

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

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: Susan Burgstrom, Danielle Chynoweth, Amanda Coyle, Mark Enslin, John Gisill, Marilyn Heinsohn, Jasmine Hernandez, Saba Manetti-Tesfaye, Jane McClintock, Matthew Murrey, Esther Patt, Shaya Robinson, Jen Straub, Angie Williams

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 that 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 Straub, Housing Advocate Coordinator at Cunningham Township, approached the Plan Commission to speak. She said that 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 Robinson, 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 Enslin, 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.

Saba Manetti-Tesfaye 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 Coyle 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 Heinsohn 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 \$2,000.00 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.

8. NEW BUSINESS

Case No. CCZBA-008-AT-21 – Amend Section 5.2 of the Champaign County Zoning Ordinance by adding “Agronomic Research and Training Facility” as a Special Use Permit in the AG-1, Agriculture, and AG-2, Agriculture, Zoning Districts.

Chair Allred opened this case for Plan Commission review and recommendation. Marcus Ricci, Planner II, presented the staff report for the case. He began by introducing the case and explaining the purpose for the proposed text amendment. He discussed Champaign County’s AG-1 and AG-2 zoning classifications, the City of Urbana Zoning, the implications for development within the City’s extra-territorial jurisdiction (ETJ) area, and how the proposed text amendment relates to the goals and objectives in the City’s 2005 Comprehensive Plan. He summarized staff findings and read the options of the Plan Commission. He presented staff’s recommendation to defeat a resolution of protest. He mentioned that Susan Burgstrom was available to answer any questions on behalf of the applicant.

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

Chair Allred asked if there were any compatibility issues with the proposed agronomic use. Mr. Ricci stated that it was too early to tell. The proposed text amendment would only be adding the “Agronomic Research and Training Facility” use to the County’s table of uses. It would only be focusing on the a training facility with 400-600 staff, research on fertilizer, a large computer hub that would coordinate global research on fertilizer and applying test fertilizer to crops.

Chair Allred asked if there was a proposal within the ETJ, would they see the Special Use Permit request. Mr. Ricci said yes.

Mr. Fell moved that the Plan Commission forward Case No. CCZBA-008-AT-21 to the City Council with a recommendation to defeat a resolution of protest. Ms. Yu seconded the motion. Roll call on the motion was as follows:

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

The motion passed by unanimous vote.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

There was none.

11. STUDY SESSION

Comprehensive Plan Assessment

Kevin Garcia, Principal Planner, introduced Lena Walker as a Planning Intern for the City of Urbana. He explained that she had been working on Imagine Urbana, an update to the Comprehensive Plan. Ms. Walker gave a short presentation on the following:

- Survey Input by the Numbers
- How do you imagine Urbana in 20 years?
- What should Urbana's priorities be?
- How to address opportunities and challenges?
- Idea Wall

Ms. Yu asked when the opportunity to restructure the laws/zoning to allow for change would occur. Mr. Garcia replied that Planning's long term plan is to update the Comprehensive Plan. From what the proposed updated Comprehensive Plan shows that people want to see, City staff can then begin to update the Zoning Ordinance.

12. CLOSED SESSION

Ms. Billman moved that the Plan Commission continue the Closed Session item to the next regular meeting. Mr. Fell seconded the motion. The motion passed by unanimous voice vote.

13. ADJOURNMENT OF MEETING

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Kevin Garcia, Secretary
Urbana Plan Commission