To: Planning@urbanainllinois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

The lot sizes in the West Urbana neighborhood are small as compared to most single-family residential lots in Urbana and Champaign. On West Iowa Street the lot width is 55 feet. These beautiful older homes zoned as R-2 are already close together. Eliminating the lot width and area requirements would cause an extreme increase in density and would not be in the best interest of the homeowners and other residents. This proposal only benefits developers who wish to enhance their greed at the expense of this wonderful neighborhood.

The West Urbana neighborhood is a unique asset to the City of Urbana in that it is one of the few affordable, national award-winning residential neighborhoods that is adjacent to a major university. In 1978 when I was hired as an Assistant Professor at the University of Illinois my wife and I chose to live in West Urbana because we wanted to be able to walk to our laboratory and reduce our energy consumption. We purchased our home, that was built in 1939, and we are the second owners. Over the years we have enhanced the energy efficiency of our home and carefully restored the building. If you wish to attract professionals, faculty and staff at the University, the Plan Commission should not undermine the protections inherent in R-2 single family residential zoning. The current proposal would effectively eliminate R-2 single family residential zoning. New families would avoid buying in West Urbana. If you implement this change, you will send many families to Southwest Champaign or other areas where they can purchase homes as truly single-family residences.

The Plan Commission Should Protect the Unique Residential Neighborhood in West Urbana
 West Urbana is unique because of its fine homes, mature trees, diverse population, and proximity to campus. By implementing this change to the R-2 zoning ordinance you will severely reduce single-family, owner-occupied housing and the result will be upscale student housing. This trend has continued throughout the years due to poor city planning, and collusion with developers which leads to housing that even many students cannot afford. Indeed, students are the business of this town, but what makes this neighborhood such a great place to live is that those working for the largest employer in town – the University of Illinois – can have an extremely sustainable and comfortable lifestyle – walking or biking to work, raising a family -- enjoying all the

benefits such a town can offer. Further, with a commitment to living here for decades, there is a populace that is engaged in local issues and pays taxes to support schools, parks, the library and other city services for the benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa

[Redacted]
Urbana, IL 61801
[Redacted]

[Redacted]

Ricci, Marcus

From: Deborah Katz-Downie [REDACTED]
Sent: Thursday, October 17, 2024 5:54 PM
To: !Planning
Cc: Deborah Katz-Downie
Subject: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Planning Commission,

I too am unable to attend tonight, and I agree with Michael Plewa's letter below.

Deborah Katz-Downie

[REDACTED]

Urbana, IL 61801

From: Plewa, Michael Jacob
Sent: Thursday, October 17, 2024 5:27 PM
To: Planning@urbanaininois.us
Subject: PLAN COMMISSION – PUBLIC INPUT

To: Planning@urbanaininois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

The lot sizes in the West Urbana neighborhood are small as compared to most single-family residential lots in Urbana and Champaign. On West Iowa Street the lot width is 55 feet. These beautiful older homes zoned as R-2 are already close together. Eliminating the lot width and area requirements would cause an extreme increase in density and would not be in the best interest of the homeowners and other residents. This proposal only benefits developers who wish to enhance their greed at the expense of this wonderful neighborhood.

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our home and carefully restored the building. If you wish to attract professionals, faculty and staff at the University, the Plan Commission should not undermine the protections inherent in R-2 single family residential zoning. The current proposal would effectively eliminate R-2 single family residential zoning. New families would avoid buying in West Urbana. If you implement this change, you will send many families to Southwest Champaign or other areas where they can purchase homes as truly single-family residences.

The Plan Commission Should Protect the Unique Residential Neighborhood in West Urbana West Urbana is unique because of its fine homes, mature trees, diverse population, and proximity to campus. By implementing this change to the R-2 zoning ordinance you will severely reduce single-family, owner-occupied housing and the result will be upscale student housing. This trend has continued throughout the years due to poor city planning, and collusion with developers which leads to housing that even many students cannot afford. Indeed, students are the business of this town, but what makes this neighborhood such a great place to live is that those working for the largest employer in town – the University of Illinois – can have an extremely sustainable and comfortable lifestyle – walking or biking to work, raising a family -- enjoying all the benefits such a town can offer. Further, with a commitment to living here for decades, there is a populace that is engaged in local issues and pays taxes to support schools, parks, the library and other city services for the benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa
[Redacted]
Urbana, IL 61801
[Redacted]

--
[Redacted]



From: Matthew Macomber <<redacted>>
Sent: Wednesday, September 18, 2024 7:34 PM
To: !!Plan Commission
<PlanCommission@urbanaininois.us> **Subject:** Support for
Duplexes on Regular Lots

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Just wanted to voice my support for duplexes on regular sized lots! Would help improve access to housing in the area.

- Matthew Macomber

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

Ricci, Marcus

From: Marie-Pierre Lassiva-Moulin [REDACTED]
Sent: Wednesday, October 30, 2024 5:24 PM
To: !Planning
Subject: Case Number: 2493-T-24 - Opposing proposal

Categories: Public Input

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Members of the Plan Commission,

I oppose the request by David Huber to amend Article VI of the Urbana Zoning Ordinance as stated in Michael Plewa and Elizabeth Wagner Plewa’s email to the Planning Commission:

“**We oppose the** request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.(...)”

Sincerely,
Marie-Pierre
[REDACTED]

Ricci, Marcus

From: Esther Patt <<redacted>>
Sent: Wednesday, September 18, 2024 7:05 PM
To: !Planning
Subject: PUBLIC COMMENT - 2493-T-24 - PLAN COMMISSION - PUBLIC INPUT September 19, 2024

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Urbana Plan Commission:

I write to ask you to recommend to City Council DENIAL of Plan Case No. 2493-T-24.

The summary of findings (#4) states that the proposed text amendment would "preserve and enhance the character of established residential neighborhoods" and "ensure that new land uses are compatible with and enhance the existing community."

This finding is FALSE. The effect of the text amendment would CHANGE the character of established neighborhoods by reducing the number of small, owner-occupied single-family homes and replacing them with duplex rentals.

The assertion that Urbana has a problem with "exclusionary zoning" is completely false. Consider this data from the U.S. Census Bureau:

- 87%** of housing units in **Northbrook** Illinois are owner-occupied.
- 71%** of housing units in **Decatur** Illinois are owner-occupied.
- 70%** of housing units in the **United States** are owner-occupied.
- 67%** of housing units in the **State of Illinois** are owner-occupied.
- 33%** of housing units in **Urbana** Illinois are owner-occupied.

Urbana suffers from a shortage of small homes available for purchase by owner-occupants, not a shortage of rental choices. Realtors consider Urbana to be a "seller's market" for single family homes. Lack of supply drives up cost which is good for sellers but bad news for young couples wanting to purchase their first house.

In addition to too few homes going on the market, when an *affordable* single-family home is advertised for sale, prospective homeowners have to compete with buyers who want to use the home as income property.

Exclusionary zoning is an issue in communities like Northbrook that have very few rental housing options.

It is ludicrous to claim that exclusionary zoning is an issue in Urbana where 67% of housing units are already rental – including 27% of all single family structures in the city.

Urbana has a glut of rental housing. The 2010 Census found the rental housing vacancy rate in Urbana was 11.5%, double the state average. Even the campus area has lots of vacancies.

Three weeks before school started this year, University of Illinois Housing Division was able to find and I bank of apartments in three buildings within one block of the corner of Lincoln and Green for the overflow of first-year students for whom there was no space in the residence halls.

I canvassed doors in campus area apartment buildings to register voters just 10 days ago – after school started, and after the last- minute addition of the student overflow from residence halls. I found buildings on the engineering campus near Stoughton and Goodwin where 3 out of 10 apartments are still vacant. Historically the census tract closest to U of I has had the lowest rental vacancy rate in Urbana; but even it has many vacancies now.

There is no housing need or community benefit served by a policy that promotes replacement of smaller homes with duplex rentals. The only benefit of the proposed change is to those property owners who buy single family houses to use as rentals from which they can get twice as much rent if they convert to duplex.

Buyers already have that opportunity on lots that are large enough for two households and therefore, twice the number of people as would live in one house. Trying to squeeze two households onto a small lot does not enhance any neighborhood so why change the rules to increase the practice?

Please vote to recommend denial of this proposal.

Thank you for your service,
Esther Patt

Ricci, Marcus

From: Plewa, Michael Jacob [REDACTED]
Sent: Thursday, October 17, 2024 5:27 PM
To: !Planning
Subject: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

To: Planning@urbanainlinois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

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is engaged in local issues and pays taxes to support schools, parks, the library and other city services for benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa
[REDACTED]
Urbana, IL 61801
[REDACTED]

Ricci, Marcus

From: Cameron Raab <<redacted>>
Sent: Wednesday, September 18, 2024 7:01 PM
To: !Planning
Subject: PLAN COMMISSION - PUBLIC INPUT 9/19/2024

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Greetings! I am writing as a Champaign County resident in support of amending the Urbana Zoning ordinances to eliminate lot width and area requirements for two-family dwelling in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts. This could go a long way towards helping shore up the housing supply in the area by eliminating outdated and restrictive zoning ordinances without having to rely on more sprawl to do the job for us (at a significant cost). Thank you!

--
Cameron Raab
Champaign, IL

From: Adani Sanchez <<redacted>>
Sent: Wednesday, September 18, 2024 6:41 PM
To: !!Plan Commission <PlanCommission@urbanaillinois.us>
Subject: Support more housing! Vote yes on duplexes!

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Hello,

My name is Adani and I am with CURbanism club, a group interested in supporting more housing and transit options!

This text amendment is a straightforward way to allow more housing by right! No extra meetings for y'all if someone wants to build a duplex! And it would make duplexes a more enticing option for developers by reducing barriers.

With single family home prices so high, a duplex is a great option for neighbors who need more space than an apartment but are not ready (or not able) to make the jump into a more expensive home.

Allowing duplexes on regular sized lots would be a great step forward in increasing housing stock and I would love to see the Plan Commission review other options to increase density in our community so that everyone has an option for housing!

Thank you for your consideration,

Adani Sanchez
CURbanism Lead

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

Ricci, Marcus

From: Kurt Wisthuff [REDACTED]
Sent: Wednesday, October 23, 2024 5:10 PM
To: !Planning
Subject: PLAN COMMISSION — PUBLIC INPUT - Plan Case No. 2493-T-24 - OPPOSED

Categories: Kevin, Public Input, Complete

*** Email From An External Source ***

Use caution when clicking on links or opening attachments.

PLAN COMMISSION — PUBLIC INPUT

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. We oppose the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

We recently relocated from the Chicago area to our home on [REDACTED]. One of the main factors in making our decision was the current look/feel/character of the West Urbana neighborhood. Eliminating lot width and area requirements and allowing higher-density development will slowly change that very character. And once the change is made, there will be no going back.

In addition, higher density can cause unwanted strain on old infrastructure (stormwater/sewer) costing taxpayers and presenting problems for current residents (who purchased with dry basements in mind), something we experienced firsthand in our previous community.

We urge you to take our neighbors' and our concerns into consideration when making your decision.

Sincerely,

Kurt Wisthuff
Deanna Wisthuff

[REDACTED]
Urbana, IL 61801
[REDACTED]



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

MEMORANDUM FROM THE OFFICE OF THE MAYOR TO THE URBANA CITY COUNCIL

Meeting: November 12, 2024 Committee of the Whole Meeting
Subject: A Resolution Approving an Increase in the Number of Liquor Licenses in the Class A Designation for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue

Summary

Action Requested

City Council is asked to approve the attached resolution that would increase the number of Class A liquor licenses in the City of Urbana.

Brief Background

Fuentes 10 LLC, doing business as El Patron Ballroom, has applied for a Class A (Retailer's On-premises Consumption) liquor license for their establishment located at 1006 North Cunningham Avenue in Urbana.

Relationship to City Services and Priorities

Impact on Core Services

N/A

Strategic Goals & Plans

N/A

Previous Council Actions

N/A

Discussion

Additional Background Information

A Class A license permits the sale and service of all alcoholic liquor for on-premises consumption only, either by the drink or in original package form, on the licensee's premises unless otherwise specified. Additionally, the licensee may choose to allow individuals aged 18, 19, and/or 20 in the public areas of the premises with prior written notice to the Local Liquor Commissioner.

It is prohibited to sell, serve, or allow others to sell or serve alcoholic beverages in Urbana without the appropriate license or if the sale or service does not adhere to the requirements of the specific license class and its conditions.

Anyone responsible for a liquor-licensed premises must quickly report any disturbances, violence, or issues on the property to the police. License holders must also keep their premises, surrounding areas, and nearby spaces clean and free of litter. The Local Liquor Commissioner can issue a notice to address litter, and if it is not remedied within 24 hours, the license could be revoked or other legal action may be taken.

Recommendation

City Council is asked to approve the Class A liquor license for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue.

Next Steps

If the attached ordinance is approved, the Deputy Liquor Commissioner will prepare and issue a Class A liquor license for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue, with an expiration date of June 30, 2025.

Attachment

A Resolution Approving an Increase in the Number of Liquor Licenses in the Class A Designation for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue

Originated by: Kathryn B. Levy, Executive Coordinator/Deputy Local Liquor Commissioner

Reviewed: Diane Wolfe Marlin, Mayor/Local Liquor Commissioner

Approved: Carol J. Mitten, City Administrator

RESOLUTION NO. _____

A RESOLUTION APPROVING AN INCREASE IN THE NUMBER OF LIQUOR LICENSES IN THE CLASS A DESIGNATION FOR FUENTES 10 LLC D/B/A EL PATRON BALLROOM, 1006 NORTH CUNNINGHAM AVENUE

WHEREAS, the City Council has adopted Urbana City Code Section 3-42 to establish limits on the number of liquor licenses issued in the City; and

WHEREAS, Section 3-42(c) of the Urbana City Code provides that a majority of the corporate authorities then elected to office have to approve the creation of a new liquor license; and

WHEREAS, an application for a liquor license in the Class A designation has been submitted to the Local Liquor Commissioner; and

WHEREAS, the City Council finds that the best interests of the City are served by increasing the number of liquor licenses in the Class A designation by one for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue, Urbana, Ill.

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

The maximum number of liquor licenses in the Class A designation is hereby increased by one for Fuentes 10 LLC d/b/a El Patron Ballroom, 1006 North Cunningham Avenue. The schedule of maximum number of authorized licenses for the respective classification maintained by the Local Liquor Commissioner shall reflect such increase.

PASSED BY THE CITY COUNCIL this Date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this Date day of Month, Year.

Diane Wolfe Marlin, Mayor



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

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 12, 2024 Committee of the Whole
Subject: A Resolution Estimating the Tax Levy (Fiscal Year 2024-2025)

Summary

Action Requested

Forward this Resolution establishing an estimated property tax levy of \$12,100,696 for 2024 for approval at the City Council Meeting on November 18.

Brief Background

The first step in the property tax levy process is approval of an estimated tax levy, which establishes the total amount of taxes the City Council plans to levy. The estimated levy is used to determine whether the City is required to provide public notice and hold a public hearing prior to approving the final tax levy. The City Council must approve an estimated levy at least 20 days prior to adoption of the final levy. The recommended estimated levy is \$12,100,696, which would be 119.26% of the 2023 extended levy. The City is required to provide notice and hold a public hearing, because the increase would be 5% or more. After abatements, this levy would maintain the current \$1.3499 City property tax rate.

Relationship to City Services and Priorities

Impact on Core Services

The City levies taxes for “corporate purposes” (the General Operating Fund), the Library, and police and fire pensions. The levies for specific purposes are approved by the City Council when the final tax levy Ordinance is approved.

Strategic Goals & Plans

Property tax revenues may be used to support a variety of City services, including those related to Mayor/City Council strategic goals.

Previous Council Actions

The City Council approves a property tax levy annually. Since the 2018 tax levy, the City tax rate has generally been maintained at \$1.3499 per \$100 of equalized assessed value (EAV).

The City Council approved updated Financial Policies related to tax levies for police and fire pensions on June 18, 2018 ([2018-06-023R](#)).

Discussion

Additional Background Information

Levies for Police and Fire Pension Funds are based on the funding plan approved by the City Council in the City’s Financial Policies. The benefits are dictated by State statute and the current funding policy reflects a balanced approach to covering the City’s long-term pension obligations while avoiding higher costs that could arise from failing to address unfunded liabilities and affect the City’s ability to provide services in the long-term. Pursuant to State law, 8.12% of the total funding requirement will be met by using personal property replacement tax (PPRT) revenues. The total funding requirements and portions from PPRT are detailed below. These figures are based on draft actuarial reports, which depend upon preliminary financial statements. Any changes in the financial statements prior to completion of the audit could result in changes to the funding requirements, which would be reflected in the final tax levy Ordinance provided to the City Council.

	Police Pension Fund	Fire Pension Fund
Funding requirement per policy	\$2,920,206	\$1,447,108
PPRT portion (8.12%)	(\$237,121)	(\$117,505)
Levy amount for 2023	\$2,683,085	\$1,329,603

For the Library, the Mayor recommends a levy of \$4,367,838, which is an increase of about 6.4% over the 2023 tax levy. Property tax revenue is responsible for the vast majority of recurring revenues for the Library General Fund. This increase is needed to allow the Library to maintain current services, based upon the FY2025 budget.

Remaining revenues generated by property taxes would be allocated to the General Operating Fund, where they would be used to pay for basic City services, such as police and fire protection and public works services. The recommended levy for corporate purposes is \$3,720,170. This is an increase of about 72% from the 2023 extended tax levy. When the final levy is extended, this component of the levy will be reduced to achieve the desired tax rate of \$1.3499, so the increase will be lower. The corporate levy would also be reduced to compensate for any increase in pension funding requirements.

Staff will use a preliminary estimate of the EAV based upon the County assessor’s preliminary abstract of assessments, which does not include any reductions that may be made by the Board of Review or any equalization factor applied by the State of Illinois. The estimate is \$896,414,262. This EAV would be an increase of 19.26% from the EAV upon which the extended levy for 2023 was based.

Staff will also prepare an Ordinance authorizing the County Clerk to abate (reduce) the tax levy to maintain the current tax rate based on the final EAV (which is not known when the City Council approves the levy). This Ordinance, which will be presented with the final tax levy, will direct the County Clerk to abate the corporate purpose levy to produce a final tax rate of \$1.3499. This would allow the City to maximize property tax revenue at the current tax rate.

The City does not have any levies for debt service this year and no abatements are required for that purpose.

Operations Impact

The property tax levy will help to maintain a variety of City services, including public safety, public works, and library services.

Policy or Statutory Impacts

None. The proposed property tax levy is consistent with City Financial Policies and Illinois law.

Fiscal and Budget Impact

Assuming assessments are reduced by 3% prior to extension of the tax levy, this levy is likely to result in an increase of about \$1.2 million in revenue available for basic City services. However, this could vary considerably. This will be factored into the updated financial forecast used for determining strategy for the budget for FY2026. The City will be continuing on the path toward fully funding Police and Fire pensions, consistent with the City’s current policy on pension funding.

Community Impact

The property tax levy supports a variety of services on which our residents depend. The Mayor recommends a tax rate for this year’s levy of \$1.3499, which is the current City of Urbana tax rate. While the City’s portion of the total tax levy is only about 12.7% of the total, this is important to trying to achieve a tax rate competitive with neighboring communities and can affect property values and economic development opportunities.

At this rate, City property taxes for an owner-occupied home are estimated as follows –

Property Value	City Property Tax at \$1.3499*
\$100,000	\$369
\$150,000	\$594
\$200,000	\$819
\$250,000	\$1,044

*City property tax = EAV (property value / 3), less owner-occupied exemption (\$6,000), divided by \$100, multiplied by tax rate

Recommendation

Forward this resolution establishing the estimated property tax levy for 2023 for approval at the City Council Meeting on November 18.

Next Steps

The process for levying property taxes is summarized in the following table. This process is dictated by State statute.

Item	Date	Requirements
Estimated Levy – Committee	November 12, 2024	
Estimated Levy – City Council	November 18, 2024	Must be approved at least 20 days prior to final levy approval. (This is 28 days.)
Publish Truth in Taxation Notice	November 22, 2024	Required if the estimated levy is more than 105% of the previous year's extended levy. Must be advertised 7 – 14 days prior to the public hearing, if required. (This is 10 days.)
Public Hearing	December 2, 2024	Required if the estimated levy is more than 105% of the previous year's extended levy. Must be held before the levy is adopted by the City Council.
Final Tax Levy & Abatements – City Council	December 9, 2024	Must be adopted in time to meet filing deadline below.
City Clerk Files Levy with County by	December 24, 2024	Must be filed by 4th Tuesday in December. County Clerk will likely request this earlier due to holiday.

Because the City Council will have already reviewed the proposed tax levy in November, staff will place the final tax levy on the regular City Council agenda for December 19, without an additional committee meeting.

Attachment

A Resolution Estimating the Tax Levy (Fiscal Year 2024-2025)

Originated by: Elizabeth Hannan, HR & Finance Director / CFO

Approved: Carol Mitten, City Administrator

RESOLUTION NO. _____**A RESOLUTION ESTIMATING THE TAX LEVY
(Fiscal Year 2024-2025)**

WHEREAS, Section 18-60 of the Truth in Taxation Law, 35 ILCS 200/18-60, requires the corporate authority of each taxing district, not less than 20 days prior to the adoption of its aggregate tax levy, to estimate the amounts of money necessary to be raised by taxation for that year upon the taxable property in its district; and

WHEREAS, Section 18-70 of the Truth in Taxation Law, 35 ILCS 200/18-70, requires the corporate authority of each taxing district to give public notice of and hold a public hearing on its intent to adopt an aggregate tax levy, if the estimated amounts to be levied exceed 105% of the property taxes extended or estimated to be extended, including any amount abated prior to such extension, upon the levy of the preceding year.

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

Section 1.

The amounts of money, exclusive of election costs, estimated and proposed to be levied for fiscal year 2024 - 2025 upon the taxable property in the City of Urbana is \$12,100,696.

Section 2.

The aggregate amount of property taxes for the City of Urbana, extended or estimated to be extended, including any amount abated by the corporate authority prior to such extension, upon the levy of the preceding fiscal year and exclusive of election costs, was \$10,146,896.

Section 3.

The amounts estimated and proposed to be levied in Section 1 of this Resolution are hereby determined to be 119.26% of the amounts extended or estimated to be extended for the preceding fiscal year.

This Resolution is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the corporate authorities (5 of 8 votes) of the City of Urbana, Illinois, at a meeting of said corporate authorities.

PASSED BY THE CITY COUNCIL this Date day of Month, Year.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this Date day of Month, Year.

Diane Wolfe Marlin, Mayor