



DATE: Monday, November 18, 2024
TIME: 7:00 PM
PLACE: 400 South Vine Street, Urbana, IL 61801

AGENDA

Chair: Shirese Hursey, Ward 3

A. Call to Order and Roll Call

B. Approval of Minutes of Previous Meeting

C. Additions to the Agenda

D. Presentations and Public Input

E. Staff Report

1. U-Cycle Options

F. Unfinished Business

- 1. Ordinance No. 2024-11-034:** An Ordinance Amending the Urbana Zoning Ordinance (Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24) – CD

G. New Business

- 1. Resolution No. 2024-11-074R:** A Resolution Authorizing Acceptance of a DCEO Community Development Block – Coronavirus Grant (CDBG-CV) – CD
- 2. Resolution No. 2024-11-075R:** A Resolution Approving a CDBG-CV Subrecipient Grant Agreement with Hope Village Inc. – CD
- 3. Resolution No. 2024-11-076R:** A Resolution Authorizing Acceptance of a DCEO Grant (Hope Village) – CD
- 4. Resolution No. 2024-11-077R:** A Resolution Approving a Subrecipient Grant Agreement with Hope Village, Inc. – CD
- 5. Resolution No. 2024-11-078R:** A Resolution Authorizing Acceptance of a DCEO Grant (Urbana Pilot Fleet Electrification Program) – CD
- 6. Ordinance No. 2024-11-036:** An Ordinance Revising the Annual Budget Ordinance (Budget Amendment #2 – Omnibus) – HRF

H. Council Input and Communications

All City meetings are broadcast on Urbana Public Television and live-streamed on the web. Details on how to watch are found on the UPTV webpage located at <https://urbanaininois.us/upty>

I. Adjournment

PUBLIC INPUT

The City of Urbana welcomes Public Input during open meetings of the City Council, the City Council's Committee of the Whole, City Boards and Commissions, and other City-sponsored meetings. Our goal is to foster respect for the meeting process, and respect for all people participating as members of the public body, city staff, and the general public. The City is required to conduct all business during public meetings. The presiding officer is responsible for conducting those meetings in an orderly and efficient manner. Public Input will be taken in the following ways:

Email Input

Public comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted) at the following: citycouncil@urbanaininois.us. The subject line of the email must include the words "PUBLIC INPUT" and the meeting date. Your email will be sent to all City Council members, the Mayor, City Administrator, and City Clerk. Emailed public comments labeled as such will be incorporated into the public meeting record, with personal identifying information redacted. Copies of emails will be posted after the meeting minutes have been approved.

Written Input

Any member of the public may submit their comments addressed to the members of the public body in writing. If a person wishes their written comments to be included in the record of Public Input for the meeting, the writing should so state. Written comments must be received prior to the closing of the meeting record (at the time of adjournment unless otherwise noted).

Verbal Input

Protocol for Public Input is one of respect for the process of addressing the business of the City. Obscene or profane language, or other conduct that threatens to impede the orderly progress of the business conducted at the meeting is unacceptable.

Public comment shall be limited to no more than five (5) minutes per person. The Public Input portion of the meeting shall total no more than two (2) hours, unless otherwise shortened or extended by majority vote of the public body members present. The presiding officer or the city clerk or their designee, shall monitor each speaker's use of time and shall notify the speaker when the allotted time has expired. A person may participate and provide Public Input once during a meeting and may not cede time to another person, or split their time if Public Input is held at two (2) or more different times during a meeting. The presiding officer may give priority to those persons who indicate they wish to speak on an agenda item upon which a vote will be taken.

The presiding officer or public body members shall not enter into a dialogue with citizens. Questions from the public body members shall be for clarification purposes only. Public Input shall not be used as a time for problem solving or reacting to comments made but, rather, for hearing citizens for informational purposes only.

In order to maintain the efficient and orderly conduct and progress of the public meeting, the presiding officer of the meeting shall have the authority to raise a point of order and provide a verbal warning to a speaker who engages in the conduct or behavior proscribed under "Verbal Input". Any member of the public body participating in the meeting may also raise a point of order with the presiding officer and request that they provide a verbal warning to a speaker. If the speaker refuses to cease such conduct or

behavior after being warned by the presiding officer, the presiding officer shall have the authority to mute the speaker's microphone and/or video presence at the meeting. The presiding officer will inform the speaker that they may send the remainder of their remarks via e-mail to the public body for inclusion in the meeting record.

Accommodation

If an accommodation is needed to participate in a City meeting, please contact the City Clerk's Office at least 48 hours in advance so that special arrangements can be made using one of the following methods:

- Phone: 217.384.2366
- Email: CityClerk@urbanaininois.us



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanaininois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 18, 2024 Committee of the Whole
Subject: Continuation of Ordinance No. 2024-11-034 – An Ordinance Amending the Urbana Zoning Ordinance (Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)

Summary

Action Requested

City Council is being asked to approve the captioned zoning ordinance text amendment as presented at the November 12 Committee of the Whole.

Commission Recommendation

The Plan Commission reviewed the proposed text amendment on September 19 and October 17, 2024, and voted unanimously to recommend approval to City Council.

Relationship to City Services and Priorities

Impact on Core Services

N/A

Strategic Goals & Plans

At the November 12 Committee of the Whole, there was discussion regarding the role of *Imagine Urbana* in providing the basis for staff and Plan Commission support for this text amendment. Neither the Plan Commission Staff Report nor the Plan Commission recommendation used *Imagine Urbana* as the basis to recommend approval. *Imagine Urbana* is currently in draft and has not been adopted by Council. While the Plan Commission has had numerous work sessions to discuss parts of the plan, those conversations are evolving.

The Plan Commission Staff Report cites the follow sections of 2005 Comprehensive Plan as supporting the text amendment:

Goal 1.0 – Preserve and enhance the character of Urbana’s established residential neighborhoods.

Goal 2.0. – New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.

Objective 2.1 – Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.

Goal 4.0 – Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.

Objective 4.1 - Encourage a variety of land uses to meet the needs of a diverse community.

Objective 4.3 – Encourage development patterns that offer the efficiencies of density and a mix of uses.

Goal 18.0 – Promote infill development.

Goal 19.0 – Provide a strong housing supply to meet the needs of a diverse and growing community.

Objective 19.2 – Encourage residential developments that offer a variety of housing types, prices and designs.

Additional objectives in the Comprehensive Plan that support the amendment include:

Objective 1.4 – Promote established neighborhoods close to campus and the downtown as attractive places for people to live.

Objective 1.5 – Ensure appropriate zoning in established neighborhoods to help foster the overall goals for each unique area.

Objective 3.1 – Encourage an urban design for new developments that will complement and enhance its surroundings.

Objective 5.1 – Encourage development patterns that help reduce dependence on automobiles and promote different modes of transportation.

Objective 16.3 – Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

The policy underpinning for the proposed text amendment is not new. There is ample evidence in the existing (2005) Comprehensive Plan to support the text amendment recommended here.

However, looking forward with an eye to continuity, *Imagine Urbana*, as currently drafted, would also provide a rationale for supporting the proposed text amendment. If anything, the language of *Imagine Urbana* is more straightforward and explicit. As in, Big Idea #1 from *Imagine Urbana – Urbana is a Place for Everyone*.

Previous Council Actions

Several previous Council actions were outlined in the November 4 memo to Council for this item. Special note should be made of Ordinance No. 7071-43, which establishes the Zoning Districts in question (R-2 and R-3) and provided for duplexes in each of those zones as an appropriate residential use type.

Discussion

Additional Background Information

Several issues were raised at the Committee of the Whole on November 12 that the Council requested specific follow-up to address.

A chart showing the R-2/R-3 development requirements both before and after the proposed text amendment is included below:

Current and Proposed Regulations for Duplexes (R-2 and R-3 Districts)

	Current		Proposed	
Plat Date	Pre-1970	Post-1970	Existing Lots	New Lots
Min. Lot Size	6,000 ft ²	9,000 ft ²	none	6,000 ft ²
Min. Lot Width	60 ft	80 ft	none	60 ft
Floor Area Ratio	0.4			
Open Space Ratio	0.4			
Max. Bldg. Height	35 ft			
Min. Front Yard	15			
Min. Side Yard	5			
Min. Rear Yard	10			
Zoning Approvals Required	R-2: Conditional Use Permit (Requires Public Hearing and Approval by Zoning Board of Appeals) R-3: None ("By Right")			

Illustrations were also requested that would demonstrate different development scenarios and how those would change if the text amendment was adopted. The applicant, David Huber, who is a practicing architect, has agreed to provide such drawings and staff anticipates that those drawings will be presented at the Committee meeting on November 18.

A Councilmember requested a current (static) zoning map. The City-wide zoning map and the West Urbana neighborhood zoning are attached to this memo.

Staff also anticipate providing some additional information about existing conditions that are germane to this discussion. This information was not able to be compiled prior to the publication of the Council Packet but will be presented at the Committee meeting on Monday.

Recommendation

Staff recommends adoption of the proposed zoning text amendment as presented.

Next Steps

If the proposed text amendment is approved, staff will update the City's Zoning Ordinance.

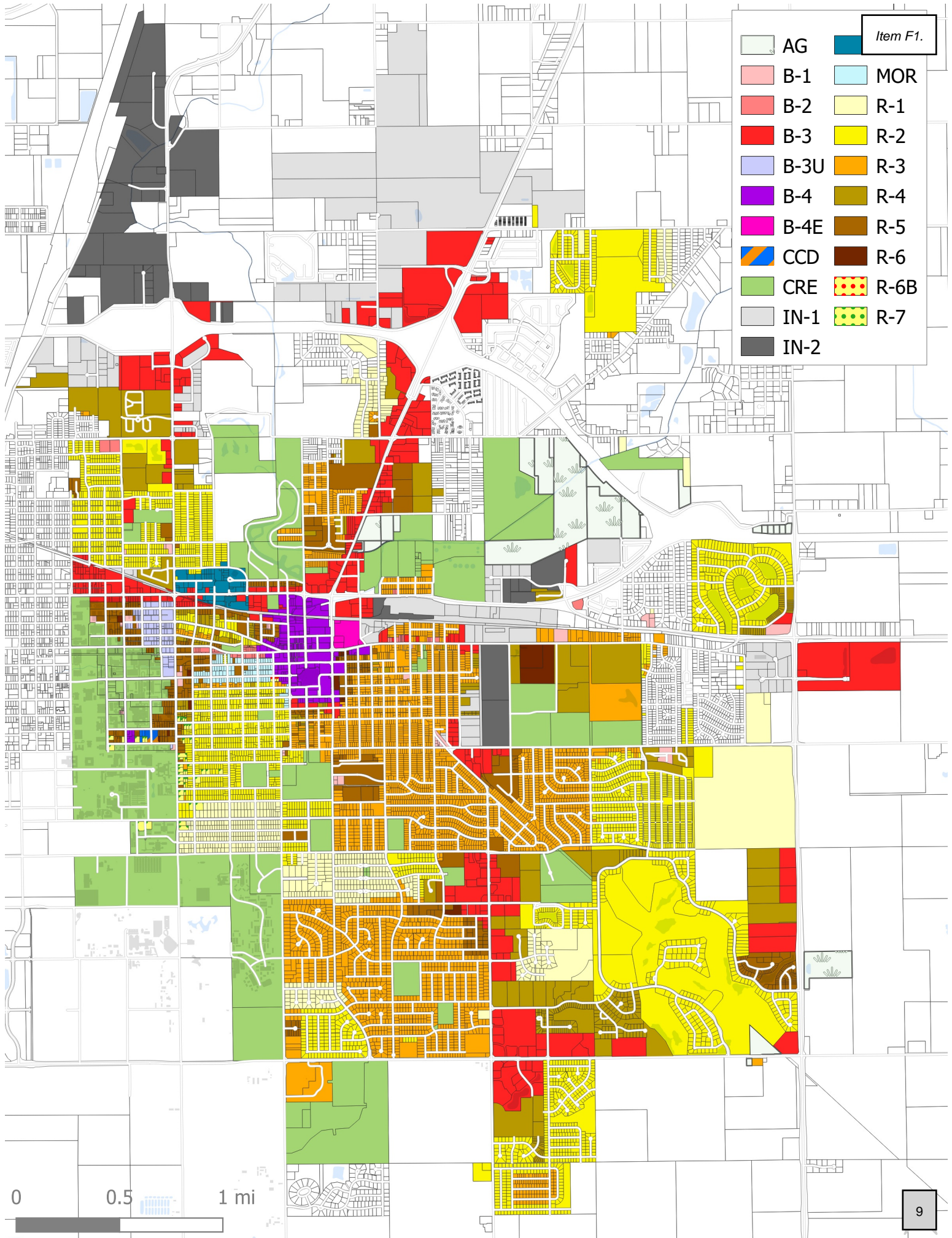
Attachments

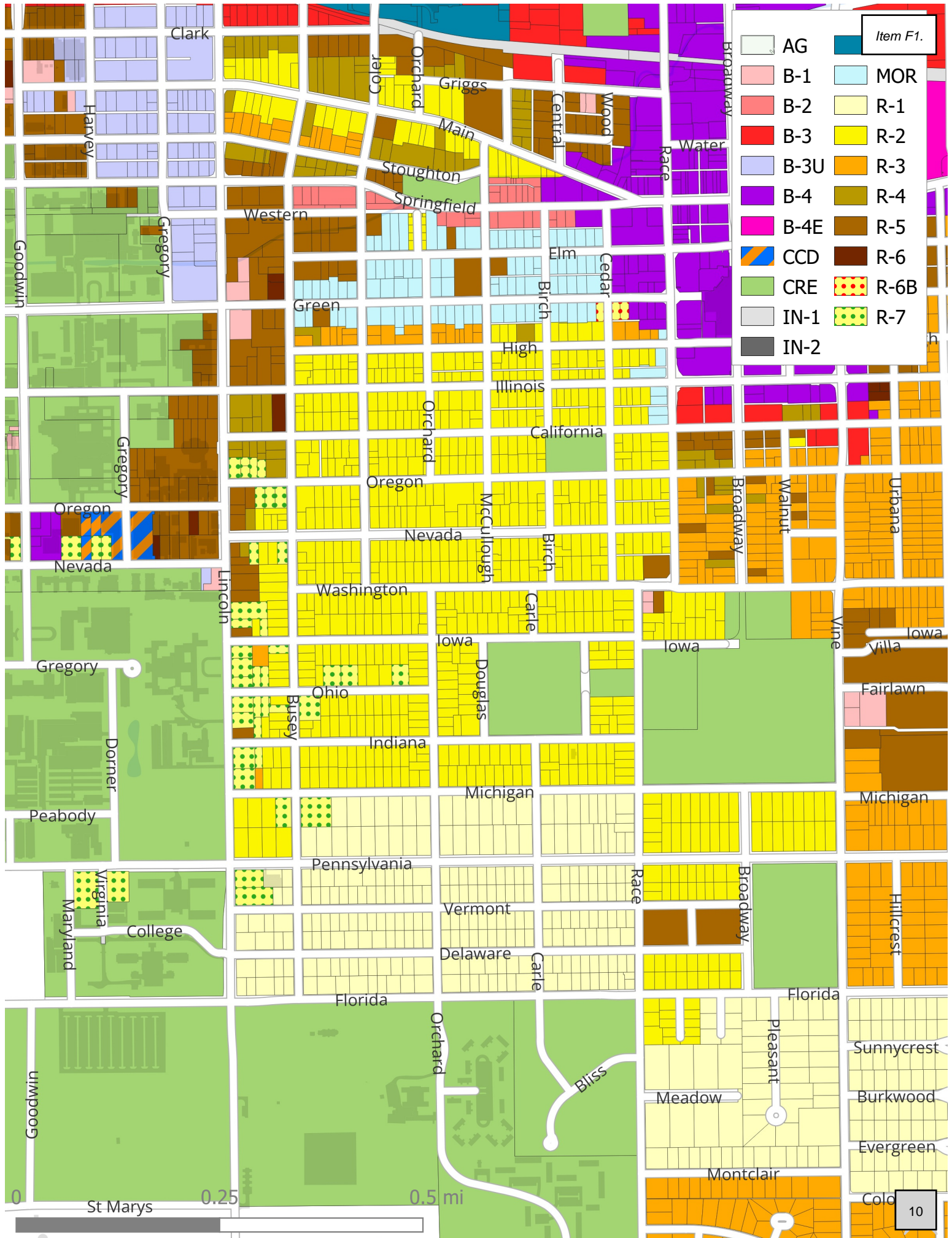
1. City-wide and West Urbana Zoning Map

Originated by: Kevin Garcia, Principal Planner and Zoning Administrator

Reviewed: William Kolschowsky, Senior Management Analyst / Assistant to the City
Administrator

Approved: Carol Mitten, City Administrator







MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 4, 2024 Committee of the Whole
Subject: An Ordinance Amending the Urbana Zoning Ordinance
(Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)

Summary

Action Requested

City Council is being asked to approve a zoning ordinance text amendment to remove additional lot area and width requirements for duplexes in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) zoning districts, remove additional lot area requirements and simplify lot width requirements for common-lot-line dwellings in all districts, simplify language regarding the reuse of existing lots, and amend other parts of Section VI-3 to make it easier to understand.

Plan Commission Recommendation

The Plan Commission reviewed the proposed text amendment on September 19 and October 17, 2024, and voted unanimously to recommend approval to City Council.

Relationship to City Services and Priorities

Impact on Core Services

Approval of the text amendment will have no direct impact on City services.

Strategic Goals & Plans

The 2005 Comprehensive Plan emphasizes infill development, enhancing established neighborhoods, promoting a mix of compatible land uses, and promoting a strong housing supply to meet the needs of a diverse community. The proposed text amendment would help accomplish all of those goals by removing barriers that significantly restrict duplexes and common-lot-line dwellings from being built in zoning districts where they are supposed to be allowed, according to the Table of Uses.

Previous Council Actions

11/15/1950 – Ord. No. 5051-28 – adopted Urbana’s second Zoning Ordinance (first was in 1940); established minimum lot sizes for new lots; first occurrence of text allowing re-use of existing small lots (limited to single-family dwellings).

9/21/1970 – Ord. No. 7071-43 – adopted Urbana’s third Zoning Ordinance; established additional lot area and width requirements for new duplex lots (9,000 square feet/80 feet).

5/21/1979 – Ord. No. 7879-102 – adopted Urbana’s fourth Zoning Ordinance; established CRE district; allowed reuse of existing AG and CRE-zoned parcels that did not meet minimum lot area/width.

1/16/1990 – Ord. No. 8998-65 – text amendment; established current text found in Paragraphs VI-3.A, B, and C regarding reuse of existing lots and additional lot area/width for duplexes.

11/19/1990 – Ord. No. 9091-59 – adopted MOR zoning district, established current text found in Paragraph VI-3.D regarding lot area and width in the MOR district.

Discussion

Additional Background Information

This request was initiated by David Huber, a local developer with experience redeveloping small lots containing dilapidated homes in East Urbana. Mr. Huber’s initial request was to remove the additional lot area and width requirements for duplexes in the R-2 and R-3 districts only. During the course of the September 19, 2024, Plan Commission meeting, the Commission asked staff to broaden the scope to include removing similar additional requirements for common-lot-line dwellings, and to clean up the rest of Section VI-3 to make the section easier to understand.

A concise summary of the proposed changes covering the broader scope requested by the Plan Commission is detailed in the October 17, 2024 Supplemental Memorandum (Attachment 2). A summary of the initial request covering the duplex regulations requested by Mr. Huber is detailed in the September 19, 2024 Staff Report (Attachment 3).

Recommendation

City Council is asked to approve the zoning text amendment as presented.

Next Steps

If approved, staff will update the City’s Zoning Ordinance with the proposed changes.

Attachments

1. An Ordinance Approving a Zoning Text Amendment (Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)
2. Plan Commission Supplemental Memorandum (October 17, 2024)
3. Plan Commission Staff Report (September 19, 2024)
4. Draft Plan Commission Minutes (October 17, 2024)
5. Plan Commission Minutes (September 19, 2024)

Originated by: Kevin Garcia, Principal Planner, Zoning Administrator

Reviewed: William Kolschowsky, Senior Management Analyst / Assistant to the City Administrator

Approved: Carol Mitten, City Administrator

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE

(Update Section VI-3 for Clarity and to Remove Additional Lot Area and Width Requirements for Certain Uses / Plan Case No. 2493-T-24)

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, David Huber has submitted a petition to amend the Zoning Ordinance to remove additional lot area and width requirements for duplexes in the R-2, Single-Family Residential, and R-3, Single and Two-Family Residential Zoning Districts; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2493-T-24; and

WHEREAS, after due publication in accordance with Section XI-7 of the Zoning Ordinance and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), the Plan Commission held public hearings on the petition on September 19, and October 17, 2024; and

WHEREAS, the Plan Commission voted five (5) ayes and zero (0) nays on October 17, 2024, to forward Plan Case No. 2493-T-24 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in 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.

The following provisions of the Urbana Zoning Ordinance are hereby amended and as amended shall read as set forth in Ordinance Attachment A, which is attached hereto and incorporated herein by reference:

- A. Article VI, Development Regulations: Section VI-3, Lot Area and Width;

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 _____, 2024.

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, 2024.

Diane Wolfe Marlin, Mayor

Ordinance Attachment A

Section VI-3. Lot Area and Width

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
 - 1. For zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 - 2. For zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- D. Common-Lot-Line Dwelling Units
 - 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 - 2. Dwelling units on the end of a common-lot-line building shall have a single side yard as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.
 - 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission
FROM: Kevin Garcia, Principal Planner and Zoning Administrator
DATE: October 17, 2024
SUBJECT: **Plan Case 2493-T-24:** A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate the additional lot width and area requirements for two-family dwellings in the R-2, Single-Family Residential, and R-3, Single- and Two-Family Residential zoning districts.

Supplemental Memorandum

At the September 19, 2024, Plan Commission hearing on the subject case, the Commission directed staff to look at the entirety of Section VI-3 of the Zoning Ordinance and to propose changes at an upcoming meeting. Staff have analyzed all of Section VI-3 and propose the following.

Proposed Changes & Discussion

For each change below, strikethrough and underline notation is used to indicate ~~removed~~ and added text; for ease of reading, staff have attached the original text as Exhibit E.

Proposed Change #1 – Simplify Paragraph VI-3.A to allow reuse of existing lots

Repeal Paragraph VI-3.A:

~~A. In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot.~~

Replace with:

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.

Discussion

Paragraph VI-3.A is unnecessarily complicated and can be simplified to distinguish between newly-created lots and existing lots. The current language, which has been in place since the December 17, 1979 edition of the Zoning Ordinance, uses different dates as a threshold to allow non-conforming lots to be re-used:

AG and CRE: December 17, 1979 – The date that the CRE District was created, effectively separating the existing AG District into two: AG and CRE.

R-1 District: December 21, 1970 – The date that more detailed regulations in the R-1 District were adopted.

All Other Districts: November 6, 1950 – The date that the 1950 Zoning Ordinance was adopted.

While it may have had some use at the time, after 45 years, the utility of setting specific cutoff dates for non-conforming lots has outlived its usefulness. When broken down, Paragraph VI-3.A essentially states that:

If a lot was created before a certain date, it does not need to meet the minimum area and width requirements; if it was created after a certain date, it needs to meet minimum area and width requirements.

Visually, the intent of Paragraph VI-3.A can be seen here:

< -----	1950	-----	1970	-----	1979	-----	2024	---->
All other districts								
R-1 District								
CRE and AG Districts								

- = Existing lots do not need to meet district minimums
- = All new lots platted to district minimums

Staff find that it is unnecessary after 45 years to adhere to specific cutoff dates at all. Any lot that has been created in the past 45 years would have had to meet the minimum lot standards in place at the time, so any lot existing now will either be a) a lot that existed prior to the cutoff dates, or b) platted after the cutoff date (and thus met the minimum standards when it was created).

The regulations can be simplified to state that when a lot is created, it must meet certain area and width standards, and that if a lot exists, there are no minimum standards. Staff’s proposal to repeal Paragraph VI-3.A with the simplified A and B paragraphs above does that.

This change would also add an exception for new common-lot-line dwellings, as discussed below in *Proposed Change #4*.

Proposed Change #2 – repeal additional lot area and width requirements for duplexes in R-2 and R-3 Districts (unchanged from previous memo)

Repeal Paragraphs VI-3.B and C:

- ~~B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~
- ~~C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.~~

Discussion

The reasons to repeal these paragraphs are detailed in the staff memo dated September 19, 2024.

Proposed Change #3 – Minor Adjustments to MOR District paragraph

Reformat, renumber, and make minor changes to Section VI-3.D:

- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
1. ~~In the case of For~~ zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 2. ~~In the case of For~~ zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, ~~in order~~ to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.¹

Discussion

This change would take the existing paragraph and split it into three parts to make it more legible, and clean up the language slightly. Staff find that these regulations have generally worked as intended, i.e., they have kept new structures compatible with the scale and density of existing development in the MOR District, and have prevented lots from being combined to create one large structure.

¹ (Ord. No. 8283-52, § 1, 3-7-83; Ord. No. 8687-15, § 1,2, 8-4-86; Ord. No. 8990-65, § 5, 1-16-90; Ord. No. 9091-59, § 9, 11-19-90)

Proposed Change #4 – Simplify minimum lot dimensions for common-lot-line dwellings

D. Common-Lot-Line Dwelling Units

1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
2. ~~The standards for minimum lot area and lot width for common lot line dwelling units shall be as follows:~~
 - a) ~~For a common lot line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.~~
 - b) ~~For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
 - c) ~~For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.~~
 - d) ~~For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common lot line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
2. ~~For the purpose of calculating side yards, a dDwelling units on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.²~~
3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet

Discussion

This change would remove the additional lot area and width requirements for common-lot-line dwellings, which are essentially the same as the current additional requirements for duplexes. The reasons mirror those in the staff memo dated September 19, 2024 to remove similar additional requirements for duplexes. They can be summarized as follows: if a use is allowed in a district according to the Table of Uses, and can meet all of the development regulations in that district, it should not be subject to additional, arbitrary constraints on lot area and width.

This change would also establish a minimum lot width of 20 feet for each common-lot-line dwelling, and would state that no minimum area is required. Without stating both of these things explicitly, common-lot-line units would be subject to the dimensions set forth in Table VI-3. Furthermore,

² (Ord. No. 9293-109, § V-9, 5-17-93)

stating that no minimum lot area is required for common-lot-line dwellings would allow smaller existing lots to be subdivided for common-lot-line dwellings. This would mirror the intent of the other proposed changes, which is to allow duplexes (and all other allowed uses) on existing lots.

Additional Discussion

At the Plan Commission hearing on September 19, 2024, the Commission asked staff to ensure that any of the proposed changes would not create unintended consequences elsewhere in the Zoning Ordinance. Staff have checked each of the proposed changes and have found no indication that the changes would adversely affect any other part of the ordinance.

Staff Recommendation

Staff recommends that the Plan Commission recommend **approval** of the proposed text amendment, as revised with the changes above, to City Council.

Attachments: Exhibit E – Section VI-3 (Clean Copy of Existing Regulations)
 Exhibit F – Proposed Changes
 Exhibit G – Section VI-3 (Clean Copy of Proposed Regulations)

EXHIBIT E – SECTION VI-3 (CLEAN COPY OF EXISTING REGULATIONS)

Section VI-3. Lot Area and Width

- A. In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off-street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot
- B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.
- C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.
- D. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure. In the case of zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12. In the case of zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, in order to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accord with the requirements of Section V-3.C and Section VII-2.³
- E. Common-Lot-Line Dwelling Units
 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 2. The standards for minimum lot area and lot width for common-lot-line dwelling units shall be as follows:
 - a) For a common-lot-line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.
 - b) For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.

³ (Ord. No. 8283-52, § 1, 3-7-83; Ord. No. 8687-15, § 1,2, 8-4-86; Ord. No. 8990-65, § 5, 1-16-90; Ord. No. 9091-59, § 9, 11-19-90)

- c) For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.
 - d) For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.
3. For the purpose of calculating side yards, a dwelling unit on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.⁴

⁴ (Ord. No. 9293-109, § V-9, 5-17-93)

EXHIBIT F – PROPOSED CHANGES

Table V-1 Notes

*** See Section VI-3 for lot area and width regulations for duplex and common-lot-line dwelling units

Section VI-3. Lot Area and Width

- A. ~~In the case of a lot in the AG or CRE District which was of public record before December 17, 1979, or in the case of a lot in the R-1 District which was of public record on or before December 21, 1970, or in the case of a lot in any other district which was of public record on or before November 6, 1950, if such lot has less area or width than herein required, that lot may be used for any of the uses permitted in that district, provided that all other requirements of this Ordinance, including yard, height, floor area ratio, open space ratio, and off-street parking for the respective districts and uses are complied with. The uses, buildings, or structures on such a lot shall not be considered nonconforming due solely to the nonconformity of the lot.~~
- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- B. ~~In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~
- C. ~~Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.~~
- D. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
1. ~~In the case of For~~ zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 2. ~~In the case of For~~ zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, in order to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- E. Common-Lot-Line Dwelling Units
1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
- ~~The standards for minimum lot area and lot width for common-lot-line dwelling units shall be as follows:~~
- a) ~~For a common-lot-line building which contains three or more dwelling units: Each lot shall have a minimum lot area of 2,000 square feet and a minimum street frontage of 20 feet.~~

- b) ~~For lots that are zoned R-2 or R-3 and were originally platted before December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
 - c) ~~For lots that are zoned R-2 or R-3 and were originally platted after December 21, 1970, of which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 4,500 square feet and a minimum street frontage of 40 feet.~~
 - d) ~~For lots that are zoned R-4, R-5, R-6, R-6B, B-2 or MOR, on which a resubdivision is proposed for a two-unit common-lot-line dwelling: Each lot shall have a minimum lot area of 3,000 square feet and a minimum street frontage of 30 feet.~~
2. ~~For the purpose of calculating side yards, a d) Dwelling units on the end of a common-lot-line building shall have a single side yard which conforms to the standards for side yards for the zoning district in which the building is located as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.~~
 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.

Table VI-3. Development Regulations by District

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Width (feet)	Maximum Height of Principal Structure (feet)	Maximum Floor Area Ratio	Minimum Open Space Ratio	Required Yards (feet) ¹		
						Front	Side	Rear
R-2	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10
R-3	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

Footnotes

Note: In addition to the footnotes below, please refer to Article V for use regulations, Article VII for conditional and special use procedures, Article VIII for parking regulations, Article IX for sign regulations, Article XII for historic preservation regulations, and Article XIII for special development provisions.

...

13. ~~In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.~~

...

EXHIBIT G – SECTION VI-3 (CLEAN COPY OF PROPOSED REGULATIONS)

Section VI-3. Lot Area and Width

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwellings (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
- C. In the MOR District, the maximum area of a zoning lot shall be 8,500 square feet for the purpose of calculating the floor area ratio. The objective of this Section is to keep new structures compatible with the scale and density of existing development in the MOR District by preventing the use of one large parcel for the purpose of erecting a single large structure.
 - 1. For zoning lots which contain between 8,500 and 17,000 square feet, the amount of square feet in excess of 8,500 square feet may be used for parking, landscaping, open space or other uses in accordance with the site plan review procedure in Section XI-12.
 - 2. For zoning lots that exceed 17,000 square feet, the lot may contain two or more principal structures based on a ratio of one structure for each 8,500 square feet of area in the lot in accordance with this Section. However, to establish two principal structures on one lot, a conditional use permit must be approved by the Zoning Board of Appeals in accordance with the requirements of Section V-3.C and Section VII-2.
- D. Common-Lot-Line Dwelling Units
 - 1. Each lot which contains a common-lot-line dwelling unit shall be considered separately and independently from adjoining common-lot-line dwelling units for the purpose of calculating floor area ratio, open space ratio, front yards, and rear yards.
 - 2. Dwelling units on the end of a common-lot-line building shall have a single side yard as set forth in Table VI-3 and Section VI-5 of this Ordinance. No side yards shall be required for interior lots in a common-lot-line subdivision.
 - 3. Each new lot for a common-lot-line dwelling shall have no minimum lot area and a minimum street frontage of 20 feet.



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: The Urbana Plan Commission

FROM: Kevin Garcia, Principal Planner and Zoning Administrator

DATE: September 12, 2024

SUBJECT: **Plan Case 2493-T-24:** A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate the additional lot width and area requirements for two-family dwellings in the R-2, Single-Family Residential, and R-3, Single- and Two-Family Residential zoning districts.

Introduction

David Huber proposes a text amendment to eliminate the additional requirements for additional lot area and width for two-family (duplex) dwellings in the R-2, Single-Family, and R-3, Single- and Two-Family Residential zoning districts. The Zoning Ordinance currently requires duplexes to be on larger, wider lots than single homes. The proposal would eliminate those additional requirements, and would allow duplexes on any lot as long as all other development regulations are met (standard minimum lot size, standard minimum lot width, floor-area ratio, open space ratio, parking, minimum yards).

The proposal would amend Article VI – Development Regulations of the Zoning Ordinance.

The intent of the proposed changes is to allow duplexes in two districts the descriptions for which state that duplexes should be allowed, but where additional size requirements make it difficult to build duplexes without additional zoning approvals (i.e., variances).

The Plan Commission is asked to review the proposed Zoning Ordinance text amendment and make a recommendation for City Council to adopt or deny the proposed changes. Staff recommends that the Plan Commission recommend approval of the proposed changes as presented.

Background and Discussion

Paragraph VI-3.B of the Zoning Ordinance states:

In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

Since many lots platted before 1970 are less than 6,000 square feet (ft²) and/or 60 feet wide, and an even greater percentage of lots platted after 1970 are less than 9,000 ft² and/or 80 feet wide, the current regulations severely limit where duplexes can be built (see Table 1 below).

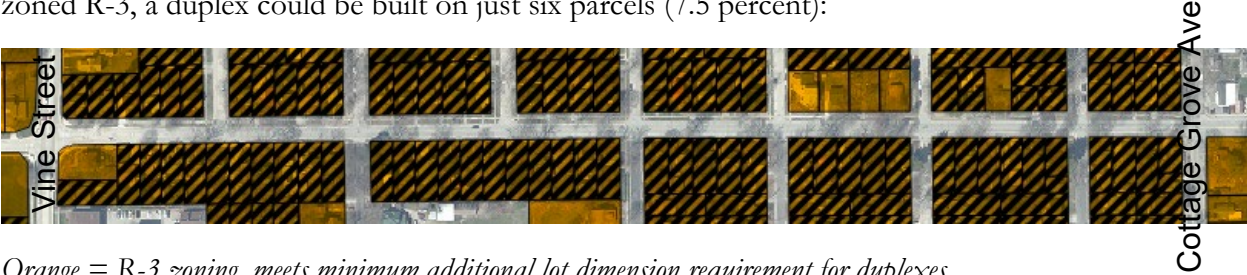
District	Total Parcels	Width Less Than Currently Required	Area Less Than Currently Required	Width and/or Area Less Than Currently Required
R-2	3,558	1,622 (46%)	1,163 (33%)	1,815 (51%)
R-3	3,717	1,280 (34%)	559 (15%)	1,408 (38%)

Table 1 – R-2 and R-3 parcels, vis-à-vis additional duplex requirements

Plat Date	Total Parcels	Width Less Than Currently Required	Area Less Than Currently Required	Width and/or Area Less Than Currently Required
Pre-1970	5,094	1,848 (36%)	659 (13%)	1,987 (39%)
Post-1970	2,181	1,054 (48%)	1,063 (49%)	1,236 (57%)

Table 2 – R-2 and R-3 parcels (combined), by plat date, vis-à-vis additional duplex requirements

Furthermore, the distribution of lots that do not meet the minimum standards is uneven. There are entire blocks in some – mostly older – neighborhoods where a duplex cannot practically be built, despite duplexes being allowed “by right”. A good example of this is in Historic East Urbana, along East Washington Street between Vine Street and Cottage Grove Avenue. Out of 80 parcels that are zoned R-3, a duplex could be built on just six parcels (7.5 percent):



Orange = R-3 zoning, meets minimum additional lot dimension requirement for duplexes
 Orange + black hatching = R-3 zoning, does not meet minimum additional lot dimension requirement for duplexes

Exhibit C contains a map inventory of all R-2 and R-3 zoning districts in Urbana, and highlights the uneven distribution of lots that do not meet the current minimum standards; for example, the map of “Southeast Urbana” contains a relatively low percentage of parcels that do not meet the minimum standards, whereas the maps for “East Urbana” and “Myra Ridge/South Ridge” contain a higher percentage of such lots.

Duplexes require a conditional use permit in the R-2 district. If the proposed text amendment is approved, that requirement would not change; there would simply be more R-2-zoned parcels available whose owners could pursue a conditional use permit to build a duplex. As Table 1 above shows, that option would be made newly available to more than half of all owners of R-2-zoned parcels if the proposed amendment is approved.

Duplexes are allowed “by right” in the R-3 district. However, as Table 1 above shows, 38 percent of parcels that are zoned R-3 – nearly four out of every ten – do not meet the minimum lot dimensions.

At present, the only way to build a duplex in the R-2 or R-3 district on a lot that is smaller than required by paragraph VI-3.B is to apply for and be granted a variance, which is seldom done. In the past 20 years, such variances have been sought just three times; two were granted, while the other, which was part of a large, complicated series of zoning requests, was denied.

There is little practical reason to impose larger lot requirements for duplexes, if all other development regulations – standard minimum lot size, standard minimum lot width, floor-area, open space, parking,

yards – can be met. Below, the applicant offers compelling arguments for removing these additional requirements (see Application Responses).

Application Responses

Zoning Ordinance text amendments are typically staff-initiated. In this case, with the text amendment having been submitted by a member of the public, staff feel it is important to include the questions posed on the application and the applicant's responses to those questions.

Note: for each of the following sections, the "Applicant Response" is quote verbatim from the application.

1. *What error in the existing ordinance would be corrected by the Proposed Amendment?*

Applicant Response:

The lot area/width requirement for two-family dwellings disqualifies a large number of parcels within the R-3 district from constructing duplexes and thereby acts as a limit. The intent of the R-3 zoning district is to allow one- and two-family dwellings without qualification, whereas the intent of the R-2 zoning district is to "provide for a limited proportion of two-family dwellings."

"The R-2 Single-Family Residential District is intended to provide areas for single-family detached dwellings at a low density, on lots smaller than the minimum for the R-1 District. The R-2 District is also intended to provide for a limited proportion of two-family dwellings."

"The R-3 Single-Family and Two-Family Residential District is intended to provide areas for low-density residential development, including single-family attached and detached dwellings and two-family dwellings."

The current lot area/width requirement severely diminishes the specificity of the R-3 district relative to the R-2 district. Since these two zoning districts have identical development regulations (lot area, lot width, FAR, max height, etc), their difference should lie in the uses they allow and the proportion of uses, as the purpose statements reflect. Otherwise, why have two distinct zoning districts?

The proposed amendment intends to more clearly articulate the different zoning districts, in line with their purpose statements. The effect of eliminating the lot area/width requirements for two-family dwellings in both districts would be:

- R-2: two-family dwellings require a conditional use permit on any lot (satisfying the "limited proportion" and preserving the discretionary review of the Zoning Board of Appeals)
- R-3: two-family dwellings allowed by right on any lot

2. *What changed or changing conditions warrant the approval of this amendment?*

Applicant Response:

Urbana needs more housing and more types of housing. In light of decreasing household sizes and increasing unaffordability, eliminating barriers to constructing smaller housing units at lower price points is imperative. There is also growing recognition that many of today's zoning restrictions often have a prejudiced past. In 2021 the White House acknowledged the link between minimum lot size requirements and exclusionary zoning: <https://www.whitehouse.gov/cea/written-materials/2021/06/17/exclusionary-zoning-its-effect-on-racial-discrimination-in-the-housing-market/> (attached as Exhibit D)

3. *What other circumstances justify the zoning amendment?*

Applicant Response:

First and foremost, the area/width requirement is arbitrary insofar as it is possible to construct a two-family dwelling on what is considered by the ordinance a substandard lot and still meet all other requirements of the zoning ordinance. If a lot area and/or width makes constructing a two-family dwelling impractical, a two-family dwelling will not be constructed. The zoning ordinance does not need to regulate it.

Furthermore:

- Land use efficiency: A 5,999 sq ft lot in the R-3 district is allowed 2,400 sq ft of floor area (FAR = .40). However, a single-family dwelling of that size is not economically feasible, nor is it desirable. Most new homes constructed in Urbana's outerlying subdivisions in recent years are well below 2,400 square feet. By imposing a lot area/width requirement for two-family dwellings the zoning ordinance is contributing to underutilization of land and thereby tax revenue.

- Housing diversity: By allowing a second unit, underutilized floor area is put to use in potentially creative ways that fulfill the needs of underserved segments of the housing market. Especially on smaller lots, the Floor Area constraint could produce, for instance, a 1,200 sq ft dwelling unit and a second one-bedroom unit that is 600-800 sq ft in size. The single family dwelling market does not by and large provide for houses below a certain size threshold and the current area/size requirement serves to reinforce this dynamic.

- More housing where more housing is needed, not where lot width/area is sufficient: at present, the area/width requirement attracts development to specific parcels meeting those criteria rather than to parcels that have other more valuable characteristics, such as proximity to public transportation, public amenities, and places of work.

- Remaining competitive as a city: Similar area/width requirements do not exist in many other cities, including Champaign's R-2 district. The current restrictions disincentivize development.

Proposed Changes

The proposed changes would remove the following two paragraphs from the Zoning Ordinance that impose additional area and width requirements for duplexes in the R-2 and R-3 districts:

Section VI-3. Lot Area and Width

...*[Paragraphs to be removed]*...

B. In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

C. Except as noted above, a lot in the R-2 or R-3 District whose area or width is less than herein required, and which was of public record at the time of the passage of the Urbana

Zoning Ordinance, shall be used only for single-family dwelling purposes, or for any of the non-dwelling uses permitted in that district.

...

Paragraph VI-3.B establishes minimum lot dimensions for duplexes in the R-2 and R-3 districts. Paragraph VI-3.C effectively states that duplexes cannot be established on lots smaller than the requirements established in paragraph VI-3.B.

Table VI-3. Development Regulations by District

Table VI-3 would be modified by removing Footnote 13:

In the R-2 and R-3 Districts, any lot platted and recorded after December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 9,000 square feet, and have an average width of not less than 80 feet. A lot platted and recorded before December 21, 1970, on which there is proposed to be erected or established a duplex, shall contain an area of not less than 6,000 square feet, and have an average width of not less than 60 feet.

Comprehensive Plan

On page one of the Comprehensive, “The Vision” states, in part, that, “*Appropriately designed infill development will be encouraged to help revitalize the built urban environment.*” The proposed text amendment would encourage appropriately designed infill development by making more lots available for duplexes, which are appropriate in the R-2 and R-3 districts, per their definitions. The text amendment would also help meet the following goals and objectives of the Comprehensive Plan:

- Goal 1.0** **Preserve and enhance the character of Urbana’s established residential neighborhoods.**
- Goal 2.0** **New development in an established neighborhood will be compatible with the overall urban design and fabric of that neighborhood.**
 - Obj. 2.1 Ensure that the site design for new development in established neighborhoods is compatible with the built fabric of that neighborhood.
- Goal 4.0** **Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.**
 - Obj. 4.1 Encourage a variety of land uses to meet the needs of a diverse community.
 - Obj. 4.3 Encourage development patterns that offer the efficiencies of density and a mix of uses.
- Goal 18.0** **Promote infill development.**
- Goal 19.0** **Provide a strong housing supply to meet the needs of a diverse and growing community.**
 - Obj. 19.2 Encourage residential developments that offer a variety of housing types, prices and designs.

Summary of Findings

1. The proposed amendment would modify Article VI – Development Regulations, by removing paragraph VI-3.B, which establishes additional minimum lot dimensions for duplexes in the R-2 and R-3 districts.
2. The proposed amendment would modify Article VI – Development Regulations, by removing paragraph VI-3.C, which effectively bans duplexes on lots that do not meet the minimum dimensions in paragraph VI-3.B.
3. The proposed amendment would modify Table VI-3, by removing Footnote 13.
4. The proposed amendment would be consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan to preserve and enhance the character of established residential neighborhoods, preserve the characteristics that make Urbana unique, and ensure that new land uses are compatible with and enhance the existing community.
5. The proposed amendment conforms to the notification and other requirements for Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

Options

The Plan Commission has the following options in Plan Case 2493-T-24:

1. Forward the case to City Council with a recommendation to approve the text amendment as presented herein; or
2. Forward the case to City Council with a recommendation to approve the text amendment as modified by specific suggested changes; or
3. Forward the case to City Council with a recommendation of denial of the text amendment.

Staff Recommendation

Staff recommends that the Plan Commission recommend **approval** of the proposed text amendment to City Council.

Attachments: Exhibit A – Proposed Changes
 Exhibit B – Application
 Exhibit C – Maps
 Exhibit D – *Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market*

MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** October 17, 2024**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Hall, 400 South Vine Street, Urbana, Illinois**MEMBERS ATTENDING:** Dustin Allred, Lew Hopkins, Bill Rose, Karen Simms, Chenxi Yu**MEMBERS EXCUSED:** Will Andresen, Andrew Fell, Debarah McFarland**STAFF PRESENT:** Kevin Garcia, Principal Planner; Will Kolschowsky, Senior Management Analyst; Carol Mitten, City Administrator; Marcus Ricci, Planner II; Andrea Ruedi, Senior Advisor for Integrated Strategy Development**OTHERS PRESENT:** Annie F. Adams, Susan Burgstrom, Cole Filges, David Huber, Audrey Ishii, Rita Morocoima-Black, Anna Syi, Alec Thomas**A. CALL TO ORDER and ROLL CALL**

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.

B. COMMUNICATIONS

- ❖ Email from Liz Cardman regarding Plan Case No. 2493-T-24 dated October 2, 2024
- ❖ Long Range Transportation Plan (LRTP) 2050
- ❖ *Imagine Urbana* – Community Feedback Draft dated August 15, 2024
- ❖ *Imagine Urbana* – Plan Commission Study Session Agenda dated October 17, 2024

C. CONTINUED PUBLIC HEARINGS

Plan Case No. 2493-T-24 – A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwellings in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

Chair Allred re-opened the public hearing for Plan Case No. 2493-T-24. Kevin Garcia, Principal Planner, presented the updated staff report to the Plan Commission. He reviewed the following proposed changes to Section VI-3 of the Zoning Ordinance:

1. *Proposed Change #1* – Simplify Paragraph VI-3.A to allow reuse of existing lots. Repeal the existing Paragraph VI-3.A and replace with the following language:

- A. For new lots, minimum lot area and width requirements are set forth in Table VI-3. Exception: new lots for common-lot-line dwelling (see paragraph VI-3.D.3 below).
- B. For existing lots, there are no minimum lot area or width requirements.
2. *Proposed Change #2* – Repeal additional lot area and width requirements for duplexes in R-2 and R-3 Districts in Paragraphs VI-3.B and C. This is unchanged from the previous memo.
3. *Proposed Change #3* – Minor Adjustments to MOR District. Reformat, renumber and make minor changes to Section VI-3.D by separating the paragraph into a paragraph with a couple of subparagraphs to make it easier to follow and also making some minor language tweaks.
4. *Proposed Change #4* – Simplify minimum lot dimensions for common-lot-line dwellings. Basically, making the same changes as for duplexes by getting rid of the additional lot width and area requirements for common-lot-line dwellings but explicitly stating that they would have no minimum lot area if a new dwelling is being constructed AND also giving a minimum street frontage of 20 feet.

Mr. Garcia clarified that these changes would not create consequences in other areas of the Zoning Ordinance. He stated that City staff recommends approval of Plan Case No. 2493-T-24 with the proposed changes as stated.

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

Mr. Hopkins asked if a common-lot-line building would require a new lot. Mr. Garcia said almost certainly.

Mr. Hopkins asked if a new lot has to be 60 feet unless it is a common-lot-line building, correct? Mr. Garcia said that is correct, which is why he added an exception to the language for common-lot-line lots.

Mr. Hopkins asked if only semi-detached/two unit common-lot-line dwellings are permitted in R-2 and R-3 Districts. Multi common-lot-line dwellings are only permitted in the R-4 District. Mr. Garcia said yes. Mr. Hopkins stated this implies that a person could build two common-lot-line units on 40 feet. Mr. Garcia replied that is what it means. They would also require five-foot-side yards.

Mr. Hopkins asked if a common-lot-line unit is a dwelling unit or a permitted zoning use unit. Would a person be able to build a duplex on a 20-foot lot? Mr. Garcia said he needed to research an answer.

Chair Allred stated that the language in Section VI-3.D seems to contradict the language in Table VI-3. Mr. Garcia explained that the intent is to direct people to Table VI-3 for everything except common-lot-line dwelling units.

With there being no further questions for City staff, Chair Allred re-opened the public hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins credited City staff for simplifying the language. He then read the definition of “common-lot-line dwelling unit”. He said it specifies that they are dwelling units, so they cannot be duplexes. He said that his understanding is that in R-2 and R-3 Districts, we can only have semi-detached common-lot-line dwellings, and in R-4 and higher zoned districts, we can have multi-unit common-lot-line dwelling units. Separate approval is required, which presumably is either exactly or

analogous to subdivision approval. Mr. Garcia stated that is correct. It would be a minor subdivision for five lots or fewer, and a major subdivision for more than five lots.

Chair Allred asked if it would be realistic to have three common-lot-line units where the interior unit would not have any yard requirements and could have a width of 20 feet. Mr. Rose said yes.

Chair Allred asked if there is any concern about there not being any depth requirement to the lot. Mr. Hopkins stated that unless there were closely spaced streets, you are not going to have a small depth because of the frontage. Mr. Hopkins stated that he feels the language is good. He felt the language deals with the question of ownership and rental potentially. It creates the option for a different kind of development, which is useful to our mix in Urbana.

Mr. Rose moved that the Plan Commission forward Case No. 2493-T-24 to the City Council with a recommendation for approval including the proposed changes presented at this meeting. Ms. Simms seconded the motion. Roll call on the motion was as follows:

Mr. Hopkins	-	Yes	Mr. Rose	-	Yes
Ms. Simms	-	Yes	Ms. Yu	-	Yes
Mr. Allred	-	Yes			

The motion passed by unanimous vote. Mr. Garcia stated that this case would be forwarded to Committee of the Whole on Monday, November 4, 2024.

MINUTES OF A REGULAR MEETING**URBANA PLAN COMMISSION****DRAFT****DATE:** September 19, 2024**TIME:** 7:00 P.M.**PLACE:** Council Chambers, City Hall, 400 South Vine Street, Urbana, Illinois**MEMBERS ATTENDING:** Dustin Allred, Andrew Fell, Lew Hopkins, Debarah McFarland, Bill Rose, Karen Simms, Chenxi Yu**MEMBERS EXCUSED:** Will Andresen**STAFF PRESENT:** Breaden Belcher, Grants Management Manager; Kevin Garcia, Principal Planner; Carol Mitten, City Administrator; Hillary Ortiz, CD Executive Assistant; Andrea Ruedi, Senior Advisor for Integrated Strategy Development**OTHERS PRESENT:** David Huber**A. CALL TO ORDER and ROLL CALL**

Chair Allred called the meeting to order at 7:01 p.m. Roll call was taken, and there was a quorum of the members present.

B. CHANGES TO THE AGENDA

There were none.

C. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of the September 5, 2024 regular meetings were presented for approval. Mr. Rose moved that the Plan Commission approve the minutes as written. Ms. Simms seconded the motion. The minutes were approved as written by unanimous voice vote.

D. COMMUNICATIONS

- ❖ Emails received in support of Plan Case No. 2493-T-24:
 - Phil Fiscella dated Monday, September 16, 2024
 - Matthew Macomber dated Wednesday, September 18, 2024
 - Adani Sanchez dated Wednesday, September 18, 2024
 - Cameron Raab dated Wednesday, September 18, 2024
- ❖ Emails received in opposition of Plan Case No. 2493-T-24:
 - Esther Patt dated Wednesday, September 18, 2024
 - Liz Cardman dated Wednesday, September 18, 2024
- ❖ *Imagine Urbana* - Urbana Plan Commission Future Discussion Topics

E. CONTINUED PUBLIC HEARINGS

There were none.

F. OLD BUSINESS

There was none.

G. NEW PUBLIC HEARINGS

Plan Case No. 2493-T-24 – A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwellings in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

Chair Allred opened the public hearing for Plan Case No. 2493-T-24. Kevin Garcia, Principal Planner, presented the staff report to the Plan Commission. He began by stating the purpose for the proposed text amendment. He gave a brief history on existing duplexes in the R-2 and R-3 Zoning Districts. He showed the maps in Exhibit C from the written staff report, which shows where duplexes in the City meets and does not meet the additional minimum lot dimensions in the R-2 and R-3 Districts. He reviewed the applicant's responses to questions in the text amendment application. He reviewed the proposed changes to Section VI-3. Lot Area and Width and to Table VI-3. Development Regulations by District. He explained how the proposed text amendment would relate to the goals and objectives of the 2005 Comprehensive Plan. He read the options for the Plan Commission and presented staff's recommendation for approval. He stated that the applicant was in the audience and could answer questions.

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

Mr. Hopkins read Section VI-3. A. Lot Area and Width of the Urbana Zoning Ordinance out loud. He said that what this means (but not what it says) is that if we have a building and a use in place on a lot that does not meet the requirements for R-2 or R-3 and if the lot was platted before 1950, then it is not considered a non-conforming use. He said that he did not think it is intended to mean what it appears to say until the last sentence suggests otherwise that one could change the use. If you interpret this one way, then we do not need the text amendment because the Zoning Ordinance already says that one can change the use on lots platted before 1950. However, he did not believe that it means what the Zoning Ordinance says. Mr. Garcia replied that he thinks it means what it says but that what it says is not exceedingly clear. The language about "otherwise herein" means if there are any exceptions somewhere else, then that trumps the rule, so the exceptions for duplexes in R-2 and R-3 districts are spelled out in Paragraph B.

Mr. Hopkins stated that he is trying to figure out where we end up if they approve the proposed text amendment. If they remove these other two, this applies to changes of use or building on lots pre-1950 without meeting the width and size requirements of the Zoning Ordinance, which is a minimum of 6,000 feet, and have an average width no less than 60 feet. So, no lot if it is less than 6,000 square feet, even if they approve the proposed text amendment, could actually be changed to a duplex because that would be a use change, which would have to meet the Zoning Ordinance requirements. Mr. Garcia said that is not correct. Paragraph A is acknowledging that in Historic West or Historic East Urbana there are many lots that do not conform to the City's current area and

width standards. It is saying that you can still use those for any use that is allowed in that district, even if it is a substandard lot size. Most of the existing areas with substandard lots reflects when they were platted. Mr. Hopkins stated that by deleting Paragraphs B and C, we would be deleting the requirements for a 6,000-square foot lot and a 60-foot-wide lot, which is the district requirement regardless of use for districts R-2 and R-3. Mr. Garcia noted that Paragraph A is crucial to the outcome of putting anything on any really old lot. Paragraphs B and C are the exceptions so that we do not put duplexes on a lot that does not meet the minimum requirements.

Mr. Hopkins asked for confirmation if this only applies to lots platted prior to 1950. Any lot platted after 1950 still has to meet the 6,000-square foot minimum. Mr. Garcia said that this is correct.

Mr. Hopkins asked if lots platted before 1950 that are under 6,000 square feet are shown on Exhibit C as duplexes not being allowed. Mr. Garcia said it is the lots before December 21, 1970 that are shown on the map as being not developable as a duplex. Mr. Hopkins asked for confirmation that only the lots platted before 1950 and under 6,000 square feet will be allowed to be developed as duplexes if the proposed text amendment is approved, not between 1950 and 1970. Mr. Garcia said that is correct. Mr. Hopkins stated that before 1950, lots could be under 6,000 square feet and 60 feet wide. After 1950, lots would have to be a minimum of 6,000 square feet and at least 60 feet wide.

Chair Allred wondered why if they are proposing changes to allow duplexes, why not allow two-unit common lot line units the same relief from restrictions? Mr. Fell stated that a duplex is a very different thing than a two-unit common lot line unit. Duplexes can be stacked. A common lot line development in what is the minimum standard lot is really hard mostly because of open space and trying to provide parking on it. Duplexes and common lot line developments are dealt with differently in the Building Code and in the Zoning Ordinance. Chair Allred said that they could remove those requirements; and if it was not economical to construct it on the standard size lot, then that would be left up to the developer or the land owners. Mr. Garcia said yes.

Mr. Rose asked if they were looking for an end product that is independent of the time the land was platted. Mr. Garcia stated that he would love to get rid of anything that has to do with when it was platted or not.

Chair Allred asked if staff's recommendation would change based on what is in the current draft Comprehensive Plan. Mr. Garcia replied that, if anything, it would be a stronger recommendation for making the proposed changes because we are talking about incremental development and infill development in the draft plan.

Mr. Rose asked if there was material in Section VI-3 of the Zoning Ordinance that the City wished to maintain. Mr. Garcia stated that is important to retain Paragraph A because it does say that if you have a lot that does not meet the current requirements you can still develop it if it is old. Paragraph D is about the MOR (Mixed Office Residential) Zoning District. He feels that it has been effective in keeping development in the MOR District from being too massive. He agreed with Chair Allred that they may want to get rid of the wording about common lot line dwelling units.

Mr. Rose asked if Paragraph A could be reworded so that it is independent of the year of platting. Mr. Garcia responded saying that no matter how it is reworded, they may have to put a date in it.

With there being no further questions for City staff, Chair Allred opened the hearing for public input. He reviewed the procedure for public input. He invited the applicant to speak on behalf of his application for a text amendment.

David Huber, applicant, approached the Plan Commission to speak. He stated that as the applicant he had to make a political decision about how much to include in the text amendment. He does not want to undermine the core reason for the amendment, which is to eliminate lot area and width to allow duplexes to be constructed on lots platted prior to 1950. However, if the Plan Commission wants to include common lot lines, then he is willing to make it work.

He noted that the Land Development Code has a ratio that is different and supersedes the Zoning Ordinance. It is a one-to-three ratio of width to depth for a lot.

Mr. Huber stated that he lives in Urbana and works with the Zoning Ordinance a lot. He would like to think of it as a real model of what the City should be like. Someone who works with the document and has the right to propose an amendment to it can do so.

He talked about the particular economics of doing an infill development as a single-family house when there is an existing house on the lot. There are costs for demolishing the existing house and possible costs for repairing the sewer line or adding an additional sewer line. While there is the Think Urbana program which gives tax subsidies and sales tax abatements on building materials, it is quite expensive to get a lot to where it can be built on. Without substantial investment, a developer or property owner cannot meet the requirements of the Building Code or the Rental Code.

He said that he did not believe the proposed text amendment would unleash the tearing down of occupied properties. The proposed text amendment is not just about redevelopment of a lot. It could be for someone wanting to add a second unit or studio on to their existing house.

He wondered why there is a minimum lot width and area for lots in the R-2 and R-3 Zoning Districts. If the proposed text amendment is not approved, then how can the existing language be substantiated. He stated that he can build a duplex on a lot that is less than 6,000 square feet and less than 60 feet wide. As a developer, he can make the economics work and the units are desirable to people to want to rent. He did not know if there is still anyone around that understands how this came to be.

With there being no additional public input, Chair Allred closed the public input portion of the hearing. He opened the public hearing for Plan Commission discussion and/or motion(s).

Ms. Simms stated that there seems to be a lot of moving parts, and she wants to make sure that the parts flow. She does not want to make a change that has an implication somewhere else.

Mr. Rose said that if the Plan Commission feels there is a sense that a modification of width and area is appropriate, then they are left to decide between approval or approval with modifications.

Mr. Hopkins agreed with Ms. Simms. He said the general objective makes sense but there is a lot of history and a lot of complexity to where all the width and area requirements come from, so he wants to think more of it through. He started talking about specific areas in the City, beginning with Lincoln and Bradley Avenues. Given the history of this neighborhood, he is not sure allowing

duplexes would benefit the neighborhood because it would turn even more of the lots into rental properties.

He noted the difference between a duplex and a common lot line dwelling is ownership. A duplex by definition is rented because it is two dwelling units and one owner. Whereas, a common lot line dwelling is more likely to be owner occupied. They do not know the rate of which duplexes would be constructed, and they would not be able to allow a certain number of duplexes on a block without allowing more because it would change the neighborhood. Mr. Garcia said that one of the criteria the Zoning Board uses to make a determination on a conditional use permit is whether it will alter the character and what impact it would have on the neighborhood. A conditional use is only required for duplexes in the R-2 District. Duplexes would be allowed by right anywhere in the R-3 Zoning District. Mr. Hopkins stated that the Plan Commission may want to consider adding common lot line dwellings to this text amendment to take into account the ownership rental question.

Mr. Hopkins pointed out that it is not terribly difficult to create a duplex out of an existing building that is in good shape. If you create a duplex out of an existing building in the City of Urbana, you go from four unrelated renters to eight unrelated renters. This, again, will potentially change the character of the neighborhood. When we talk about zoning, one of the attributes is how are we accounting for change in a zoning district, which has to deal with non-conforming use rules and how we imagine change occurring without ending up where we do not want to. Therefore, he would like to rewrite Section VI-3 to be as clean as we can get it. He added that common lot line dwellings and duplexes cannot be separate buildings. He talked about the possibility of accessory dwelling units (ADUs) and making sure that they get the right mix of the right types of housing in the right places.

Ms. Simms asked if the proposed language prohibit condos, which look like a duplex but each unit is owned by different people. Mr. Garcia said no. The proposed text amendment would not prohibit condos. Ms. Simms said that it does not always mean that we would be creating more rental property then. Mr. Garcia explained that a duplex is two dwelling units on one lot. A common lot line dwelling is two units in one building; however, it is split into two lots. A property owner could condoize a common lot line dwelling, but he did not think they could turn a duplex into a condo.

Mr. Rose wondered if the Comprehensive Plan would take into account the issues of decreasing home ownership and increasing rentals, and if using the Comprehensive Plan as a guide would be sufficient. Chair Allred stated that the 2005 Comprehensive Plan and the draft of the new Comprehensive Plan both talk about wanting to have a variety of housing types in every neighborhood. Ms. Yu stated that she was in favor of turning run down homes into duplexes, because it does not make sense for the houses to be sitting there without a way to develop them. However, she did not want to create a way for people to be incentivized to change the use of single-family houses into duplexes. Mr. Garcia showed maps from Exhibit C for West Urbana and for East Urbana. He noted that there already are 66 legally non-conforming duplexes in the West Urbana area. Chair Allred reiterated that in the R-2 Zoning District, a duplex would only be allowed with the approval of a conditional use permit. Any property owner in the R-3 District could convert an existing home or build a duplex by right. Right now, we just have arbitrary lot size restrictions that are limiting duplexes to some degree.

Mr. Fell stated that as an architect, he would be in favor of waiving all of the minimum lot requirements for width and area as long as the developer meets all of the other development

requirements. Chair Allred said that the proposed text amendment does not waive the requirements for lot area and lot width; instead, it is making the requirements the same as for a single-family home. Mr. Hopkins corrected by saying that it does waive the requirements for lots the zones shown on the map where the lots were platted before 1950. Mr. Garcia added that is for any use allowed in those zones.

Mr. Hopkins talked about the rate of change and mentioned that they need to be clear and it is worth thinking about. Chair Allred commented that if the history of an area includes an exclusionary intent to keep people out of their neighborhood based on family status or based on income levels, then that is something they should try to remedy when they have the opportunity. So, that is why the proposed text amendment is something that the City should be considering.

Mr. Hopkins stated that he agrees. Part of what makes the West Urbana neighborhood an American Planning Association (APA) Great Neighborhood is indeed the mix of housing that it has. It has family housing, a walkable elementary school, a mix of people, and is walkable to work and to Downtown Urbana. He was trying to think through how to get a mix, not how to enable one set of things.

Ms. Simms wondered if this goes back to the Comprehensive Plan where we want neighborhoods to be diverse and have a mix of different types of housing opportunities and where we could still prioritize equity initiatives. Does the Comprehensive Plan say enough about this that when decisions are made, we reference it? Is it aligned with the overall vision of where they are trying to go? Ms. Yu stated that she likes the way Ms. Simms said this. She asked if the text amendment fits into the scenario we want it to be? Mr. Rose asked what is the guide that is going to promote rehabilitation. To implement rehabilitation of housing in priority neighborhoods strikes him as the Comprehensive Plan's distillation of these issues done well or poorly. Ms. Yu stated that if the Comprehensive Plan does not have enough language about promoting home ownership, then maybe that is something they should add to the draft *Imagine Urbana*.

Mr. Hopkins pointed out that he is not promoting home ownership. He is promoting mixed neighborhoods, and if they are doing that through zoning, then there are five attributes: 1) the activity that occurs, 2) the form that occurs, 3) interdependence among things, 4) the ownership, and 5) change. As he mentioned before, he would like to do a revision of Section VI-3 with enough stated intent about all of that to suggest how we want to enable neighborhoods to adapt to changing circumstances in a way that they have thought through. He does not think that they have to wait for the Comprehensive Plan to be updated. It would be inherently about lot area and width but is about adaptation of lot requirements related to changes in neighborhoods where rehabilitation renewal cannot happen for a set of rules that are in the way.

Ms. Yu said she agreed with Mr. Hopkins. She said it is a big issue, and just crossing out two articles will not solve the issues. If we really want to reimagine our zoning code in this area, we should take the approach Mr. Hopkins is recommending.

Mr. Hopkins moved that the Plan Commission send the proposed text amendment to City staff to revise Section VI-3 to address changes in area lot width, common lot line, condo, and duplex adaptation in the R-2 and R-3 Zoning Districts. Ms. Yu seconded the motion.

Mr. Rose stated that he felt the motion needed guidance from the Plan Commission to City staff.

Chair Allred stated that during discussion he heard concern about the balance between home ownership versus rental within certain neighborhoods. He asked why Section VI-3. Lot Area and Lot Width be the section of the Urbana Zoning Ordinance to deal with this in particular. Mr. Hopkins stated that Section VI-3 was the area of focus, but he is trying to get at using the five attributes to figure out how we are dealing with the expectation of change. Chair Allred stated that he did not feel that Section VI-3 is the place to deal with this, but rather in Article V. Use Regulations or where it would be appropriate to spell out requirements for a conditional use permit or consider criteria. Mr. Garcia stated that Article VII. Standards and Procedures for Conditional and Special Uses has separate conditional use criteria that we can spell out for different things. Mr. Hopkins stated that Section VI-3 is the entry point because they need to look at the definitions of R-2 and R-3, which requires a lot to have 6,000 feet minimum for area and a 60-foot minimum width. He felt it is worth doing a little more complete task that makes it cleaner and more obvious where they are heading.

Mr. Garcia stated that Big Move # 2 in the *Imagine Urbana* draft is about rewriting the Zoning Ordinance to match the intent of the revised Comprehensive Plan. He stated that the appropriate time to deal with some of the larger issues would be after the new Comprehensive Plan is adopted and staff gets involved in the process of rewriting the whole Zoning Ordinance. The proposed changes in this application seem like a basic text amendment to him. There are two zoning districts (R-2 and R-3) that say duplexes should be allowed. The R-2 District allows duplexes with approval of a Conditional Use permit. The maps in Exhibit C show that there are tons of places within those districts that do not align with what the current Zoning Ordinance says. He suggested that the Plan Commission approve the proposed text amendment, maybe including common lot line as well because it has the same criteria and rules as for duplexes. Then, they tackle the larger issues in the not-so-far future.

Mr. Rose stated that the motion on the table is to direct the staff to conduct a rewrite of Section VI-3. If this passes the staff will get back to us with a rewrite, but I think we need to give direction for this rewrite to staff now. If the direction is to have staff clean up the language, then that would have his strong support. He said that he would hate to have the issue falter for staff not broadening the issues that are on the table right now.

Mr. Hopkins stated that he would interpret a concise response, roughly what Mr. Garcia just described, which is an explanation that clarifies the wording so they know what the outcome actually is and how Section VI-3. A relates to the others and deals with a common lot line in the same way. By putting the two together, it actually addresses many of the concerns the Plan Commission had talked about. What makes the expectation appear to be something massively more than this is that City staff has to make sure that the changes are not contradicted somewhere else in the Zoning Ordinance. He is not expecting a housing study to be done in order to make changes at this time.

Ms. Simms asked how difficult it would be to simplify the changes they are requesting. Mr. Garcia said it should only take two weeks and he could bring it back at the next regular meeting of the Plan Commission. Mr. Garcia stated that in the draft *Imagine Urbana* Comprehensive Plan, one of the Little Moves is that one does not have to wait. You can make little changes to the Zoning Ordinance as issues arise.

Ms. Yu asked if this application was not submitted by the applicant, would staff have intended to bring this text amendment to Plan Commission. Mr. Garcia replied that he would count the issue of the lot width and lot area preventing duplexes in the R-2 and R-3 Zoning Districts as one painful

thing among many in the Zoning Ordinance. City staff has a list of about 70 or more changes that would make the Zoning Ordinance better. Chair Allred pointed out that Big Move # 7, Little Move # 1 is to identify and resolve barriers to incremental and infill development. He believed the proposed text amendment would help resolve a barrier to infill development by allowing more duplexes. Mr. Garcia commented that while he knew duplexes were being prevented in certain areas by substandard lots, he did not realize how much of an issue it is until he was creating the maps for Exhibit C.

Roll call on the motion was as follows:

Mr. Allred	-	Yes	Mr. Fell	-	Yes
Mr. Hopkins	-	Yes	Ms. McFarland	-	Yes
Mr. Rose	-	Yes	Ms. Simms	-	Yes
Ms. Yu	-	Yes			

The motion passed unanimously by a vote of 7-0.

H. NEW BUSINESS

There was none.

I. AUDIENCE PARTICIPATION

David Huber addressed the Plan Commission on some comments that were made during the public hearing for Plan Case No. 2493-T-24. He stated that there is nothing legally that stops a single-family house from being converted into a rental property.

If duplexes are so egregious, he asked, why did not the neighborhood downzone the lots in the neighborhood to R-1 (Single Family Residential)? He hoped that the City can align the zoning districts with the other mechanisms of the Zoning Ordinance.

Mr. Hopkins stated that the south part of the state streets starting at Michigan Avenue is zoned R-1. The West Urbana area residents have been battling this for 50 years and one of the reasons the rest of the West Urbana area is not zoned R-1 is because part of the historical claim that it has not been single-family only.

COMMUNICATIONS COVER PAGE

Committee of the Whole Meeting – November 12, 2024

Emails regarding Plan Case No. 2493-T-24 (not included in Plan Commission meeting packets):

- **Liz Cardman** *{email dated 10-02-2024}*
- **Paul Devebec** *{email dated 09-19-2024}*
- **Paul Hixson** *{email dated 10-17-2024}*
- **Deborah Katz-Downie** *{email dated 10-17-2024}*
- **Marie and Pierre Moulin** *{email dated 10-30-2024}*
- **Michael and Elizabeth Plewa** *{email dated 10-24-2024}*
- **Kurt and Deanna Wisthuff** *{email dated 10-23-2024}*

Emails regarding Plan Case No. 2493-T-24 (included in previous Plan Commission packet):

- **Liz Cardman** *{email dated 09-18-2024}*
- **Phil Fiscella** *{email dated 09-16-2024}*
- **Matthew Macomber** *{email dated 09-18-2024}*
- **Esther Patt** *{email dated 09-18-2024}*
- **Cameron Raab** *{email dated 09-18-2024}*
- **Adani Sanchez** *{email dated 09-18-2024}*

From: [E.R. Cardman](#)
To: [!!Plan Commission](#)
Subject: Plan Case No. 2493-T-24
Date: Wednesday, September 18, 2024 1:01:37 PM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Re: Plan Case No. 2493-T-24 - A request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two-family dwelling in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts.

To: The Urbana Plan Commission

With only three requests in the last twenty years for variances of the zoning FAR requirements for duplexes, I am not sure why the Plan Commission is considering a permanent revision to the code.

Further, 65% of Urbana households are rentals. The housing vacancy rate in Urbana is 13%. Higher than the state [8%] or national [6%] rates. Does the City aim to increase rentals at the expense of more single-family units? It seems misguided for the City to expand in this way, gradually closing out working couples with children. [See the demographic data in the [Examine Urbana Housing](#) online document.]

Further, when the Plan Commission is considering increasing density on a lot, it's critical that the Commission also assess the potential impact on infrastructure – especially in the older parts of town: e.g., sewer, water, parking, roads, etc. This is best done on a case-by-case basis, as the conditional use requirement permits.

At a minimum, the conditional use for duplexes in R2 should be retained.

Thank you for your consideration,

Liz Cardman
Urbana

From: [E R Cardman](#)
To: [IPlanning](#)
Subject: Plan Commission: Public Input: To be read into the record: regarding: Plan Case No. 2493-T-24
Date: Wednesday, October 2, 2024 8:01:35 AM
Attachments: [Screenshot 2024-10-01 at 20-53-05 Microsoft Word - R-2 District - R-2 District 1.pdf.png](#)
[Screenshot 2024-10-01 at 20-49-59 Microsoft Word - R-1 District - R-1 District 1.pdf.png](#)

***** Email From An External Source *****
 Use caution when clicking on links or opening attachments.

I am not able to attend the Plan Commission meeting of October 3, but would like the following read into the record:

At the Plan Commission meeting of September 19, Mr. Huber asked why, if West Urbana was opposed to increasing duplexes, it did not apply to have the entire area rezoned R1. To those of us who live in West Urbana, that seems like a good option to consider. However, please note that under longstanding zoning regulations, the lot sizes and dimensions between the two zones are radically different. R1 lot size is 50% greater than an R2 lot size. As well, setbacks and required side yards are also greater for R1 districts.

[See below]

A walk down West Michigan makes the difference readily apparent: the south side of the street is R1; the north side of the street is R2.

DEVELOPMENT REGULATIONS IN THE R-1 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-1	9,000 ¹¹	80	35	0.30 ¹¹	0.50 ¹¹	25 ⁹	5 (15) ¹²	10

FAR = Floor Area Ratio
 OSR = Open Space Ratio

DEVELOPMENT REGULATIONS IN THE R-2 DISTRICT

ZONE	MIN LOT SIZE (square feet)	MIN AVERAGE WIDTH (in feet)	MAX HEIGHT (in feet)	MAX FAR	MIN OSR	MIN FRONT YARD (in feet) ¹	MIN SIDE YARD (in feet) ¹	MIN REAR YARD (in feet) ¹
R-2	6,000 ¹³	60 ¹³	35 ¹⁷	0.40	0.40	15 ⁹	5	10

FAR = Floor Area Ratio
 OSR = Open Space Ratio

I hope this clarification is helpful for future discussions.
 Liz Cardman
 West Urbana

From: [Debevec, Paul T](#)
To: [!!Plan Commission](#)
Subject: Plan Case 2493-T-24
Date: Thursday, September 19, 2024 12:05:40 PM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Comment to Plan Commission on Plan Case 2493-T-24 from Paul Debevec, [REDACTED]
Urbana, IL

The Plan Commission should vote to deny the request.

The motivation of the zoning change request is the claim that there is an impediment to duplex construction in R-2 and R-3 zoning districts. There is already a mechanism to gain approval for duplex construction in these districts, namely, the variance. Variances are routinely requested and approved for other departures from other zoning requirements. The submission notes that there have been only **three requests in 20 years** for a duplex construction variance. The simplest explanation is that there is no compelling interest in such construction. The corollary is that there is no need to change the zoning ordinance.

The applicant claims that approval will increase housing affordability. Granted that housing affordability is an important issue in many communities, Champaign-Urbana is actually doing quite well. The 2022 data from the National Association of Realtors put Champaign-Urbana at number 14 out of 178 communities in housing affordability. There is no quantitative basis for the claim of the applicant.

The citation of the White House report is of questionable relevance, and its citation is certainly divisive. Granted a deplorable history in which zoning had been motivated by racism in many communities, the application offers no evidence that the current zoning requirements are racist. Urbana is diligent in protection of opportunities for housing to all individuals.

A small observation. The application makes a questionable claim about land use efficiency which includes the howler that "Most new homes constructed in Urbana's outer lying subdivisions in recent years are well below 2,400 square feet. Just a few minutes on Zillow, ReMax, or Redfin will show that this claim is incorrect.

A new comprehensive plan, very much in the works, will address zoning issues. The Plan Commission should put 2493-T-24 aside.

From: Philip Fiscella
To: !Planning
Subject: R2 lot width amendment comment
Date: Monday, September 16, 2024 11:34:04 AM

***** Email From An External Source *****
Use caution when clicking on links or opening attachments.

Dear Sirs / Ma'ams,

I couldn't help but notice that the Plan Commission agenda includes a proposal to eliminate the lot-width requirements for duplexes in a few of the zoning districts in Urbana.

While I am not an Urbana resident, I am immediately adjacent to the boundary of the City, some of my family lives in town, and we own several other properties in the City proper.


More germane to this discussion, I also sit on the Board of Trustees for the Mass Transit District. One of our greatest struggles is getting our routes compact enough to allow short trips. And the biggest impediment to that is a lack of density. Nobody wants to sit on the bus for four hours to go to the grocery store and back. But when every unit sits on a quarter-acre lot, well, the trips are long and walking past fifteen houses to the bus stop with groceries becomes a real hassle.

We need to move in the direction of allowing for smaller homes, set closer together. The environment demands it. Today's economy demands it. Younger people demand it, seniors downsizing need it, and we can't design the entire city around nuclear families with four kids who need a 2,500 sf house with a big yard. We have to move past 1955.

Please consider adopting this amendment, and please consider allowing duplex construction by-right. The more you require people to take a risk that their dream might be shot down by committee, the more you discourage progress and action. I've had that conversation so many times. "Well, you're going to need a variance or a special use permit"

And the answer is usually that the family will look elsewhere first.

Anyway, thank you for your consideration!

Phil Fiscella


Ricci, Marcus

From: Hixson, Paul [REDACTED]
Sent: Thursday, October 17, 2024 5:54 PM
To: !Planning
Cc: Plewa, Michael Jacob
Subject: Fwd: [WUNA-Main] FW: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

Categories: Public Input, Marcus, Kevin, Complete

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Planning Commission Members,

Like Michael, I will not be able to attend tonight's public meeting, but I want to strongly echo what Michael has so clearly stated. I not only have the same concerns, but as a long-term homeowner in the West Urbana Neighborhood, my family's personal story very closely parallels that of Michael and Elizabeth.

My wife, Jennifer Hixson and I purchased our home at [REDACTED] in 1977 for very similar reasons - I wanted to be able to walk or bike to campus and my wife wanted to be able to walk or bike with our kids to downtown Urbana. And, like the Plewas, we are only the 2nd owners of our wonderful home in this wonderful neighborhood. We also have made careful improvements to our property that someday we will pass on to new owners. We have loved living in this neighborhood and are concerned that proposals like the one you will be considering this evening represent an increasing set of attacks on the long term health and viability of the West Urbana neighborhood.

The proposed amendment to the Zoning Ordinance being requested by David Huber would directly harm this wonderful neighborhood, which as Michael so eloquently notes is one of only a handful of nationally recognized family-friendly neighborhoods bordering a major college campus.

I respectfully urge you to reject this proposed change to the Urbana Zoning Ordinance and instead focus on ways that you can support this treasure of a neighborhood with policies and decisions that will make coming generations of families choose to live in this very wonderful neighborhood long into the future.

Sincerely,

Paul Hixson
 [REDACTED]
 Urbana, IL 61801

Begin forwarded message:

From: Michael Plewa [REDACTED]
Subject: [WUNA-Main] FW: PLAN COMMISSION – PUBLIC INPUT
Date: Oct 17, 2024 at 5:30:54 PM

Dear Neighbors,

I am unable to attend this evening's public meeting of the Urbana Plan Commission. However, I urge all to send their concerns and opinions on this blatant attack on single-family residential zoning in West Urbana.

Sincerely,
Michael

From: Plewa, Michael Jacob
Sent: Thursday, October 17, 2024 5:27 PM
To: Planning@urbanainllinois.us
Subject: PLAN COMMISSION – PUBLIC INPUT

To: Planning@urbanainllinois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

The lot sizes in the West Urbana neighborhood are small as compared to most single-family residential lots in Urbana and Champaign. On West Iowa Street the lot width is 55 feet. These beautiful older homes zoned as R-2 are already close together. Eliminating the lot width and area requirements would cause an extreme increase in density and would not be in the best interest of the homeowners and other residents. This proposal only benefits developers who wish to enhance their greed at the expense of this wonderful neighborhood.

The West Urbana neighborhood is a unique asset to the City of Urbana in that it is one of the few affordable, national award-winning residential neighborhoods that is adjacent to a major university. In 1978 when I was hired as an Assistant Professor at the University of Illinois my wife and I chose to live in West Urbana because we wanted to be able to walk to our laboratory and reduce our energy consumption. We purchased our home, that was built in 1939, and we are the second owners. Over the years we have enhanced the energy efficiency of our home and carefully restored the building. If you wish to attract professionals, faculty and staff at the University, the Plan Commission should not undermine the protections inherent in R-2 single family residential zoning. The current proposal would effectively eliminate R-2 single family residential zoning. New families would avoid buying in West Urbana. If you implement this change, you will send many families to Southwest Champaign or other areas where they can purchase homes as truly single-family residences.

The Plan Commission Should Protect the Unique Residential Neighborhood in West Urbana
West Urbana is unique because of its fine homes, mature trees, diverse population, and proximity to campus. By implementing this change to the R-2 zoning ordinance you will severely reduce single-family, owner-occupied housing and the result will be upscale student housing. This trend has continued throughout the years due to poor city planning, and collusion with developers which leads to housing that even many students cannot afford. Indeed, students are the business of this town, but what makes this neighborhood such a great place to live is that those working for the largest employer in town – the University of Illinois – can have an extremely sustainable and comfortable lifestyle – walking or biking to work, raising a family -- enjoying all the

benefits such a town can offer. Further, with a commitment to living here for decades, there is a populace that is engaged in local issues and pays taxes to support schools, parks, the library and other city services for the benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa

[Redacted]
Urbana, IL 61801
[Redacted]

[Redacted]

Ricci, Marcus

From: Deborah Katz-Downie [REDACTED]
Sent: Thursday, October 17, 2024 5:54 PM
To: !Planning
Cc: Deborah Katz-Downie
Subject: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Planning Commission,

I too am unable to attend tonight, and I agree with Michael Plewa's letter below.

Deborah Katz-Downie

[REDACTED]

Urbana, IL 61801

From: Plewa, Michael Jacob
Sent: Thursday, October 17, 2024 5:27 PM
To: Planning@urbanaininois.us
Subject: PLAN COMMISSION – PUBLIC INPUT

To: Planning@urbanaininois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

The lot sizes in the West Urbana neighborhood are small as compared to most single-family residential lots in Urbana and Champaign. On West Iowa Street the lot width is 55 feet. These beautiful older homes zoned as R-2 are already close together. Eliminating the lot width and area requirements would cause an extreme increase in density and would not be in the best interest of the homeowners and other residents. This proposal only benefits developers who wish to enhance their greed at the expense of this wonderful neighborhood.

The West Urbana neighborhood is a unique asset to the City of Urbana in that it is one of the few affordable, national award-winning residential neighborhoods that is adjacent to a major university. In 1978 when I was hired as an Assistant Professor at the University of Illinois my wife and I chose to live in West Urbana because we wanted to be able to walk to our laboratory and reduce our energy consumption. We purchased our home, that was built in 1939, and we are the second owners. Over the years we have enhanced the energy efficiency of

our home and carefully restored the building. If you wish to attract professionals, faculty and staff at the University, the Plan Commission should not undermine the protections inherent in R-2 single family residential zoning. The current proposal would effectively eliminate R-2 single family residential zoning. New families would avoid buying in West Urbana. If you implement this change, you will send many families to Southwest Champaign or other areas where they can purchase homes as truly single-family residences.

The Plan Commission Should Protect the Unique Residential Neighborhood in West Urbana West Urbana is unique because of its fine homes, mature trees, diverse population, and proximity to campus. By implementing this change to the R-2 zoning ordinance you will severely reduce single-family, owner-occupied housing and the result will be upscale student housing. This trend has continued throughout the years due to poor city planning, and collusion with developers which leads to housing that even many students cannot afford. Indeed, students are the business of this town, but what makes this neighborhood such a great place to live is that those working for the largest employer in town – the University of Illinois – can have an extremely sustainable and comfortable lifestyle – walking or biking to work, raising a family -- enjoying all the benefits such a town can offer. Further, with a commitment to living here for decades, there is a populace that is engaged in local issues and pays taxes to support schools, parks, the library and other city services for the benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa

[Redacted]
Urbana, IL 61801
[Redacted]

--
[Redacted]



Item F1.

From: Matthew Macomber <<redacted>>
Sent: Wednesday, September 18, 2024 7:34 PM
To: !!Plan Commission
<PlanCommission@urbanillinois.us> **Subject:** Support for
Duplexes on Regular Lots

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Just wanted to voice my support for duplexes on regular sized lots! Would help improve access to housing in the area.

- Matthew Macomber

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

Ricci, Marcus

From: Marie-Pierre Lassiva-Moulin [REDACTED]
Sent: Wednesday, October 30, 2024 5:24 PM
To: !Planning
Subject: Case Number: 2493-T-24 - Opposing proposal

Categories: Public Input

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Members of the Plan Commission,

I oppose the request by David Huber to amend Article VI of the Urbana Zoning Ordinance as stated in Michael Plewa and Elizabeth Wagner Plewa’s email to the Planning Commission:

“**We oppose the** request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.(...)”

Sincerely,
Marie-Pierre
[REDACTED]

Ricci, Marcus

From: Esther Patt <<redacted>>
Sent: Wednesday, September 18, 2024 7:05 PM
To: !Planning
Subject: PUBLIC COMMENT - 2493-T-24 - PLAN COMMISSION - PUBLIC INPUT September 19, 2024

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Dear Urbana Plan Commission:

I write to ask you to recommend to City Council DENIAL of Plan Case No. 2493-T-24.

The summary of findings (#4) states that the proposed text amendment would "preserve and enhance the character of established residential neighborhoods" and "ensure that new land uses are compatible with and enhance the existing community."

This finding is FALSE. The effect of the text amendment would CHANGE the character of established neighborhoods by reducing the number of small, owner-occupied single-family homes and replacing them with duplex rentals.

The assertion that Urbana has a problem with "exclusionary zoning" is completely false. Consider this data from the U.S. Census Bureau:

- 87%** of housing units in **Northbrook** Illinois are owner-occupied.
- 71%** of housing units in **Decatur** Illinois are owner-occupied.
- 70%** of housing units in the **United States** are owner-occupied.
- 67%** of housing units in the **State of Illinois** are owner-occupied.
- 33%** of housing units in **Urbana** Illinois are owner-occupied.

Urbana suffers from a shortage of small homes available for purchase by owner-occupants, not a shortage of rental choices. Realtors consider Urbana to be a "seller's market" for single family homes. Lack of supply drives up cost which is good for sellers but bad news for young couples wanting to purchase their first house.

In addition to too few homes going on the market, when an *affordable* single-family home is advertised for sale, prospective homeowners have to compete with buyers who want to use the home as income property.

Exclusionary zoning is an issue in communities like Northbrook that have very few rental housing options.

It is ludicrous to claim that exclusionary zoning is an issue in Urbana where 67% of housing units are already rental – including 27% of all single family structures in the city.

Urbana has a glut of rental housing. The 2010 Census found the rental housing vacancy rate in Urbana was 11.5%, double the state average. Even the campus area has lots of vacancies.

Three weeks before school started this year, University of Illinois Housing Division was able to find and I bank of apartments in three buildings within one block of the corner of Lincoln and Green for the overflow of first-year students for whom there was no space in the residence halls.

I canvassed doors in campus area apartment buildings to register voters just 10 days ago – after school started, and after the last- minute addition of the student overflow from residence halls. I found buildings on the engineering campus near Stoughton and Goodwin where 3 out of 10 apartments are still vacant. Historically the census tract closest to U of I has had the lowest rental vacancy rate in Urbana; but even it has many vacancies now.

There is no housing need or community benefit served by a policy that promotes replacement of smaller homes with duplex rentals. The only benefit of the proposed change is to those property owners who buy single family houses to use as rentals from which they can get twice as much rent if they convert to duplex.

Buyers already have that opportunity on lots that are large enough for two households and therefore, twice the number of people as would live in one house. Trying to squeeze two households onto a small lot does not enhance any neighborhood so why change the rules to increase the practice?

Please vote to recommend denial of this proposal.

Thank you for your service,
Esther Patt



Ricci, Marcus

From: Plewa, Michael Jacob [REDACTED]
Sent: Thursday, October 17, 2024 5:27 PM
To: !Planning
Subject: PLAN COMMISSION – PUBLIC INPUT — Plan Case No. 2493-T-24 - OPPOSED

To: Planning@urbanainlinois.us

PLAN COMMISSION – PUBLIC INPUT

October 17, 2024

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. **We oppose** the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

The lot sizes in the West Urbana neighborhood are small as compared to most single-family residential lots in Urbana and Champaign. On West Iowa Street the lot width is 55 feet. These beautiful older homes zoned as R-2 are already close together. Eliminating the lot width and area requirements would cause an extreme increase in density and would not be in the best interest of the homeowners and other residents. This proposal only benefits developers who wish to enhance their greed at the expense of this wonderful neighborhood.

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The Plan Commission Should Protect the Unique Residential Neighborhood in West Urbana West Urbana is unique because of its fine homes, mature trees, diverse population, and proximity to campus. By implementing this change to the R-2 zoning ordinance you will severely reduce single-family, owner-occupied housing and the result will be upscale student housing. This trend has continued throughout the years due to poor city planning, and collusion with developers which leads to housing that even many students cannot afford. Indeed, students are the business of this town, but what makes this neighborhood such a great place to live is that those working for the largest employer in town – the University of Illinois – can have an extremely sustainable and comfortable lifestyle – walking or biking to work, raising a family -- enjoying all the benefits such a town can offer. Further, with a commitment to living here for decades, there is a populace that

is engaged in local issues and pays taxes to support schools, parks, the library and other city services for benefit of all.

Members of the Plan Commission, we urge you to focus on the characteristics of neighborhoods like West Urbana and to reject this reduction to the R-2 zoning ordinance. You should join with the residents that makes West Urbana one of the 10 best neighborhoods to live in the nation.

Sincerely,

Michael Plewa
Elizabeth Wagner Plewa
[Redacted]
Urbana, IL 61801
[Redacted]

Ricci, Marcus

From: Cameron Raab <<redacted>>
Sent: Wednesday, September 18, 2024 7:01 PM
To: !Planning
Subject: PLAN COMMISSION - PUBLIC INPUT 9/19/2024

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Greetings! I am writing as a Champaign County resident in support of amending the Urbana Zoning ordinances to eliminate lot width and area requirements for two-family dwelling in the R-2 (Single-Family Residential) and R-3 (Single- and Two-Family Residential) Zoning Districts. This could go a long way towards helping shore up the housing supply in the area by eliminating outdated and restrictive zoning ordinances without having to rely on more sprawl to do the job for us (at a significant cost). Thank you!

--
Cameron Raab
Champaign, IL

From: Adani Sanchez <<redacted>>
Sent: Wednesday, September 18, 2024 6:41 PM
To: !!Plan Commission <PlanCommission@urbanaillinois.us>
Subject: Support more housing! Vote yes on duplexes!

***** Email From An External Source *****

Use caution when clicking on links or opening attachments.

Hello,

My name is Adani and I am with CURbanism club, a group interested in supporting more housing and transit options!

This text amendment is a straightforward way to allow more housing by right! No extra meetings for y'all if someone wants to build a duplex! And it would make duplexes a more enticing option for developers by reducing barriers.

With single family home prices so high, a duplex is a great option for neighbors who need more space than an apartment but are not ready (or not able) to make the jump into a more expensive home.

Allowing duplexes on regular sized lots would be a great step forward in increasing housing stock and I would love to see the Plan Commission review other options to increase density in our community so that everyone has an option for housing!

Thank you for your consideration,

Adani Sanchez
CURbanism Lead

Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

Ricci, Marcus

From: Kurt Wisthuff [REDACTED]
Sent: Wednesday, October 23, 2024 5:10 PM
To: !Planning
Subject: PLAN COMMISSION — PUBLIC INPUT - Plan Case No. 2493-T-24 - OPPOSED

Categories: Kevin, Public Input, Complete

*** Email From An External Source ***

Use caution when clicking on links or opening attachments.

PLAN COMMISSION — PUBLIC INPUT

Re: Plan Case No. 2493-T-24

Members of the Plan Commission. We oppose the request by David Huber to amend Article VI of the Urbana Zoning Ordinance to eliminate lot width and area requirements for two family dwelling in the R-2 (Single Family Residential) and R-3 (Single- and Two Family Residential) Zoning Districts.

We recently relocated from the Chicago area to our home on [REDACTED]. One of the main factors in making our decision was the current look/feel/character of the West Urbana neighborhood. Eliminating lot width and area requirements and allowing higher-density development will slowly change that very character. And once the change is made, there will be no going back.

In addition, higher density can cause unwanted strain on old infrastructure (stormwater/sewer) costing taxpayers and presenting problems for current residents (who purchased with dry basements in mind), something we experienced firsthand in our previous community.

We urge you to take our neighbors' and our concerns into consideration when making your decision.

Sincerely,

Kurt Wisthuff
Deanna Wisthuff

[REDACTED]
Urbana, IL 61801
[REDACTED]



City of Urbana
400 S. Vine Street, Urbana, IL 61801
www.urbanaininois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 18, 2024 Committee of the Whole

Subject: A Resolution Authorizing Acceptance of a DCEO Community Development Block – Coronavirus Grant (CDBG-CV)
A Resolution Approving a CDBG-CV Subrecipient Grant Agreement with Hope Village Inc.

Summary

Action Requested

City Council is being asked to approve the two attached resolutions. The first Resolution authorizes the City to accept a \$1.2 million grant from the Department of Commerce and Economic Opportunity (DCEO) for the Hope Village Tiny Homes Project. The second Resolution approves a subrecipient grant agreement between the City and Hope Village Inc.

Brief Background

In February 2024, DCEO made a total of \$15 million in Community Development Block – Coronavirus Grant (CDBG-CV) funds available for construction, reconstruction, rehabilitation, or acquisition of properties for homeless¹ shelters dedicated to the provision of stable, safe and adequate housing, and with a goal of increasing capacity to pre-COVID levels.

City staff held a public hearing regarding the application prior to submittal on July 8, 2024. Leading up to the public hearing, there was a 15 day public comment period, during which time the draft application materials were made available to the public for review. On July 31, 2024, the City of Urbana, in partnership with Hope Village Inc., an Illinois not-for-profit organization, submitted an application to DCEO for \$1.2 million in CDBG-CV funding to aid in the construction of Hope Village. On September 17, 2024, staff was notified that the City's application was selected for award. Urbana is one of only 12 communities in Illinois to receive this grant.

Relationship to City Services and Priorities

Strategic Goals & Plans

The completion of Hope Village will further Mayor/Council Strategic Goal 2.1.A *Coordinate with housing and social service providers to reduce homelessness* as well as the goals and strategies outlined in the

¹ HUD's definition of homelessness is contained in 24 CFR 578.3, and includes a number of subcategories, including literally homeless, at imminent risk of homelessness, homeless under other federal statutes, and fleeing/attempting to flee domestic violence.

[City of Urbana and Urbana HOME Consortium Consolidated Plan for FY 2020 – 2024 and Annual Action Plan for FY 2024 – 2025.](#)

Previous Council Actions

On April 24, 2023 City Council passed Resolution [2023-04-023R](#) approving and authorizing the execution of a subrecipient agreement with Carle Foundation hospital to provide \$850,000 in funding for the construction of Hope Village. On January 2, 2024, City Council passed Ordinance [2023-12-051](#) approving a preliminary/final subdivision plat for Hope Village (Plan Case 2479-S-23). On July 8, 2024, City Council approved Resolution [2024-07-048R](#), A Resolution of Support for a State of Illinois Community Development Block – Coronavirus Grant (CDBG-CV).

Discussion

Additional Background Information

Activities that will be undertaken with CDBG-CV grant funding will include construction of tiny homes for medically-fragile individuals who have experienced homelessness. One hundred percent of the grant funds proposed in this application will benefit very low-income individuals.

Fiscal and Budget Impact

There will be no fiscal impact on the City General Fund, as the funding comes from DCEO. The grant funds will reimburse a portion of the construction and pre-construction costs associated with this project.

Recommendation

Staff recommend that Council approve the attached Resolutions authorizing acceptance of a DCEO Community Development Block – Coronavirus Grant (CDBG-CV) and approving the execution of a subrecipient agreement with Hope Village.

Next Steps

If Council approves the Resolutions, staff will execute the subrecipient agreement, and will also enter into a grant agreement with DCEO.

Attachments

- 1) A Resolution Authorizing Acceptance of a DCEO CDBG-CV Grant
- 2) A Resolution Approving a CDBG-CV Subrecipient Grant Agreement with Hope Village Inc.
- 3) CDBG-CV Subrecipient Grant Agreement with Hope Village Inc.

Originated by: Breaden Belcher, Grants Division Manager

Reviewed: William Kolschowsky, Senior Management Analyst/Assistant to the City Administrator

Approved: Carol Mitten, City Administrator

RESOLUTION NO. 2024-XX-XXXX

**Resolution Authorizing Acceptance of a DCEO
Community Development Block – Coronavirus Grant (CDBG-CV)**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers; and

WHEREAS, the City has in one or more years accepted funds from the Illinois Department of Commerce and Economic Opportunity (DCEO) in order to fund community projects; and

WHEREAS, DCEO has awarded a CDBG-CV grant (“Grant”) in the amount of \$1,200,000 for the construction of tiny homes for medically-fragile individuals experiencing homelessness undertaken by Hope Village, Inc.; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by DCEO as described in the exhibit appended hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. That the DCEO’s CDBG-CV Grant to reimburse for the construction of tiny homes for medically-fragile individuals experiencing homelessness undertaken by Hope Village, Inc shall be and hereby is accepted by the City and that the City shall abide by the terms and conditions provided in the exhibit attached hereto and made a part hereof.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to undertake such additional steps as may be necessary for the City to receive the Grant and to arrange for the City’s compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

RESOLUTION NO. _____

**RESOLUTION APPROVING A CDBG-CV SUBRECIPIENT
GRANT AGREEMENT WITH HOPE VILLAGE, INC.**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers; and

WHEREAS, the State of Illinois has awarded a grant (“Grant”) in the amount of \$1,200,000 for the construction of tiny homes for medically-fragile individuals experiencing homelessness undertaken by Hope Village, Inc. and allow the City to act as the fiduciary agent; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by the State of Illinois as described in the exhibit appended hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. That an Agreement providing \$1,200,000 in State of Illinois DCEO funds to Hope Village, Inc. so as to construct tiny homes for medically-fragile individuals experiencing homelessness in substantially the same form of the said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement in substantially the form appended hereto as an exhibit as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

CDBG-CV SUBRECIPIENT AGREEMENT WITH HOPE VILLAGE, INC.

State Awarding Agency: Illinois Department of Commerce and Economic Opportunity

Background

This CDBG-CV Subrecipient Agreement is made between the City of Urbana, an Illinois Municipal Corporation (the "City") and Hope Village, Inc., an Illinois not-for-profit entity (hereinafter the "Subrecipient") for costs associated with the construction of 30 tiny homes for medically-fragile individuals experiencing homelessness.

In February 2024, DCEO made a total of \$15 million in Community Development Block – Coronavirus Grant (CDBG-CV) funds available for construction, reconstruction, rehabilitation, or acquisition of properties for Homeless (as defined by the U.S. Department of Housing and Urban Development (HUD) Shelters dedicated to the provision of stable, safe and adequate housing; with a goal of increasing capacity to pre-COVID levels.

City staff held a public hearing regarding the application prior to submittal on July 8, 2024. Leading up to the public hearing, there was a 15-day public comment period during which time the draft application materials were made available to the public for review. On July 31, 2024, the City of Urbana, in partnership with Hope Village Inc., an Illinois not-for-profit organization, submitted an application to DCEO for \$1.2 million in CDBG-CV funding to aid in the construction of Hope Village. On September 17, 2024, staff was notified that the City's application was selected for award. Urbana is one of only 12 communities in Illinois to receive this grant. On to the City of Urbana to cover a portion of the construction and pre-construction costs associated with the development of Hope Village.

NOW, THEREFORE, in consideration of the matters set forth above and below, the parties agree as follows.

1. **Definitions.** Whenever used in this Subrecipient Agreement:
 - A. "City" is defined as the City of Urbana.
 - B. "DCEO" is defined as the Department of Commerce and Economic Opportunity.
 - C. "Grant Agreement" means the agreement between the City and Hope Village, Inc., as executed by the City.
 - D. "Grant Funds" means the assistance provided under this Subrecipient Agreement.
 - E. "Participating Organizations" is defined as the City of Urbana and Hope Village, Inc.

- F. “State” means the State of Illinois.
- G. “Subrecipient” is defined in the Background section of this Subrecipient Agreement.

2. Grant Award.

- A. Subject to the terms of the Grant Agreement and this Subrecipient Agreement, the City shall provide up to **\$1,200,000** in Grant Funds to the Subrecipient for activities identified as the responsibility of the Subrecipient in the Grant Application. The Subrecipient agrees to use funds granted to it by the City pursuant to this Subrecipient Agreement to undertake those activities in the Application identified as the Responsibility of the Subrecipient in the manner identified in the Application. The Subrecipient agrees that funds awarded are pursuant to this Subrecipient Agreement and shall be used for the following purposes:

Construction of Hope Village: \$ 1,200,000

3. **Allowable Costs – Construction.** Hard construction costs associated with the development of tiny homes for medically-fragile individuals who are experiencing homelessness are eligible under the terms of the Agreement.
4. **Ineligible Costs.** The following costs are specifically identified as ineligible:
- a. All Engineering costs associated with the planning, design or management of construction activities.
 - b. Construction of buildings, or portions thereof, used predominantly for the general conduct of government (e.g., city halls, courthouses, jails, police stations).
 - c. General government expenses. Costs of operating and maintaining public infrastructure and services (e.g., mowing parks, replacing street light bulbs).
 - d. Servicing or refinancing of existing debt.
 - e. Activity delivery costs
5. **Disbursement.** If and to the extent the City receives CDBG-CV funds from DCEO, the City shall reimburse the Subrecipient in accordance with the terms of this Subrecipient Agreement. Funding in the full amount of this Subrecipient Agreement is contingent upon the City receiving Grant Funds. If the Grant Funds are discontinued or reduced for any reason, the City’s payments to the Subrecipients may cease or be reduced without advance notice, and the City will not be liable for any damages as a result of such discontinuance or reduction of Grant Funds.
6. **Disallowance.** The Subrecipient shall reimburse the City for any payments it receives under this Subrecipient Agreement that are for ineligible or disallowed costs. If the City determines that a cost for which the City has made payment is disallowed, the City shall notify the Subrecipient of the disallowance and the required course of action, which, at the City’s option, will be to adjust

any future claim submitted by the Subrecipient by the amount of the disallowance or to require the Subrecipient immediately to repay the disallowed amount by issuing a check payable to the City.

7. Subrecipient's Duties.

A. The Subrecipient shall:

- (1) Maintain detailed financial records that show the eligible essential services costs.
- (2) Submit quarterly reports to the City no later than 15 days after the end of the quarter. Failure to submit reports to the City may result in the withholding or suspension of Grant Funds until the City receives and approves such reports.
- (3) Maintain files and records as required which relate to the overall administration of the DCEO grant.
- (4) Submit quarterly Financial Status Reports to the City outlining project expenses.
- (5) Allow representatives of the City or DCEO to inspect facilities used in connection with this Subrecipient Agreement or which implement programs funded under this Subrecipient Agreement.
- (6) Comply with Davis Bacon Act (40 U.S. C. 3141-3148), Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and other applicable federal requirements.
- (7) Comply with the "Buy American Preference" (BAP) imposed by the Build American, Buy American Act (BABA) enacted under Division G, Title IX of the Infrastructure Investment and Jobs Act (IIJA, Pub. L. No. 117-58) signed into law on November 15, 2021.
- (8) Comply, to the greatest extent feasible, with requirements of Section 3 of the Housing and Community Development Act of 1968. Pursuant to Section 3, the Subrecipient must award contracts for work to be performed to eligible businesses located in or owned by residents of the distribution area to ensure that employment and other economic opportunities generated by federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low- and very-low-income persons, particularly those who are recipients of government assistance for housing.
- (9) Ensure procurement policies comply with 2 CFR Part 200.

B. City's Duties:

- (1) Review the HUD-required project eligibility.

- (2) Complete Environmental Review Record.
 - (3) Review project statement of work, budget, and procurement processes for compliance with CDBG regulations.
 - (4) Determine Davis-Bacon applicability, list labor classifications used for the project, obtain wage determination, review wage decision, ensure bid documents include labor standard provisions and appropriate wage decision and verify prime and subcontractor's eligibility.
 - (5) Provide technical assistance as requested by Subrecipient related to meeting CDBG-CV requirements.
 - (6) Evaluate the project's progress at regular meetings with Hope Village personnel.
 - (7) Monitor project implementation once per quarter to ensure compliance with Davis-Bacon Act, Section 3 reporting requirements, 2 CFR Part 200 financial management requirements, and other applicable federal requirements. Project monitoring will include: on-site interviews with all trades, review of weekly certified payroll reports, underpayments, misclassification of labor categories, and any investigations.
- C. With respect to all matters covered by this Subrecipient Agreement, the Subrecipient shall make records available for examination, audit, inspection, or copying at any time during normal business hours and as often as the City or State request. The Subrecipient shall permit excerpts or transcriptions to be made or duplicated from such records, and audits made of all invoices, materials, records of prevailing wage and other data relating to all matters covered by this Subrecipient Agreement. The City's right of inspection and audit shall obtain likewise with reference to any audits made by any other agency, whether local or State.
8. **Agreement Term.** This Subrecipient Agreement is effective on the last date signed by a party hereto and will terminate on December 31, 2026, unless otherwise cancelled or amended according to its terms.
 9. **Subrecipient's representations.** The Subrecipient represents the following to the City:
 - A. The Subrecipient is qualified to participate in the construction project, has the requisite expertise and experience in the provision of project management, and is willing to use Grant Funds as outlined in the grant agreement.
 - B. The Subrecipient will provide services under this Subrecipient Agreement in a competent, professional, and satisfactory manner in accordance with DCEO award number SD250153.
 10. **Default.**

- A. Any breach of representation or other provision of this Subrecipient Agreement will constitute a default. A default by a Subrecipient also will consist of any of the following:
- (1) Use of Grant Funds for a purpose other than as authorized herein;
 - (2) Failure to maintain detailed financial and prevailing wage records concerning the use of the Grant Funds.
- B. A party claiming a default shall give written notice of such default to the defaulting party, which notice will describe the nature of the default and the Section of this Subrecipient Agreement, which the non-defaulting party believes was breached. The defaulting party will have fourteen (14) calendar days from the date notice was given to cure or remedy the default. During any such period following the giving of notice, the non-defaulting party may suspend performance under this Subrecipient Agreement until the defaulting party gives written assurances to the non-defaulting party, deemed reasonably adequate by the non-defaulting party, that the defaulting party will cure or remedy the default and remain in compliance with its duties under this Subrecipient Agreement.
- C. If the defaulting party is the City, and it fails to cure or remedy the default as provided herein, the non-defaulting party may exercise any right, power, or remedy granted to it pursuant to this Subrecipient Agreement or applicable law.
- D. If the defaulting party is a Subrecipient, and it fails to cure or remedy the default as provided herein, the City may take one or more of the following actions:
- (1) Direct the Subrecipient to submit progress schedules for completing approved activities;
 - (2) Direct the Subrecipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions;
 - (3) Direct the Subrecipient to suspend, discontinue, or not incur costs for the affected activity;
 - (4) Reduce or recapture the Grant Funds authorized herein;
 - (5) Direct the Subrecipient to reimburse the City for costs inappropriately charged to the City;
 - (6) Exercise other appropriate action including, but not limited to, any remedial action legally available.
- E. A Subrecipient shall make any reimbursement required by this Section no more than thirty (30) days after the City directs such reimbursement.

11. **Indemnification.** Each Subrecipient shall indemnify and defend the City, its agents, employees, officers, and elected officials against all claims or liability whatsoever, including attorney's fees and costs, resulting from the Subrecipient's activities under this Subrecipient Agreement, except for those resulting from the willful misconduct or negligence of the City or its agents, employees, officers, or elected officials. This section will survive the termination of this Subrecipient Agreement.
12. **Third Party Beneficiaries.** This Subrecipient Agreement does not and is not intended to confer any enforceable rights or remedies upon any person other than the parties.
13. **Assignment.** The Subrecipient shall not assign, convey or otherwise transfer any of their rights, duties, or obligations under this Subrecipient Agreement, to another person or entity without the express written consent of the City and authorization of DCEO. In the event that the Subrecipient seeks to assign, convey or otherwise transfer any of its rights, duties, or obligations under this Subrecipient Agreement, the Subrecipient shall demonstrate that it will use an open, impartial, and competitive selection process in making any such assignment, conveyance, or transfer of its rights, duties, or obligations.
14. **Entire Agreement; Amendments in Writing.** This Subrecipient Agreement constitutes the entire agreement between the parties, supersedes all other agreements or understandings between them pertaining to the matter of this Subrecipient Agreement, and may not be amended except by a writing signed by all parties. All attachments to this Subrecipient Agreement are incorporated herein by this reference thereto.
15. **Dispute Resolution and Governing Law.** In the event of a dispute between the parties to this Subrecipient Agreement, the parties, before filing any court action, jointly shall select a mediator and shall make a good faith effort in such mediation to resolve their differences. The parties shall share equally in the cost of such mediation service. In the event mediation fails to resolve the dispute between the parties, any party may file and maintain an action in the Circuit Court for the Sixth Judicial Circuit, Champaign, Illinois. The laws of the State of Illinois will govern any and all actions to enforce, construe, or interpret this Subrecipient Agreement.
16. **Notices.** The parties shall give all notices required or permitted by this Subrecipient Agreement in writing, addressed as set forth below, unless another address is provided in writing. Notices will be deemed given when personally delivered; deposited in the U.S. mail, postage prepaid, first class; or delivered to a commercial courier.

TO THE CITY:

Breaden Belcher
 Manager, Grants Division
 400 South Vine Street
 Urbana, IL 61801

TO HOPE VILLAGE:

Marty Smith
 Chair, Hope Village, Inc.
Marty.Smith@carle.com

Waiver. Any party's failure to enforce provisions of this Subrecipient Agreement will not be deemed a waiver of future enforcement of that or any other provision. A waiver of any provision of this Subrecipient Agreement is valid only if in writing and signed by the parties.

17. Compliance with Laws and Regulations.

- A. The Subrecipient shall comply with all applicable federal, State, and local laws, ordinances, rules, and regulations, as amended from time to time, including without limitation the Prevailing Wage Act/.
- B. The Subrecipient shall comply with the State's required certifications, provided for in the Grant Agreement. The Subrecipients' execution of this Subrecipient Agreement will serve as their attestation that the certifications made herein are true and correct.

18. Interpretation. The parties shall construe this Subrecipient Agreement according to its fair meaning and not strictly for or against any party.

19. Counterparts. The parties may sign this Subrecipient Agreement in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Signatures delivered by email in Adobe Portable Document Format (PDF) or by facsimile will be deemed original signatures for all purposes.

The parties are signing this agreement on the dates indicated below their signatures.

CITY OF URBANA, ILLINOIS

By: _____
Diane Wolfe Marlin, Mayor

Date: _____, 2024

Attest: _____
Darcy E. Sandefur, City Clerk

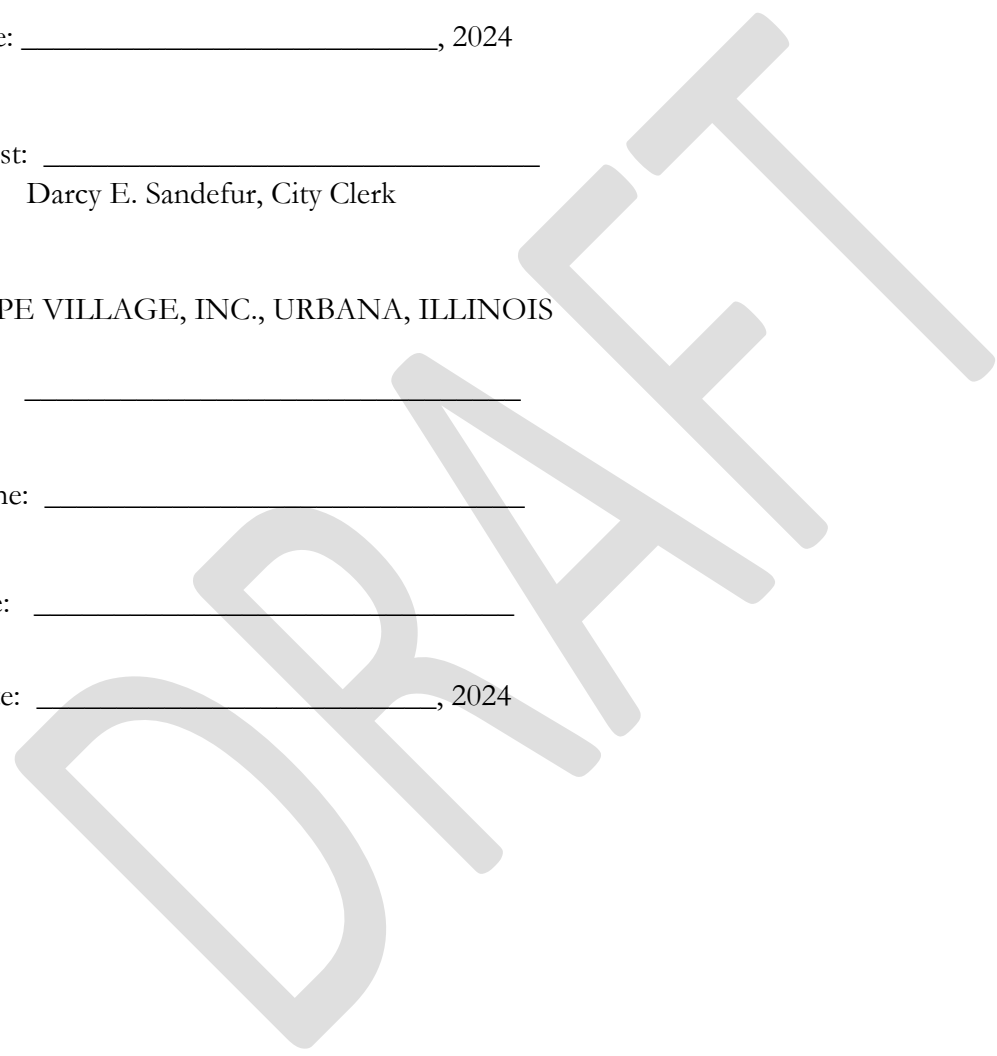
HOPE VILLAGE, INC., URBANA, ILLINOIS

By: _____

Name: _____

Title: _____

Date: _____, 2024





MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 18, 2024 Committee of the Whole
Subject: A Resolution Authorizing Acceptance of a DCEO grant (Hope Village)
A Resolution Approving a Subrecipient Grant Agreement with Hope Village Inc.

Summary

Action Requested

City Council is being asked to approve the two attached resolutions. The first Resolution authorizes the City to accept a \$250,000 grant from the Department of Commerce and Economic Opportunity (DCEO) for the Hope Village Tiny Homes project. The second Resolution approves a subrecipient grant agreement between the City and Hope Village, Inc.

Brief Background

The grant is a line-item appropriation from the State of Illinois General Revenue Fund and can only be used to reimburse the City for eligible construction and procurement costs relating to the Hope Village Tiny Homes Project undertaken by Hope Village, Inc., an Illinois non-profit entity. Per the State appropriation bill, these grant funds cannot be committed to any other project. City staff will administer the grant funds on behalf of Hope Village, Inc. pursuant to the terms of the attached subrecipient agreement.

Relationship to City Services and Priorities

Impact on Core Services

There will be no impact on core services as a result of approving the attached Resolutions.

Strategic Goals & Plans

The completion of Hope Village will further Mayor/Council Strategic Goals 2.1.A. *Coordinate with housing and social service providers to reduce homelessness*, 2.2.B. *Partner with developers to generate affordable rental and homeowner housing*, as well as the goals and strategies outlined in the [City of Urbana and Urbana HOME Consortium Consolidated Plan for FY 2020 – 2024, and Annual Action Plan for FY 2024 – 2025](#).

Previous Commission Actions

On April 24, 2023 City Council passed Resolution [2023-04-023R](#) approving and authorizing the execution of a subrecipient agreement with Carle Foundation hospital to provide \$850,000 in funding for the construction of Hope Village. On January 2, 2024, City Council passed Ordinance [2023-12-051](#) approving a preliminary/final subdivision plat for Hope Village (Plan Case 2479-S-23).

City Council is also concurrently considering accepting a separate \$1.2 million grant and subsequent grant recipient agreement at the November 18, 2024 Committee of the Whole.

Discussion

Additional Background Information

Activities that will be undertaken with the DCEO grant funding will include pre-construction activities such as design, A/E, as well as other direct costs associated with the construction of 30 tiny homes for medically-fragile individuals who have experienced homelessness.

This Subrecipient Agreement will take effect on the last date signed by a party. The agreement term will be two years, and will terminate on December 31, 2026, unless otherwise cancelled or amended by the City or DCEO.

Fiscal and Budget Impact

There will be no fiscal impact on the City General Fund, as the funding comes from DCEO. The grant funds will reimburse a portion of the costs associated with this project.

Recommendation

Staff recommends accepting the DCEO grant funds and approving the subrecipient agreement with Hope Village, Inc.

Next Steps

If Council approves the Resolutions to accept the grant funds and approve the attached subrecipient agreement with Hope Village, staff will execute the subrecipient agreement, and will also enter into a grant agreement with DCEO.

Attachments

- 1) A Resolution Authorizing Acceptance of a DCEO grant (Hope Village)
- 2) A Resolution Approving a Subrecipient Grant Agreement with Hope Village, Inc.
- 3) Subrecipient Grant Agreement with Hope Village Inc.

Originated by: Breaden Belcher, Grants Division Manager

Reviewed: William Kolschowsky, Senior Management Analyst/Assistant to the City
Administrator

Approved: Carol Mitten, City Administrator

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING ACCEPTANCE OF A DCEO GRANT
(Hope Village)**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers; and

WHEREAS, the City has in one or more years accepted funds from the Illinois Department of Commerce and Economic Opportunity (“DCEO”) in order to fund community projects; and

WHEREAS, DCEO has awarded a grant (“Grant”) in the amount of \$250,000 to the City for the Hope Village Tiny Homes Project; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by DCEO.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. That DCEO’s Grant to reimburse for construction costs is accepted by the City and that the City shall abide by the terms and conditions provided by DCEO.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to undertake such additional steps as may be necessary for the City to receive the Grant and to arrange for the City’s compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

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

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

RESOLUTION NO. _____

**A RESOLUTION APPROVING A SUBRECIPIENT GRANT AGREEMENT
WITH HOPE VILLAGE INC.**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers and functions as granted in the Illinois Constitution, 1970; and

WHEREAS, the State of Illinois has awarded a grant (“Grant”) in the amount of \$250,000 to allow the City to act as the fiduciary agent; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by the State of Illinois as described in the exhibit appended hereto and made a part hereof.

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

Section 1. That an Agreement providing \$250,000 in State of Illinois DCEO funds to Hope Village Inc., so as to continue their construction project of 30 tiny homes for medically fragile individuals who are experiencing homelessness in substantially the same form of the said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement in substantially the form appended hereto as so authorized and approved for and on behalf of the City of

Urbana, Illinois.

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

AYES:

NAYS:

ABSTENTIONS:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

SUBRECIPIENT AGREEMENT WITH HOPE VILLAGE INC.

State Awarding Agency: Illinois Department of Commerce and Economic Opportunity

Background

This Subrecipient Agreement is made between the City of Urbana, Illinois (the "City") and Hope Village Inc. (hereinafter the "Subrecipient") for costs associated with the construction of 30 tiny homes for medically fragile individuals experiencing homelessness.

On September 24, 2024, the City received notice from the Illinois Department of Commerce and Economic Opportunity (ILDCEO) that an award of \$250,000 was appropriated to DCEO from the general revenue fund for a grant to the City of Urbana to cover a portion of the construction and pre-construction costs associated with the development of Hope Village.

NOW, THEREFORE, in consideration of the matters set forth above and below, the parties agree as follows.

1. **Definitions.** Whenever used in this Subrecipient Agreement:

- A. "City" is defined as the City of Urbana.
- B. "DCEO" is defined as the Department of Commerce and Economic Opportunity.
- C. "Grant Agreement" means the agreement between the City and DCEO executed by the City, in connection with the general fund award number SD250153.
- D. "Grant Funds" means the assistance provided under this Subrecipient Agreement.
- E. "Participating Organizations" is defined as the City of Urbana and Hope Village Inc.
- F. "State" means the State of Illinois.
- G. "Subrecipient" is defined in the Background section of this Subrecipient Agreement.

2. **Grant Award.**

- A. Subject to the terms of the Grant Agreement and this Subrecipient Agreement, the City shall provide up to **\$250,000** in Grant Funds to the Subrecipient for activities identified as the responsibility of the Subrecipient in the Grant Application. The Subrecipient agrees to use funds granted to it by the City pursuant to this Subrecipient Agreement to

undertake those activities in the Application identified as the Responsibility of the Subrecipient in the manner identified in the Application. The Subrecipient agrees that funds awarded are pursuant to this Subrecipient Agreement and shall be used for the following purposes:

Construction of Hope Village: \$ 250,000

3. **Allowable Costs – Construction/Rehabilitation Project.** Planning, architectural, engineering, material, and construction costs associated with the construction of tiny homes for medically fragile individuals who are experiencing homelessness as outlined in the grant application.
4. **Disbursement.** If and to the extent the City receives funds under the Act, the City shall reimburse the Subrecipients in accordance with the terms of this Subrecipient Agreement. Funding in the full amount of this Subrecipient Agreement is contingent upon the City receiving Grant Funds. If the Grant Funds are discontinued or reduced for any reason, the City's payments to the Subrecipients may cease or be reduced without advance notice, and the City will not be liable for any damages as a result of such discontinuance or reduction of Grant Funds.
5. **Disallowance.** A Subrecipient shall reimburse the City for any payments it receives under this Subrecipient Agreement that are disallowed under the DCEO grant award number SD250153. If the City determines that a cost for which the City has made payment is disallowed, the City shall notify the Subrecipient of the disallowance and the required course of action, which, at the City's option, will be to adjust any future claim submitted by the Subrecipient by the amount of the disallowance or to require the Subrecipient immediately to repay the disallowed amount by issuing a check payable to the City.
6. **Subrecipients' Duties.**
 - A. The Subrecipients shall:
 - (1) Maintain detailed financial records that show the eligible essential services costs;
 - (2) Submit quarterly reports to the City no later than 15 days after the end of the quarter. Failure to submit reports to the City may result in the withholding or suspension of Grant Funds until the City receives and approves such reports;
 - (3) Maintain files and records as required which relate to the overall administration of the DCEO grant; and
 - (4) Submit quarterly Financial Status Reports to the City outlining project expenses; and
 - (5) Allow representatives of the City or DCEO to inspect facilities used in connection with this Subrecipient Agreement or which implement programs funded under this Subrecipient Agreement.

- B. With respect to all matters covered by this Subrecipient Agreement, the Subrecipients shall make records available for examination, audit, inspection, or copying at any time during normal business hours and as often as the City or State request. The Subrecipients shall permit excerpts or transcriptions to be made or duplicated from such records, and audits made of all invoices, materials, records of prevailing wage and other data relating to all matters covered by this Subrecipient Agreement. The City's right of inspection and audit shall obtain likewise with reference to any audits made by any other agency, whether local or State.
7. **Agreement Term.** This Subrecipient Agreement is effective on the last date signed by a party hereto and will terminate on June 30, 2025, unless otherwise cancelled or amended according to its terms.
8. **Subrecipients' representations.** Each Subrecipient represents the following to the City:
- A. The Subrecipient is qualified to participate in the rehabilitation project, has the requisite expertise and experience in the provision of project management, and is willing to use Grant Funds as outlined in the grant agreement.
- B. The Subrecipient will provide services under this Subrecipient Agreement in a competent, professional, and satisfactory manner in accordance with DCEO award number SD250153.
9. **Default.**
- A. Any breach of representation or other provision of this Subrecipient Agreement will constitute a default. A default by a Subrecipient also will consist of any of the following:
- (1) Use of Grant Funds for a purpose other than as authorized herein;
 - (2) Failure to maintain detailed financial and prevailing wage records concerning the use of the Grant Funds.
- B. A party claiming a default shall give written notice of such default to the defaulting party, which notice will describe the nature of the default and the Section of this Subrecipient Agreement, which the non-defaulting party believes was breached. The defaulting party will have fourteen (14) calendar days from the date notice was given to cure or remedy the default. During any such period following the giving of notice, the non-defaulting party may suspend performance under this Subrecipient Agreement until the defaulting party gives written assurances to the non-defaulting party, deemed reasonably adequate by the non-defaulting party, that the defaulting party will cure or remedy the default and remain in compliance with its duties under this Subrecipient Agreement.

- C. If the defaulting party is the City, and it fails to cure or remedy the default as provided herein, the non-defaulting party may exercise any right, power, or remedy granted to it pursuant to this Subrecipient Agreement or applicable law.
- D. If the defaulting party is a Subrecipient, and it fails to cure or remedy the default as provided herein, the City may take one or more of the following actions:
- (1) Direct the Subrecipient to submit progress schedules for completing approved activities;
 - (2) Direct the Subrecipient to establish and maintain a management plan that assigns responsibilities for carrying out remedial actions;
 - (3) Direct the Subrecipient to suspend, discontinue, or not incur costs for the affected activity;
 - (4) Reduce or recapture the Grant Funds authorized herein;
 - (5) Direct the Subrecipient to reimburse the City for costs inappropriately charged to the City;
 - (6) Exercise other appropriate action including, but not limited to, any remedial action legally available.
- E. A Subrecipient shall make any reimbursement required by this Section no more than thirty (30) days after the City directs such reimbursement.
10. **Indemnification.** Each Subrecipient shall indemnify and defend the City, its agents, employees, officers, and elected officials against all claims or liability whatsoever, including attorney's fees and costs, resulting from the Subrecipient's activities under this Subrecipient Agreement, except for those resulting from the willful misconduct or negligence of the City or its agents, employees, officers, or elected officials. This section will survive the termination of this Subrecipient Agreement.
11. **Third Party Beneficiaries.** This Subrecipient Agreement does not and is not intended to confer any enforceable rights or remedies upon any person other than the parties.
12. **Assignment.** The Subrecipients shall not assign, convey or otherwise transfer any of their rights, duties, or obligations under this Subrecipient Agreement, to another person or entity without the express written consent of the City and authorization of DCEO. In the event that any Subrecipient seeks to assign, convey or otherwise transfer any of its rights, duties, or obligations under this Subrecipient Agreement, the Subrecipient shall demonstrate that it will use an open, impartial, and competitive selection process in making any such assignment, conveyance, or transfer of its rights, duties, or obligations.

13. **Entire Agreement; Amendments in Writing.** This Subrecipient Agreement constitutes the entire agreement between the parties, supersedes all other agreements or understandings between them pertaining to the matter of this Subrecipient Agreement, and may not be amended except by a writing signed by all parties. All attachments to this Subrecipient Agreement are incorporated herein by this reference thereto.
14. **Dispute Resolution and Governing Law.** In the event of a dispute between the parties to this Subrecipient Agreement, the parties, before filing any court action, jointly shall select a mediator and shall make a good faith effort in such mediation to resolve their differences. The parties shall share equally in the cost of such mediation service. In the event mediation fails to resolve the dispute between the parties, any party may file and maintain an action in the Circuit Court for the Sixth Judicial Circuit, Champaign, Illinois. The laws of the State of Illinois will govern any and all actions to enforce, construe, or interpret this Subrecipient Agreement.
15. **Notices.** The parties shall give all notices required or permitted by this Subrecipient Agreement in writing, addressed as set forth below, unless another address is provided in writing. Notices will be deemed given when personally delivered; deposited in the U.S. mail, postage prepaid, first class; or delivered to a commercial courier.

TO THE CITY:

Breaden Belcher
 Manager, Grants Division
 400 South Vine Street
 Urbana, IL 61801

TO HOPE VILLAGE:

Claudia Lennhoff
 Executive Director
 Champaign County Health Care Consumers
 44 E. Main Street - Suite 208
 Champaign, IL 61820

Waiver. Any party's failure to enforce provisions of this Subrecipient Agreement will not be deemed a waiver of future enforcement of that or any other provision. A waiver of any provision of this Subrecipient Agreement is valid only if in writing and signed by the parties.

16. **Compliance with Laws and Regulations.**

- A. The Subrecipients shall comply with all applicable federal, State, and local laws, ordinances, rules, and regulations, as amended from time to time, including without limitation the Prevailing Wage Act/.

B. The Subrecipients shall comply with the State’s required certifications, provided for in the Grant Agreement. The Subrecipients’ execution of this Subrecipient Agreement will serve as their attestation that the certifications made herein are true and correct.

17. **Interpretation.** The parties shall construe this Subrecipient Agreement according to its fair meaning and not strictly for or against any party.

18. **Counterparts.** The parties may sign this Subrecipient Agreement in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Signatures delivered by email in Adobe Portable Document Format (PDF) or by facsimile will be deemed original signatures for all purposes.

The parties are signing this agreement on the dates indicated below their signatures.

CITY OF URBANA, ILLINOIS

By: _____
Diane Wolfe Marlin, Mayor

Date: _____, 2024

Attest: _____
Darcy E. Sandefur, City Clerk

HOPE VILLAGE INC., URBANA, ILLINOIS

By: _____

Name: _____

Title: _____

Date: _____, 2024



City of Urbana
400 S Vine Street, Urbana, IL 61801
www.urbanainillinois.us

MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 18, 2024 Committee of the Whole
Subject: A Resolution Authorizing Acceptance of a DCEO Grant
(Urbana Pilot Fleet Electrification Project)

Summary

Action Requested

City Council is being asked to approve the attached Resolution. The Resolution authorizes the City to accept a \$250,000 grant from the Illinois Department of Commerce and Economic Opportunity (DCEO) for the Pilot Fleet Electrification Project to be undertaken by Public Works.

Brief Background

This grant is a line-item appropriation from the State of Illinois General Revenue Fund and can only be used to reimburse the City for eligible construction and procurement costs relating to the Pilot Fleet Electrification Project to be undertaken by the Public Works Department. Per the State appropriation bill, these grant funds cannot be committed to any other project. Grants Division staff will oversee the management of the grant funds, as outlined in the attached Memorandum of Understanding (MOU) between the Community Development Services Department and Public Works.

Relationship to City Services and Priorities

Impact on Core Services

There will be no impact on core services as a result of approving the attached Resolution.

Strategic Goals & Plans

This project will further Mayor/Council Strategic Goals for infrastructure including strategies 3.1 *Improve quality of infrastructure assets* and 3.3 *Expand sustainable infrastructure within the community*.

Previous Council Actions

Council has previously accepted grants from DCEO to support infrastructure improvement projects in Urbana including [Resolution 2022-03-026R](#) for the Nevada Street Lighting Project and [Resolution 2023-10-081R](#) for the Vine and Washington Resurfacing Project.

Discussion

Additional Background Information

If the grant funds are accepted, an MOU will be entered into between Community Development Services and Public Works. This MOU will outline the responsibilities of each party in managing and expending the grant funds. The draft MOU is enclosed with this packet.

Fiscal and Budget Impact

There will be no fiscal impact on the City General Fund, as the funding comes from DCEO. The grant funds will reimburse a portion of the costs associated with this project.

Recommendation

Staff recommend accepting the DCEO grant funds.

Next Steps

If Council approves the Resolution to accept the grant funds, staff will finalize and execute the enclosed MOU with Public Works, and will also enter into a grant agreement with DCEO.

Attachment

A Resolution Authorizing Acceptance of a DCEO Grant (Urbana Pilot Fleet Electrification Project)

Originated by: Breaden Belcher, Grants Division Manager

Reviewed: Tim Cowan, Public Works Director
William Kolschowsky, Senior Management Analyst / Assistant to the City Administrator

Approved: Carol Mitten, City Administrator

RESOLUTION NO. 2024-XX-XXXX**A RESOLUTION AUTHORIZING ACCEPTANCE OF
A DCEO GRANT
(Urbana Pilot Fleet Electrification Project)**

WHEREAS, the City of Urbana (the “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 Resolution constitutes an exercise of the City’s home rule powers; and

WHEREAS, the Department of Commerce and Economic Opportunity (DCEO) has awarded a grant (“Grant”) in the amount of \$250,000 to reimburse the City for the Pilot Fleet Electrification Project undertaken by the Public Works Department; and

WHEREAS, the City is willing to accept the Grant on the terms and conditions provided by DCEO as described in the exhibit appended hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, as follows:

Section 1. That DCEO’s Grant to reimburse for the Pilot Fleet Electrification Project shall be and hereby is accepted by the City and that the City shall abide by the terms and conditions provided in the exhibit attached hereto and made a part hereof.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to undertake such additional steps as may be necessary for the City to receive the Grant and to arrange for the City’s compliance with the terms and conditions contained in the exhibit appended hereto and made a part hereof without further actions by the City Council.

PASSED BY THE CITY COUNCIL this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Darcy E. Sandefur, City Clerk

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

Diane Wolfe Marlin, Mayor

**MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN**

**CITY OF URBANA
Community Development Services Department**

AND

**CITY OF URBANA
Public Works Department**

1. Purpose

This MOU is entered into between the City of Urbana Community Development Services Department (CDS) and the City of Urbana Public Works Department (PW) for the Urbana Pilot Fleet Electrification Project. This MOU covers grant funding from the Illinois Department of Commerce and Economic Opportunity (DCEO) in the amount of **\$250,000**. The MOU will take effect on the last date signed by a party and will terminate when the funds are expended, or June 30, 2025, whichever comes first.

2. Responsibilities

Public Works will:

- a) Implement the Urbana Pilot Fleet Electrification Project as outlined in the MOU and in the attached statement of work (Exhibit A);
- b) Ensure that all purchasing and bidding activities undertaken are in compliance with the City of Urbana's procurement policy;
- c) Assure that DCEO costs will not exceed **\$250,000** and that project costs are reasonable and consistent with local and federal policies and regulations. Expenses will be substantiated through quarterly reports in accordance with Exhibit B;
- d) Submit proper invoices provided that services and work performed have been satisfactory, and that any and all project documentation has been submitted to the Community Development Services Department to ensure reimbursement of DCEO eligible project costs.

Community Development Services will:

- a) Review project statement of work, budget, and procurement processes for compliance with State of Illinois regulations;
- b) Monitor project implementation once per quarter to ensure compliance with

reporting requirements, 2 CFR Part 200 financial management requirements, and other applicable state and federal requirements;

- c) Submit quarterly Periodic Performance Report (PPR) and Period Fiscal Report (PFR) to the State of Illinois DCEO for review and approval.

3. **Monitoring and Reporting**

The Public Works Department shall submit throughout the term of this MOU:

- a) Documentation of any public hearings or notifications regarding the project;
- b) Documentation of the procurement process, including the selection of the contractor and bidding documents for construction;
- c) Original copies of the legal agreements with the contractor;
- d) Invoices on a monthly basis to be approved through MUNIS workflow.

4. **Project Completion and Closeout**

Upon project completion, Public Works shall submit all grant close-out documents, including but not limited to requests for final payments/retainage and release of liens from contractors, within forty-five (45) days after the end of the term of this MOU. The failure of Public Works Department to provide a full accounting of all funds expended, including program income, under this MOU within ninety (90) days shall be sufficient reason for CDS to deny or terminate any future agreements with Public Works Department.

This MOU and all records above and otherwise pertaining to such MOU shall be maintained by both Public Works Department and CDS for a period of **five (5) years** after project completion final payment is made and all other pending matters are finalized.

Public Works Department shall furnish all records with respect to any matters covered by this MOU for inspection by CDS, or DCEO officials at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data.

If Public Works fails to submit, in a timely and satisfactory manner, any report or response required by this MOU, including responses to monitoring reports, CDS may withhold payments otherwise due to Public Works. If CDS withholds such payments, it shall notify Public Works in writing of its decision and the reasons therefore. Payments may be withheld by CDS until such time as the delinquent obligations for which funds are withheld are fulfilled by Public Works. If the delinquent report or response is not received within forty-five (45) days of its due date, CDS may suspend or terminate this MOU.

1. Reprogramming and Reversion of Assets – Public Works shall refund to CDS any sum of money that has been paid to Public Works by CDS that CDS determines has resulted in an overpayment, or which CDS determines has not been spent strictly in accordance with the terms of this MOU and/or DCEO requirements. Such refund shall be made by Public Works within fifteen (15) days after request by CDS.

Within ninety (90) days after expiration of this MOU, Public Works shall transfer to CDS any grant funds allocated by the City of Urbana for this program which have not been invoiced by Public Works within sixty (60) calendar days after the ending date of this MOU and any accounts receivable attributable to the use of DCEO funds. Such funds shall revert to the DCEO Program to be allocated for other activities.

2. Non-Performance and Termination - In accordance with 2 CFR 200.338, CDS may suspend or terminate this MOU by notice in writing to Public Works if Public Works materially fails to comply with any term of the award. Additionally, this MOU may be terminated in whole or in part for convenience by either Public Works or CDS in accordance with 2 CFR Part 200.339 by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated.
3. Amendments – Public Works may request minor budget revisions to this MOU at any time prior to the last quarter of the term of the agreement provided that such amendments do not result in an increase the amount of DCEO funds. CDS may, in its discretion, amend this MOU to conform with federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this MOU, such modifications will be incorporated only by written amendment signed by both CDS and Public Works.
4. Conformance with Federal Regulations – Public Works shall comply with all applicable federal, state, and local laws. In addition, Public Works agrees to comply with applicable provisions of Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (also known as the Super Circular) codified at 2 CFR, Part 200.

These principles shall be applied for all costs incurred whether charged on a direct or indirect basis. Public Works further agrees that no funds provided, nor personnel employed under this agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V, United States Code.

2. **Timeframe for Memorandum of Understanding**

This MOU will be in effect from November 25, 2024 through June 30, 2026 or until project close out.

3. Authorized Signatures and Department Contacts

Tim Cowan, Public Works Director **Date**

Carol Mitten, Interim Community Development Services Director **Date**

DRAFT

EXHIBIT A**STATEMENT OF WORK**

The scope of work includes construction/renovation activities as well as purchase of new equipment. Construction/renovation activities include building out infrastructure including conduit, wiring, charging pedestals/ports, and basic restoration to accommodate additional future electric vehicle (EV) fleet conversions. The funds used for equipment will cover the unbudgeted difference in vehicle replacements to go to electric from gas vehicles. Funds secured for this project will also include replacing four (4) gas-powered Public Works vehicles at the end of their useful life with EVs at an estimated rate of an extra \$10,000 per vehicle.

The construction/renovation activities will include electrical network expansion to accommodate EV charging onsite at the City's Public Works facility for advancing conversion from gas-powered vehicles to EVs.

Equipment purchase expenses are planned to be used for the purchase cost difference between gas-powered vehicles (which the City has already budgeted for) and EVs for up to four (4) vehicles that are due for replacement and have been identified by the City as suitable for conversion to EV. Make and model of vehicles have not yet been determined. Public Works fleet vehicles are used for a variety of purposes on a daily basis, including responding to resident and business requests and complaints, tree removal or trimming services, as well as other projects that benefit Urbana residents.

EXHIBIT B**Quarterly Reporting Schedule**

Quarterly expense reports shall be due on the 15th day of the month following the end of each quarter. Start and end dates of each quarter are as follows:

Quarter 1: July 1—September 30

Quarter 2: October 1—December 31

Quarter 3: January 1—March 31

Quarter 4: April 1—June 30

DRAFT



MEMORANDUM TO THE MAYOR AND CITY COUNCIL

Meeting: November 18, 2024 Committee of the Whole
Subject: FY2025 Budget Amendment #2 - Omnibus

Summary

Action Requested

Forward the budget amendment authorizing these adjustments for approval at the November 25, 2024 City Council meeting. This budget amendment requires six affirmative votes, including the Mayor, in order to pass.

Brief Background

This Ordinance seeks Council action to amend the FY2025 Annual Budget. Changes include providing additional funding for the City's recycling programs, reallocating some funds for the Community Engagement Team Pilot Program, allocating grant funds for Hope Village, and funding for a study on fire protection services in the campus area. Specific adjustments are described below.

Relationship to City Services and Priorities

Impact on Core Services

The requested items are intended to allow City staff to better serve Urbana residents.

Strategic Goals & Plans

The proposed changes to the Community Engagement Team (CET) and fire protection consultation services directly support the Mayor and Council's goal of enhancing public safety and well-being, as outlined in **Strategic Area #1: Public Safety and Well-being**.

The changes related to the state and federal grant for Hope Village Tiny Homes align with the Mayor and Council's goal of fostering housing security and equity while improving housing quality, identified in **Strategic Area #2: Housing**.

Additionally, proposed changes to capital projects and the Pilot Fleet Electrification Grant align with the Mayor and Council's objectives to improve the quality of current infrastructure assets and advance sustainability and climate resiliency on City-owned property and facilities, under **Strategic Area #3: Infrastructure**.

Previous Council Actions

The City Council approved the City's FY2025 Annual Budget on June 24, 2024 and Budget Amendment #1 on September 30, 2024.

Discussion

Additional Background Information

In the FY2025 Budget, the City Council allocated funding for a 3-year pilot program to establish a Community Engagement Team (CET) in the Philo Road area. A suitable location has been identified, and lease negotiations are underway. Funding for the lease was incorrectly included in the HR budget and will be moved to the Police budget. Expenses for equipment were budgeted as a transfer to the Vehicle and Equipment Replacement Fund (VERF), but should have been included as expenditures in the Police Department budget. These changes are corrections to the budget entries and do not affect the budget for this program.

An additional \$56,100 is requested in the Executive Department to support fire protection consultation services under an existing Intergovernmental Agreement involving the University of Illinois and the City of Champaign. As the lead agency, Urbana will equally share costs with the other entities. This funding includes \$51,000 for the proposal and a 10% contingency for potential scope expansions, with approximately \$34,000 to be reimbursed. Assigning this to the Executive Department, rather than the Fire Department, is recommended to account for the intergovernmental nature of the project and to manage any associated ancillary costs effectively.

Due to timing issues, funds for two items in the Capital Improvement Fund City Facility Improvements Project – Security Access Control and Fire Station 1 Sprinkler Installation – were not encumbered before the end of last fiscal year. These projects will be rebudgeted so they can be completed in FY2025. A \$250,000 state grant will fund the Public Works EV Pilot Conversion Program, including \$210,000 for EV charging infrastructure, which is reflected in the Capital Improvement Fund. The remaining \$40,000 to replace up to four gas-powered vehicles with EVs is included in the VERF.

The City anticipates a revenue shortfall of approximately \$200,000 in the Local Motor Fuel Tax Fund compared to projections in the CIP, related to the planned phased increases in the tax. Despite this adjustment, the City intends to proceed with the allocated spending plan, as all planned projects remain priorities for completion this fiscal year. The reduced revenue will result in an end-of-year fund balance approximately \$200,000 lower than originally projected.

Two items in the VERF that were not purchased in FY2024 will be deferred to FY2025. Additionally, discrepancies between the VERF budget and the internal project accounting system budget have been identified. This budget amendment aims to address these discrepancies, ensuring proper accounting and allocation of funds. Also, in this fund, the remaining \$40,000 from the Public Works EV Pilot Conversion Program, which is for replacement of gas-powered vehicles with EVs, is reflected in both revenues and expenses.

In the Home Recycling Fund, an expense adjustment of \$300,000 is needed to address the transition to a new contractor while maintaining weekly service from April through the end of FY2025, following the current contractor's completion of their curbside contract in March. The lowest bid

for the new contract is considerably higher than the previous contract. If Council wishes to consider bi-weekly collection as an alternative, this could be reduced to \$200,000. This adjustment will lower the fund balance in FY2025, and staff will discuss revenue options to support this program in a separate agenda item.

In the CD Grants Fund, the City has received \$250,000 in a state grant and a \$1,200,000 federal grant to support key initiatives. The \$250,000 state grant, combined with the \$1,200,000 federal CDBG-CV grant, will support the Hope Village project.

Operations Impact

Adjustments to the Home Recycling Fund will maintain weekly recycling services during the transition to a new contractor, ensuring uninterrupted operations and program consistency. Amending the budget will allow staff to start working on the Security Access Control and Fire Station 1 Sprinkler Installation projects, advancing critical facility upgrades that enhance operational readiness and security. It will also support the launch of the Urbana Fleet Electrification Program.

Fiscal and Budget Impact

The new estimated ending fund balance in the General Operating Fund, not including amounts reserved for future expenditures, would be reduced by \$22,100 to \$11,831,544, which is 26.34% of recurring expenditures. This leaves \$600,535 available above the 25% fund balance policy limit. This does not include \$5,016,294 reserved for planned transfers for capital improvements in future years and funding for the second and third years of the Community Engagement Team pilot program. None of the new General Fund expenditures are recurring, so there is no impact on funds available for new, recurring expenses. This will be reevaluated in the Financial Forecast, which will be provided to Council within the next few months.

Community Impact

All of these requests are designed to better serve Urbana residents either directly or indirectly.

Recommendation

Forward the budget amendment authorizing these adjustments to the FY2025 budget with a recommendation for approval at the November 25, 2024 City Council meeting.

Next Steps

If the proposed adjustments mentioned above are approved, the revisions included in the exhibit will be made to the FY2025 Annual Budget.

Attachments

1. An Ordinance Revising the Annual Budget Ordinance

Originated: Don Ho, Senior Financial Analyst / Budget Coordinator
 Reviewed: Elizabeth Hannan, HR & Finance Director / CFO
 Approved: Carol Mitten, City Administrator

ORDINANCE NO. _____

AN ORDINANCE REVISING THE ANNUAL BUDGET ORDINANCE

(Budget Amendment #2 –Omnibus)

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

WHEREAS, the corporate authorities of the City heretofore did approve the annual budget ordinance of and for the City of Urbana for the fiscal year beginning July 1, 2024 and ending June 30, 2025; and

WHEREAS, the said corporate authorities find that revising the annual budget ordinance by deleting, adding to, changing, or creating sub-classes within object classes and object classes themselves is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, the Budget Director may not make such revision under the authority so delegated to the Budget Director pursuant to 65 ILCS 5/8-2-9.6 or Urbana City Code Section 2-133.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AND THE MAYOR, BEING THE CORPORATE AUTHORITIES OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

The annual budget ordinance shall be and the same is hereby revised as set forth in the exhibit appended hereto and made a part hereof as is fully set forth herein.

Section 2.

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 (65 ILCS 5/1-2-4).

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of two-thirds of the corporate authorities then holding office (6 of 8 votes) of the City of Urbana, Illinois, at a duly noticed and convened meeting of the said corporate authorities.

PASSED BY THE CORPORATE AUTHORITIES this __ Day of _____, 20__.

AYES: _____

NAYS: _____

ABSTENTIONS: _____

Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this __ Day of _____, 20__.

Diane Wolfe Marlin, Mayor

Budget Amendment 2024/25 - 02 - Exhibit A

General Ledger Code	Project String	Description	Current Budget	Revised Budget	Difference	Reason
GENERAL OPERATING FUND (100)						
<u>Revenues</u>						
100-41699		GENERAL FUND: OTHER INTERGOV PAYMENTS	13,400	47,400	34,000	FIRE CONSULTATION SERVICES - INTERGOV. AGREEMENT
Total Revenues			47,231,812	47,265,812	34,000	
<u>Expenditures</u>						
10010101-52999		MAYOR/CITY ADMIN: OTHER CONTRACTUAL SERVICES	59,606	115,706	56,100	FIRE CONSULTATION SERVICES - INTERGOV. AGREEMENT
10015155-52930		HUMAN RESOURCES: OFFICE LEASING	120,000	90,000	(30,000)	COMMUNITY ENGAGEMENT TEAM BUDGET ENTRY CORRECTION
10020201-51900		POLICE PATROL: OTHER SUPPLIES	21,523	66,523	45,000	COMMUNITY ENGAGEMENT TEAM BUDGET ENTRY CORRECTION
10020201-52930		POLICE PATROL: OFFICE LEASING	-	30,000	30,000	COMMUNITY ENGAGEMENT TEAM BUDGET ENTRY CORRECTION
10020201-59300		POLICE PATROL: TFR TO VERF FUND	299,570	254,570	(45,000)	COMMUNITY ENGAGEMENT TEAM BUDGET ENTRY CORRECTION
Total Expenditures			57,017,069	57,073,169	56,100	
Ending Fund Balance (estimated)			16,914,938	16,892,838	(22,100)	
CAPITAL REPLACEMENT & IMPROV FUND (200)						
<u>Revenues</u>						
200-41160	50310-DCEO-CIP	CIP: OTHER STATE GRANTS	-	210,000	210,000	URBANA PILOT FLEET ELECTRICIFICATION GRANT
Total Revenues			17,469,619	17,679,619	210,000	
<u>Expenditures</u>						
20040470-52204	50310-GRANT-CIP	CIP: INFRASTRUCTURE MAINT	188,120	398,120	210,000	URBANA PILOT FLEET ELECTRICIFICATION GRANT
20040470-53200-40800	40800-CONST-REHAB	CITY FACILITY IMPROVEMENTS: BUILDING	4,170,075	4,311,075	141,000	REBUDGET - SECURITY ACCESS CONTROL
20040470-53200-40800	40800-CONST-SECURITY	CITY FACILITY IMPROVEMENTS: BUILDING	4,311,075	4,448,075	137,000	REBUDGET - STATION 1 SPRINKLER SYSTEM
Total Expenditures			22,683,980	23,171,980	488,000	
Ending Fund Balance (estimated)			666,502	666,502	-	
LOCAL MOTOR FUEL TAX FUND (202)						
<u>Revenues</u>						
202-40204		LMFT: LOCAL MOTOR FUEL TAX	1,002,698	802,698	(200,000)	LMFT - REDUCED REVENUE
Total Revenue			1,159,698	959,698	(200,000)	
Ending Fund Balance (estimated)			3,248,308	3,048,308	(200,000)	
VEHICLE & EQUIPM REPLCMNT FUND (300)						
<u>Revenues</u>						
300-41160	50310-DCEO-VERF	VERF: OTHER STATE GRANTS	-	40,000	40,000	URBANA PILOT FLEET ELECTRICIFICATION
300-46100		VERF: SALE OF PROPERTY	-	30,000	30,000	VERF CORRECTIONS
300-49100		VERF: TFR FROM GENERAL FUND	4,055,687	4,010,687	(45,000)	COMMUNITY ENGAGEMENT TEAM BUDGET ENTRY CORRECTION
Total Revenues			4,477,046	4,502,046	25,000	
<u>Expenditures</u>						
30060600-53410		VERF: MACHINERY	608,030	1,230,057	622,027	VERF RECONCILIATION
30060600-53420		VERF: VEHICLES	1,510,753	1,249,405	(261,348)	VERF RECONCILIATION
30060600-53420	50310-GRANT-VERF	VERF: VEHICLES	1,249,405	1,289,405	40,000	URBANA PILOT FLEET ELECTRICIFICATION
30060600-53420	VERF-PW-048	VERF: VEHICLES	1,289,405	1,293,205	3,800	REBUDGET - PW70 & VERF RECONCILIATION
30060600-53440		VERF: OTHER EQUIPMENT	459,842	640,636	180,795	VERF RECONCILIATION
30060600-53440	VERF-PD-123	VERF: OTHER EQUIPMENT	640,636	661,636	21,000	REBUDGET - MOBILE DIGITAL COMPUTERS & DOCKS
30060600-54100		VERF: PRINCIPAL	19,321	21,790	2,469	VERF RECONCILIATION
Total Expenditures			2,604,583	3,213,326	608,743	
Ending Fund Balance (estimated)			7,842,447	7,253,504	(588,943)	
HOME RECYCLING FUND (302)						
<u>Expenses</u>						
30240452-52104		RECYCLING: DISPOSAL & RECYCLING SERVICES	460,403	760,403	300,000	UCYCLE - INCREASE IN CONTRACTUAL SERVICES
Total Expenses			818,554	1,118,554	300,000	
Ending Fund Balance (estimated)			462,987	162,987	(300,000)	
COMMUNITY DEV GRANTS FUND (331)						
<u>Revenues</u>						
33150537-41160	50311-DCEO-GRANT	DCEO GRANT: OTHER STATE GRANTS	3,500,000	3,750,000	250,000	STATE GRANT: HOPE VILLAGE
33150531-46900	50202-FED-GRANT	CDBG: OTHER MISCELLANEOUS REVENUES	290,000	1,490,000	1,200,000	CDBG-CV GRANT: HOPE VILLAGE
Total Revenues			10,522,328	11,972,328	1,450,000	
<u>Expenditures</u>						
33150537-52800	50311-GRANT-HOPE	DCEO GRANT: GRANT MISC CONTRACTUAL SERVICE	992,493	1,242,493	250,000	STATE GRANT: HOPE VILLAGE
33150531-52800	50202-GRANT-HOPE	CGBG: GRANT MISC CONTRACTUAL SERVICE	362,708	1,562,708	1,200,000	CDBG-CV GRANT: HOPE VILLAGE
Total Expenditures			8,788,062	10,238,062	1,450,000	
Ending Fund Balance (estimated)			(452,964)	(452,964)	-	