



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Lorrie Pearson, AICP, Community Development Services Director
Kat Trotter, Planner I

DATE: August 12, 2021

SUBJECT: **An Ordinance Approving a Special Use Permit** (206 and 208 East California Avenue / Plan Case 2427-SU-21 – Cunningham Township Supervisor’s Office)

Introduction

Cunningham Township (“Township”) has applied for a special use permit to allow a home for adjustment and office in two existing apartment buildings at 206 and 208 East California Avenue. They would like to operate housing assistance programs, including emergency housing for families and residents with disabilities, in the eight apartment units on-site. Table V-1 of the Zoning Ordinance allows homes for adjustment and professional and business offices in the R-4 zoning district with a special use permit.

On August 5, 2021, the Plan Commission voted unanimously to forward the case to City Council with a recommendation to APPROVE the request with conditions.

Background

Homes for adjustment, as defined by the Zoning Ordinance, are dwellings to provide emergency shelter¹. Township purchased the two properties in May 2021, with the intent of using the existing apartment buildings for emergency housing, with accompanying office space. In its first year, the Township’s housing assistance program supported 29 households, including 35 children in Urbana schools. According to the Township Supervisor, 97 percent of households have exited the program into a more stable living situation. The emergency housing program currently operates out of a hotel, where families stay in single-room units; the only appliance for cooking is a microwave. The hotel will no longer be an option for the program beyond August 2021, due to a lack of availability and cost. The requested special use permit would allow the program to continue by allowing it to operate out of the two apartment buildings at 206 and 208 East California Avenue. Without the special use permit, the Township Supervisor states that they would no longer be able to operate the program.

Description of Site and Area

The site is made up of two adjacent lots (206 and 208 East California Avenue), located on the north side of East California Avenue, between Walnut Street and Vine Street. It is approximately 12,000 square feet. Nearby are professional service and retail trade businesses to the north and east, including the Lincoln Square Mall (and Saturday Market at the Square), and small apartment buildings and

¹ Zoning Ordinance Section II-3. Definitions: Dwelling, Home for Adjustment

residences to the south and west. The adjacent properties are zoned R-4, Medium Density Multiple Family Residential (west); B-3, General Business (east and south); and B-4, Central Business (north).

The following table identifies the current zoning and the existing and future land uses of the subject property and surrounding properties (see Exhibits A, B and C).

Table 1. Zoning and Land Use

Location	Zoning	Existing Land Use	Future Land Use
Site	R-4, Medium Density Multiple Family Residential	Multi-Family Residential	Central Business
North	B-4, Central Business	Commercial & Parking	Central Business
South	B-3, General Business R-5, High Density Multiple-Family Residential	Residential & Commercial	Residential
East	B-3, General Business B-4, Central Business	Commercial	Residential
West	R-4, Medium Density Multiple-Family Residential B-3, General Business	Residential & Commercial	Central Business

Proposed Use

Township would like to use the apartment buildings on-site to provide emergency housing for families and people with disabilities. They would also like include a small office space for material storage and case managers' use. The emergency housing program, which began in 2020, works alongside community partners and provides shelter, housing advocacy, and case management services. Families are referred to the program from the Urbana School District 116 or Crisis Nursery; they are then carefully screened and moved into furnished housing. A case manager makes phone contact with participants three to four times per week, and visits the home one to two times per week. The program can also provide food to residents once every two weeks, and childcare to the head(s) of household, so they can obtain work and locate stable housing.

There are eight apartment units between the two buildings, six of which are accessible to people with disabilities. The Township Supervisor intends to use an average of five units at this location for emergency housing, but would like the flexibility to use all eight units during times of rare need. The office will be incidental to the emergency housing use; however, professional and business offices also require a special use permit in the R-4 zoning district. The housing and the office would use the existing layout of the apartment buildings, with some internal renovations including new flooring and the installation of washers and dryers in some of the units.

Building Code: According to the Township Supervisor, the average length of stay for a resident in the housing program is 41 days. The buildings are classified as apartments² on their Certificates of Occupancy, which allows for long-term residential use for residency of more than 30 days. To allow for stays of 30 days or less, the buildings would be reclassified as “Transient Housing” and would require a new Certificate of Occupancy. Likewise, to put an office space in one of the existing buildings, a new Certificate of Occupancy would be required. If the buildings are to be used for

² R-2 (Residential)

transient housing or office uses, the Township will be required to have a code analysis done on the buildings to ensure that they meet the building code requirements for an R-1 (Residential) use and B (Business) use. If the code analysis finds that the buildings do not meet the building code requirements for the R-1 or B uses, the Township Supervisor would only be permitted to house residents for periods of 30 days or longer, or they would be required to make the necessary changes to the buildings to allow for the R-1 or B use.

Public Input

On July 29, 2021, the Township hosted a neighborhood meeting at the Urbana Free Library. They distributed flyers and published a press release and e-blast to notify surrounding neighbors and property owners of the meeting. Thirty-five people attended, including eight Township staff members, two city planners, a community development specialist, the Council members for Ward 1 and Ward 6, and several members of the public. Danielle Chynoweth, the Cunningham Township Supervisor, explained the reasons for the special use permit request. Jazmine Hernandez, the Township's Social Services Program Director, explained the emergency housing program and plan for the properties at 206 and 208 East California Avenue. Shaya Robinson, a case manager for the emergency housing program, talked about the Adopt a Unit Program, which asks members of the community to donate household items to furnish the residential units. They each answered questions about the program and how it will operate at this location.

Discussion

Requirements for a Special Use Permit

According to Section VII-4.A of the Urbana Zoning Ordinance, an application for a Special Use Permit shall demonstrate the following:

- 1. That the proposed use is conducive to the public convenience at that location.*

Using the existing apartments for emergency housing would be conducive to the public convenience at that location. The apartment buildings have been on the property for over 50 years, and the proposed use would align with the residential nature of the area. The site is close to schools, public transportation, grocery stores, and recreational areas, which is convenient for families and children in need of housing.

- 2. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious to the public welfare.*

The proposed housing would occupy the two existing apartment buildings that are on-site now. The Urbana School District 116 and Crisis Nursery refer families for the Township's housing program; they are then carefully screened and moved into furnished housing. A case manager makes phone contact with participants three to four times per week, and visits the home one to two times per week. The proposed office would be integrated into one of the existing apartment buildings and would allow case managers to work on-site, which should help better acclimate the residents to the surrounding neighborhood. Additionally, a code analysis will be required to ensure that the buildings comply with the building safety regulations for the proposed uses.

- 3. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located.*

The existing apartment buildings already conform to the standards of, and preserve the essential character of the R-4 zoning district. Township would like to use the two existing apartment buildings, without any exterior modifications, for emergency housing, and potentially an office. New flooring and washer/dryers will be installed to update the apartment units. The use is simply a change from apartment housing to emergency housing, which differ mostly by the length-of-stay for residents. The use will continue to be residential, and meets the intent of the R-4 zoning district.

In addition to the requirements in Section VII-4.A of the Zoning Ordinance, the Plan Commission shall make a recommendation to the City Council for or against the proposed special use, and may also recommend such additional conditions and requirements on the operation of the proposed use as are appropriate or necessary for the public health, safety and welfare, and to carry out the purposes of this Ordinance, including but not limited to conditions that:

1. Regulate the location, extent, and intensity of such uses;
2. Require adherence to an approved site plan;
3. Require landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulate a required minimum lot size, minimum yards, and a maximum height of buildings and structures;
5. Regulate vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Require conformance to health, safety, and sanitation requirements as necessary;
7. Regulate signs and outdoor lighting;
8. Any other conditions deemed necessary to affect the purposes of the Zoning Ordinance.

Plan Commission

On August 5, 2021, the Plan Commission held a public hearing on this case. Twelve people spoke at the public hearing, including the applicant: seven members of the public³ spoke in favor of the request, and four members of the public spoke in opposition to the request. One letter of public input was also received prior to the meeting, in opposition to the request. The applicant explained the emergency housing program and the community need for housing. The Plan Commissioners asked questions about how the program has operated at the hotel and what percent of participants in the program have children. Those in favor of the request expressed the community need for housing in Urbana and the suitability of the proposed location. Those in opposition expressed concerns about safety and disruption of the neighborhood. Following the discussion, the Plan Commission voted to forward the case to City Council with a recommendation to approve the request (four ayes, zero nays).

Summary of Findings

1. Cunningham Township, represented by Danielle Chynoweth, requests a special use permit to operate a home for adjustment and associated office at 206 and 208 East California Avenue in the R-4, Medium Density Multiple-Family Residential zoning district.
2. Section V-1.A.3 and Table V-1 of the Zoning Ordinance allow homes for adjustment and professional and business offices in the R-4 district with a special use permit.
3. The proposed uses would be conducive to the public at this location, as the proposed use would occupy the existing apartment buildings, and the surrounding area would be

³ Three people who spoke in favor of the request stated that they work for Cunningham Township, but were speaking as residents of Urbana.

accommodating to families with children in need of housing.

4. The proposed uses would not be injurious or detrimental to the R-4 zoning district, or injurious to the general public, as residents would be screened and monitored by case managers, and a building code analysis would be conducted to ensure building safety for all residents.
5. The proposed uses are residential in nature, and would use the existing buildings without significant modification, maintaining their current level of conformity with the R-4 zoning district.

Options

1. To allow Cunningham Township to operate a home for adjustment and office at this location: forward the Ordinance to City Council with a recommendation for approval.
2. To reject Cunningham Township's request and not allow them to operate a home for adjustment and office at this location: forward the Ordinance to City Council with a recommendation for denial.

Recommendation

On August 5, 2021, the Plan Commission voted with four ayes and zero nays to forward Plan Case No. 2427-SU-21 to the City Council with a recommendation for APPROVAL with the following conditions:

1. Prior to the City issuing new Certificates of Occupancy to allow uses classified by the building code as R-1 or B, the applicant must first have a licensed architect conduct a code analysis, and make any necessary building modifications to bring the units up to code; and
2. Prior to the City issuing new Certificates of Occupancy, residents are required to live in the building for at least 30 days.

Staff concurs with the Plan Commission recommendation.

Attachments: Exhibit A: Location Map
Exhibit B: Zoning Map
Exhibit C: Future Land Use Map
Exhibit D: Site Photos
Exhibit E: Neighborhood Meeting Flyer
Exhibit F: Public Input Received
Exhibit G: Special Use Permit Application
Exhibit H: DRAFT Plan Commission Minutes 8/5/2021

cc: Danielle Chynoweth, Cunningham Township Supervisor

ORDINANCE NO. _____

AN ORDINANCE APPROVING A SPECIAL USE PERMIT

(206 and 208 East California Avenue / Plan Case 2427-SU-21 – Cunningham Township)

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, Cunningham Township has petitioned the City for approval of a special use permit to operate a home for adjustment for emergency housing and an office at 206 and 208 East California Avenue in the R-4, Medium Density Multiple-Family Residential zoning district; and

WHEREAS, the proposed uses would be conducive to the public at this location, as they would occupy the existing apartment buildings, and the surrounding area would be accommodating to families with children in need of housing; and

WHEREAS, the proposed uses would not be injurious or detrimental to the R-4 zoning district, or injurious to the general public, as residents would be screened and monitored by case managers, and a building code analysis would be conducted to ensure building safety for all residents; and

WHEREAS, the proposed uses are residential in nature, and would utilize the existing buildings without significant modification, maintaining their current level of conformity with the R-4 zoning district; and

WHEREAS, after due publication, the Urbana Plan Commission held a public hearing on August 5, 2021, and voted with four (4) ayes, and zero (0) nays to forward Plan Case 2427-SU-21 to

the Urbana City Council with a recommendation to approve the request for a special use permit, subject to the conditions specified in Section 1 herein; and

WHEREAS, approval of the special use permit, with the conditions set forth below, is consistent with the requirements of Section VII-4 of the Urbana Zoning Ordinance, Special Use Procedures, and with the general intent of that section of the Ordinance; and

WHEREAS, the City Council, after due consideration, finds that approving a special use permit as herein provided is in the 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.

An Ordinance is hereby enacted and a special use permit is hereby approved to allow operation of a home for adjustment in the R-4, Medium Density Multiple-Family Residential zoning district with the following conditions:

1. Prior to the City issuing new Certificates of Occupancy to allow uses classified by the building code as R-1 or B, the applicant must first have a licensed architect conduct a code analysis, and make any necessary building modifications to bring the units up to code; and
2. Prior to the City issuing new Certificates of Occupancy, residents are required to live in the building for at least 30 days.

LEGAL DESCRIPTION:

Lot 7 of Myers and Besore's Addition to Urbana, Illinois, as per Plat recorded in Deed Record 46 at Page 73, situated in Champaign County, Illinois; and That part of the West Half of vacated alley lying east and adjacent to said Lot 7 as vacated by Ordinance recorded July 10, 1964 in Book 763 at Page 570 as Document No. 715237.

The West 56 feet one (1) inch of the South 110 feet of Lot 1 of Myers and Besore's Addition to Urbana, Illinois, as per Plat recorded in Deed Record 46 at Page 73, situated in Champaign County, Illinois; and That part of the East Half of vacated alley lying west and adjacent to the South 110 feet of said Lot 1 as vacated by Ordinance recorded July 10, 1964 in Book 763 at Page 570 as Document No. 715237.

Commonly known as 206 and 208 East California Avenue, Urbana, Illinois.
P.I.N.: 92-21-17-254-008 and 92-21-17-254-009

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 _____, 2021.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2021.




Diane Wolfe Marlin, Mayor

Exhibit A - Location Map



Case No. 2427-SU-21
 Subject Special Use Permit – Home for Adjustment
 Location 206 & 208 E. California Ave.
 Petitioner Cunningham Township Supervisors Office

Legend

-  Subject Properties
-  Aerials
-  Esri Imagery

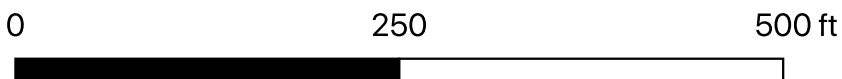
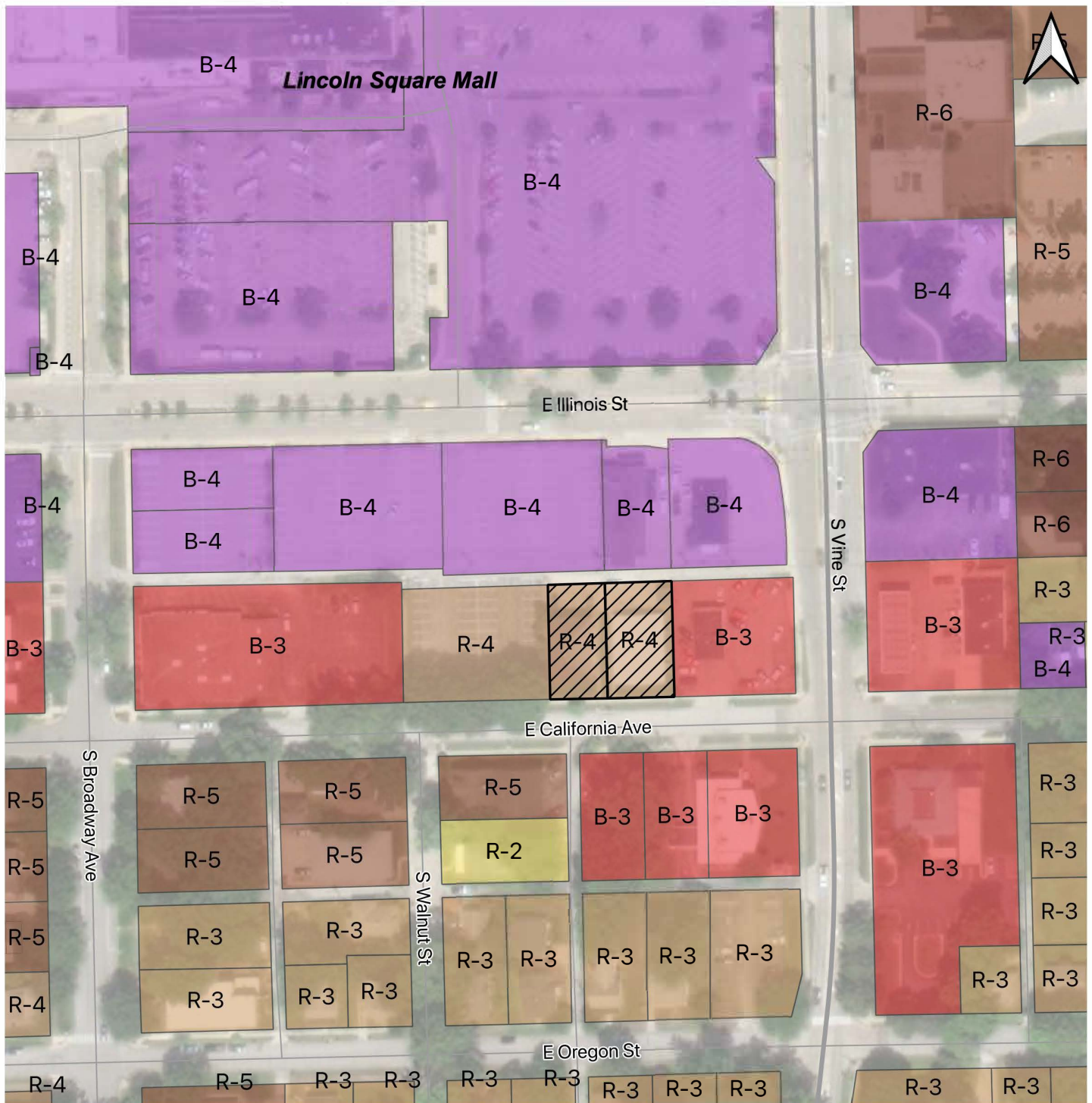


Exhibit B - Zoning Map



Case No. 2427 -SU-21
 Subject Special Use Permit - Home for Adjustment
 Location 206 & 208 E. California Ave.
 Petitioner Cunningham Township Supervisors Office

Legend

Subject Properties

Zoning

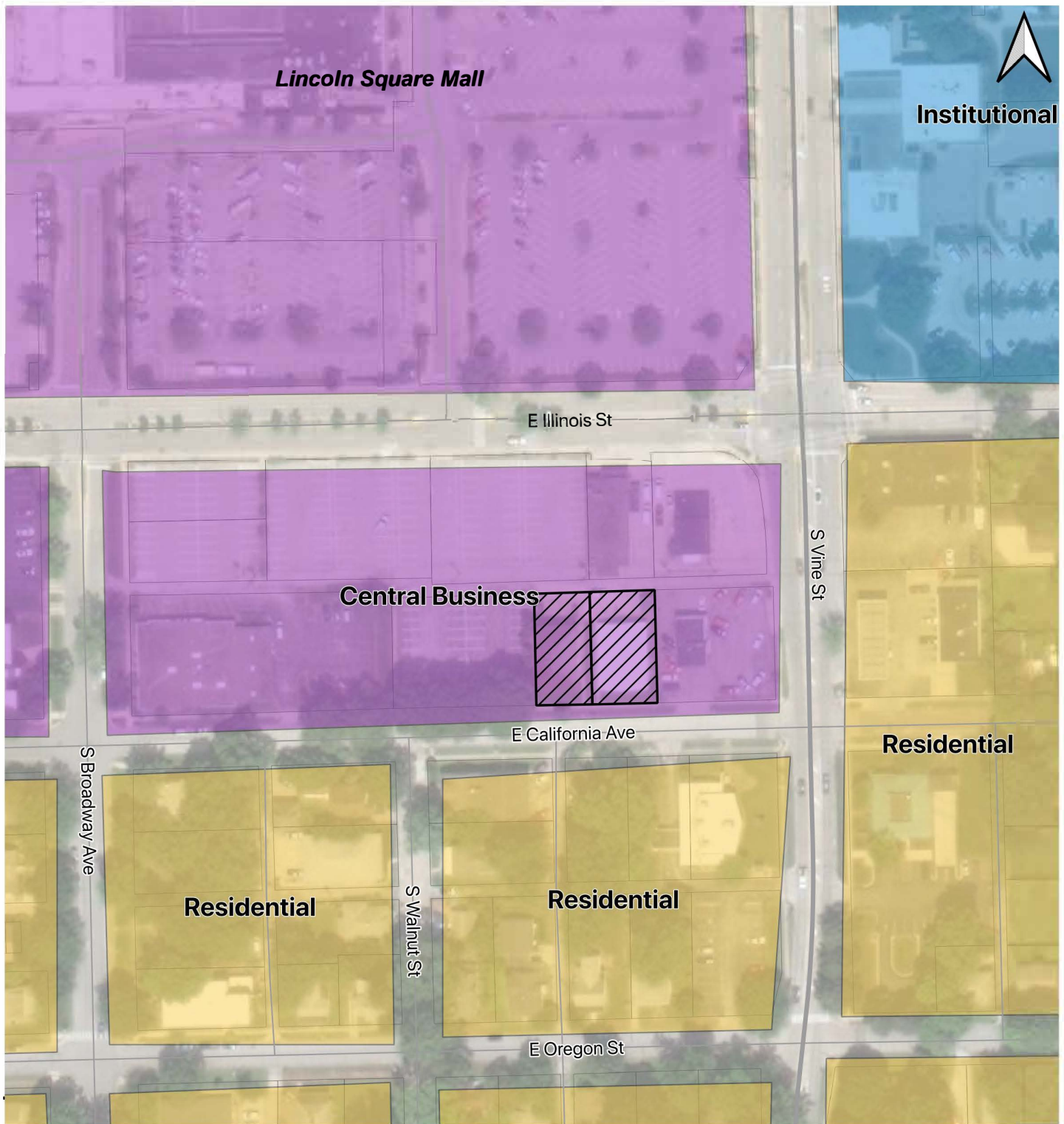
- B-3
- B-4
- R-2
- R-3
- R-4
- R-5
- R-6

Aerials

Esri Imagery





Exhibit C - Future Land Use Map



Case No. 2427 -SU-21
 Subject Special Use Permit - Home for Adjustment
 Location 206 & 208 E. California Ave.
 Petitioner Cunningham Township Supervisors Office

Legend

-  Subject Properties
- Future Land Use**
-  Central Business
-  Institutional
-  Residential

Aerials

Esri Imagery



EXHIBIT D – SITE PHOTOS



EXHIBIT E - NEIGHBORHOOD MEETING FLYER

Public Meeting to Discuss Emergency Housing Support for our Neighbors in Need

*You're
Invited!*

Thursday, July 29, 7:00PM - 8:00PM
@The Urbana Free Library Lewis
Auditorium
(masks required)



"In an effort to address rising homelessness and housing insecurity, Cunningham Township recently purchased 206 and 208 E. California Ave. to operate housing assistance programs. Our intention is to support Urbana families with children, and disabled residents, with emergency housing at this location. 188 children were homeless in Urbana schools at some point last year. Our successful emergency program has helped 29 households including 28 children so far. 93% of participants have moved to more stable housing within 2 months.

Our families have shown incredible perseverance and dedication, but they need safe, stable housing to succeed. We chose this location next to the downtown business district since it is walking distance from schools, buses, groceries, and township. Come find out more about our plans and how you can get help! Feel free to contact us at (217) 384-4144 or info@cunninghamtownship.org"

- Danielle Chynoweth, Cunningham Township Supervisor

"We were at the state of homelessness. I had six little ones behind me, and I used to think that if I give up, who will take care of them? So I prayed, and I just believed that everything was happening for a reason. It was a challenging journey, but it was worth it. Without Township's help, I don't know if I would be in my home today." - Mother served by
Emergency Housing

EXHIBIT F - LETTER OF PUBLIC INPUT

Department of Community Development Services
Planning Division
400 S Vine
Urbana IL 61801

To whom it may concern,

My name is Tony Blacker. I own Vine Street Motor Company, located at 507 S Vine St. Our location is next door to the apartments that are being considered for this special use permit. I have been a business owner in Urbana for over 17 years at this location, and I have a few concerns I would like the committee to address before the approval of the special use permit.

At the informational meeting hosted by Cunningham Township they expressed the need for bunk beds to put in the units. They informed us that the 2 bedroom units could be furnished with bunk beds to allow for the housing of a family of 6 to 8 people in one 2 bedroom unit. Will there be an escape plan in place for a unit with that many residents in case of fire or emergency?

I am concerned that without an office on site and 24hr supervision, there will be a liability risk to the City of Urbana. I am also concerned about the limited amount of area on the property for children to play. I am afraid they will end up playing in the city parking lot which could be dangerous for them, and a liability for the city.

I also see this as a risk to my business' lot and the inventory that is parked on my property. Cunningham Township has expressed that these transitional tenants will not be allowed to have guests, but I do not know how they will control that, without 24hr monitoring at the property.

The past owner of these apartment building always kept the building and grounds very well maintained. We also have never had a problem with any of the past tenants in the apartments in the last 17 years. I would hope the new owners of the apartments would keep them maintained just as well.

I have been proud to run my business in Urbana for the past 17 years. I do not want issues to arise that would force me to have to fence in my lot to protect my business and inventory. I do not think that would look inviting to my customers, or to people and businesses looking to call Urbana home.

In closing, I do hope these concerns are considered to help keep the neighborhood and businesses safe and well maintained.

Sincerely,

Tony Blacker
Vine Street Motor Co
507 S Vine St
Urbana IL 61801

EXHIBIT G - SPECIAL USE PERMIT APPLICATION



Application for Special Use Permit

PLAN COMMISSION

The application fee must accompany the application when submitted for processing. Please refer to the City's website at <http://www.urbanaininois.us/fees> for the current fee associated with this application. **The Applicant is also responsible for paying the cost of legal publication fees.** Estimated costs for these fees usually run between \$75.00 and \$225.00. The applicant will be billed separately by the News-Gazette.

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed _____ Plan Case No. _____
Fee Paid - Check No. _____ Amount _____ Date _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

A SPECIAL USE PERMIT is requested in conformity with the powers vested in the Plan Commission to recommend to the City Council under Section _____ of the Urbana Zoning Ordinance to allow (*Insert proposed use*) Mixed use on the property described below.

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Cunningham Township** Phone: **217-384-4144**
Address (*street/city/state/zip code*): **205 W. Green St., Urbana, IL 61801**
Email Address: **supervisor@cunninghamtownship.org**

2. PROPERTY INFORMATION

Address/Location of Subject Site: **206 E. California Ave. and 208 E. California Ave.**
PIN # of Location: **92-21-17-254-008 and 92-21-17-254-009**
Lot Size: **12,342 SF together**
Current Zoning Designation: **R-4**
Current Land Use (*vacant, residence, grocery, factory, etc*): **Multi-family residential**
Proposed Land Use: **Mixed use. Up to 8 units for Emergency Housing/Home for Adjustment. Up to 1 unit for Office. Up to 8 units for uses permitted by right.**

Legal Description (*If additional space is needed, please submit on separate sheet of paper*):

Parcel 3: **The West 56 feet one (1) inch of the South 110 feet of Lot 1 of Myers and C. Besore's Addition to Urbana, Illinois, as per Plat recorded in Deed Record 46 at Page 73, situated in Champaign County, Illinois. Known as 208 E. California, Urbana, IL.; and**

Parcel 4: **That part of the East Half of vacated alley lying west and adjacent to the South 110 feet of said Lot 1 as vacated by Ordinance recorded July 10, 1964 in Book 763 at Page 570 as Document No. 715237. Together commonly known as 208 E. California, Urbana, IL.**

3. CONSULTANT INFORMATION

Name of Architect(s): NA

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Engineers(s): NA

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Surveyor(s): NA

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Professional Site Planner(s): NA

Phone:

Address (*street/city/state/zip code*):

Email Address:

Name of Attorney(s): Fred Grosser

Phone: (217) 352-2784

Address (*street/city/state/zip code*): 201 W Springfield Ave, Champaign, IL 61820

Email Address: frederic.grosser@gmail.com

4. REASONS FOR SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

Please see attached.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

Please see attached.

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

Please see attached.

NOTE: If additional space is needed to accurately answer any question, please attach extra pages to the application.

By submitting this application, you are granting permission for City staff to post on the property a temporary yard sign announcing the public hearing to be held for your request.

CERTIFICATION BY THE APPLICANT

I certify all the information contained in this application form or any attachment(s), document(s) or plan(s) submitted herewith are true to the best of my knowledge and belief, and that I am either the property owner or authorized to make this application on the owner's behalf.



Applicant's Signature

July 6, 2021

Date

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
Community Development Department Services
Planning Division
400 South Vine Street, Urbana, IL 61801
Phone: (217) 384-2440
Fax: (217) 384-2367

4. REASONS FOR THE SPECIAL USE PERMIT

Explain how the proposed use is conducive to the public convenience at the location of the property.

The proposed use requires a location that is close to schools, transportation, groceries, and recreational areas for children. The use is best located in a neighborhood location that is adjacent or near the core Urbana commercial district. Additionally, program use requires some accessible units; 6 of the units have zero step or low threshold entrances, which is a rare find.

Explain how the proposed use is designed, located and proposed to be operated, so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare.

There were 188 children in Urbana schools who were known to be homeless, or facing severe housing insecurity, at some point in the last year. In an effort to combat rising homelessness and housing insecurity, Cunningham Township Supervisor's Office (CTSO) has purchased these two apartment buildings with 8 units in downtown Urbana to operate housing assistance programs, including emergency housing for families and residents with disabilities. This purchase is part of the Township's strategic plan to end homelessness in Urbana, and advances on a pledge made to Urbana voters when they overwhelmingly approved a tax increase last November.

CTSO's program supports families experiencing homelessness with short-term emergency housing. By working alongside community partners and providing intensive case management, the program's housing first strategy has been an extremely successful bridge to more stable and appropriate housing. Families are referred from USD116 or Crisis Nursery, are carefully screened, and move into furnished housing. A CTSO case manager makes phone contact with participants 3-4 times per week, and visits the home 1-2 times per week. Food may also be delivered every two weeks. Guests are strictly prohibited. Childcare is secured so that the head/s of household can obtain work and locate stable housing. In its first year, the program supported 29 households, including 35 children in Urbana Schools. The program has been highly successful and effective. Thanks to the sincere efforts and hard work of program participants, 97% of households have exited to a more stable situation. CTSO intends to use an average of 5 units at this location for emergency housing, but desires flexibility to use all 8 units, during rare needs, to ensure all literally homeless children in Urbana Schools have a safe place to live. CTSO proposes that one unit may be used as an office to afford privacy during visits and store materials for the program. Some of the units are currently occupied by private renters, all of whom are aware of CTSO's plan to operate emergency housing at this location. The two tenants with leases that end in 2022 have been offered the option and financial support to relocate, at their choice, and both have decided to stay.

Providing emergency housing for families with children who would otherwise be living in tents, cars, or abandoned or unsafe houses is essential to promoting public welfare and safety. CTSO currently operates its emergency housing program out of a hotel with families in a small, single room with only a microwave for cooking. Use of these properties will allow CTSO to sustain the program while greatly improving the quality of life of participants. Operating the program out of the hotel will no longer be a viable option past August 2021, due to lack of availability and cost. Without permission to use these properties as proposed, CTSO will be forced to close its emergency housing program, increasing the public health and safety risk for Urbana families and children.

Explain how the proposed use conforms to the applicable regulations and standards of and preserves the essential character of the district in which it shall be located.

The properties will be used for residential and light duty office use. This is in line with current use, and a less intensive use than the adjoining central business district. The properties are two private buildings which face each other, surrounded to the west and north by large parking lots, and to the east and north east by businesses. To the south, across a street, are additional multi-family apartments. There is no directly adjoining residential property. The properties contain sufficient off street parking such that no on-street parking is needed.

EXHIBIT H - DRAFT PLAN COMMISSION MINUTES

August 5, 2021

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

DRAFT

DATE: August 5, 2021

TIME: 7:00 P.M.

PLACE: City Council Chambers

MEMBERS ATTENDING: Dustin Allred, Jane Billman, Andrew Fell, Chenxi Yu

MEMBER EXCUSED: Lew Hopkins, Debarah McFarland

MEMBER ABSENT: Jonah Weisskopf

STAFF PRESENT: UPTV Camera Operator, Kevin Garcia, Principal Planner; Marcus Ricci, Planner II

OTHERS ATTENDING: Danielle Chynoweth, Amanda Coil, John Gisill, Marilyn Henson, Jasmine Hernandez, Mark Inslin, Jane McClintock, Matthew Murrey, Esther Patt, Jen Strobe, Angie Williams, Shaya, Sabah

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

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.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes of the July 8, 2021 regular Plan Commission meeting were presented for approval. Mr. Fell moved that the Plan Commission approve the minutes as written. Ms. Billman seconded the motion. The minutes were approved by unanimous voice vote.

4. COMMUNICATIONS

- Letter from Tony Blacker, of Vine Street Motor Company, regarding Case # 2427-SU-21

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2425-T-21 – A request by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article II (Definitions), Article V (Use Regulations), and Article VI (Development Regulations), and other relevant sections, to facilitate solar energy system installation.

Chair Allred announced that this case was continued to the August 19, 2021 regular meeting of the Plan Commission.

Plan Case No. 2426-T-21 – A request by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with changes to Article XI (Administration, Enforcement, Amendments and Fees) and other relevant section, to change how the Zoning Administrator is appointed.

Chair Allred announced that this case was continued to the August 19, 2021 regular meeting of the Plan Commission.

Plan Case No. 2427-SU-21 – A request by the Cunningham Township Supervisor’s Office for a Special Use Permit to allow a home for adjustment and office at 206 and 208 East California Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District.

Chair Allred opened the public hearing for this case. Kevin Garcia, Principal Planner, presented the staff report to the Plan Commission. He began by stating that the term “home for adjustment” is an outdated term so he would use the term “emergency housing” instead. Also, since “Cunningham Township Supervisor’s Office” is lengthy, he would refer to the applicant as the “Township Supervisor” during his presentation. He explained that the purpose for the proposed special use permit would be to allow emergency housing and an office on the subject sites. He gave a brief background on the Housing Assistance Program that is offered by the applicant. He showed where the two subject properties are located on a map. He noted the existing land uses and zoning of the proposed site and of the surrounding adjacent properties. He talked more about the proposed uses and how changes might be needed to meet the City’s Building Code. He mentioned the neighborhood meeting that was held to inform the neighbors about the special use permit request. He reviewed the requirements for a special use permit according to Section VII-4.A of the Urbana Zoning Ordinance. He read the options of the Plan Commission and presented staff’s recommendation for APPROVAL with the following conditions: 1) The applicant will have a

licensed architect conduct a code analysis on the apartment buildings, and will make any necessary building modifications to bring the units up to code AND 2) Prior to the issuance of new Certificates of Occupancy to allow uses classified by the building code as R-1 or B, residents will be required to live in the building for at least 30 days.

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

Mr. Fell asked who would monitor the length of a resident's stay. Mr. Garcia said that the Township Supervisor would monitor that.

Ms. Billman asked who in City staff would follow up to ensure that the proposed conditions are being met. Mr. Garcia replied that the City's Building Safety staff would review the code analysis and would also issue a new Certificate of Occupancy if needed.

Chair Allred asked if the residents would be allowed to use the office space. Mr. Garcia explained that if the applicant chose to put an office space in the layout, then they would need to get a code analysis and a new Certificate of Occupancy before they could use the office space.

Ms. Yu inquired about the R-1 or B classifications. Mr. Garcia stated that they are Building Code classifications and have nothing to do with zoning.

With there being no further questions for staff, Chair Allred opened the hearing for public input and invited the applicant to speak. He reviewed the rules for a public hearing.

Danielle Chynoweth, Cunningham Township Supervisor, and Jasmine Hernandez, Program Director of Cunningham Township, approached the Plan Commission to speak on behalf of their special use permit application.

Ms. Chynoweth stated that the Cunningham Township Office has a plan to end homelessness in the City of Urbana. They want to start with kids who are homeless. Since before she became the Township Supervisor, homelessness and housing security issues has been the #1 assistance request from callers. She talked about the lack of resources in the community for families needing assistance with housing. The Township's Housing Assistance Program has supported and helped 30 families transition from being homeless into living in stable housing.

Ms. Hernandez talked about the Housing Assistance Program and case management. She mentioned the services that they provide. Ms. Chynoweth added that they have a spreadsheet to keep track of how long residents stay in a place they provide. The average number is 57 days, so they would not have an issue with Condition #2 recommended by City staff.

Ms. Chynoweth talked about the potential for an office use at the proposed site. She said part of her wants to use the space as a housing unit for another family who is homeless; however, as she thought more about it, having an office at the location would allow them to provide better services to the participants and tenants. The office would not be open to the public and would only be used for the program uses at that location.

Mr. Fell asked if there was any State of Illinois oversight of the program. Ms. Chynoweth said no.

Ms. Billman asked how many hotel rooms were used by the program in the past. Ms. Chynoweth replied that they have had anywhere between 1 and 8 families living in hotels at any given time. The larger number of families came from when they started housing families from C-U at Home. The average number of families is 4 to 4-1/2 that the Township provides assistance to at one time, which includes a mixture of people with disabilities and families.

Ms. Billman asked how many have kids. Ms. Chynoweth said 3 out of 4 families have kids. She went on to talk about discrimination against renting to families that have children. Although it is rampant, it is illegal. They have a right to have children at the proposed location. Families with children typically have 1 to 3.

Ms. Billman said it would be nice if there would be a park nearby. Ms. Chynoweth said that Carle Park and Urbana High School are located close to the site. They were using a hotel near Interstate 74, so the proposed location would definitely be a better location for children.

Chair Allred asked if any other member of the public wanted to speak in favor of the proposed special use permit request.

Jen Strobe, Housing Advocate Coordinator at Cunningham Township, approached the Plan Commission to speak. She said she has witnessed how lives were changed by the Township's Housing Assistance Program. Having separate living spaces and a place for kids to do their homework will improve the quality of life of the people they work with immensely, rather than living in a one room hotel unit or in a car. Approval of the proposed special use permit would affect family safety, community safety, and family economic and educational successes (including the success of the neighborhood schools).

Matthew Murrey approached the Plan Commission to speak. He mentioned that he has lived in the City of Urbana for almost 29 years. He is a teacher/librarian at the Urbana High School. He loves the subject site for the proposed use. He said it would be manageable for Cunningham Township. He mentioned that during a recent trip to Washington State, it was overwhelming to see people living in several hundreds of tents. Homelessness is a problem that is out of hand, so he is happy to see Cunningham Township taking proactive measures to help people in crisis with housing.

Esther Patt approached the Plan Commission to speak. She has lived in West Urbana for 47 years. She was a member of the Urbana City Council and was the Director of the Tenant Union for decades. She is dismayed that the Urbana Zoning Ordinance requires a special use permit to use a property for the proposed use. The subject property is located in a great area in close proximity to shopping, schools and the Urbana Free Library as well as public transportation and the Court House.

She said that homelessness has been around for a long time. It is frustrating that it is so hard to find places for people to stay whether it is for 3 months, 6 months, or a year once they become homeless. The real reason for this is because many people are prejudice. Homeless does not mean the people are criminals, dangerous or irresponsible.

Ms. Patt stated that she could have bought the two properties and rented the apartment units out to people on a month-to-month basis, and the City would have no say about it. However, Cunningham Township wants to do this in an organized way, and the City staff has received a letter in opposition from a business adjacent to the subject properties. The only reason the business is against the special use request is because of the type of people who would be living in the apartment units. She encouraged the Plan Commission to recommend approval of the proposed special use permit to the Urbana City Council.

Shaya XXX, Advocate at Cunningham Township. Approached the Plan Commission to speak. She stated that there is definitely a need for housing assistance for homeless families. Many people approach her asking for assistance for things that the community does not have.

She mentioned that she has seen how people are prejudice towards homeless people. To see someone feel a certain way towards a homeless individual is dehumanizing to the homeless person. It does not give the person the opportunity to have dignity to continue to move forward. The one thing we like to offer homeless people is dignity and humanity so they can get their self-worth to continue to move forward.

Mark Inslin, resident of the City of Urbana, approached the Plan Commission to speak. He mentioned that he had lived near the subject properties for 10 years. The neighborhood is varied, so he does not see any problem with people needing emergency housing living there. In addition to the other amenities of living in this location that were already mentioned, he said that there is a community garden nearby that has a weekly outdoor cookout/potluck. He felt that the Plan Commission could support Ms. Chynoweth's efforts by recommending approval of the proposed special use permit to City Council. The fact that Cunningham Township found these two properties that are accessible is unusual. Places like the proposed sites are hard to find.

Jane McClintock approached the Plan Commission to speak. She stated that her family business owns many apartment units within two blocks of the subject properties. She does not have any concerns about the proposed use and felt it is a suitable use for the area. She mentioned that she has been volunteering with food assistance and providing furnishings for people who transition into permanent housing. The investment that Cunningham Township is making in these families is tremendously valuable to the children involved. She stated that she supports the program and encouraged the Plan Commission to support it too.

Sabah XXXX approached the Plan Commission. She stated that she is 18 years old and recently graduated high school. She was kicked out of her home two months ago. If she did not have family that she could turn to for help, she would have contacted Cunningham Township. Through her internship at Cunningham Township, she has experienced both sides of the equation ... the disparity of being houseless and guiding other homeless people through their life and pressure they are dealing with. She mentioned that after C-U at Home was closed, Cunningham Township has had a difficult time finding housing for everyone. Cunningham Township is the place that people call when they need assistance. With the eviction moratorium being lifted soon, Cunningham Township will need the proposed two properties to help people.

Chair Allred asked if any member of the public wanted to speak in opposition.

Amanda Coil approached the Plan Commission to speak. She stated that she lives directly across the street from the two subject properties. She expressed her concern for the impact the proposed use would have on her and her husband. She does not consider herself prejudice; however, she did not want the proposed use located across from where she lives. She asked the following questions:

1. Would there be children younger than school age living there should this pass?
2. What days and hours would someone be working in the office?
3. Why can't the homeless people continue to live in hotels/motels?
4. Six to eight families is a small portion of the number of families that are homeless. Is this going to be experimental?
5. Who wants to buy her house for more homeless people?

John Gisill approached the Plan Commission to speak. The perception of homeless people is that they are criminals. His understanding is that there would be some people who have disabilities. He has mixed feelings about the proposed use. He understands that there is a need and everyone wants to say "not in my backyard". He would like to have some assurances that his home will be safe. He thanked the Plan Commission for their time.

Marilyn Henson approached the Plan Commission to speak. She stated that she resides at 206 East California Avenue, Apartment #2. She was blessed with being able to sign a lease going into this next year, especially since she is currently unemployed. If she has to look for a new place to live, she does not know what she will do. In May of 2021, she received a letter from Cunningham Township stating that they purchased the property to provide housing assistance for disabled residents as well as children and their families. While she does not disagree with Cunningham Township's mission, she does disagree with how they are going about it. She said that Cunningham Township is giving her fellow residents until August 15, 2021 to move out. It is hard to find reasonable rent elsewhere. When she spoke with the Township Supervisor, the Supervisor made it sound like this is a done deal and they would be moving homeless people in the week after the City approves their request. The Supervisor refused to meet with the existing residents of the two properties to hold a discussion about the situation due to COVID; however, they could hold a neighborhood meeting later to tell the neighbors what they are proposing. Ms. Henson also stated that the subject properties are not a good location for children. Cunningham Township will need to make many changes to get the units ready for new tenants with children. She said that she agrees that the use is needed; she just does not like the way it was handled.

Angie Williams approached the Plan Commission to speak. She stated that she lives at 206 East California Avenue. She and her fiancé are moving on August 15, 2021. 206 and 208 East California Avenue is a close community. They asked to speak with Cunningham Township as a group and were given the opportunity to speak individually. They had to find out more details through a letter because Cunningham Township would not meet with the existing residents in person. She encouraged the Plan Commission to consider the letter from Tony Blacker and for Cunningham Township to reach out to him to discuss concerns he may have for his business.

Ms. Chynoweth re-approached the Plan Commission to address concerns and questions that were raised by the public. She began by addressing Ms. Coil's questions:

1. She noted that while it is illegal to discriminate against people with disabilities, it is also illegal to discriminate against people with children of any age, so children of any age could live at the proposed site.
2. She stated that the office hours would be from 8:30 am to 12:00 pm and from 1:00 pm to 4:30 pm, Monday thru Friday. There may be times that staff members stop by outside of those hours. Food deliveries are made on Wednesday evenings as well as upon request. It would be no different than Uber Eats delivering food to homes.
3. She stated that it has become cost prohibitive to continue housing homeless families in hotels/motels. By law, people are not allowed to stay longer than 28 days in hotels/motels. In addition, on weekends when there are special events in the community, there is no vacancy at hotels and motels. This would require the homeless people to live out of their vehicles on those weekends. She said that they would not continue to run the program out of hotels/motels anymore. If the proposed special use permit is denied, then they plan to close the program.
4. She stated that there were 188 children registered as being homeless in the Urbana School District. There are 2 definitions of "homeless". One is the McKinney Vento Act definition, which means that you do not have a fixed place to live. You are staying with friends and family. The second definition is that you are staying in an unsafe situation such as an abandoned building, a vehicle, on the street or fleeing domestic violence. She noted that this program does not serve people who are fleeing domestic violence as they do not have the safety protocols in place to keep those families safe. They currently also are not helping people who fit the McKinney Vento definition of homeless. If the program expands and more suitable housing is obtained, then Cunningham Township may open the program up to accept this type of homeless families.

She addressed the concern of the current renters. The Town Board approved a lease that would allow current renter to stay through December 31, 2021 on a month-to-month basis. No existing renters have chosen this option, partly because Cunningham Township is offering a \$2,000 incentive to move by August 15, 2021. Five of the existing renters chose to move and take the incentive and one renter chose to move and declined the incentive and also donated some of her furniture to the program. She pointed out that she told the renters that to keep their individual decisions confidential that they would not discuss the situation in a group setting. She also did not feel it was safe due to COVID to meet as a group.

There was no further public input. Chair Allred closed the public input portion of the hearing. He then opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Fell asked if there were any Building Safety staff present at the meeting. Mr. Garcia said no.

Mr. Fell asked if the program continues to operate with tenants in excess of 30 days, would there be any Building Safety review of the property. Mr. Garcia assumed since it would not change the Building Code classification, then there would be no further review.

Mr. Fell moved that the Plan Commission forward Case No. 2427-SU-21 to the Urbana City Council with a recommendation for approval with the following conditions:

1. The applicant will have a licensed architect conduct a code analysis on the apartment buildings, and will make any necessary building modifications to bring the units up to code AND
2. Prior to the issuance of new Certificates of Occupancy to allow uses classified by the building code as R-1 or B, residents will be required to live in the building for at least 30 days.

Ms. Billman seconded the motion.

Chair Allred agreed with City staff that the project makes sense for the proposed location for accessibility to schools and parks, etc.

Roll call on the motion was as follows:

Ms. Yu	-	Yes	Mr. Allred	-	Yes
Ms. Billman	-	Yes	Mr. Fell	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that Plan Case No. 2427-SU-21 would be forwarded to the Committee of the Whole on Monday, August 16, 2021.

Respectfully submitted,

Kevin Garcia, Secretary
Urbana Plan Commission