



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Lunt Prussing

FROM: Elizabeth H. Tyler, FAICP, Community Development Director

DATE: September 3, 2015

SUBJECT: Plan Case 2259-M-15: A request to rezone the property at 703 N. Matthews Avenue, totaling 0.187 acres, from the R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential district.

Plan Case 2260-SU-15: A request by C-U at Home for a Special Use Permit to allow a “Home for Adjustment – Women’s Shelter/Transitional Housing for Women” at 703 N. Matthews Avenue in the R-4, Medium Density Multiple-Family Residential zoning district.

Introduction and Background

The petitioner, C-U at Home, has submitted two requests concerning the subject property at 703 N. Matthews Avenue. The first request is to rezone the property from its current R-2, Single-Family Residential zoning district designation to an R-4, Medium Density Multiple-Family Residential district. The second request is for a special use permit, on the newly rezoned property, to allow a transitional housing facility. The facility would provide temporary housing for women in the Champaign-Urbana area.

On June 25, 2015, the Urbana Plan Commission reviewed the rezoning and special use permit applications for the property. A condition limiting the occupancy of the house was kept to preserve the use-intensity limits as found in the original staff recommendation. The Commission voted unanimously to forward both requests to the Urbana City Council with a recommendation for approval.

The Urbana City Council heard the case at its July 13, 2015 meeting and voted to continue the cases to a later meeting. The staff memorandum with attachments from that meeting can be viewed [here](#). Members of the council expressed concern about the surrounding community having an additional opportunity to express their opinions and ask questions. The petitioner provided an open forum at the Urbana City building on August 10, 2015 to provide information and answers for nearby residents. They also hosted an on-site cookout at the site that was open to the public on August 22, 2015. Melany Jackson, the head of C-U at Home and group representative for the applications, felt that many nearby residents had a chance to interact with the group and receive more information about the cases. Some residents were concerned about the home being connected to larger uses and changes within the neighborhood. Other residents wanted specific information about the operation of the home and how it

would fit into the neighborhood. The applicant communicated that the proposed home was not associated with any larger entity, such as Presence Hospital. She also stated that safety and care would be continuously accounted for and that the usage-intensity of the home would not be much greater than a single family home. One resident, Mary Brooks, distributed a flyer with a series of questions regarding the operation of the proposed home. The applicant feels confident in being able to provide answers and clarification for any of the questions submitted.

Consideration

The City Council shall determine whether the reasons set forth in the application, and the evidence adduced during the public hearing, justify the granting of the zoning map amendment and special use permit, and whether the proposed use will be in harmony with the general purpose and intent of the Zoning Ordinance, and 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.

In addition, as part of the Special Use Permit consideration, the City Council may also add additional conditions and requirements on the operation of the proposed uses 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. Regulating the location, extent, and intensity of such use;
2. Requiring adherence to an approved site plan;
3. Requiring landscaping and the screening of such use by means of fences, walls, or vegetation;
4. Stipulating a required minimum lot size, minimum yards, and maximum height of buildings and structures;
5. Regulating vehicular access and volume, and the design and location of parking and loading areas and structures;
6. Requiring conformance to health, safety, and sanitation requirements as necessary;
7. Regulating signs and outdoor lighting;
8. Imposing any other conditions deemed necessary to affect the purposes of this Ordinance.

Summary of Findings

1. C-U at Home has filed applications for the property at 703 N. Matthews Avenue to be rezoned from R-2, Single Family Residential to R-4, Medium Density Multiple-Family Residential and to be granted a special use permit to operate a transitional home at this location.
2. The subject property at 703 N. Matthews is a single family home that has been vacant for several years and the proposal would occupy and renovate a potentially blighted property.
3. The proposed use as a home for adjustment would provide housing for up to eight women who otherwise would be homeless and contributes to both the City Council and Mayoral Goal of “Quality of Life” and the 2005 Urbana Comprehensive Plan Goal 39.0 “Seek to improve the quality of life for all residents through community development programs that emphasize social services, affordable housing and economic opportunity.”
4. The 2005 Urbana Comprehensive Plan future land use map designates this property as Residential (Urban Pattern), which would be generally consistent with the proposed use of a transitional home.

5. The density for the site, as proposed in the special use permit application and rezoning, would not be increased beyond what is allowed with a duplex use in the existing R-2 district.
6. Rezoning to R-4, Medium Density Multiple-Family Residential appears to generally meet the LaSalle Case criteria.
7. The proposed use is conducive to the public convenience at this location because it preserves a residential use of the property without greatly increasing the intensity of use.
8. The proposed use would locate in an existing building, with minimal changes to the property and would not be unreasonably injurious or detrimental to the district in which it shall be located.
9. The proposed use would locate in an existing building which meets the regulations and standards of, and preserves the essential character of the R-4 district in which it shall be located.

Options

The City Council has the following options for Plan Case 2259-M-15:

1. Approve the Rezoning request; or
2. Deny the Rezoning request.

The City Council has the following options for Plan Case 2260-SU-15:

1. Approve the Special Use Permit without any additional conditions.
2. Approve the Special Use Permit with any conditions deemed appropriate or necessary for the public health, safety, and welfare, and to carry out the purposes of the Zoning Ordinance.
3. Deny the Special Use Permit.

Recommendations

On June 25, 2015, the Urbana Plan Commission voted unanimously to forward Plan Case 2259-M-15 to the City Council with a recommendation of **APPROVAL** for rezoning 703 N. Matthews Avenue to **R-4, Medium Density Multiple-Family Residential**. On June 25, 2015, the Urbana Plan Commission voted unanimously to forward Plan Case 2260-SU-15, to the City Council with a recommendation of **APPROVAL** for a Special Use Permit application with the following conditions:

1. The site is not redeveloped to a higher density and the home does not exceed the maximum allowable occupancy of eight (8) residents and one (1) staff member.
2. The petitioner provide a parking plan subject to the review and approval of the Zoning Administrator and City Engineer depicting at least three (3) parking spaces either on-site or within 600 feet of the subject property.

Staff concurs with these recommendations.

Prepared by:
Christopher Marx, Planner I

Attachments: Draft Ordinances

ORDINANCE NO. 2015-07-066

An Ordinance Amending the Zoning Map of the City of Urbana, Illinois

(Rezoning of a 0.187 acre parcel at 703 N. Matthews Avenue from the R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential district - Plan Case 2259-M-15 / C-U at Home)

WHEREAS, C-U at Home, has petitioned the City for a Zoning Map Amendment to rezone a 0.187-acre parcel located at 703 North Matthews Avenue from R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on June 25, 2015 concerning the petition filed in Plan Case No. 2259-M-15; and

WHEREAS, the requested rezoning is consistent with the goals, objectives, and generalized land use designations of the City of Urbana 2005 Comprehensive Plan; and

WHEREAS, the requested rezoning is consistent with the La Salle case criteria; and

WHEREAS, the Urbana Plan Commission voted five ayes and zero nays to forward the case to the Urbana City Council with a recommendation of approval of the request to rezone the property herein described below from R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential; and

WHEREAS, the findings of the Plan Commission indicate that approval of the rezoning request would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The Official Zoning Map of Urbana, Illinois, is herewith and hereby amended to change the zoning classification of the following described

properties from R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential.

The subject property is more accurately described as follows:

LEGAL DESCRIPTION:

P Lot 10 in Block 34 of Seminary Addition to the City of Urbana, as per plat recorded in Deed Record "Y", Page 208, in Champaign County, Illinois; more commonly known as 703 North Mathews Avenue, Urbana, Illinois

LOCATED AT: 703 N. Matthews Avenue, Urbana, Illinois

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this _____ day of _____, ____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, ____.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ___ day of _____, _____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled: "**AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF URBANA, ILLINOIS** ((Rezoning of a 0.187 acre parcel at 703 N. Matthews Avenue from the R-2, Single-Family Residential district to the R-4, Medium Density Multiple-Family Residential district - Plan Case 2259-M-15 / C-U at Home), which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, _____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, _____.

(SEAL)

Phyllis D. Clark, City Clerk

ORDINANCE NO. 2015-07-067

An Ordinance Approving A Special Use Permit

(Special Use Permit to allow a "Home for Adjustment - Women's Shelter/Transitional Housing for Women" at 703 N. Matthews Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District - Plan Case No. 2260-SU-15 / C-U at Home)

WHEREAS, C-U at Home has petitioned the City for a Special Use Permit to establish a transitional home for women at 703 N. Matthews Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District; and

WHEREAS, the Urbana Zoning Ordinance identifies a *Dwelling, Home for Adjustment* within the R-4, Medium Density Multiple-Family Residential Zoning District as being permitted with the granting of a Special Use Permit; and

WHEREAS, the proposed use is conducive to the public convenience at this location because it preserves a residential use of the property without greatly increasing the intensity of use; and

WHEREAS, the proposed home would locate in an existing building, with minimal changes to the property and would not be unreasonably injurious or detrimental to the district in which it shall be located; and

WHEREAS, the proposed transitional home would locate in an existing building which meets the regulations and standards of, and preserves the essential character of the R-4 district in which it shall be located; and

WHEREAS, the proposed transitional home is generally compatible with the existing land use pattern of the subject site and surrounding area; and

WHEREAS, the proposed transitional home is generally consistent with the property's Residential designation, as identified in Future Land Use Map #3 in the 2005 Urbana Comprehensive Plan; and

WHEREAS, after due publication, a public hearing was held by the Urbana Plan Commission on June 25, 2015 concerning the petition filed by the petitioner in Plan Case No. 2260-SU-15; and

WHEREAS, on June 25, 2015, the Urbana Plan Commission voted 5 ayes and 0 nays to forward the case 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-6 of the Urbana Zoning Ordinance, Special Use Permit Procedures, and with the general intent of that Section of the Ordinance; and

WHEREAS, the findings of the Plan Commission indicate that approval of the Special Use Permit would promote the general health, safety, morals, and general welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. A Special Use Permit is hereby approved to allow the establishment of *Dwelling, Home for Adjustment* in the R-4, Medium Density Multiple-Family Residential Zoning District with the following conditions:

1. The site is not redeveloped to a higher density and the home does not exceed the maximum allowable occupancy of eight residents and one staff member as proposed in this application.
2. The petitioner provide a parking plan subject to the review and approval of the Zoning Administrator and City Engineer depicting at least three (3) parking spaces either on-site or within 600 feet of the subject property.

LEGAL DESCRIPTION:

P Lot 10 in Block 34 of Seminary Addition to the City of Urbana, as per plat recorded in Deed Record "Y", Page 208, in Champaign County, Illinois; more commonly known as 703 North Mathews Avenue, Urbana, Illinois

LOCATED AT: 703 N. Matthews Avenue, Urbana, Illinois

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the City Council. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the ___ day of _____, 2015, the City Council of the City of Urbana passed and approved Ordinance No. _____, entitled "**An Ordinance Approving A Special Use Permit** (Special Use Permit to allow a "Home for Adjustment - Women's Shelter/Transitional Housing for Women" at 703 N. Matthews Avenue in the R-4, Medium Density Multiple-Family Residential Zoning District - Plan Case No. 2260-SU-15 / C-U at Home)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 2015, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, _____.

(SEAL)

Phyllis D. Clark, City Clerk