



ATTACHMENT D

SUBJECT: EXPLANATION OF PROPOSED REGULATIONS FOR MFUniv, CB1, CB2, AND CB3 ZONING DISTRICTS (PL16-0031)

The regulations proposed for adoption are largely the same as those presented at the May 4, 2016 Plan Commission Study Session, the May 24, 2016 City Council Study Session, and the June 20, 2016 Public Informational Meeting. Subsequent to these presentations, Staff incorporated feedback received from Plan Commission, Council, and the public. Where changes have been made, they are explained below.

The proposed new zoning regulations include:

Primary Streets

Applies to: CB1, CB2, CB3

Description: In the CB districts, certain streets designated as Primary Streets (see Attachment B, “Map of proposed CB1, CB2, and CB3 Districts”) will be subject to additional regulations regarding parking access and ground floor building design. Primary Streets enjoy special prominence as major corridors for pedestrian and automobile traffic alike. The additional regulations that operate on Primary Streets will preserve and enhance these characteristics.

Changes from Study Session proposal: None

Height Limits and Setbacks; Floor Area Ratio (FAR) eliminated

Applies to: CB1, CB2, CB3, MFUniv

Description: Currently, the Zoning Ordinance regulates the bulk of buildings primarily through Floor Area Ratio (FAR). The proposed regulations will eliminate the use of FAR in the new zoning districts, regulating the bulk of buildings exclusively through height limits and setbacks.

District	Min. Height	Max. Height	Min. Setback	Max. Setback
CB1	20’	85’	--	15’
CB2	20’	115’	--	10’
CB3	20’	175’	--	10’
MFUniv	--	75’	Front: 15’ Side/Rear: 10’	--

In the CB districts, buildings may build to all property lines, whether or not the property line abuts a public street. The maximum setback only applies to property lines facing a public street or the Boneyard Second Street Reach.

In the MFUniv district, corner lots will only be subject to the larger front yard setback along one street frontage. This is consistent with current practice.

Regulating the bulk of buildings through height and setbacks may encourage developers to avoid placing buildings on stilts above surface parking and creating exposed access corridors on building exteriors. Under the FAR system, these features do not count towards "floor area" and are often utilized to maximize the interior leasable space of the building. The simpler height and setback system will eliminate the incentives for this type of design.

The photos below offer a touchstone for what each of the proposed height limits looks like. In CB2, the 115-foot height limit will keep buildings roughly in line with the Hyatt Place and M2 (below, left). In CB3, the 175-foot height limit will allow buildings slightly taller than the Skyline Tower at 519 E. Green Street (below, center), but several stories shorter than the taller buildings to the west. In MFUniv, a building designed to maximize the 75-foot height limit would be approximately six stories, depending on how parking is provided (below, right).



Finally, the opportunity to build higher than these height limits will still exist for any project seeking approval as a Planned Development.

Changes from Study Session proposal: None.

At Study Session, several Council members expressed concern that the proposed height limits would inhibit the intensity of development, a result that would undermine the City's goals of building urban neighborhoods that are both vibrant and economically productive.

Staff nevertheless proposes the same height limits because in most cases, the elimination of FAR actually serves to *increase* development potential on affected

properties. This can be illustrated by calculating the square footage allowed in each district under the current and proposed regulations.

Consider a lot 132øwide and 132ødeep (~17,400 ft² in area). Lots of this size are frequently developed in this area and usually represent the combination of two standard lots from the original subdivision of this area. The development potential of such a lot varies on its zoning district. Below, a table compares the development potential of a 132øby 132ølot in the existing zoning districts and their proposed counterparts:

Zoning District	Existing or Proposed	Maximum Square Footage
CB Central Business - Midtown	Existing	104,500 ft ²
CB1 Central Business Urban Fringe	Proposed	122,000 ft ² ↑
CB Central Business	Existing	156,800 ft ²
CB2 Central Business Downtown	Proposed	174,200 ft ² ↑
CB Central Business - Campustown	Existing	104,500 ft ²
CB3 Central Business Campustown	Proposed	296,000 ft ² ↑
MF2 Multifamily Medium Density	Existing	24,400 ft ²
MF3 Multifamily High Density	Existing	33,100 ft ²
MFUniv Multifamily University	Proposed	71,900 ft ² ↑

It is possible that some unique or oddly-shaped lots may have their development potential reduced by the proposed regulations. However, staff has been unable to identify any such lot. The broad effect of eliminating existing density controls in favor of the proposed regulations will be a granting of significantly higher development potential than currently exists.

Frontage Ratio

Applies to: CB1, CB2, CB3

Description: The Frontage Ratio requires the bulk of the building to extend across a minimum percentage of the frontage. This requirement only applies to frontages along public streets or the Boneyard Second Street Reach. In the CB2 and CB3 districts, the Frontage Ratio is 90%. In the CB1 district, the Frontage Ratio is 80%. The Frontage Ratio ensures that the pedestrian-oriented districts of Downtown, Midtown, and Campustown benefit from a nearly continuous wall of active building frontages.

Changes from Study Session proposal: None.

Upper Level Stepback for Tall Buildings

Applies to: CB2, CB3

Description: For any building greater than 85 feet in height (excluding the height of HVAC, elevator shafts, etc.), any street-facing frontage more than 35 feet above grade must be set back a minimum of 5 feet from the frontage at street

level. This requirement does not apply to the CB1 and MFUniv districts because neither district permits a building taller than 85 feet. Upper level stepbacks reduce the feeling that tall buildings are looming uncomfortably over the street and sidewalks.

Changes from Study Session proposal: None.

No Automobile Parking Required

Applies to: CB1, CB2, CB3, MFUniv

Description: Automobile parking will not be required for any use in any of these districts. Currently, only the downtown portion of the CB District requires automobile parking for residential uses in new construction (no off-street parking is required for apartment units in structures existing before June 20, 1990), but does not require it for any other use. In the University District, including the areas proposed to be rezoned to the MFUniv District, automobile parking is not required for any use. In short, this proposal already largely exists. The only change is a removal of the automobile parking requirements for residential uses in new construction in the downtown CB district.

Over the past fifteen years, the City of Champaign has undertaken a number of reductions in the parking requirements for specific areas, land uses, and individual developments. These reductions reflect a growing understanding of the high costs that parking requirements place on development, as well as the conflicts between ample parking and pedestrian-friendly urban development patterns. It also reflects the belief that the developer of such a building has the best understanding of the actual market demand for parking in their project and shouldn't be required to build more parking than that. In 2015, City Council approved a text amendment eliminating residential parking requirements in the University District. Staff believes that residential development in new construction in the CB Districts is fairly analogous to residential development in the University District: some residents will choose to have cars, and some will not, but the development community is best suited to decide how many spaces to provide on each site and what to charge for them.

Changes from Study Session proposal: None.

Bicycle Parking Required for Residential Uses

Applies to: CB1, CB2, CB3, MFUniv

Description: Bicycle parking will be required for residential uses in all cases. In the CB3 and MFUniv Districts, the requirement is one bicycle parking space per two bedrooms. In the CB1 and CB2 Districts, the requirement is one bicycle parking space per four bedrooms. A typical bicycle parking loop contains two bicycle parking spaces. This proposal largely reflects the most recent changes to the bicycle parking requirements of the Zoning Ordinance. Higher requirements apply to areas most likely to serve University of Illinois students, while lower

requirements apply to Downtown, Midtown, and surrounding areas.

Changes from Study Session proposal: None.

Design Requirements for Automobile Parking

Applies to: CB1, CB2, CB3, MFUniv

Description: Parking access must be taken off alleys wherever possible. Additionally, parking access may not be taken off a primary street unless no other option exists.

Ground floor parking visible from the street is discouraged in these districts. Specifically, ground floor parking lots must be separated from the front yard by usable interior building space no less than a minimum of twenty (20) feet in depth (see Attachment E, "Visual Glossary"). Along side and rear frontages facing public streets, ground floor usable interior building space is not required.

However, certain screening requirements apply to these frontages:

- A wall of at least four (4) feet in height must extend along the entire width of the frontage. This wall may be interrupted by one driveway and one separate pedestrian access point.
- The portion of the frontage dedicated to ground floor parking must be screened by any combination of walls and windows covering at least 50% of the vertical plane of that frontage.

Upper level parking decks are not subject to the usable interior building space requirement. Upper level parking decks may be built up to the exterior wall on any frontage, so long as that wall meets any other design requirements of the code.

These design requirements do not apply to any frontage that does not face a public street because they are intended to limit the negative impacts of exposed parking facilities in a pedestrian-friendly environment. The usable interior building space requirement ensures that buildings are brought down to the ground level along their fronts, offering an active and visually engaging façade to users and passersby. Extending this requirement to street-facing side yards as well as front yards would likely prove unduly burdensome, so the reduced design requirements strike a balance between preserving ground level character and maximizing ground floor parking space. While all parking design requirements impose some burden on development, this burden is more than offset by the flexibility that developers gain in being freed from minimum parking requirements. Property owners may choose how little or how much on-site parking to provide, but whatever the amount, it must fit consistently with the urban pedestrian-friendly character of these zoning districts.

Changes from Study Session proposal: None.



The above building served as a model in developing this proposal. While it sits on a corner, its ground level parking is only visible from one side. The building comes down to the ground on the other street frontage. Even where parking is visible, it is partially screened by a low wall. While staff proposes a slightly higher screening standard along street-facing side yards where parking is not tucked behind usable interior building space, this building already comes pretty close to meeting the intent of this change.

Drive-Through Uses

Applies to: CB1, CB2, CB3

Description: Drive-through uses are only permitted as Special Uses in the new CB districts. These uses create conflict between automobiles and pedestrians in pedestrian-oriented environments. Allowing these uses only through the Special Use Permit process allows Plan Commission and City Council to balance the needs of property owners and the public through a hearing process that may include conditions on the size, design, location, and operating hours of such uses.

Changes from Study Session proposal: None.

Placement of Residential Uses

Applies to: CB1, CB2, CB3

Description: Currently, the Zoning Ordinance substantially restricts ground floor residential uses in the CB District. Ground floor dwelling units are not allowed on any lot fronting on most streets in the CB district, regardless of whether the dwelling unit itself faces a street with significant commercial activity or a side street with less or even no commercial activity. Additionally, these lots are limited

in the amount of floor area that can be used for accessory residential uses, such as lobbies and common areas. Despite growing levels of commercial activity in the CB District, there is concern that the strict restrictions on ground floor uses pose a risk of overbuilding commercial floor area, especially in more marginal areas of the district.

The new proposal restricts dwelling units from being provided at the ground level along primary streets. There is no restriction on ground level dwelling units along non-primary streets. There is also no restriction on the amount of interior floor area that can be dedicated to residential uses, although only 25% of any ground floor frontage facing a primary street may be occupied by accessory residential uses such as lobbies and commons areas. The proposal preserves the core element of the existing regulations that dwelling units should not be placed at ground level along busy, heavily trafficked corridors while freeing developers to place ground level dwelling units along side streets and to place amenities such as workout rooms along more active main streets.

Changes from Study Session proposal: The previous proposal did not limit the proportion of a ground floor frontage facing a primary street that can be occupied by accessory residential uses.

Glazing Requirement (Windows)

Applies to: CB1, CB2, CB3, MFUniv

Description: Glazing requirements only apply to public street frontages. Glazing requirements regulate the percentage of a wall that is dedicated to windows. In the CB1, CB2, CB3, and MFUniv districts, a minimum of 35% of every floor frontage must consist of transparent glass.

Glazing requirements, already a feature of the Campus and Midtown Commercial Overlay Districts, ensure that buildings do not offer featureless blank walls to people walking and driving along the street.

Changes from Study Session proposal: The previous proposal contained requirements for the visible transmittance (i.e. transparency) of glass, as well as higher ratios of glazed area for ground floors in the CB districts. The visible transmittance requirement was eliminated due to concerns about enforceability. The glazing ratios were reduced in response to concerns raised at Plan Commission about the effects of high glazing proportions on the energy efficiency of buildings. Additionally, the original proposed ratios may have been overly complex to design around.

Primary Entrance

Applies to: MFUniv

Description: The primary entrance is an entrance to the building that is subject to slightly heightened requirements:

- The primary entrance shall be covered by a shelter that is at least three (3) feet in depth and five (5) feet in width. This shelter does not necessarily need to project from the building. For instance, a door inset into the façade by three or more feet would not require a projection.
- The primary entrance shall face a public street.

The primary entrance requirement is intended to make each building ðface the streetö (as opposed to some buildings which only take access from a side entrance), as well as ensure visual prominence and shelter at the primary entrance.

The building pictured below would not satisfy the transparency and primary entrance requirements. The street-facing frontage is entirely windowless, while the entrance to the building is along the side of the building facing the parking lot.



Changes from Study Session proposal: None.

Exterior Materials

Applies to: MFUniv

Description: Frontages that do not face a public street may use any material in any proportion. Frontages facing a public street must use at least two materials, subject to the following restrictions:

- No material other than brick may constitute more than 70% of a frontage

- Multiple colors or styles of a single material may be used to satisfy the above requirement
- These calculations are exclusive of any area dedicated to windows

This proposal ensures a minimum standard of visual interest along exterior walls facing public streets. While staff has not rigorously studied the exterior materials of recent developments, it appears that most projects built over the past several years already meet this requirement. The building pictured below is a typical example.



Changes from Study Session proposal: The original proposal included slightly higher restrictions on vinyl siding. Staff received feedback that this regulation may be unnecessarily burdensome. Additionally, the original proposal prohibited the construction of an all-brick building. In response to feedback that brick is an unusually high-quality and attractive building material, the current proposal now contains an exception allowing brick to constitute up to 100% of any frontage.

- **Articulation Requirement**

Applies to: MFUniv

Description: “Articulation” refers to the variability of the vertical plane of a wall (an entirely flat wall has no articulation). The articulation requirement is intended to prevent the development of long, featureless walls with little or no variation in the vertical plane. This requirement only applies to exterior walls, 75 feet in length or greater, that face a public street. A minimum of two (2) feet in variation in the vertical plane of any subject wall must occur at intervals of fifty (50) feet or less. At least 50% of the surface area of each interval must be recessed, projected, or offset to meet this requirement. Architectural features that may satisfy this requirement include, but are not limited to: wall offsets, projections and/or recesses, columns, bay windows, and balconies.

The buildings pictured below show two different approaches to articulation. The top building achieves articulation by projecting and recessing entire faces of the building. The bottom building achieves articulation with a variety of smaller projections and recessions along an otherwise uniform flat façade.



Changes from Study Session proposal: None.

Density Bonus Elimination

Applies to: Existing Campus and Midtown Commercial Overlay Districts

Description: Currently, the Zoning Ordinance offers a density bonus to buildings achieving LEED (Leadership in Energy and Environmental Design) certification from the U.S. Green Building Council. The proposed regulations would do away with such density bonuses. LEED standards are intended to produce buildings of above average sustainability and energy efficiency. Unfortunately, tying density bonuses to LEED certification introduces potential enforcement issues. Because LEED certification is not finalized until construction is completed, the possibility exists that a building will be constructed utilizing the density bonus and then fail to achieve certification. Additionally, many of the core elements for LEED certification are becoming more commonplace in construction of new buildings. Infill buildings in walkable neighborhoods generally offer a high level of sustainability and energy efficiency simply by virtue of their location and compact arrangement of floor space. Accordingly, an application of uniform

height and setback requirements will still produce a sustainable development pattern that is more consistent in height and bulk.

Changes from Study Session proposal: None.

Creation of Nonconforming Uses

Applies to: CB1

Description: As mentioned earlier, this proposal would extend CB zoning to areas of the City that are currently not zoned CB (see Attachment C, "Map of areas not currently zoned CB proposed to be rezoned to CB1"). All of these areas are proposed to be rezoned to CB1. These areas contain some existing uses that are considered nonconforming uses under the existing CB Central Business District land use regulations. The proposed regulations allow as a provisional use any non-residential use allowed as a permitted use in the CI, IBP, I1, or I2 district, provided that the use was operational as of September 4, 2016 and has not been discontinued for a period of longer than six (6) months.

Changes from Study Session proposal: The Study Session report indicated that staff was still exploring options to preserve and protect existing nonconforming uses. Staff subsequently arrived at the above recommendation.