



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

m e m o r a n d u m

**TO:** Urbana Plan Commission  
**FROM:** Kat Trotter, Planner I  
**DATE:** July 30, 2021  
**SUBJECT:** **Plan Case 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.

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### Introduction

The Cunningham Township Supervisor's Office has applied for a special use permit to allow for 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.

The Plan Commission must review the special use permit application, hold a public hearing, and make a recommendation to the Urbana City Council. The City Council must then approve, approve with certain conditions, or deny the application. Staff recommends that the Plan Commission forward the case to City Council with a recommendation of approval, with the conditions included in the staff report.

### Background

Homes for adjustment, as defined by the Zoning Ordinance, are dwellings to provide emergency shelter<sup>1</sup>. The Cunningham Township Supervisor's Office ("Township Supervisor") purchased the two properties in May, 2021, with the intent of using the existing apartment buildings for emergency housing, with an accompanying office space. In its first year, the Township Supervisor'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 which only have 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.

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<sup>1</sup> Zoning Ordinance Section II-3. Definitions: Dwelling, Home for Adjustment

## 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 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

The Township Supervisor 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 apartments<sup>2</sup> 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 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, 2020<sup>1</sup>, 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 refers families for the Township Supervisor’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

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<sup>2</sup> R-2 (Residential)

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. The Township Supervisor 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.

## **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 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

The Plan Commission has the following options in Plan Case 2427-SU-21:

1. Forward the case to City Council with a recommendation to approve the special use permit as requested, based on the findings outlined in this memo; or
2. Forward the case to City Council with a recommendation to 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 City's municipal code; or
3. Forward the case to City Council with a recommendation of denial of the special use permit. If the Plan Commission elects to do so, it should articulate the findings supporting its denial.

## Recommendation

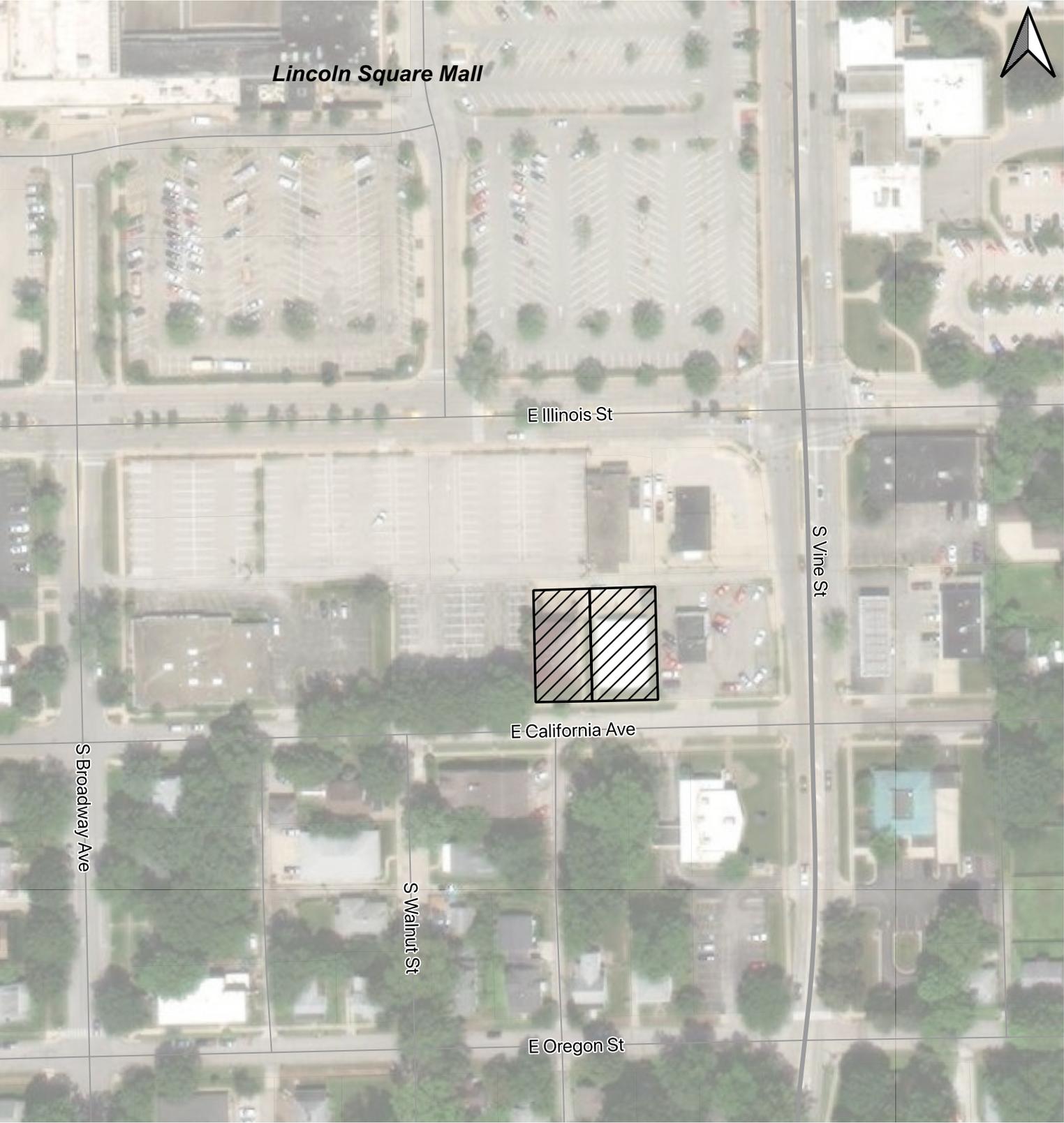
Based on the evidence presented in the discussion above, and without the benefit of considering additional evidence that may be presented at the public hearing, staff recommends that the Plan Commission recommend **APPROVAL** of the proposed Special Use Permit in Plan Case No. 2427-SU-21 for the reasons articulated above and 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.
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.

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: Special Use Permit Application

cc: Danielle Chynoweth, Cunningham Township Supervisor

# 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

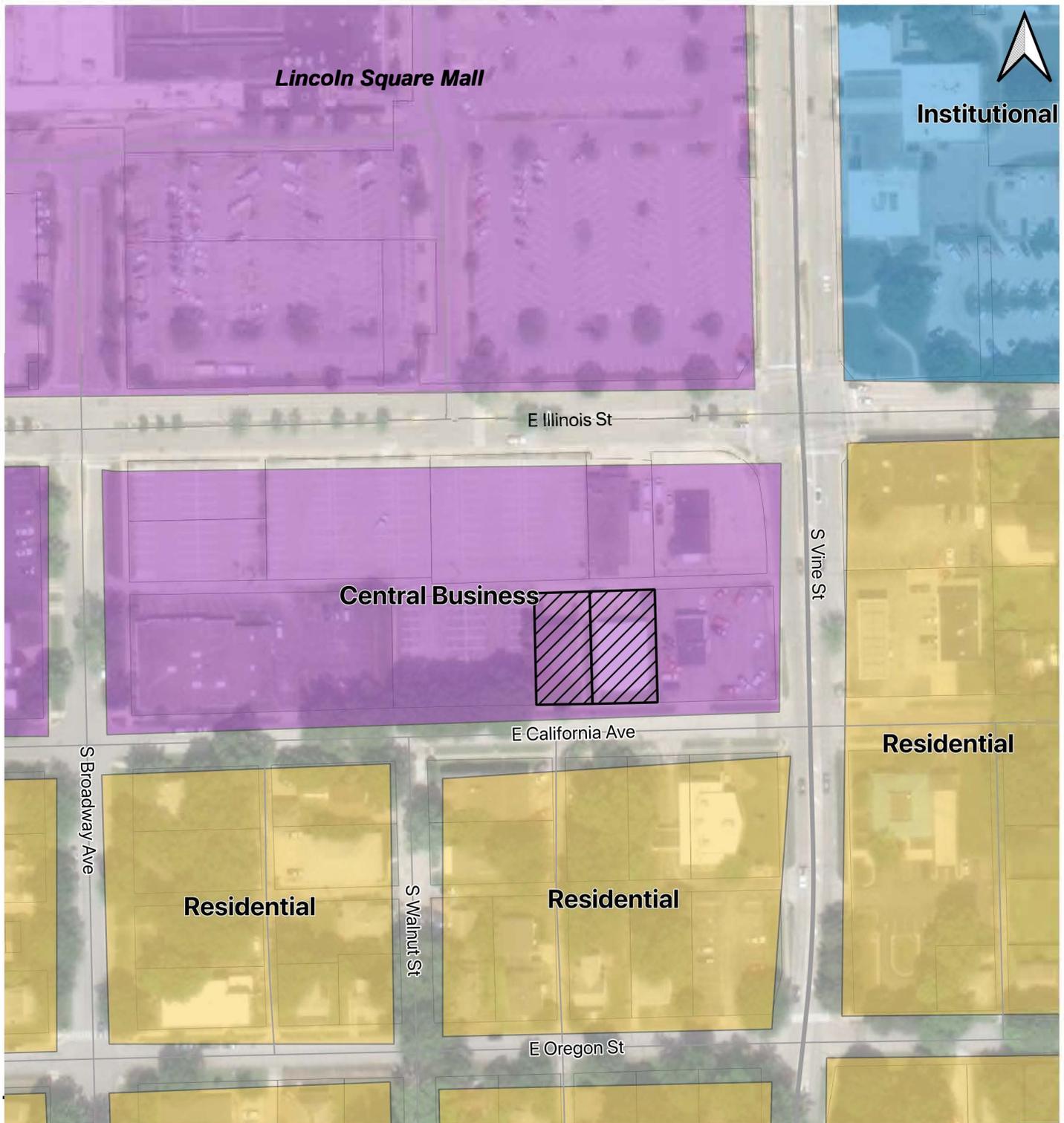
- B-3
- B-4
- R-2
- R-3
- R-4
- R-5
- R-6

### 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
-  Central Business
-  Institutional
-  Residential

Aerials

Esri Imagery



# EXHIBIT D – SITE PHOTOS



## 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](mailto: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



# 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.