

MINUTES

Champaign City Council Regular Council Study Session

DATE: January 9, 2018

PLACE: Champaign City Building
City Council Chambers
102 North Neil Street
Champaign, Illinois 61820

COUNCIL MEMBERS PRESENT: Alicia Beck Angie Brix
Tom Bruno Clarissa Fourman
Matthew Gladney William Kyles
Vanna Pianfetti Greg Stock
Mayor Feinen

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Dorothy Ann David, City Manager
Fred Stavins, City Attorney
Bruce A. Knight, Planning and Development Director
Jeff Marino, Senior Planner
Jennifer Bannon, Assistant City Attorney
Laura Hall, Assistant City Attorney

OTHERS PRESENT: None

TIME STARTED: 7:18 p.m.

TOPICS DISCUSSED:

MAXIMUM FLOOR AREA RATIO FOR NARROW LOTS [SS 2018-001]

Director Knight noted City Council Members requested a review and discussion of the possibility of granting some flexibility for buildings on narrow lots, particularly impacting the Clark Park area; considering a solution that would balance the ability to increase square footage for a home on a lot with trying to protect neighborhood character; and to address the proposed changes, what the changes attempts to accomplish, and offer alternative solutions.

Staff Presentation: Planner Marino's presentation included the following topics:

- Text Amendment to the Zoning Ordinance, Section 37-204, Development Provisions for Narrow Lots

- What is the Floor Area Ratio (FAR)? (floor area divided by lot area)
- Existing Code (side yard on lots less than sixty feet wide)
- What is a Narrow Lot?
- Proposed Code (Sec. 37-204. Development provisions for lots less than sixty feet wide)
- Design Scenarios (Ranch Style and Two-Story homes)
- Comprehensive Plan (Vision and Guiding Principles)
- Detached Accessory Structures (garages and sheds)
- Previous Changes (Changes to Floor Area Ratio for SF2 in 2015)
- Alternatives (current maximum, FAR, OSR minimum, current minimum/proposed minimum)
- Design Scenarios (based on alternatives)
- Alternatives

Director Knight briefly noted in terms of exploring other options, that addressing setbacks and building heights is a more common practice in communities versus addressing FAR; option to consider FAR and increased setbacks, especially rear setback; and what is not counted as FAR such as basements and garages.

(Note: Information on how to obtain staff's written report on this subject is provided below.)

Action Recommended: The Administration seeks Council direction to address the proposed text amendment regarding Floor Area Ratio (FAR).

Council Members' Technical Questions: Council Members raised the following technical questions: difference in Single Family-1(SF-1) and Single Family-2 (SF-2); change in the FAR from .40 to .50 in the SF-2 initiated for new construction or an existing neighborhood; whether open space ratio (OSR) includes garage space, or the additional space beyond the garage; current .35 FAR in SF-1, what is the current OSR; what a garage entails, or an addition to a garage; whether OSR includes the footprint of the structure, and for existing homes, whether detached garages part of the OSR; national trends in regarding size of lots and residences; possible impact with the health of, and investment in homes located in an inner neighborhood that do not meet minimal standards for current expectations; demographic difference between what baby boomers are looking for approaching retirement and what young families are seeking in terms of square footage of homes; other areas in the community with similar concerns for FAR, OSR, and congestion; type of historical cataloging that has been done for homes that might be impacted by any FAR/OSR changes; any rules in place in relation to placement of structures (garages) on a lot; idea of the number of request to tear down or add to a lot where current rules become an issue; whether OSR addresses the exterior, yard, or property rather than the structure; sliding scale with increased FAR requiring a greater OSR; and impact of someone building a home of square footage greater than allowed by the current .35 FAR if expanded to .50.

(Note: Information on how to view video and audio recordings of the full Council Meeting is provided below.)

Public Input: The following members of the audience addressed floor area ratio, the proposed changes, and concerns with the impact changes could have on their neighborhoods:

Susan Taylor, 1218 W. University Ave.
Ruth Anderson, 1107 W. Charles
Mary Schultz, Champaign, Clark Park area
Glenn Anderson, 1107 W. Charles
Tracy Thomas, 1203 W. Daniel
Ken Bilger, 4413 Southford Trace
*Allen Tuckmon, 1221 W. Daniel
Craig Rost, 1214 W. Charles
Pat Fitzgerald, 1209 Waverly Dr.

Mike Martin, builder
Creg McDonald, 1210 Armory
Jonah Steves, 901 S. James
Gale Rost, 1214 W. Charles
Edwin Lira, 807 S. Prairie

Ryan Murphy, 920 W. Charles

*Katie Binkey, 905 W. McKinley

*Represents phonetic spelling of citizens names.

Council General Discussion: Council Members general comments included the following topics: need to be more proactive in relation to cataloging historical properties in the community; thanks to everyone who spoke or provided written comments; need to consider existing neighborhood versus new housing trends; consider need for green and open space, lighting concerns, and setback issues; need flexibility when considering FAR and OSR for areas, and not a blanket .5 change; consider a sliding scale such as presented under alternatives; impacting the character of neighborhoods; concern with the loss of affordable housing, need for mixed housing in the community, and importance of infill in the community; healthy neighborhood concerns; need for compromise and flexibility; consider the use of photos or drawings versus charts to demonstrate differences in FAR, OSR, and setback issues; consider the use of setbacks and height versus FAR as with other communities, and the need for compromise to allow for reinvestment in neighborhoods.

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Poll: Mayor Feinen polled staff to consider Council and citizen comments received and come back to Council with another Study Session.

Director Knight noted the possibility of any new changes requiring a new public hearing and consideration by the Plan Commission; and that it might be more appropriate to refer the issue back to staff for additional work and further review by Council. Council questioned the possibility of having a study session before sending it back to Plan Commission for suggested changes. Attorney Stavins noted something has to be done with the ordinance, so consider referring the matter back to staff to make appropriate changes, conduct another study session, then poll to see the outcome of the proposed Council Bill.

Mayor Feinen polled referring the matter back to staff. The result of the poll was 9 ayes and 0 nays.

Mayor Feinen called for a five-minute break at 8:55 p.m. before addressing the next topic.

Council Members reconvened at 9:04 p.m.

TRENDS IN TRANSPARANCY [SS 2018-002]

City Manager David noted in August 2017, Council Members addressed Council rules. Council requested staff follow-up with an additional study session to address trends in transparency, such as laws involving the Freedom of Information Act (FOIA) and Open Meetings Act (OMA); and the impact of these Acts based on current technology, communication, engaging with citizens, and how we now live versus when the laws were developed and enacted. Staff will address what transparency looks like, then respond to Council questions or concerns.

Staff Presentation: Assistant Attorney Bannon and Hall's presentation included the following topics, as tailored to elected officials as it applies to social media and newer technologies:

- Policy Behind OMA and FOIA (transparency and the public's right to know)
- What is a Public Body (majority of a quorum)
- OMA – The Basics
- What is a Meeting
- FOIA – The Basic Presumption (Records)
- What Can Be Exempted from a Public Record (Required by Law, Other Exemptions)
- FOIA/OMA and Social Media (Twitter, Facebook, Facebook Live, Reddit) – Pros and Cons of Social Media (Interactive)
- Blocking People from Your Social Media Site
- Removing Words Once Posted and Saving Posted Comments
- Records Council Members Have to Save
- Trends: Where OMA and FOIA Collide
- Trends: Public Body vs. The Individual
- Conclusion

Action Recommended: The study session topic is educational in nature to benefit the Administration for discussion with Council concerning issues involved in both the Freedom of Information Act and the Open Meetings Act.

Council Members' Technical Questions: Council Members' technical questions included the following topics: possible impact of a business comment on a personal social media post interactive component to a City business post; an emoji post to public business; being blocked on social media by a constituent; having one on one contact and conversation without becoming a public record; FOIA request including personal email related to City business, on a personal device, and best practices; static City posts sharing; closed session Council rule regarding disclosure of closed session business and the public; retaining social media post; what represents a meeting in relation to electronic interaction; best practice transparency; rules regarding interaction with other units of governments; and undoing post on social media.

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Public Input: None

Council General Discussion: None

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Poll: There was no poll conducted regarding this informational discussion regarding the Freedom of Information Act and Open Meetings Act.

Audience Participation: None

Council Member Comments: None

Adjournment: CM Stock, seconded by CM Gladney, moved to adjourn. A voice vote was taken; all voted yes.

The meeting adjourned at 9:45 p.m.

Marilyn L. Banks
City Clerk

Additional information on this meeting is available as follows:

Staff prepares a Report to the City Council containing detailed information on each subject discussed at Council meetings. The subjects and Study Session (SS) numbers for this Council meeting are:

- Maximum Floor Area Ratio for Narrow Lots [SS 2018-001]
- Trends in Transparency [SS 2018-002]

The reports are available from the City's web site at ([Council Study Session Reports](#)), by email to CityClerk@champaignil.gov, or by calling 217-403-8940.

Video streaming of this Council meeting is available on the City's web site for two years at <http://champaignil.gov/cgtvvue/city-council-videos.html>.

Almost all Council Meetings, except Community Civic Events and sessions not held in the Council Chambers, are broadcast and recorded.

City Council Meetings are broadcast on the City's television station, CGTV (Cable channel 5), and are rebroadcast several times following each meeting. The schedule can be found on the City's web site at [CGTV - Champaign Government Television](#).

Audio and video recordings of Council Meetings are available by email to CityClerk@champaignil.gov or by calling 217-403-8940. Video recordings are maintained permanently; audio recordings are maintained for five years.